

State of California, State Water Resources Control Board

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://waterrights.ca.gov>

Tehama County. Filmore
Balls Ferry Quad map.

S015631
2005, 2006, 2007

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

CALIF DEPT OF FISH AND GAME - REGION 1

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the plaintiff

Please Complete and Return This Form by JULY 1, 2008

Primary Contact:

CALIF DEPT OF FISH AND GAME - REGION 1
601 LOCUST ST
REDDING, CA 96001

Agent:

Address:

Phone No. 530-225-2300

Phone No.

Fax No.

Fax No.

E-mail Address:

E-mail Address:

Source Name: BATTLE CREEK DIVERSION DITCH

Year of First Use: 2000

Tributary To:

Name of Diversion works:

County: Tehama

Assessor Parcel Number

Diversion within: NE 1/4 of NW 1/4 Section 11, T 29 N, R 3 W, null

of the Diversion site: 009-040-028

A. **Water is Used Under:** Riparian claim ___ Pre-1914 claim ___ Court Decree No.: ___ Other (explain): ___

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrms)) ___

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) ___ Gallons per day (gpd) ___ Cubic feet per second (cfs) ___

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2005					36.09	30.09	30.09	30.09	30.09	30.09			30.09
2006					30.09	30.09	30.09	30.09	30.09	30.09			30.09
2007					30.09	30.09	30.09	30.09	30.09	30.09			30.09

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons ___ Million Gallons (MG) ___ Acre-feet (AF) ___

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2005					59.7	59.7	59.7	59.7	59.7	59.7			418
2006					59.7	59.7	59.7	59.7	59.7	59.7			418
2007					59.7	59.7	59.7	59.7	59.7	59.7			418

E. **Purpose of Use** - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 46 acres; Stockwatering ___; Domestic ___
Other (specify) ICRIGAN DITCH, WETLANDS, RIPARIAN HABITAT, WILDLIFE ENHANCEMENT

Parcel Number(s) of Place of Use: 009-040-028

F. **Changes in Method of Diversion** - Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ___ NO X
Describe any water conservation efforts you have initiated: _____

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Reduction in consumptive use:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)
I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 06-17, 2008 at _____, California

SIGNATURE: _____

PRINTED NAME: James B. Chokran
(first name) (middle initial) (last name)

COMPANY NAME: CA Dept Fish & Game

ITEM _____
CONTINUATION _____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA
There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS

STATE WATER RESOURCES
CONTROL BOARD

P.O. Box 2000, Sacramento, CA 95812-2000 2003 JUL - 1 AM 10: 13
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

STATEMENT OF WATER DIVERSION AND USE

DIV. OF WATER RIGHTS
SACRAMENTO

(This is not a Water Right)

This Statement should be typewritten or legibly written in ink and submitted to the address above.
A separate statement should be filed for each point of diversion. A duplicate copy will be returned for your file.

S015631

6035170

A. Name of person diverting water CA Dept. of Fish & Game

Address 601 Locust St.

Reading CA 96001 Telephone: 530 225-2300

B. Water is used under: Riparian claim; _____ Pre 1914 right; Other (explain) _____

C. Name of the body of water at the point of diversion Battle Creek Diversion Ditch

Tributary to A diversion ditch off Battle Creek

D. Point of diversion is located within Tehama County on Assessors Parcel # 009-040-028, being

within the NE 1/4 of NE 1/4 of Section 11, of Township 29N, Range 3 West B&M.

Name of works Filmore Meter Box (2 outlets)

E. Do you own the land at the point of diversion? Yes NO _____ The name and address of the owner of the land is:

Same as above

F. Capacity of diversion works unknown (cfs, gpm, or gpd) Capacity of storage tanks or reservoir N/A (gallons or acre-feet)

Type of diversion facility: Gravity Pump _____

Method of measurement: Weir _____ Flume _____ Electric Meter _____ Estimate

* G. Enter the amount (or approximate amount) of water used each month.

Amounts below are shown in: Gallons _____ Acre-feet Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
					59.7	59.7	59.7	59.7	59.7	59.7			418

* H. Annual water use in recent years: Maximum 418 (gallons or acre-feet) Minimum _____ (gallons or acre-feet)

Year of first use (nearly as known) 2000

I. Purpose of use: What is the water being used for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) Irrigated pasture, riparian habitat, Wetlands

* J. General description or location of place of use (example: 40 acres of pasture located 3 miles from Happyville on Alpha Road) _____

46 Acres of irrigated pasture, wetlands and riparian habitat South of Jellys Ferry Road, 1/2 mile south of the Battle Creek Bridge

K. Map: Please locate the point of diversion and place of use on a print of a USGS quad map, or make a sketch on the section grid provided on the reverse side of this form. The sketch should identify the section lines, prominent local landmarks and roads, your point of diversion, and your place of use (your house, acreage irrigated, etc.).

