SUPERIOR COURT OF CALIFORNIA COUNTY OF SISKIYOU

# SUPERIOR COURT OF CALIFORNIA COUNTY OF SISKIYOU

DEC 23 2011

DEPUTY CLERK

DATE: 12/20/2011

REPORTER: N PFEIFFER

ANNA J ANDREWS TRUST, ET AL

HON. LAURA MASUNAGA, JUDGE

CLERK: J CHILTON

IN THE MATTER OF SCOTT RIVER WATERMASTER SERVICE AREA AND WATER RIGHT DECREES

VARIOUS CLAIMANTS WATERS SHACKELFORD CREEK, ET AL

CASE NO:SC SC CV CV 49 - 13375

SC SC CV CV 51 - 14478

SC SC CV CV 67 - 22184

SC SC CV CV 78 - 30662

Petitioners,

## NATURE OF PROCEEDINGS: FURTHER PROCEEDINGS – PETITION FOR SUBSTITUTION OF WATERMASTER

**APPEARANCES:** Counsel Peter Kiel is present on behalf of the petitioners; Counsel Andrew Pollak is present on behalf of the Department of Water Resources; various interested members of the district are present.

The Court has read and considered the Petition for Substitution of Shasta River Water Master filed on October 21, 2011.

Counsel Kiel represents to the Court a public meeting was held on December 07, 2011 with the Board of Directors for the district in which two resolutions were adopted.

Counsel Pollak represents to the Court there is no objections to the proposed resolutions by the Department of Water Resources.

The matter is submitted.

#### THE COURT ORDERS:

The Petition for Substitution of Water Master is granted.

Counsel Kiel is directed to prepare and submit a formal order and stipulation or declaration of the resolutions.

Dated: December 20, 2011

LARRY D. GOBELMAN, CLERK

Deputy Clerk

Copies to:

Ellison, Schneider & Harris, LLP, 2600 Capitol Ave., Ste 400, Sacramento, CA 95816

Courtesy Copy to:

State of California, Department of Water Resources, Andrew B. Pollak, 1416 9<sup>th</sup> St., Room 1118, Sacramento, CA 95814

	• •		
1	ELLISON, SCHNEIDER & HARRIS L.L.P. Peter J. Kiel (SBN: 221548)		
2	2600 Capitol Avenue, Suite 400 Sacramento, California 95816	SUPERIOR COURT OF CALIFORNIA COUNTY OF SISKIYOU	
3	Telephone: (916) 447-2166 Facsimile: (916) 447-3512		
4		Endorsed - J. Chilton	
5	Attorneys for Petitioners Anna J. Andrews Trust, et al.	By: DEPUTY CLERK	
6			
7	SUPERIOR COURT OF CALIFORNIA		
	COUNTY OF SISKIYOU		
8			
9   10	IN THE MATTER OF SCOTT RIVER WATERMASTER SERVICE AREA AND WATER RIGHT DECREES:	Decree Case Nos. 13375, 14478, 22184, 30662	
		[ <del>PROPOSED</del> ] ORDER FOR SUBSTITUTION OF SCOTT RIVER	
11	In the Matter of the Determination of the Rights of the Various Claimants to the Waters of Shackleford	WATERMASTER	
12	Creek and its Tributaries in Siskiyou County, California, Decree No. 13375;	[Cal. Water Code § 4050]	
13	Mason v. Bemrod, Decree No. 14478;	General Civil Case Date: December 20, 2011	
14		Time: 1:30 p.m. Yreka Division – Civil	
15	Wicks v Heide, et al., Decree No. 22184; and	Department 4 Judge Masunaga	
16	Scott River Adjudication, Decree No. 30662.	Judge Masunaga	
17	Anna J. Andrews Trust, et al.		
	Petitioners.		
18			
19			
20	Petitioners Anna J. Andrews Trust, et al. (collectively, "Petitioners") hereby submit this		
21	Proposed Order for Court approval pursuant to the December 20, 2011 hearing on the Petitions		
22	for Substitution of Scott River Watermaster for Case Numbers 13375, 14478, 22184, and 30662.		
23			
24	Dated: December 21, 2011 ELLISO	N, SCHNEIDER & HARRIS L.L.P.	
25		$\mathcal{D} = \{1, 2, 2, \dots, 2, 2, \dots, 2, \dots,$	
26	By: (Pit) hil		
27		orneys for Petitioners Anna J. Andrews	
28	Tre	ast, et al.	
20	l '		

Proposed Order for Substitution of Scott River Watermaster

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The Petition for Substitution of Scott River Watermaster came on regularly for hearing on December 20, 2011. The Court, having considered the Petition and heard arguments of counsel.

FINDS that:

1. The proposed Watermaster, Scott Valley and Shasta Valley Watermaster District, will be ready to assume the role of Watermaster of the Scott River Watermaster Service Area effective February 1, 2012 or earlier date as mutually agreed to by Scott Valley and Shasta Valley Watermaster District and the California Department of Water Resources.

The Court having considered the foregoing findings and good cause appearing therefore, ORDERS that the Petition be, and hereby is, GRANTED, and that Mason v. Bemrod, Decree No. 14478, Judgment, (dated July 1, 1958), In the Matter of the Determination of the Rights of the Various Claimants to the Waters of Shackleford Creek and its tributaries in Siskiyou County, California, Decree No. 13375, Decree, (dated April 3, 1950), Wicks v Heide et al, Decree No. 22184, Judgment (dated February 21, 1968), and Scott River Adjudication, Decree No. 30662 (dated January 16, 1980), be MODIFIED as follows:

- 1. Appointment of Scott Valley and Shasta Valley Watermaster District as Watermaster. The Scott Valley and Shasta Valley Watermaster District is appointed Watermaster for the Scott River Watermaster Service Area to replace the Department of Water Resources-appointed Watermaster effective February 1, 2012, or earlier date mutually agreed to by the Scott Valley and Shasta Valley Watermaster District and the Department of Water Resources.
- 2. Upon the effective date of appointment of Scott Valley and Shasta Valley Watermaster District as Watermaster, the Department of Water Resources shall not be responsible for ensuring the fulfillment of any of the duties and obligations of Part 4 of Division 2 of the Water Code, section 4000 et seq., including any responsibility for the funding of the {00042542:1}

expenses of administration or distribution pursuant to Chapter 7 of Part 4, section 4200 et seq., for the Scott River Watermaster Service Area.

