

State of California  
 State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
 1001 I Street, 14<sup>th</sup> Floor, Sacramento, CA 95814  
 P.O. Box 2000, Sacramento, CA 95812-2000  
 Info: (916) 341-5300, Fax: (916) 341-5431, www.waterboards.ca.gov/waterrights

DIVISION OF WATER RIGHTS  
 2010 JUN 30 AM 10:48  
 511

**INITIAL STATEMENT OF WATER DIVERSION AND USE**

**NOTE: A Statement is not a Water Right**

This Statement should be typewritten or legibly written in ink and submitted to the address above.  
 A separate statement must be filed for each point of diversion.

An (\*) indicates a required section. Required sections must be completed for the Statement to be accepted.

**\*A. Claimant/Agent Information**

Claimant: <u>Rising River Land &amp; Cattle Co, LLC</u>	Agent:
<u>Lowell Chamberlain</u>	
Mailing Address: <u>14 Commercial Blvd, St 125</u>	Mailing Address
<u>Novato, CA 94949</u>	
Phone No. <u>415-382-3900</u>	Phone No.
Fax No. <u>415-382-1600</u>	Fax No.
E-mail Address:	E-mail Address:

**\*B.** Water is diverted and used under the claim of: Riparian claim  Pre 1914 claim  Court Decree No \_\_\_\_\_  
 Other (explain): \_\_\_\_\_

**\*C.** Name of the body of water at the point of diversion \_\_\_\_\_

Rising River  
 Tributary to Hat Creek

**\*D.** Point of diversion is located within Shasta County on Assessor's Parcel No. 031-520-19  
 being within the S 1/4 of NW 1/4 of Section 8, of Township 35N, Range 4E, M.D. B&M.  
 Provide the location of the point of diversion using the California Coordinate System (NAD 1983) or Latitude / Longitude measurements.

**Identify the point of diversion and outline the place of use on a United States Geological Survey (USGS) topographic map and submit the map with the Statement.**

Name of the diversion works is unknown Related Water Right(s) \_\_\_\_\_

**E.** Do you own the land at the point of diversion? Yes \_\_\_ No  If No, please provide the name and address of the land owner at the point of diversion: H&M Ranch % James C. McIntosh, 111 Bayhill Dr St 425, San Bruno, CA 94066

**\*F.** Capacity of diversion works 750 (cfs, gpm or gpd) Capacity of storage tanks or reservoir N/A (gallons or acre-feet)  
 Type of diversion facility: Gravity \_\_\_ Creek Pump  Well Pump \_\_\_  
 Method of measurement: Weir \_\_\_ Flume \_\_\_ In line flow meter \_\_\_ Electric Meter \_\_\_ Estimate

**NOTE: \* Monthly report below is optional until January 1, 2012, at which time the information becomes mandatory.**

\*Provide the maximum rate of diversion achieved in each month in the table below as measured in: cfs \_\_\_, gpm \_\_\_, or gpd \_\_\_

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec

\*G. Provide the quantity of water diverted each month in the table below as measured in: Gallons \_\_\_ Million gallons \_\_\_ Acre-feet \_\_\_

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

H. Annual water use in recent years: Maximum <sup>275 total</sup> 5/A (gallons or acre-feet) Minimum <sup>165 total</sup> 3/A (gallons or acre-feet)

State the year of first use at diversion site or storage facility estimate pre 1930

\*I. Beneficial water use is for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) 60 Acres - Hay/Alfalfa, Alfalfa Grass mix; Pasture

\*J. General description and location of the place of use shall be identified using a USGS topographic map, or if assigned, may be provided using the public land description to the nearest 40 acre parcel accompanied by the County Assessor's parcel map.

See Attached - Parcel # 143

K. Please answer only those questions below that are applicable to your project.

1. Conservation of water
  - a. Describe any water conservation efforts you have in place Liner leveled, Pipeline, Management Practices to ensure only the amount of water needed to cover fields is pumped
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 that unreasonably affects such water for other beneficial uses? YES \_\_\_ NO
3. Conjunctive use of surface water and groundwater
  - a. Are you using groundwater in lieu of surface water? YES \_\_\_ NO

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

\*DATE: 28 June 2010 at Cassel, California

\*SIGNATURE: [Signature]

\*PRINTED NAME: Robert (first name) J. (middle initial) Witz (last name)

