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## State Water Resources Control Board

**NOTICE OF PETITIONS FOR CHANGE OF PLACE OF USE AND PURPOSE OF USE  
TO DEDICATE WATER FOR THE PRESERVATION AND ENHANCEMENT OF FISH  
AND WILDLIFE RESOURCES FOR SHASTA RIVER DECREE NO. 7035 DIVERSION  
NUMBERS 167, 168, 169, 170, 171, 172, 241, 243, 244, 245, 246, 247, 248  
(ADJUDICATED WATER RIGHTS J000014, J000015, J000016, J000017, J000018,  
J000019, J000020, J000021)**

COUNTY: Siskiyou

STREAM SYSTEM: Hole in the Ground Creek  
Little Springs Creek  
Big Springs Creek  
Shasta River

The Nature Conservancy has filed petitions for change for Shasta River Decree 7035 diversion numbers 167, 168, 169, 170, 171, 172, 241, 243, 244, 245, 246, 247, 248. Any correspondence directed to the Petitioner should be mailed to:

**The Nature Conservancy  
c/o Amy Hoss  
701 Mt. Shasta Blvd.  
Mt. Shasta, CA 96067**

The State Water Resources Control Board (State Water Board) will determine whether to approve the petitions and whether such changes should be conditioned to protect other legal users of water, the public interest, or the environment. If the State Water Board approves the petitions, either the State Water Board or The Nature Conservancy may initiate the procedures in the Siskiyou County Superior Court to amend the Shasta River Decree to reflect the approved changes. If approved, the State Water Board may file a Notice of Exemption for the petitions pursuant to the California Environmental Quality Act for minor alterations to land, water or vegetation, environmental and natural resources protection projects, and small habitat restoration projects. (Cal. Code Regs., §§ 15304, 15307, 15308, 15333.)

In general, The Nature Conservancy proposes to forego diversion under some or all of the above-listed water rights during certain water years, as determined in coordination with the Department of Fish and Game and the Watermaster. The portion of such water that would otherwise have been consumptively used would be protected downstream from the point of diversion to the United States Geological Survey gage on the Shasta River. The instream dedication should not result in any change to water availability to downstream users from a situation where the water was applied to pasture. Petitioners anticipate that in most years, the water would continue to be applied to irrigate pasturelands. A summary of the changes for each individual water right follows.

Summary of Decree Diversions 167-172 (J000014)

Source:	Hole in the Ground Creek tributary to the Shasta River thence the Klamath River
Points of Diversion:	Diversions are consolidated at Diversion Number 168, located approximately 1,430 feet from the south quarter corner of Section 9 on a bearing of approximately N88° 30'E, being within SE ¼ of SE ¼ of Section 9, T43N, R5W, MDB&M
Amount:	1.5 cubic feet per second by direct diversion
Season:	April 1 through October 1 of each year
Purpose of Use:	<u>Present:</u> Irrigation <u>Proposed:</u> Add Fish and Wildlife Preservation and Enhancement
Place of Use:	<u>Present:</u> 67.2 acres within SE ¼ and SW ¼ of Section 9, T43N, R5W, MDB&M <u>Proposed:</u> Addition of portions of Hole in the Ground Creek and the Shasta River as follows: Upstream limit is Diversion No. 168 at North 2,459,391 feet and East 6,445,691 feet by California Coordinate System 1983, Zone 1, being within SE ¼ of SW ¼ of Section 9, T43N, R5W, MDB&M; Downstream limit is USGS Gage No. 11517500 (Shasta River near Yreka, Ca.) at North 2,548,013 feet and East 6,399,633 feet by California Coordinate System 1983, Zone 1, being within SE ¼ of NE ¼ of Section 24, T46N, R7W, MDB&M.

Summary of Decree Diversion 241 (J000015)

Source:	Big Springs Creek tributary to the Shasta River thence the Klamath River
Point of Diversion:	Diversion Number 241, located approximately 1,420 feet from the south quarter corner of Section 3 on a bearing of approximately N0° 30'W, being within NE ¼ of SW ¼ of Section 3, T43N, R5W, MDB&M
Amount:	10.0 cubic feet per second by direct diversion, with up to 6.71 cubic feet per second proposed for possible instream flow dedication
Season:	April 1 through October 1 of each year
Purpose of Use:	<u>Present:</u> Irrigation <u>Proposed:</u> Add Fish and Wildlife Preservation and Enhancement
Place of Use:	<u>Present:</u> 303.7 acres within Section 4, SE ¼ of Section 5, and SE ¼ of Section 33, all within T43N, R5W, MDB&M <u>Proposed:</u> Addition of portions of Big Springs Creek and the Shasta River as follows: Upstream limit is Diversion No. 241 at North 2,466,096 feet and East 6,449,691 feet by California Coordinate System 1983, Zone 1, being within SE ¼ of SW ¼ of Section 3, T43N, R5W, MDB&M.; Downstream limit is USGS Gage No. 11517500 (Shasta River near Yreka, Ca.) at North 2,548,013 feet and East 6,399,633 feet by California Coordinate System 1983, Zone 1, being within SE ¼ of NE ¼ of Section 24, T46N, R7W, MDB&M.