- 3. <u>Vesting of Water Code Watermaster Authorities</u>. The Scott Valley and Shasta Valley Watermaster District is vested with all authorities granted by Part 4 of Division 2 of the Water Code, section 4000 *et seq.*, with the exception of sections 4025-4026, 4050, subdivision (a), 4051, 4279 and 4351-4358.
- (a) This substitution of watermaster does not limit the authority granted to the Scott Valley and Shasta Valley Watermaster District to enlarge, reduce, consolidate, or abolish the Scott River Watermaster Service Area in accordance with section 4032.
- 4. <u>Existing Authorities and Obligations Not Affected</u>. This substitution of watermaster does not limit the authorities granted to the Scott Valley and Shasta Valley Watermaster District under any other provision of law or relieve the Scott Valley and Shasta Valley Watermaster District of any obligations imposed by any other provision of law.
- 5. <u>Regulations</u>. The Scott Valley and Shasta Valley Watermaster District may adopt reasonable regulations to secure distribution of water in accordance with determined rights as may be needed, and any such regulations shall be lodged with this Court.
- 6. Annual Reports. The Scott Valley and Shasta Valley Watermaster District shall prepare annual reports of watermaster service that identify the persons who have diverted water, the general place of use, and the quantity that has been diverted from each source. The annual reports are intended to satisfy the Water Code section 5101(e) exemption from filing statements of water diversion and use. The Scott Valley and Shasta Valley Watermaster District shall lodge the annual reports with this Court by January 1 of each year.
- 7. <u>Employment of Deputy Watermaster</u>. The Scott Valley and Shasta Valley Watermaster District may contract with or employ one or more persons or firms to assist with the watermaster functions and to serve as deputy watermaster(s).
- 8. <u>Notice of Appointment of Deputy Watermaster</u>. The Scott Valley and Shasta Valley Watermaster District shall lodge with this Court notice of appointment of any deputy watermaster the Scott Valley and Shasta Valley Watermaster District may contract with or

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employ.

- 9. Adoption of Annual Budget and Proposed Apportionment Beginning in Fiscal Year 2012/2013. For fiscal year 2012/2013 and thereafter, the Scott Valley and Shasta Valley Watermaster District shall, before June 15 of each year, adopt a proposed budget showing the amount of money estimated to be necessary to pay the costs of administration of the Scott River Watermaster Service Area and the distribution of water therein for the ensuing fiscal year, and shall propose an apportionment of the budgeted amount of money among the water right holders within the Scott River Watermaster Service Area.
- a. The proposed budget shall include: (1) expenses theretofore incurred for the payment of which funds are not available; (2) the cost of the annual watermaster report required by Paragraph 6, above; (3) a reasonable estimate for contingencies; and (4) other costs of administration of the service area or of distribution of water therein. The proposed budget may include a reasonable estimate of the amount of money needed to establish a working capital reserve. In adopting a budget, the Scott Valley and Shasta Valley Watermaster District shall use the methodology set forth in Water Code sections 4225 to 4228. In the absence of objections filed with the Court, or on good cause shown after a hearing if objections are filed, the budget will be approved by the Court.
- b. In proposing an apportionment of the budgeted amount of money among the water right holders within the Scott River Watermaster Service Area, the Scott Valley and Shasta Valley Watermaster District may use any reasonable methodology, including but not limited to the methodology set forth in Water Code sections 4251 to 4254.
- c. The proposed budget and apportionment shall be served on the water right holders within the Scott River Watermaster Service Area and filed with the Court before June 15. Objections to the budget and apportionment shall be filed with the Court within 15 days of service on the water right holders. In the absence of objections filed with the court, or on good cause shown after a hearing if objections are filed, the apportionment will be approved by the Court. Objections to the apportionment shall be (1) limited to whether the apportionment is consistent with the methodology set forth in Water Code sections 4251 to 4254, and (2) set for

 hearing in the manner provided for a noticed motion with notice to be given to the watermaster, Scott Valley and Shasta Valley Watermaster District, and to each other water right holder who may be affected in any manner by such objection. So that the Scott Valley and Shasta Valley Watermaster District may comply with Water Code section 4275 requiring that the watermaster certify apportionments to the Siskiyou County Auditor by August 10 for inclusion on the property tax bills, such objections are to be heard and decided by July 31 in order to affect the current fiscal year. If an objection is not heard and decided by July 31, the current fiscal year budget and apportionment shall be unaffected, and the results of the objections, if any, shall be reflected in the next fiscal year budget and apportionment.

- 10. <u>Certification and Collection of Apportionment Beginning in Fiscal Year</u>

  2012/2013. For fiscal year 2012/2013 and thereafter, the apportionment shall be certified and collected as follows:
- (a) The Scott Valley and Shasta Valley Watermaster District shall, except as provided in paragraph 10(b), on or before August 10 of each year, certify to the Siskiyou County Auditor and the Siskiyou County Board of Supervisors the amount required in order to pay the apportionments for the ensuing fiscal year, to be levied on the land used in the storage or diversion, conveyance or distribution of water stored or diverted under the right and the land on which the water is, or is entitled to be, used. The certification ordered herein shall have the same legal effect as though it were a certification pursuant to Water Code section 4275.
- (b) As to any owner of water rights that is a county, municipality, district, political subdivision, public corporation, or state agency, or is a public utility as defined in the Public Utilities Code, the Scott Valley and Shasta Valley Watermaster District shall, on or before the 15th day of June of each year, serve on each such owner named in the budget and apportionment prepared pursuant to paragraph 9 above a true copy thereof. A copy so served shall have the same effect as to such owners as though it were a copy of the statement referenced in Water Code section 4300.
- 11. <u>Apportionment for Fiscal Year 2011/2012</u>. The Department of Water Resources has adopted a budget and apportionment for watermaster operations in the Scott River

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[Preposed] Order Approving Substitution of Scott River Watermaster

Watermaster Service for Fiscal Year 2011/2012. The Department of Water Resources has billed for Fiscal Year 2011/2012 service by certifying to the Siskiyou County Auditor the amounts to be included on County property tax bills in accordance with Water Code section 4275 et seq. and directly billed public agencies in accordance with Water Code section 4300 et seq. The proceeds of the Fiscal Year 2011/2012 apportionment shall be distributed pro rata to the Department of Water Resources and Scott Valley and Shasta Valley Watermaster District in accordance with the effective date of appointment of Scott Valley and Shasta Valley Watermaster District as Watermaster, as follows:

- (a) As to the proceeds collected by Siskiyou County, the Siskiyou County

  Auditor shall distribute the proceeds of the apportionment pro rata to the Department of Water

  Resources and Scott Valley and Shasta Valley Watermaster District in accordance with the

  effective date of appointment of Scott Valley and Shasta Valley Watermaster District as

  Watermaster.
- (1) For example, if the Scott Valley and Shasta Valley Watermaster District assumes the role of Watermaster effective December 1, 2011, the Auditor shall distribute five-twelfths (5/12) to the Department of Water Resources (for its five-month service as Watermaster from July 1 to November 30, 2011) and seven-twelfths (7/12) to the Scott Valley and Shasta Valley Watermaster District.
- (b) As to the direct billing proceeds collected by the Department of Water Resources, the Department of Water Resources shall distribute the proceeds of the apportionment pro rata to the Department of Water Resources and Scott Valley and Shasta Valley Watermaster District in accordance with the effective date of appointment of Scott Valley and Shasta Valley Watermaster District as Watermaster in accordance with the examples provided in paragraph 11(a)(1).
- (c) The Department of Water Resources shall provide to the Scott Valley and Shasta Valley Watermaster District an accounting of the actual watermaster services provided by the Department of Water Resources each month during Fiscal Year 2011/2012 until the effective date of the appointment of Scott Valley and Shasta Valley Watermaster District. If the proceeds

[Proposed] Order Approving Substitution of Scott River Watermaster

## PROOF OF SERVICE

## I declare that:

I am employed in the County of Sacramento, State of California. I am over the age of eighteen years and am not a party to the within action. My business address is ELLISON, SCHNEIDER & HARRIS; 2600 Capitol Avenue; Sacramento, California 95816; telephone (916) 447-2166.