COMPANY NAME: for Rising River Land and Cattle Company

### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

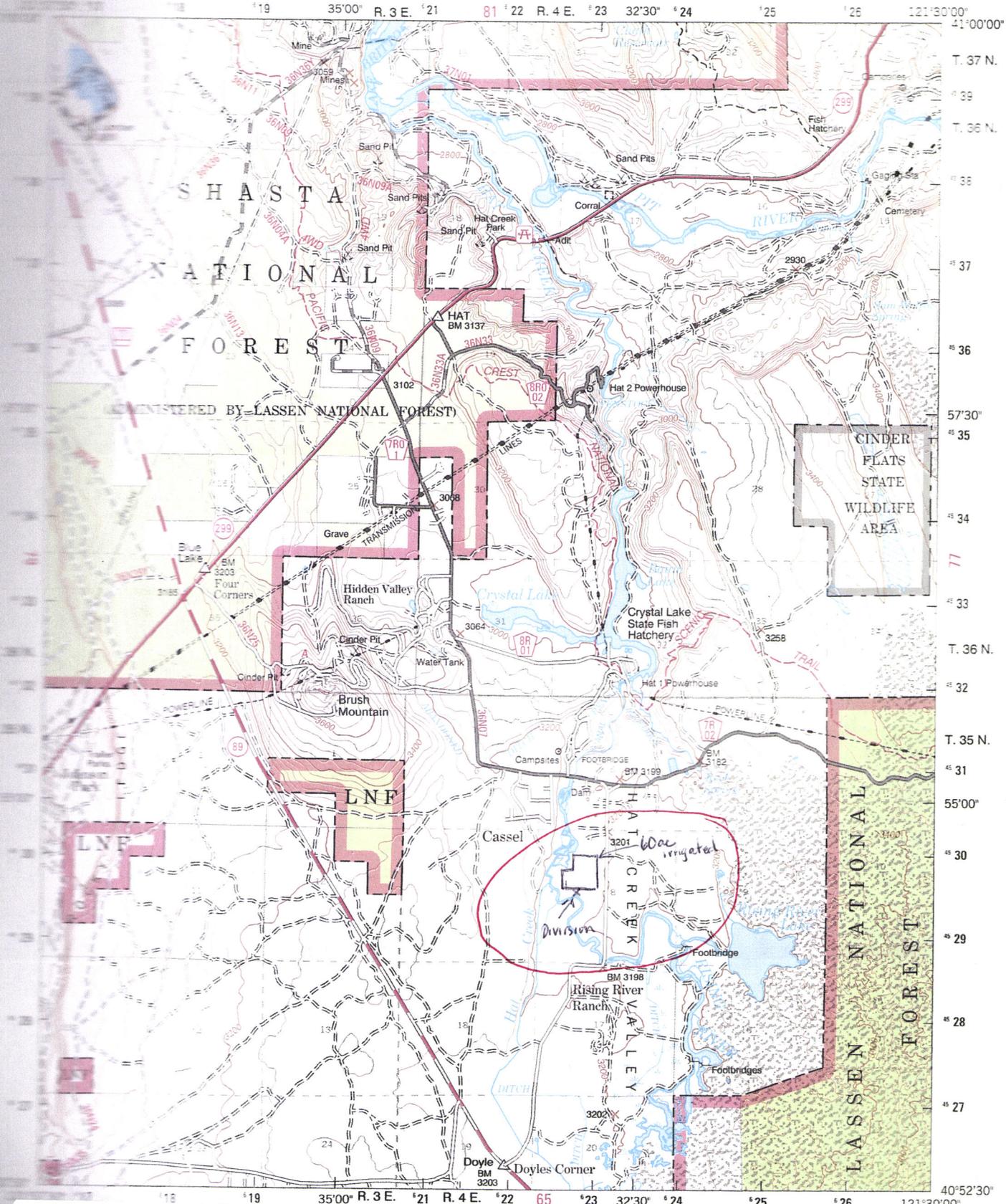
There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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 source 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 1) store water for later use 2) divert water which originates in a different watershed 3) divert water released from storage, or 4) divert return flows from groundwater use.

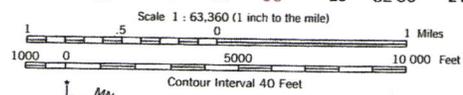
An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission in December 1914, new appropriators have been required to obtain a permit or license from the State.

Statements of Water Diversion and Use must be filed by a riparian and/or pre-1914 appropriative water user. 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 in determining if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please visit the website [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/diversion\\_use/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/), or write to this office.



S016912



UTM GRID AND 1997 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

QUADRANGLE LOCATION

1	2	3
4	5	6
7	8	

ADJOINING 7.5' QUADRANGLES

- HIGHWAYS AND ROADS
- U.S.
  - State
  - County
  - National Forest
  - Gate
  - Primary Highway
  - Secondary Highway
  - Improved Road, Paved
  - Improved Road, Gravel
  - Improved Road, Dirt
  - Composition Unspecified
  - Unimproved Road
  - 4 Wheel Drive Road
  - National Recreation Trail
  - Trail

(5)  
S.E. PART 9  
E5-45-51

S.E. PART 2  
E5-45-28C

(6)  
S.E. PART 1  
E5-45-28C

(7)  
M/R.