Summary of Decree Diversion 243 (J000016)

Source:	Little Springs Creek tributary to Big Springs Creek thence the Shasta River thence the Klamath River
Point of Diversion:	Diversion Number 243, located approximately 1,240 feet from the NW corner of Section 10 on a bearing of approximately S2° 30'E, being within NW ¼ of NW ¼ of Section 10, T43N, R5W, MDB&M
Amount:	4.0 cubic feet per second by direct diversion
Season:	April 1 through October 1 of each year
Purpose of Use:	<u>Present:</u> Irrigation <u>Proposed:</u> Add Fish and Wildlife Preservation and Enhancement
Place of Use:	<u>Present:</u> 198.5 acres within Section 9 and NW ¼ of NW ¼ of Section 10, all within T43N, R5W, MDB&M <u>Proposed:</u> Addition of portions of Little Springs Creek, Big Springs Creek, and the Shasta River as follows: Upstream limit is Diversion No. 168 at North 2,463,591 feet and East 6,447,068 feet by California Coordinate System 1983, Zone 1, being within NW ¼ of NW ¼ of Section 10, T43N, R5W, MDB&M; Downstream limit is USGS Gage No. 11517500 (Shasta River near Yreka, Ca.) at North 2,548,013 feet and East 6,399,633 feet by California Coordinate System 1983, Zone 1, being within SE ¼ of NE ¼ of Section 24, T46N, R7W, MDB&M.

Summary of Decree Diversion 244 (J000017)

Source:	Little Springs Creek tributary to Big Springs Creek thence the Shasta River thence the Klamath River
Point of Diversion:	Diversion Number 244, located approximately 2,860 feet from the south quarter corner of Section 9 on a bearing of approximately N20° 30'E, being within NW ¼ of SE ¼ of Section 9, T43N, R5W, MDB&M
Amount:	0.5 cubic feet per second by direct diversion
Season:	April 1 through October 1 of each year
Purpose of Use:	<u>Present:</u> Irrigation <u>Proposed:</u> Add Fish and Wildlife Preservation and Enhancement
Place of Use:	<u>Present:</u> 16.7 acres within SW ¼ of NE ¼ and SE ¼ of NW ¼ of Section 9, T43N, R5W, MDB&M <u>Proposed:</u> Addition of portions of Little Springs Creek, Big Springs Creek, and the Shasta River as follows: Upstream limit is Diversion No. 244 at North 2,462,090 feet and East 6,445,305 feet by California Coordinate System 1983, Zone 1, being within SW ¼ of NE ¼ of Section 9, T43N, R5W, MDB&M; Downstream limit is USGS Gage No. 11517500 (Shasta River near Yreka, Ca.) at North 2,548,013 feet and East 6,399,633 feet by California Coordinate System 1983, Zone 1, being within SE ¼ of NE ¼ of Section 24, T46N, R7W, MDB&M.

Summary of Decree Diversion 245 (J000018)

Source:	Little Springs Creek tributary to Big Springs Creek thence the Shasta River thence the Klamath River
Point of Diversion:	Diversion Number 245, located approximately 3,170 feet from the northeast corner of Section 9 on a bearing of approximately S31° 30'W, being within SW ¼ of NE ¼ of Section 9, T43N, R5W, MDB&M
Amount:	1.15 cubic feet per second by direct diversion
Season:	April 1 through October 1 of each year
Purpose of Use:	<u>Present:</u> Irrigation <u>Proposed:</u> Add Fish and Wildlife Preservation and Enhancement
Place of Use:	<u>Present:</u> 16.7 acres within SW ¼ of NE ¼ and SE ¼ of NW ¼ of Section 9, T43N, R5W, MDB&M <u>Proposed:</u> Addition of portions of Little Springs Creek, Big Springs Creek, and the Shasta River as follows: Upstream limit is Diversion No. 245 at North 2,462,176 feet and East 6,445,318 feet by California Coordinate System 1983, Zone 1, being within SW ¼ of NE ¼ of Section 9, T43N, R5W, MDB&M; Downstream limit is USGS Gage No. 11517500 (Shasta River near Yreka, Ca.) at North 2,548,013 feet and East 6,399,633 feet by California Coordinate System 1983, Zone 1, being within SE ¼ of NE ¼ of Section 24, T46N, R7W, MDB&M.