On December 29, 2011, I served the attached *Order for Substitution of Scott River Watermaster* by putting a true copy thereof in a sealed envelope, with First Class postage thereon fully prepaid, in the United States mail at Sacramento, California, addressed to each person shown on the attached service list.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on December 29, 2011, at Sacramento, California.

Gina Pomilia

### SERVICE LIST

**BALL THOMAS PAINE & BUCK JOHANNA LYDIA** CHENOWETH CRAIG S TOZIER HAROLD BEN JANICE GEORGENE TRUST SUCCESSOR TRUSTEE **TRUST** RANCH 16217 QUARTZ VALLEY DBA SIS Q RANCH **ETAL** PO BOX 311 16216 QUARTZ VALLEY 1611 MAGNOLIA AVENUE ETNA CA 96027-0311 ROAD ROAD MEDFORD OR 97501 FORT JONES CA 96032-FORT JONES CA 96032-9718 9718 SPENCER HAROLD F & JAFAM CORPORATION MC CLELLAN ROBERT C PAULINE T LE 1013 BEGONIA STREET **GUTLEBEN DONALD** 15125 QUARTZ VALLEY RD 3116 EAST CALLAHAN ONTARIO CA 91762 TRUST 15255 QUARTZ VALLEY FORT JONES CA 96032-9716 ROAD **ROAD** ETNA CA 96027-9713 FORT JONES CA 96032-DICKINSON KENNETH W FOWLE KENNETH E & 9716 & SHELLEY P TRUST MELANIE D TRUST BENNETT RONALD J & GRAY EMORY A & HEIDE D PO BOX 88 2300 EAST CALLAHAN TRUST ETNA CA 96027-0088 ROAD ROBERTA H TRUST 9227 BELGIAN LN 15900 GOLDEN HOOF LANE ETNA CA 96027-9713 FORT JONES CA 96032-9611 FORT JONES CA 96032-9795 WEBSTER DAVID G TOBIAS LAND COMPANY 4127 FRENCH CREEK RD **BURTON ERNEST S &** OSULLIVAN PAUL J & ETNA CA 96027-9729 C/O BEVERLY TOBIAS, BARBARA E CAROL A TRUST ETAL MANAGER P O BOX 544 **BOX 307** 15801 QUARTZ VALLEY TRES PINOS CA 95075-0307 SAN JUAN CAPISTRANO CA ROAD FORT JONES CA 96032-92693 HARTMAN MARCUS M & BERGGREEN JOHN C & 9764 **RUTH G TRUST** LEANNE M PETERS ANDREW & ROMAINE WILLIAM R & PO BOX 756 101 TIMMONS RANCH ROAD LINDA J ETAL ETNA CA 96027-0756 ETNA CA 96027 BERNICE C/O HAROLD PETERS SR PO BOX 99 PO BOX 1025 FORT JONES CA 96032-0099 MICHIGAN CALIFORNIA PLATT BEVERLY J TRUST FORT JONES CA 96032-LUMBER CO **ETAL** BOX 1669 DBA H P HEIFER RANCH 1025 MEDFORD OR 97501-1669 3916 SOUTH HWY 3 FIRST ESTATE LLC SERIES FLETCHER DELBERT & ETNA CA 96027-9708 **CAROLYN G TRUST** MC CRAY HOWARD C MURPHY DONALD D & C/O RICHARD L & 15216 QUARTZ VALLEY SANDRA L BAXTER DRIVE TRUST SANDRA K TRUST 15265 KIVETT LANE FORT JONES CA 96032-9400 5611 FRENCH CREEK **3635 S HIGHWAY 3** RENO NV 89521-8403 ROAD ETNA CA 96027-9708 ETNA CA 96027 BERRY RICHARD M & MARY RYAN SEAN PATRICK STAPLETON MICHAEL R & **DURST JEFFREY TODD &** ETAL M TRUST ELIZABETH R PO BOX 117 SAVAGEAU MARY LYNN 15640 QUARTZ VALLEY FORT JONES CA 96032-0117 **ETAL** 5104 FRENCH CREEK RD FORT JONES CA 96032-PO BOX 819 ETNA CA 96027-9775 ETNA CA 96027-0819 9715 BULTENA GARY L SMITH WILLIAM A WALKER WINIFRED A WEBSTER JOAN C 15617 QUARTZ VALLEY 9025 BIG MEADOWS RD 6307 FRENCH CREEK RD P O BOX 468 DRIVE FORT JONES CA 96032-9738 ETNA CA 96027 ETNA CA 96027 FORT JONES CA 96032-SCHENONE REBECCA A WIJTMAN ROBERT C & 9715 6325 MINERS CREEK JEANNE M