CONOL  
HAT

N 65° 02' 17" W

N 65° 48' 25" E

Cassel

(44)

(38)

(45)

(47)

(02)

(48)

(53)

(50)

(51)

(46)

N 75° 35' 05" W

S 25° 18' 10" W

S 45° 35' E  
2549.41'

1277.41'

1250.41'

Boles

575.75'

(20)

(21)

ROAD

PCL 2

PCL 1

(15)

(17)

(18)

134.50'

PCL 3

S 04° 20' W

2570.57'

S 85° 25' 00" W 2000.00'

S 55° 31' 21" W 2705.00'

(29)

CREEK

Rising River

CASSEL

(32)

(30)

(31)

HAT

1374.50'

S 55° 31' 05" W

EXHIBIT B

PG 2 OF 2 PGS

Description

All that certain real property situate in the County of Shasta, State of California, described as follows:

PARCEL 1:

The Northwest one-quarter of Section 8, Township 35 North, Range 4 East, M.D.B.&M.

EXCEPTING THEREFROM the South one-half thereof as conveyed to David Ash Johnson, by deed recorded September 29, 1972, in Book 1137 of Official Records at page 683, Shasta County Records.

ALSO EXCEPTING THEREFROM that portion thereof shown as Parcel A on Parcel Map No. 517-73, filed in the office of the County Recorder September 24, 1973 in Book 3 of Parcel Maps at page 143, Shasta County Records.

PARCEL 2:

The East one-half of the Northeast one-quarter of Section 7, Township 35 North, Range 4 East, M.D.B.&M.

PARCEL 3:

The South one-half of the Northwest one-quarter of Section 8, Township 35 North, Range 4 East, M.D.B.&M., said South one-half being the same property as described in the deed to David Ash Johnson, recorded September 29, 1972 in Book 1137 of Official Records at page 683, Shasta County Records.

State Water Resources Control Board  
DIVISION OF WATER RIGHTS

RJR  
5016912

### Supplemental Statement for Change in Diverter Name, Address or Responsible Party

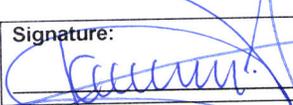
A Supplemental Statement must be filed if there is a change in the name or address of the person diverting water. (Wat. Code, § 5104, subd. (b).)

If Mailing, please send to the following address:

State Water Resources Control Board  
Division of Water Rights  
PO Box 2000  
Sacramento, CA 95812-2000

<b>1. Current Diverter Information</b>				
This is a Change of (Select all that apply):				
<input type="checkbox"/> Diverter	<input checked="" type="checkbox"/> Diverter Address	<input type="checkbox"/> Responsible Party (Agent)		
Enter the Statement number(s) (e.g. S123456) Separate multiple ID's with Commas: <b>S016912</b>				
Assessor's Parcel Number(s) (APN) associated with the place of diversion: <b>031-520-19</b>				
Diverter Name:		First	Middle	Last
		<b>Rising River Land &amp; Cattle Co, LLC</b>		
Mailing Address		City	State	Zip
<b>14 Commercial Blvd, Suite 125</b>		<b>Novato</b>	<b>CA</b>	<b>94949</b>
Phone Number: <b>415-382-3900</b>		Email Address (if available):		
Person Filing Statement, if different from Diverter:		First	Middle	Last
Mailing Address		City	State	Zip:
Phone Number:		Email Address (if available):		
Official Mail Receiver:		<input checked="" type="checkbox"/> Diverter	<input type="checkbox"/> Responsible Party	
<b>2. New Diverter/Responsible Party Information</b>				
New Diverter Name (if applicable): <u>[no change]</u>				
Date Upon Which Change in Name or Address Became Effective: <u>immediately</u>				
New Diverter Mailing Address (if applicable)		City	State	Zip
<b>530 Showers Drive, Suite 7-143</b>		<b>Mountain View</b>	<b>CA</b>	<b>94040</b>
Phone Number: <b>650-269-2267</b>		Email Address (if available): <b>tom@menloba.com</b>		
New Responsible Party/Agent Mailing Address (if applicable)		City	State	Zip
Phone Number:		Email Address (if available):		

Use the space below for any additional comments:

Signature: 	Printed Name: <b>Thomas Foody</b>	Date: <b>8/28/25</b>	<b>Submit Form</b>	
--	-----------------------------------	----------------------	--------------------	---

**YOU MUST STILL FILE A SUPPLEMENTAL STATEMENT REPORTING YOUR WATER DIVERSION AND USE AT THREE-YEAR INTERVALS. (Wat. Code, § 5104, subd. (a).)**

**THIS FORM ONLY SATISFIES THE REQUIREMENT THAT THE BOARD BE NOTIFIED OF A CHANGE IN THE NAME OR ADDRESS OF THE DIVERTER. (Wat. Code, § 5104, subd. (b).)**

STATE WATER RESOURCES  
CONTROL BOARD



2015 AUG 31 AM 10:49

DIV OF WATER RIGHTS  
SACRAMENTO