STATEMENT (11-00) * G, H. and J. Based on: Lawrence, David A. 1992. Consumptive Use and Deep Percolation of Applied Water from The Battle Creek Diversion Ditch on The Battle Creek, Tompkins And Filmore Ranches. Unpublished Document. 22 pp.

L. Please answer only those questions below which are applicable to your project.

- 1. Conservation of water
 - a. Describe any water conservation efforts you may have started: N/A
- 2. Water quality and wastewater reclamation
 - a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES NO

S015631

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

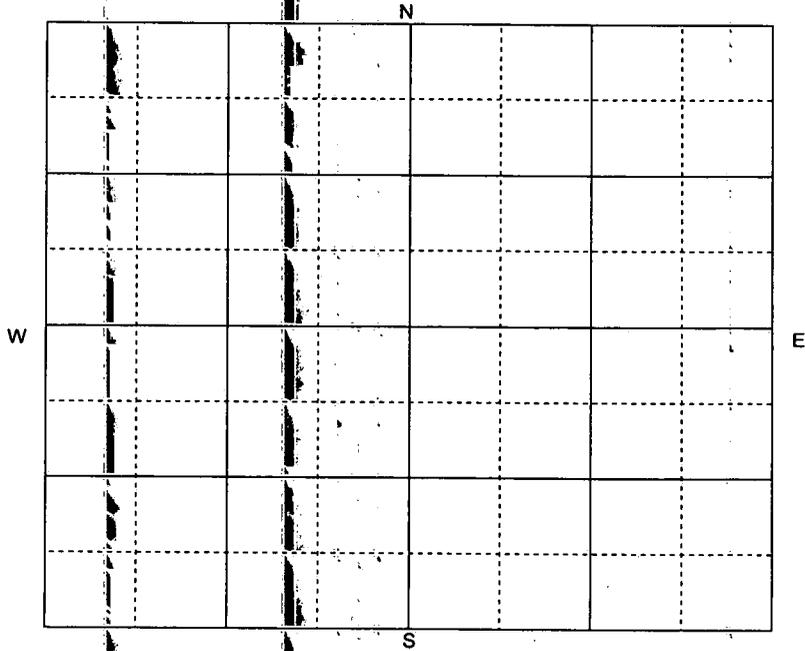
DATE: 06/26/03 at Redding CA, California

SIGNATURE: [Signature]

PRINTED NAME: Steven J. Arrioso
(first name) (middle init.) (last name)

COMPANY NAME: California Department of Fish and Game

See Attached Map



The location of the diversion point and the place of use may be sketched on the section grid provided. If it is used, please enter the section(s), township, range and the base & meridian below. Also, show any streams or other landmarks that will assist in identifying the area.

Section(s) 11
Township 29W
Range 3W
_____ B&M

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Statements of Water Diversion and Use must be filed by a riparian and per-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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FILMORE