Summary of Decree Diversion 246 (J000019)

Source:	Little Springs Creek tributary to Big Springs Creek thence the Shasta River thence the Klamath River
Point of Diversion:	Diversion No. 246, located approximately 3,370 feet from the northeast corner of Section 9 on a bearing of approximately S48° 00'W, being within SW ¼ of NE ¼ of Section 9, T43N, R5W, MDB&M
Amount:	1.95 cubic feet per second by direct diversion
Season:	April 1 through October 1 of each year
Purpose of Use:	<u>Present:</u> Irrigation <u>Proposed:</u> Add Fish and Wildlife Preservation and Enhancement
Place of Use:	<u>Present:</u> 76.8 acres within Section 9, NE ¼ of NE ¼ of Section 8, and SW ¼ of SW ¼ and SE ¼ of SW ¼ of Section 4, all within T43N, R5W, MDB&M <u>Proposed:</u> Addition of portions of Little Springs Creek, Big Springs Creek, and the Shasta River as follows: Upstream limit is Diversion No. 246 at North 2,462,610 feet and East 6,444,533 feet by California Coordinate System 1983, Zone 1, being within SW ¼ of NE ¼ of Section 9, T43N, R5W, MDB&M; Downstream limit is USGS Gage No. 11517500 (Shasta River near Yreka, Ca.) at North 2,548,013 feet and East 6,399,633 feet by California Coordinate System 1983, Zone 1, being within SE ¼ of NE ¼ of Section 24, T46N, R7W, MDB&M.

Summary of Decree Diversion 247 (J000020)

Source:	Shasta River tributary to the Klamath River
Point of Diversion:	Diversion No. 247, located approximately 1,600 feet from the northwest corner of Section 5 on a bearing of approximately S60° 30'E, being within NE ¼ of NW ¼ of Section 5, T43N, R5W, MDB&M
Amount:	1.2 cubic feet per second by direct diversion
Season:	March 1 through November 1 of each year
Purpose of Use:	<u>Present:</u> Irrigation <u>Proposed:</u> Add Fish and Wildlife Preservation and Enhancement
Place of Use:	<u>Present:</u> 60 acres within Section 32, T43N, R5W, MDB&M <u>Proposed:</u> Addition of portions of the Shasta River as follows: Upstream limit is Diversion No. 247 at North 2,469,250 feet and East 6,437,934 feet by California Coordinate System 1983, Zone 1, being within NE ¼ of NW ¼ of Section 5, T43N, R5W, MDB&M; Downstream limit is USGS Gage No. 11517500 (Shasta River near Yreka, Ca.) at North 2,548,013 feet and East 6,399,633 feet by California Coordinate System 1983, Zone 1, being within SE ¼ of NE ¼ of Section 24, T46N, R7W, MDB&M.

Summary of Decree Diversion 248 (J000021)

Source:	Shasta River tributary to the Klamath River
Point of Diversion:	Diversion No. 248, located approximately 1,300 feet from the northwest corner of Section 5 on a bearing of approximately S58° 00'E, being within NW ¼ of NW ¼ of Section 5, T43N, R5W, MDB&M
Amount:	1.1 cubic feet per second by direct diversion
Season:	April 1 through October 1 of each year
Purpose of Use:	<u>Present:</u> Irrigation, Domestic, Stockwatering <u>Proposed:</u> Add Fish and Wildlife Preservation and Enhancement
Place of Use:	<u>Present:</u> 63.8 acres within Section 31, T44N, R5W, MDB&M <u>Proposed:</u> Addition of portions of the Shasta River as follows: Upstream limit is Diversion No. 247 at North 2,469,250 feet and East 6,437,934 feet by California Coordinate System 1983, Zone 1, being within NE ¼ of NW ¼ of Section 5, T43N, R5W, MDB&M; Downstream limit is USGS Gage No. 11517500 (Shasta River near Yreka, Ca.) at North 2,548,013 feet and East 6,399,633 feet by California Coordinate System 1983, Zone 1, being within SE ¼ of NE ¼ of Section 24, T46N, R7W, MDB&M.

More information regarding these petitions is available at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/applications/petitions/2012.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/petitions/2012.shtml)

The petition and protest process are described under Water Code section 1700 et seq. and California Code of Regulations, title 23, section 791 et seq.

A summary of the protest submittal information, with links to the appropriate form, is available at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/applications/docs/protestsubmitalinfo.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/docs/protestsubmitalinfo.pdf)

Protests must be received by the Division of Water Rights by **4:30 p.m. on December 10, 2012.**

Matt McCarthy is the staff person presently assigned to this matter, and he can be reached at (916) 341-5310 or [mmccarthy@waterboards.ca.gov](mailto:mmccarthy@waterboards.ca.gov). Written correspondence should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Matt McCarthy, P.O. Box 2000, Sacramento, CA, 95812-2000.

Date of Notice: November 8, 2012