ROAD

ETNA CA 96027

6115 FRENCH CREEK ROAD

ETNA CA 96027

ERIN H

FOWLE JEFFEREY N &

ETNA CA 96027-9772

2824 S STATE HIGHWAY 3

WEATHERS TERRY M &

9964 SNIKTAW LANE

FT JONES CA 96032

JEAN L

MACGOWAN NANCY B BUCHTER ALBERT W & PETERSON DIANE LYNN YOKEL DANIELLE L & TRUST PATRICIA HICKOK 9118 HORSE RANGE LANE ERICH M 6915 MINERS CREEK ETNA CA 96027 PO BOX 696 8937 HORSE RANGE LANE ETNA CA 96027-0696 ETNA CA 96027 ROAD ETNA CA 96027-9750 PETTERSON DAVID JOHNSTON FAMILY ANDREWS ANNA J TRUST KRUM WILLIAM P & NARDA CONRAD PARTNERSHIP 609 EVERGREEN LANE R TRUST 9515 FRENCH CREEK 402 OFFICE PARK DRIVE STE YREKA CA 96097-3207 5932 MINERS CREEK ROAD ROAD G23 ETNA CA 96027-9719 ETNA CA 96027 **BIRMINGHAM AL 35223** PHELPS DON & SENGTHONG DANIELSEN JORGEN H LAPRES ANTHONY G & MOCK THOMAS W TRUST TRUST 4149 PROSPECT BEVERLY A 9220 FRENCH CREEK ROAD 8434 MINERS CREEK DUNSMUIR CA 96025-1722 9022 HORSE RANGE RD ETNA CA 96027 ETNA CA 96027 ROAD ETNA CA 96027-9723 DOLCINI ROBERT J JR & EPPLER JERRY TRUST WURZBACH VIRGINIA L **EDEL STEPHEN FRANCIS &** ELAINE J TRUST NO ONE 10828 ORO FINO ROAD 7900 HOMESTEAD LANE **BURNS NANCY ELLEN** 11518 ORO FINO RD FT JONES CA 96032 ETNA CA 96027 **BOX 268** FORT JONES CA 96032-**GREENVIEW CA 96037-0268** 9711 AUSTIN WAYNE G & POSTMA NICOLAAS ETAL CAMPBELL JAMES J & FRY CHARLES E ELMA KAYE TRUST 9118 HORSE RANGE LANE JANELL J TR 5539 LIGHTHILL ROAD 9631 FRENCH CREEK ETNA CA 96027 FT JONES CA 96032 4827 LIGHTHILL ROAD ROAD FT JONES CA 96032 ETNA CA 96027-9720 CLOUD RIM RANCH INC MUZINICH JANET B J H RANCH MOUNTAIN TIMBERVEST PARTNERS TRUST 8909 ORO FINO RD RESORT CALIFORNIA LLC 9321 ORO FINO ROAD FORT JONES CA 96032 C/O MACK J OGREN FORT JONES CA 96032-3715 NORTHSIDE PARKWAY 402 OFFICE PARK DR STE **BLD 200 SUITE 500** 9709 310 ATLANTA GA 30327 BIRMINGHAM AL 35223-SARGENT TRUST GOODWIN GREGORY T & 2493 14616 QUARTZ VALLEY MELINDA A 14917 QUARTZ VALLEY MORAN BEVERLEE J SCHWARZENBERG CARL H FT JONES CA 96032 DRIVE TRUST & FAIOA I TRUST FORT JONES CA 96032 C/O MICHELE MORRIS 7800 FRENCH CREEK ROAD 23612 VIA SAN GIL ETNA CA 96027-9748 PEASE THOMAS D & **QUARTZ VALLEY INDIAN** MISSION VIEJO CA 92691 VERNA J RESERVATION 14424 QUARTZ VALLEY 13601 QUARTZ VALLEY ALLRED LYLE EUGENE & RUSSELL NELLIE L TRUST DRIVE DRIVE MARGARET C FORT JONES CA 96032-9714 C/O STEVE HOFMAN FORT JONES CA 96032-855 WINDEMAR DR 5142 MINERS CREEK ROAD ASHLAND OR 97520 ETNA CA 96027-9719 MOELLERING WAYMAN LORRAINE MARK J & VIKKI REYNOLDS DONNA LESLIE MARSHALL KATHLEEN 13806 QUARTZ VALLEY L TRUST 5896 OLD VALDEZ TRAIL ROAD 891 S WEED BLVD JUNE SALCHA AK 99714-9788 FORT JONES CA 96032-62 DEODAR LN WEED CA 96094 BRADBURY CA 91008-1007 9411 **BOGGS JOSEPH C ETAL** DEPPEN DAN R & JANEANE HINKLE STEVEN R & JACOBSON EDWARD L & **PO BOX 262** TRUST SANDRA DEBORAH S ETNA CA 96027-0262 6523 MINERS CREEK ROAD 14107 QUARTZ VALLEY 14123 QUARTZ VALLEY ETNA CA 96027-9719 ROAD ROAD FT JONES CA 96032 FT JONES CA 96032 VREEMAN FRED & JANET ORDWAY MICHAEL P &

HAYDEN DAN GEL & LYN

13236 DANGEL LANE

FT JONES CA 96032

L ETAL

DEWS RICHARD W &

12033 DANGEL LANE

FORT JONES CA 96032-9713

TOMELI TRUST

1554 SCENIC LOOP

**FAIRBANKS AK 99709-6733** 

SARA P

9102 HOMESTEAD LN

ETNA CA 96027

EVANS G L & JOAN G TRUST 9108 BIG MEADOWS RD FT JONES CA 96032

MURDOCH NEIL R & SHELAGH 41 RUBISLAW DEN SOUTH ABERDEEN AB15 4BD SCOTLAND

GARCIA HELEN L 12421 QUARTZ VALLEY ROAD FT JONES CA 96032

JONES JAMES DAVID 9241 OLD ENGLISH ROAD FORT JONES CA 96032-9778

MENKE JOHN W & JENNIFER F 10935 QUARTZ VALLEY ROAD FT JONES CA 96032

BAIRD MARK A & CYNDI K CP D V A CONT #531633 PO BOX 842 FORT JONES CA 96032-0842

DILLON KAREN A TRUST 20322 HUFFY ST CANYON COUNTRY CA 91351

EASTLICK GRANT & LILLIAN E 10703 QUARTZ VALLEY RD FT JONES CA 96032 HEIDE LORENE M TRUST ETAL 14231 QUARTZ VALLEY ROAD FORT JONES CA 96032-9758

SEWARD WILLIAM H & DOROTHY M LE C/O SEWARD FAMILY TRUST 24572 PEACHLAND AVENUE NEWHALL CA 91321

FUNDERBURK CAROLINE C/O CAROLINE MALLEY 5000 WHISTLERS BEND WAY EL DORADO HILLS CA 95762

KAST ANTHONY W & DEBORAH E TRUST PO BOX 1108 FORT JONES CA 96032-1108

SLAUGHTER NEWTON ROSS TRUST 5530 MILL CREEK ROAD FT JONES CA 96032

PEREIRA JULIUS CLAY & DIANNA LOUISE TRUST 11921 QUARTZ VALLEY ROAD FT JONES CA 96032

POTTS LLOYD M & KIMBERLEY A DRESSLER TRUST BOX 242 GREENVIEW CA 96037-0242

MARTIS SANDRA GOEKEN TRUST BOX 160 OSWEGO IL 60543-0160 NICHOLS NORMAN E & JANE LEWIS TRUST 14023 QUARTZ VALLEY RD FT JONES CA 96032

DECKER DAVID A & MAXINE R PO BOX 392 FRAZIER PARK CA 93225-0392

BYERS ROBERT A & SHAWNA N MONTGOMERY 13913 QUARTZ VALLEY RD FT JONES CA 96032

TURNER JESSE L & DEBBIE BOX 1598 CALLAHAN CA 96014-1598

QUARTZ VALLEY INDIAN RESERVATION 13601 QUARTZ VALLEY DRIVE FORT JONES, CA 96032-9714

SCOTT VALLEY AND SHASTA VALLEY WATERMASTER DISTRICT C/O BUSINESS RESOURCE 11236 N. HIGHWAY 3 PO BOX 342 FORT JONES, CA 96032 FANNIE MAE C/O BANK OF AMERICA NA PO BOX 9000 GETZVILLE NY 14068-9000

SMOOT JOHN A ETAL 3650 FULLERTON COURT FAIRFIELD CA 94533-7758

HANSON PETER G 1562 HAYES ST SAN FRANCISCO CA 94117-1325

THAMER MICHAEL D & LYNN A TRUST P O BOX 1568 CALLAHAN CA 96014

STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES ATTN: ANDREW POLLAK, SENIOR STAFF COUNSEL P.O. BOX 942836, SACRAMENTO, CA 94236

SUPERIOR COURT OF CALIFORNIA COUNTY OF SISKIYOU

### SUPERIOR COURT OF CALIFORNIA COUNTY OF SISKIYOU

DEC 23 2011

DEPUTY CLERK

DATE: 12/20/2011

REPORTER: N PFEIFFER

HON. LAURA MASUNAGA, JUDGE

CLERK: J CHILTON

IN THE MATTER OF SHASTA RIVER WATERMASTER SERVICE AREA AND WATER RIGHT DECREES

VARIOUS CLAIMANTS WATER SHASTA RIVER, ET AL

CASE NO: SC SC CV CV 32 - 7035

SC SC CV CV 55 - 24482

JERRY L AND DONNA BACIGALUPI, ET AL

SC SC CV CV 77 - 29348

Petitioners,

# NATURE OF PROCEEDINGS: FURTHER PROCEEDINGS – PETITION FOR SUBSTITUTION OF WATERMASTER

**APPEARANCES:** Counsel Peter Kiel is present on behalf of the petitioners; Counsel Andrew Pollak is present on behalf of the Department of Water Resources; various interested members of the district are present.

