DWR Prosecuting Team Exhibit 23

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

.

APPLICATION 26306

PERMIT 19164

LICENSE

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND AMENDING THE PERMIT

WHEREAS

- Ë pursuant to Permit 19164 Application wa s issued to Sha 26306. Shasta Springs Cattle Company цo March 23, 1984
- 2. 19164 was subsequently assigned t O Shasta Foods International
- ω Water and apply the water petition for Resources an Control extension of time tο the Board proposed use has (Board). within which been filed with the the project State
- 4 for The said extension permittee ಗಿ ಇ ತ proceeded with diligence of time. and good cause has been shown
- 5 should C Permit Condition Ъе Regulations updated 10 40 pertaining t 0 Section the continuing authority 780(a), Title 23 of O.ff the California Board

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 7 of the permit be amended to read:

COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE

December 31, 1995

(0000009)

2 Condition 10 of the permit be amended ťΟ read:

continuing accordance method method public trust any license d of use, and of trust uses t o use, authority of with law and California Water doctrine, ses and to prevent waste, unreasonable or unreasonable method of diversion of and quantity of water and to prevent issued pursuant all rights in. the the interest State Code Water thereto, Sections 100 and 275, and and privileges under this diverted, Resources Control of the public wel the public including method of diversion, are subject use, u f said welfare unreasonable Board water t o permit to protect in

view Permittee may requirements of continuing ific requirements ove to eliminating waste may include Ъe authority permittee required tnq over not 0f tο of without and above the necessarily nd above those contained water and to meeting th implement Board unreasonable those may ដ bе water Ъе limited to: exercised by conservation draft the on in reasonable wat the (1) imposing plan, source reusing water features with a

entity instead of all or part of the water allocated; diversions so as to eliminate agricultural tailwater or flow; (4) suppressing evaporation losses from water surj controlling phreatophytic growth; and (6) installing, may operating efficient water measuring devices to assure controlling. and that action as against quantity reclaiming determines, are such will appropriate limitations specific the reasonable be taken pursuant after notice to a water requirements ťο of allocated; water the this permit to affected parties particular requirements to this paragraph unless the are physically and (2) using water reclaimed and situation t O for from water surfaces; determine accurately water use or the authorized project. No and opportunity following the land financially maintaining, compliance (3) restricting to reduce bу Board another for hearing ly feasible (5) with return and the

public parties and opportunity for California Constitution Arti this The further the continuing authority of the Board also may liber limitations on the diversion and use of paragraph unless the Board determines, after notice to affecte les and opportunity for hearing, that such action is consistent to protect public interest trust and public ۲. د Article trust uses. chearing, ...
X, Section preserve No action such or r. will be þе water by restore consistent exercised by taken pursuant to the lsed by imposing the permittee i to affected with uses protected the (0000012)

Dated: MAY 03 1991

ORIGINAL SIGNED BY ROGER JOHNSON

Jesse M. Diaz, Chief Division of Water Quality and Water Rights

STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

APPLICATION 26307 PERMIT 19165

LICENSE

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND AMENDING THE PERMIT

WHEREAS

- ٠ pursuant to Permit 19165 Application was issued to Sha 26307. Shasta Springs Cattle Company on March 23, 1984
- 2 19165 was subsequently assigned ţο Shasta Foods International
- ω Water and Þ petition apply the water Resources Control Board for an extension of ťο the proposed use has (Board). within which .been to de filed develop led with the the project State
- 4 The for said extension permittee has proceeded n of time. time with diligence and good cause has been shown
- Ç Permit should Code of Ьe Condition be updated to Regulations. 70 tο pertaining conform to 40 Section the continuing authority ection 780(a), Title 23 o 780(a), of of the the California Board

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 7 of the permit be amended to read:

COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE

December 31, 1995

(0000009)

2 10 of the permit be amended to read:

method accordance with law and continuing method public trust Pursuant any license of of use, and of use, trust uses ťΟ authority California Water doctrine, and or unreasonable method of diversion issued pursuant d quantity of wat ity of the State and to prevent waste, all rights in the interest State Water Code water diverted, thereto, Sections 100 and 275, and and privileges under this of Resources unreasonable the public welfare ileges under this permit and including method of diversion, are Control of subject use, t f said Board unreasonable to the the to protect in Common

Permittee may specific requirements of continuing author: to eliminating may include bе authority permittee required waste hut over not of t o of water and to meeting the the necessarily implement Board may ď. be limited to: water þе exercised by conservation the g in n this permit wi reasonable water the this (1) imposing plan, source reusing features with

and that tlow; (4) suppressing evaporation losses fi controlling phreatophytic growth; and (6) : operating efficient water measuring S entity determines, action will quantity reclaiming against are appropriate such specific instead limitations of reasonable water be taken pursuant after notice to a water of all requirements are physically and tο allocated; or the particular situation. this permit and to determine accurately water to affected part of the water requirements tο (2) this devices using s paragraph unless the Board parties and opportunity for hearing, from water surfaces; (5)) installing, maintaining, ces to assure compliance w for the authorized cagraph unless the water tailwater or allocated; reclaimed by another financially (3) to Board reduce return restricting project. feasible No use the

public this California Constitution Article X, parties and order further The continuing authority ner limitations on the dive to protect public trust u paragraph unless the Board interest public tr opportunity and 18 y for hearing, that y for hearing, that is necessary the diversion and use of of the Board also may uses. No act ליס preserve No action such 2; after notice ب. of water by will be ta action эđ restore consistent exercised is consistent with taken the permittee i to affected uses with pursuant protected (0000012) in

Dated:

MAY 03 1991

ORIGINAL SIGNED BY ROGER JOHNSON

Jesse M. Diaz, Chief Division of Water Quality and Water Rights

(916) 324-5715

In Reply Refer To:342:RG:26305 26306 26307

1AY 03 1991

Shasta Foods International c/o Gene Davis P.O. Box 1020 Cottonwood, CA 96022

Gentlemen:

RIVER IN SISKIYOU COUNTY 19163, .19164, AND 19165 (APPLICATIONS 26305, 26306, AND 26307) SHASTA

your Your petitions for extensions forth in the under permits these permits have been approved. enclosed Orders. until your proje nsions of time within which to complete the project e been approved. The new development schedules are rders. We suggest that you retain these Orders wit project is licensed. with are set

Please note that the existing continuing authority terms in Permit Condition 10 has been amended to reflect the current common law public trusdoctrine as contained in Title 23, California Code of Regulations, Section 780(a). trust

In addition, please be aware that Condition 8 of the permits state "Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until license is issued." In the future, you should diligently comply with this condition or you will be considered not complying with all permit conditions and revocation action may be initiated. that Condition 8 of the permits state "Progress

will be the should be Code of Regulations, subject are urged to proceed approved schedules shown in the Orders. Any further extension of Time" under California be subject to a showing of "Cause for Extension of Time" under California be subject to a showing of "Cause for Extension of Time" under California which we have enclosed. Of course, you are urged to proceed with development of to aware that permits revocation. 844, which we have enclosed. Of course for projects not pursued with diligence your project in accordance with Any further extension of time are

you have any questions, please write 20 call Ralph Gunby at (916) 324-5693

Sincerely,

ORIGINAL SIGNED BY:

Jim H. Pankratz, Chief Petition Unit

Enclosures

!RGunby: tmaxon:3-25-91 SURNAMPlede300:RG:26305.06.07 bwr 540 REV.1/86