Info: Site available at <http://imaps.dfg.ca.gov>

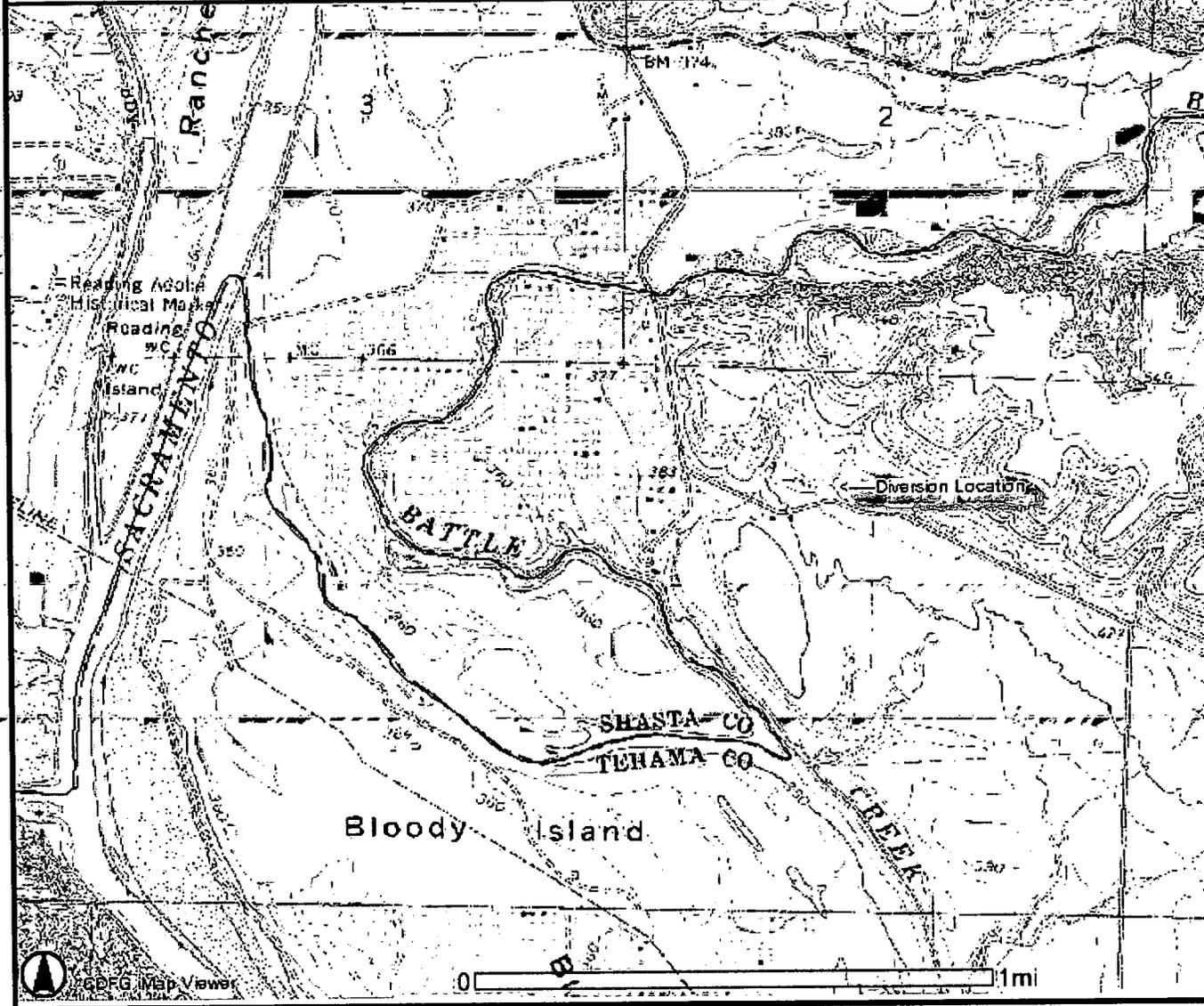
Author: Steve Arrison

Date: 6/26/2003 4:54 PM



Map Legend

- ★ Place Names
- County Boundaries



S015631



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Division of Water Rights

1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
Fax: 916.341.5400 ♦ www.waterrights.ca.gov



Arnold Schwarzenegger
Governor

In Reply Refer
to:300:BR:S015631

February 21, 2007

California Department of Fish and Game
c/o Steve Arrison
601 Locust Street
Redding, CA 96001

STATEMENT OF WATER DIVERSION AND USE S015631 FOR DIVERSION FROM BATTLE CREEK DIVERSION DITCH TRIBUTARY TO BATTLE CREEK IN TEHAMA COUNTY

The State Water Resources Control Board, Division of Water Rights (Division), received your Statement of Water Diversion and Use (Statement) filed on July 01, 2003. Your Statement has been assigned identification number S015631. This number should be referenced in all correspondence with the Division regarding the Statement. Please notify the Division of any change in ownership or mailing address.

A Supplemental Statement of Water Diversion and Use (Supplemental Statement) will be mailed to you every three years, and must be filed with the Division prior to July 1 of that year. There is no fee for filing a Supplemental Statement. The submittal of a Supplemental Statement is a record of your water use. It is used by the Division to verify existing data and to notify you of water right matters related to your pre-1914 claim.

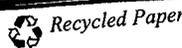
If you have questions or concerns regarding this matter, please contact me at (916) 341-5376 or at brigby@waterboards.ca.gov.

Sincerely,

ORIGINAL SIGNED BY:

Bill Rigby
Engineering Associate
WRIMS and Recordation Unit

California Environmental Protection Agency



SURNAME

BR-2-21-07

S015631

STATEMENT OF WATER DIVERSION & USE

CLAIMANT: DEPT OF FISH + GAME

FILE NUMBER: _____ NAME INDX(S): _____

CLAIM(S) RECEIVED BY: MAIL OC _____ DATE REC'D: 7/1/03

ACCEPT: RETURN: _____ STREAM CODE: 001900008

QUAD MAP CODE: D-019 QUAD MAP NAME: BALLS FERRY

CALIF COORD: ZONE 1 N 383,750 E 1952,600

REMARKS: NE/NW Sec 1 T29N/R3W M0