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#### THE COURT ORDERS:

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Counsel Kiel is directed to prepare and submit a formal order and stipulation or declaration of the resolutions.

Dated: December 20, 2011

LARRY D. GOBELMAN, CLERK

Deputy Clerk

Copies to:

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Courtesy Copy to:

State of California, Department of Water Resources, Andrew B. Pollak, 1416 9<sup>th</sup> St., Room 1118, Sacramento, CA 95814

SUPERIOR COURT OF CALIFORNIA COUNTY OF SISKIYOU 1 ELLISON, SCHNEIDER & HARRIS L.L.P. Peter J. Kiel (SBN: 221548) 2 2600 Capitol Avenue, Suite 400 DEC 2 2 2011 Sacramento, California 95816 Endorsed - J. Chilton Telephone: (916) 447-2166 3 Facsimile: (916) 447-3512 4 Attorneys for Petitioners Jerry L. and Donna Bacigalupi, et al. 5 6 SUPERIOR COURT OF CALIFORNIA COUNTY OF SISKIYOU 7 8 IN THE MATTER OF SHASTA RIVER Decree Case Nos. 7035, 24482, 29348 9 WATERMASTER SERVICE AREA AND <del>PROPOSEDI</del> ORDER FOR WATER RIGHT DECREES: SUBSTITUTION OF SHASTA RIVER 10 WATERMASTER In the Matter of the Determination of the Relative [Cal. Water Code § 4050] Rights, Based Upon Prior Appropriation of the 11 Various Claimants to the Water of Shasta River General Civil Case 12 and its Tributaries, in Siskivou County, California, Date: December 20, 2011 Decree No. 7035; Time: 1:30 p.m. 13 Yreka Division - Civil Sylva v. Guardia, et al., Decree No. 24482; and Department 4 14 Judge Masunaga In the Matter of the Determination of the Rights of 15 Various Claimants to the Water of Cold Creek Stream System within Siskiyou County, California, Decree No. 29348. 16 17 Jerry L. and Donna Bacigalupi, et al. 18 Petitioners. 19 20 Petitioners Jerry L. and Donna Bacigalupi, et al. hereby submit this Proposed Order for 21 Court approval pursuant to the December 20, 2011 hearing on the Petition for Substitution of 22 Shasta River Watermaster for Case Numbers 7035, 24482, and 29348. 23 Dated: December 21, 2011 ELLISON, SCHNEIDER & HARRIS L.L.P. 24 25 26 By: Attorneys for Petitioners Jerry L. and Donna 27 Bacigalupi, et al. 28

{00042544:1}

Proposed Order for Substitution of Shasta River Watermaster

## [Proposed] ORDER

The Petition for Substitution of Shasta River Watermaster came on regularly for hearing on December 20, 2011. The Court, having considered the Petition and heard arguments of counsel,

### FINDS that:

1. The proposed Watermaster, Scott Valley and Shasta Valley Watermaster District, will be ready to assume the role of Watermaster of the Shasta River Watermaster Service Area effective February 1, 2012 or earlier date as mutually agreed to by Scott Valley and Shasta Valley Watermaster District and the California Department of Water Resources.

The Court having considered the foregoing findings and good cause appearing therefore, ORDERS that the Petition be, and hereby is, GRANTED, and that *In the Matter of the Determination of the Relative Rights, Based Upon Prior Appropriation of the Various Claimants to the Water of Shasta River and its Tributaries, in Siskiyou County, California*, Decree No. 7035 (dated December 30, 1932); *Sylva v. Guardia, et al*, Decree No. 24482, Opinion and Decision, (dated December 17, 1971) and Judgment (dated April 28, 1972); and *In the Matter of the Determination of the Rights of Various Claimants to the Water of Cold Creek Stream system within Siskiyou County, California*, Decree No. 29348, (dated June 5, 1978), be MODIFIED as follows:

- 1. Appointment of Scott Valley and Shasta Valley Watermaster District as

  Watermaster. The Scott Valley and Shasta Valley Watermaster District is appointed

  Watermaster for the Shasta River Watermaster Service Area to replace the Department of Water

  Resources-appointed Watermaster effective February 1, 2012, or earlier date mutually agreed to

  by the Scott Valley and Shasta Valley Watermaster District and the Department of Water

  Resources.
- 2. Upon the effective date of appointment of Scott Valley and Shasta Valley
  Watermaster District as Watermaster, the Department of Water Resources shall not be
  responsible for ensuring the fulfillment of any of the duties and obligations of Part 4 of Division
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2 of the Water Code, section 4000 et seq., including any responsibility for the funding of the expenses of administration or distribution pursuant to Chapter 7 of Part 4, section 4200 et seg., for the Shasta River Watermaster Service Area.

- 3. Vesting of Water Code Watermaster Authorities. The Scott Valley and Shasta Valley Watermaster District is vested with all authorities granted by Part 4 of Division 2 of the Water Code, section 4000 et seq., with the exception of sections 4025-4026, 4050, subdivision (a), 4051, 4279 and 4351-4358.
- This substitution of watermaster does not limit the authority granted to the (a) Scott Valley and Shasta Valley Watermaster District to enlarge, reduce, consolidate, or abolish the Shasta River Watermaster Service Area in accordance with section 4032.
- 4. Existing Authorities and Obligations Not Affected. This substitution of watermaster does not limit the authorities granted to the Scott Valley and Shasta Valley Watermaster District under any other provision of law or relieve the Scott Valley and Shasta Valley Watermaster District of any obligations imposed by any other provision of law.
- 5. Regulations. The Scott Valley and Shasta Valley Watermaster District may adopt reasonable regulations to secure distribution of water in accordance with determined rights as may be needed, and any such regulations shall be lodged with this Court.
- 6. Annual Reports. The Scott Valley and Shasta Valley Watermaster District shall prepare annual reports of watermaster service that identify the persons who have diverted water, the general place of use, and the quantity that has been diverted from each source. The annual reports are intended to satisfy the Water Code section 5101(e) exemption from filing statements of water diversion and use. The Scott Valley and Shasta Valley Watermaster District shall lodge the annual reports with this Court by January 1 of each year.
- 7: Employment of Deputy Watermaster. The Scott Valley and Shasta Valley Watermaster District may contract with or employ one or more persons or firms to assist with the watermaster functions and to serve as deputy watermaster(s).
- 8. Notice of Appointment of Deputy Watermaster. The Scott Valley and Shasta Valley Watermaster District shall lodge with this Court notice of appointment of any deputy {00042544;1}

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watermaster the Scott Valley and Shasta Valley Watermaster District may contract with or employ.

