



Alan C. Lloyd, Ph.D.
Agency Secretary

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Arnold Schwarzenegger
Governor

MEMORANDUM

TO: Kathy Mrowka, Chief
Watershed Unit 3

FROM: Richard Satkowski, Chief
Licensing Unit

DATE: JAN 04 2006

SUBJECT: LICENSING OF PERMITS 19164 AND 19165 (APPLICATIONS 26306 AND 26307) – SHASTA RIVER IN SISKIYOU COUNTY

Your December 29, 2005 letter to Jack Frost of Emerson Investments, Inc. states that Mr. Frost has withdrawn the time extension petitions for the subject permits. In addition, the letter states that the permits will be referred to the Division of Water Right's (Division) Licensing Unit to determine whether the permits can be licensed or should be revoked.

On June 13, 2000, Wayne Smith of the Division's Licensing Unit conducted a licensing inspection of the subject permits. Following the inspection, Mr. Smith sent the permittee a letter stating that the projects are not ready to be licensed because (1) measuring devices required by term 17 of each permit have not been installed, and (2) no records have been kept of the amount of surplus water diverted under each permit. In addition, the letter states that licenses issued on the subject permits will be based on measurements taken in future years.

On August 23, 2002, Aaron Miller of the Division's Compliance Unit conducted a compliance inspection of the subject permits. Aaron Miller's August 23, 2002 Compliance Inspection Report states that there has been no use of water under these permits since it was last inspected for licensing. In addition, the report states that there are still no records of diversion available to determine an amount for licensing.

Based on the above information, the permits cannot be licensed and should be revoked.

cc: Aaron Miller
Mark Stretars

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