- 9. Adoption of Annual Budget and Proposed Apportionment Beginning in Fiscal Year 2012/2013. For fiscal year 2012/2013 and thereafter, the Scott Valley and Shasta Valley Watermaster District shall, before June 15 of each year, adopt a proposed budget showing the amount of money estimated to be necessary to pay the costs of administration of the Shasta River Watermaster Service Area and the distribution of water therein for the ensuing fiscal year, and shall propose an apportionment of the budgeted amount of money among the water right holders within the Shasta River Watermaster Service Area.
- The proposed budget shall include: (1) expenses theretofore incurred for (a) the payment of which funds are not available; (2) the cost of the annual watermaster report required by Paragraph 6, above; (3) a reasonable estimate for contingencies; and (4) other costs of administration of the service area or of distribution of water therein. The proposed budget may include a reasonable estimate of the amount of money needed to establish a working capital reserve. In adopting a budget, the Scott Valley and Shasta Valley Watermaster District shall use the methodology set forth in Water Code sections 4225 to 4228. In the absence of objections filed with the Court, or on good cause shown after a hearing if objections are filed, the budget will be approved by the Court.
- In proposing an apportionment of the budgeted amount of money among (b) the water right holders within the Shasta River Watermaster Service Area, the Scott Valley and Shasta Valley Watermaster District may use any reasonable methodology, including but not limited to the methodology set forth in Water Code sections 4251 to 4254.
- (c) The proposed budget and apportionment shall be served on the water right holders within the Shasta River Watermaster Service Area and filed with the Court before June 15. Objections to the budget and apportionment shall be filed with the Court within 15 days of service on the water right holders. In the absence of objections filed with the court, or on good cause shown after a hearing if objections are filed, the apportionment will be approved by the Court. Objections to the apportionment shall be (1) limited to whether the apportionment is {00042544;1}

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Scott Valley and Shasta Valley Watermaster District, and to each other water right holder who may be affected in any manner by such objection. So that the Scott Valley and Shasta Valley Watermaster District may comply with Water Code section 4275 requiring that the watermaster certify apportionments to the Siskiyou County Auditor by August 10 for inclusion on the property tax bills, such objections are to be heard and decided by July 31 in order to affect the current fiscal year. If an objection is not heard and decided by July 31, the current fiscal year budget and apportionment shall be unaffected, and the results of the objections, if any, shall be reflected in the next fiscal year budget and apportionment. 10. Certification and Collection of Apportionment Beginning in Fiscal Year

- 2012/2013. For fiscal year 2012/2013 and thereafter, the apportionment shall be certified and collected as follows:
- (a) The Scott Valley and Shasta Valley Watermaster District shall, except as provided in paragraph 10(b), on or before August 10th of each year, certify to the Siskiyou County Auditor and the Siskiyou County Board of Supervisors the amount required in order to pay the apportionments for the ensuing fiscal year, to be levied on the land used in the storage or diversion, conveyance or distribution of water stored or diverted under the right and the land on which the water is, or is entitled to be, used. The certification ordered herein shall have the same legal effect as though it were a certification pursuant to Water Code section 4275.
- (b) As to any owner of water rights that is a county, municipality, district, political subdivision, public corporation, or state agency, or is a public utility as defined in the Public Utilities Code, the Scott Valley and Shasta Valley Watermaster District shall, on or before the 15th day of June of each year, serve on each such owner named in the budget and apportionment prepared pursuant to paragraph 9 above a true copy thereof. A copy so served shall have the same effect as to such owners as though it were a copy of the statement referenced in Water Code section 4300.

- Apportionment for Fiscal Year 2011/2012. The Department of Water Resources has adopted a budget and apportionment for watermaster operations in the Shasta River Watermaster Service for Fiscal Year 2011/2012. The Department of Water Resources has billed for Fiscal Year 2011/2012 service by certifying to the Siskiyou County Auditor the amounts to be included on County property tax bills in accordance with Water Code section 4275 et seq. and directly billed public agencies in accordance with Water Code section 4300 et seq. The proceeds of the Fiscal Year 2011/2012 apportionment shall be distributed pro rata to the Department of Water Resources and Scott Valley and Shasta Valley Watermaster District in accordance with the effective date of appointment of Scott Valley and Shasta Valley Watermaster District as Watermaster, as follows:
- (a) As to the proceeds collected by Siskiyou County, the Siskiyou County
  Auditor shall distribute the proceeds of the apportionment pro rata to the Department of Water
  Resources and Scott Valley and Shasta Valley Watermaster District in accordance with the
  effective date of appointment of Scott Valley and Shasta Valley Watermaster District as
  Watermaster.
- (1) For example, if the Scott Valley and Shasta Valley Watermaster District assumes the role of Watermaster effective December 1, 2011, the Auditor shall distribute five-twelfths (5/12) to the Department of Water Resources (for its five-month service as Watermaster from July 1 to November 30, 2011) and seven-twelfths (7/12) to the Scott Valley and Shasta Valley Watermaster District.
- (b) As to the direct billing proceeds collected by the Department of Water Resources, the Department of Water Resources shall distribute the proceeds of the apportionment pro rata to the Department of Water Resources and Scott Valley and Shasta Valley Watermaster District in accordance with the effective date of appointment of Scott Valley and Shasta Valley Watermaster District as Watermaster in accordance with the examples provided in paragraph 11(a)(1).
- (c) The Department of Water Resources shall provide to the Scott Valley and Shasta Valley Watermaster District an accounting of the actual watermaster services provided by {00042544;1} 5

the Department of Water Resources each month during Fiscal Year 2011/2012 until the effective date of the appointment of Scott Valley and Shasta Valley Watermaster District. If the proceeds of the apportionment received by the Department of Water Resources exceed the actual services provided, the Department of Water Resources shall remit the balance to the Scott Valley and Shasta Valley Watermaster District.

- 12. Waterflow Measuring Devices. The Department of Water Resources and the Scott Valley and Shasta Valley Watermaster District shall enter into an agreement or memorandum of understanding for the transfer to the Scott Valley and Shasta Valley Watermaster District of fixed waterflow measuring devices installed by the Department of Water Resources and for the future maintenance, operation and funding of waterflow measuring devices by the Department of Water Resources that will not be transferred to the Scott Valley and Shasta Valley Watermaster District.
- (a) All rights, duties, and obligations of the Department of Water Resources in those fixed waterflow measuring devices shall accompany the transfer of those facilities and shall be assumed by the Scott Valley and Shasta Valley Watermaster District, and the Scott Valley and Shasta Valley Watermaster District shall hold the Department of Water Resources harmless for any and all claims or causes of action relative to the items transferred that arise subsequent to the transfer.
- 13. This Order shall not be deemed to modify any provisions of water right Decree Nos. 7035, 24482 and 29348 or amendments, supplements or orders thereto, except as necessary to effectuate the appointment of the Scott Valley and Shasta Valley Watermaster District as Watermaster.

DATED:	DEU 2 Z 2011	LAUHA MADUNAGA
		Judge of the Superior Court of Siskiyou County

## PROOF OF SERVICE

## I declare that:

I am employed in the County of Sacramento, State of California. I am over the age of eighteen years and am not a party to the within action. My business address is ELLISON, SCHNEIDER & HARRIS; 2600 Capitol Avenue; Sacramento, California 95816; telephone (916) 447-2166.

On December 29, 2011, I served the attached *Order for Substitution of Shasta River Watermaster* by putting a true copy thereof in a sealed envelope, with First Class postage thereon fully prepaid, in the United States mail at Sacramento, California, addressed to each person shown on the attached service list.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on December 29, 2011, at Sacramento, California.

Gina Pomilia

### SERVICE LIST

LEMOS JIM E TRUST 9712 AGER BESWICK ROAD MONTAGUE CA 96064-9418

FOGARTY THOMAS J & ROSALE: MAE TRUST 3270 ALPINE ROAD PORTOLA VALLEY CA 94028

BOOS PAUL N & MARGARET E TRUST 16038 AGER BESWICK ROAD MONTAGUE CA 96064-9435

SYLVA RANCH LLC C/O DAVID SYLVA PO BOX 449 MONTAGUE CA 96064-0449

TABLE ROCK RANCH
PARTNERSHIP
DBA TABLE ROCK CATTLE CO
12531 TABLE ROCK ROAD
MONTAGUE CA 96064-9685

PASERO MADERAL SOULE LE C/O JON BURKE PO BOX 863 MONTAGUE CA 96064-0863

MC DONALD JAMES O & KATHLEEN TRUST PO BOX 1665 YREKA CA 96097-1665

FIOCK E C & SONS ETAL 2725 YREKA AGER ROAD YREKA CA 96097

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WEED CA 96094

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WILLIAMETTE VICKY L ETAL P O BOX 198 GOLD BEACH OR 97444-0198

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TOOLSON ERIC V & SHELLEY F TRUST 8746 PATHFINDER CT ORANGEVALE CA 95662-4066 YORK RICHARD V 405 PAINE ROAD CASTLE ROCK WA 98611

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SANDERS ROSS W & DONNA M 9509 N OLD STAGE ROAD WEED CA 96094

GERIES MICHAEL & JOANNE 9239 N OLD STAGE ROAD WEED CA 96094

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SCHWARZER BERND 9925 BURLEY DR WEED CA 96094

PRICE BARRY M & JOY M 9702 BURLEY DRIVE WEED CA 96094

MAXWELL DONALD R & HAZEL M TRUST 2512 SHIRE LANE WEED CA 96094

MIDDLETON BENNIE JO P O BOX 246 WEED CA 96094

MC COY JOHN LEE & MARGARET A TRUST 11124 N OLD STAGE ROAD WEED CA 96094

MEADOWS HAROLD R 504 SHASTA MEADOW VUE WEED CA 96094

CORDOBA OSCAR N & MARLYS A 10830 N OLD STAGE ROAD WEED CA 96094 KAMPHUIS ADRIANA J ETAL 5212 FULLER DRIVE WEED CA 96094-9011

MARSCHNER JOYCE R TRUST 9630 N OLD STAGE ROAD WEED CA 96094-9516

KYLE CHESTER R & JOYCE S 9539 N OLD STAGE ROAD WEED CA 96094-9714

YATES MICHAEL J & KATHRYN M TRUST BOX 16283358 SIOUX FALLS SD. 57186

MC PHERSON MICHAEL & KAREN TRUST 9235 N OLD STAGE ROAD WEED CA 96094

IGNATIUS MICHAEL ETAL 3948 BLANTON ROAD EUGENE OR 97405

ATKINSON ALLEN B & MARGARET C COELHO 10011 BURLEY DRIVE WEED CA 96094

ABLER WAYNE & MONICA S 9707 BURLEY DR WEED CA 96094

PFEIFFER JAMES H & ELLA L TRUST 9820 BURLEY DRIVE WEED CA 96094

SULLIVAN LAWRENCE ELWOOD & DARLENE JOYCE TRUST DBA SULLIVANS BACKHOE SERVICE 2509 SHIRE LANE WEED CA 96094-9774

FRIEND BRUCE A & DENISE L TRUST 11200 NORTH OLD STAGE ROAD WEED CA 96094

SHERIDAN PHILIP J 2301 SHIRE LANE WEED CA 96094

ELLIOTT JOHN & ROSE 11020 NORTH OLD STAGE ROAD WEED CA 96094

MC CARROLL RONALD P & ANDREA C 2700 SHASTA VALLEY ROAD WEED CA 96094

ADAMS DENNIS A & JESSICA A 10629 NORTH OLD STAGE ROAD WEED CA 96094 LINSLEY JAMES MURDOCH & WANDA JUNE TRUST 11001 N OLD STAGE ROAD WEED CA 96094

COX BRIAN 18820 64TH AVE WEST LYNNWOOD WA 98036

MATTHEWS PATRICIA 2925 NIGHTHAWK LANE WEED CA 96094

BALFREY WILLIAM R & WILLO I TR 2934 NIGHTHAWK LANE WEED CA 96094-9766

SCHIEBER CYNDI J 10716 N OLD STAGE RD WEED CA 96094-9775

EDWARDS RUSSELL ALBERT-JACK ETAL 10617 N OLD STAGE ROAD WEED CA 96094-9775

HEGDAL PAUL R & BARBARA TRUST 318 HIDDEN MEADOW DRIVE WEED CA 96094-9048

DOUGHERTY ELVYN T & MILDRED E LE C/O EMMERSON INVESTMENT INC BOX 496014 REDDING CA 96049-6014

JACOBSON JOHN ETAL DBA SHADOW VALLEY RANCH 2525 STEWART SPRINGS ROAD WEED CA 96094-9537

PRICE TERRY K 18705 OLD HWY 99 GAZELLE CA 96034

PRICE TERRENCE K ETAL PO BOX 50 GAZELLE CA 96034-0050

KUCK & SONS INC 6124 WILLOW CREEK ROAD MONTAGUE CA 96064-9226

RICE JOE C & JILL R 3333 TOMKINS HILL ROAD LOLETA CA 95551

EKSTROM RAYMOND ETAL 2209 DELPHIC ROAD MONTAGUE CA 96064-9234

MARION FAMILY TRUST BOX 370 GRENADA CA 96038-0370 SCHLESINGER ROBERT A TRUST 1135 N JONES TUCSON AZ 85716

ROBINSON PAULINE R TRUST 1821 MAPLE DRIVE WEED CA 96094

MENZIES ROBERT H & MARY M 2625 CHINA MOUNTAIN ROAD WEED CA 96094

HISS JOSEPH W PO BOX 1694 MOUNT SHASTA CA 96067-1694

KINKADE WILLIAM R & ANNE H 10627 N OLD STAGE RD WEED CA 96094

MURPHY JOSEPH P & LORETTA S P O BOX 2740 SANTA ROSA CA 95405

NOVY LOWELL L TRUST 653 ALLEGRO COURT SIMI VALLEY CA 93065-7069

NIELSEN ROBERT J TRUSTEE ETAL 1910 FORT JONES ROAD YREKA CA 96097-9530

CRECHRIOU DOROTHY A TRUST ETAL PO BOX 11 GAZELLE CA 96034-0011

BANHART ADRITH G TRUSTEE ETAL 216 MASON ST UKIAH CA 95482-4407

THE 2006 NICOLETTI FAMILY LIMITED PARTNERSHIP P O BOX 399 GRENADA CA 96038-0399

ROOT BETH L BOX 28 GRENADA CA 96038

BECK JAMES A & YVONNE K TRUST 3207 OLD MILITARY ROAD CENTRAL POINT OR 97502-1117

HAIGHT RAYMOND I PO BOX 365 BURBANK WA 99323-0365

SOULE CHARLES CLINE TRUST ETAL C/O NANCY NICHOLS EXECUTOR CO-TRUSTEE PO BOX 233 EMMETT ID 83617-0233 RICE LIVESTOCK COMPANY 1730 A-12 MONTAGUE CA 96064

WOOD DOUGLAS A ETAL 4108 BOLA DRIVE N LAS VEGAS NV 89032-2654

WALLACE DANIEL J & LAURALEE W DBA CASCADE LAND SURVEY 11239 BALL MTN LITTLE SHAST. MONTAGUE CA 96064-9682

LITTLE SHASTA ACRES LLC PO BOX 161 MONTAGUE CA 96064-0161

KOON GAYLORD R & KATHLEEN R 1101 HARRY CASH ROAD MONTAGUE CA 96064

FARMER CHARLES E & CAROLINE M TRUST 838 SOULE LANE MONTAGUE CA 96064

SHASTA VALLEY CEMETERY DIST 853 EVERGREEN LANE YREKA CA 96097

RABBIT HILL LLC C/O EDWIN HART 3301 HARRY CASH ROAD MONTAGUE CA 96064-9710

COWLEY FAMILY RANCH 7335 BALL MT LITTLE SHASTA RD MONTAGUE CA 96064-9130

CREBBIN MICHAEL K TRUST 6438 LOWER LITTLE SHASTA ROAD MONTAGUE CA 96064-9609

BLAIR SMITH & SONS INC 5821 BALL MTN-LITTLE SHASTA RD MONTAGUE CA 96064-9113

SODA SPRINGS LLC C/O EDWIN HART 3301 HARRY CASH ROAD MONTAGUE CA 96064-9710

THE NATURE CONSERVANCY C/O CALIFORNIA REGIONAL COUNSEL 201 MISSION STREET FOURTH FLOOR SAN FRANCISCO CA 94105-1832 WILSON ELLEN M TR 8217 LOWER LITTLE SHASTA ROAD MONTAGUE CA 96064-9681

RICHARDSON DAVID G & DEBORAH L 8817 LOWER LITTLE SHASTA ROAD MONTAGUE CA 96064-9681

ALLEN J M & JENNY T 617 HARRY CASH ROAD MONTAGUE CA 96064

SOULE ALAN D & NANCY A ETAL 8117 LOWER LITTLE SHASTA ROAD MONTAGUE CA 96064

PHELPS THOMAS W TRUSTEE 1724 HARRY CASH ROAD MONTAGUE CA 96064-9729

CONNICKTHOMAS D H & PATRICIA D TRUSTEES ETAL 5404 SHALLOWS PLACE WEST SANTA ROSA CA 95409-5502

COWLEY BRIAN & DIANE 6908 LOWER LITTLE SHASTA RD MONTAGUE CA 96064-9697

RICE BRIAN J & MICHELLE M TRUST 4516 BALL MOUNTAIN LITTLE SHASTA ROAD MONTAGUE CA 96064-9133

STILLIAN DAVID J & KIMBERLEE R TRUST DBA MT SHASTA NATURALLY GROWN 3104 HARRY CASH ROAD MONTAGUE CA 96064-9732

HART BLAIR 3301 HARRY CASH ROAD MONTAGUE CA 96064

COOK CYRIL H TRUST 9404 AIRPORT ROAD MONTAGUE CA 96064-9574

HELLER JOSEPH & KATHLEEN TRUST 406 BERRY ST MT SHASTA CA 96067-2548

PATTON LONY PO BOX 248 WEED CA 96094 SHANAHAN ROBERT T & DIANA E 15034 SHORELINE DRIVE

WEED CA 96094

WEED GOLF CLUB BOX 204 WEED CA 96094

SISKIYOU DEVELOPMENT CO INC DBA HI LO MOTEL CAFE 79 SOUTH WEED BOULEVARD WEED CA 96094-2606

WEED SONS & DAUGHTERS ITALY AMRCA BOX 387 WEED CA 96094

LORINCZI IDA B TRUST 125 E INEZ STREET WEED CA 96094-2510

MARTINEZ ROBERT PO BOX 724 CRESCENT CITY CA 95531-0724

WILLIS PAUL WILLIAM & VIVIAN ELISABETH TRUST 12117 OLD WEST SIDE ROAD GRENADA CA 96038

CLEMENTS BILLY W & LINNE M TRUST 2376 SNOW LANE REDDING CA 96003-3423

FERNANDES LARRY A & TERI D TR DBA CAL ORE TRAIL MOBILE ESTATES 2110 S BASCOM AVE SUITE 201 CAMPBELL CA 95008-3205

CG ROXANE LLC 1400 MARYS DRIVE WEED CA 96094

WEED CITY OF PO BOX 470 WEED CA 96094-0470 GONZALEZ EFRAINE A & ESTER 103 CAMINO AVE WEED CA 96094

MINSART LILLIE TRUST 1128 DENTON WAY REDDING CA 96002-3625

HPD BOLES CREEK LP ATTN WILLIAM E RICE DBA BOLES CREEK I 250 WEST COLORADO BLVD STE 210 ARCADIA CA 91007-2653

BANOS EVANGELOS J &
BETTINA J TRUST
PO BOX 1030
MOUNT SHASTA CA 96067-1030

MELINE GEORGE TRUST ETAL PO BOX 2160 SHASTA CA 96087-2160

MAAS PHILIP ALAN & JUSTINA ANTIONIA TRUST 1280 SHASTINA DR WEED CA 96094

JONES RONALD J & JULIA T TRUST 1521 KELLOGG DR WEED CA 96094

LOWEY BLAKE FRANCIS 540 CLAY ST ASHLAND OR 97520

RURAL HOUSING II 800 IRON POINT ROAD FOLSOM CA 95630-9004

DUCHI BILL A & SUSAN L ETAL 190 BOLES ST WEED CA 96094

JENKINS LEW & LINDA TRUST 819 SLATER AVE PLEASANT HILL CA 94523-2576 WEED FAMILY HOUSING PARTNERS LP C/O PAYNE DEVELOPMENT LLC 31899 DEL OBISPO ST SUITE 130 SAN JUAN CAPISTRANO CA 92675-3234

CALIFORNIA DEPARTMENT OF FISH AND GAME C/O BOB NAGEL, SHASTA VALLEY WILDLIFE AREA ATTN.: ADMINISTRATION 601 LOCUST STREET REDDING, CA 96001

LAKE SHASTINA COMMUNITY SERVICES DISTRICT 16320 EVERHART DR. WEED, CA 96094-9400

CITY OF MONTAGUE BOX 428 MONTAGUE, CA 96064-0428

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KLAMATH NATIONAL FOREST 1312 FAIRLANE ROAD YREKA, CA 96097

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MONTAGUE WATER CONSERVATION DISTRICT P.O. BOX 247 MONTAGUE, CA 96064

SHASTA VALLEY CEMETERY DISTRICT 853 EVERGREEN LN. YREKA, CA 96097

SISKIYOU CO. ROAD DEPT. 305 BUTTE STREET YREKA, CA 96097

CITY OF WEED BOX 470 WEED, CA 96094-0470

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