

# **Alternative Compliance Plan**

**Water Right Applications  
A021444, A024977 and Statements of Water  
Diversion and Use S008461, S008673, S008674  
and S008675**

**Ronald M. LaGrande  
March 30, 2018**

## **Alternative Compliance Plan - Applications A021444, A024977 and Statements of Water Diversion and Use S008461, S008673, S008674 and S008675**

### **Introduction:**

Ronald M. LaGrande (LaGrande) owns Pit River Ranch (Ranch) located within Modoc County. The Ranch is situated adjacent to the Pit River and a portion of the Ranch is located within Hot Springs Valley Water District (District). The history and scope of water rights along the Pit River has been studied and documented in the 1934 Agreement (Attachment 1). In addition, the Hot Springs Valley Water Master District was created in 1935 (Attachment 2) to administer the water rights identified in the 1934 Agreement. The District delivers irrigation water to the northwest portion of the Ranch, shown on Attachment 3. LaGrande holds Licenses 10692 and 11560 (Applications 21444 and 24977 respectively), and riparian and pre-1914 claims of right identified in Statement of Water Diversion and Use No(s) 8461, 8673, 8674 and 8675 for irrigation, recreation, stockwatering, domestic and fire protection purposes. In addition, LaGrande holds Certificate No. 142, however the face value of this certificate falls below the Measurement Regulation threshold, thus it is not included in this Alternative Compliance Plan. See Attachment 4 for additional information about each water right.

On March 30, 2017, Richard Jennings, on behalf of the District, filed an Alternative Compliance Plan (Plan) (Attachment 5) to cover the water rights identified in the 1934 Agreement. The Plan identifies that the District intends to install USGS compliant measurement equipment for its measurements of Big Sage Reservoir releases and the riparian inflow.

The Ranch uses Wilson Reservoir (A021444) and Movich Reservoir (A024977) as regulatory reservoirs to control inflow from nearby natural springs, streams, and runoff within the property and to facilitate efficient irrigation. The reservoirs were originally developed to collect the spring water for stockwatering and now have been fully integrated into the Ranch irrigation system. The storage water rights are for insurance/security in case the regulatory reservoirs incidentally store water during infrequent hydrologic conditions. After the initial filling of the reservoirs minor drawdown occurs during the irrigation season. Excess flow is conveyed by natural channels to the Pit River near the end of the irrigation season when the natural flow of the springs and streams does not match the applied water for irrigation and thus slight drawdown may occur. Use of stored water occurs during a dry year, therefore the Ranch intends to install staff gages at both Wilson Reservoir and Movich Reservoir to monitor water levels. The natural springs include Allen Spring (S008673), Townsend Spring (S008674) and Caldwell Spring (S008675). These springs produce year round flows that the Ranch conveys from the hillside via small earthen ditches to its gravity pipe system, which includes stream and runoff water released from the reservoirs. The Baggett Weir (S008461) has not been utilized to divert runoff by the Ranch since the property was purchased by LaGrande. The gravity pipe system serves water to cattle and pasture during the summer irrigation season. During the winter, there are no cattle present as they are moved to warmer, more hospitable areas. Also during the winter, no irrigation occurs, the reservoirs are subject to freezing and access to the springs is very difficult. The total use under all of the water rights within the Ranch is less than 1,000 acre-feet per year. Historically, water use has been estimated using the timing of the application of water, the acreage irrigated and the rate of the discharge of each spring.

Under this Alternative Compliance Plan, the Ranch is proposing to estimate water use based on crop data and the Cal Poly Irrigation Training and Research Center Method (ITRC Method) adjusted for actual effective precipitation, cultural practices, and system irrigation efficiencies. Precipitation and reference evapotranspiration data will be collected from the nearby California Irrigation Management Information System (CIMIS) weather station #90 (Alturas). The consumptive use will be adjusted according to the

timing of the application of water. Typically, there is enough soil moisture and sub-irrigation to maintain the pasture during the spring until about mid-April when the Ranch begins irrigating. The typical irrigation season is about mid-April to mid-September. At the tail end of the irrigation, the available surface water may fall below the consumptive use of pasture. Therefore, the consumptive use estimate is typically greater than the Ranch's actual diversions. If diversions by the Ranch are greater than the consumptive use of the pasture, then any excess returns to the Pit River. If diversions by the Ranch are less than the consumptive use of the pasture, also known as deficit irrigation, then the Ranch is applying less water to the crop than it needs. If diversions by the Ranch are approximately equal to the consumptive use, then the error is most likely attributed to deep percolation. Therefore, we believe that using the ITRC Method to estimate water use is an appropriate approach for the Ranch.

The basis for the submittal of this Alternative Compliance Plan (Plan) is "not feasible" and "unreasonably expensive". Strict compliance with the requirements for measuring and monitoring at each of the points of diversion (PODs) is not feasible due to the difficulty and expense of installing measurement equipment to accurately measure diversions. The Ranch obtained a cost estimate to purchase and install measurement equipment at each POD in order to comply with Senate Bill 88 (SB 88). The estimate was \$61,700 for the first year, \$11,000 for the second year and every even year thereafter, and \$22,000 for the third year and every odd year thereafter (Attachment 6). The estimate also includes annual costs for the telemetry service and future calibration and repair. Telemetry is not required by SB 88 for the water rights covered under this Plan, however it is needed to comply practically. The estimate does not include time for Ranch staff to inspect the measurement equipment for debris and to perform regular maintenance. Nor does the estimate include time to download and process the data from the 11 meters, or collecting and processing the data from the 3 staff gages identified in the estimate. In addition, the estimate does not include measurement of the Baggett Weir since it is not currently in use, however if it were to be used the costs would likely be close to the estimate for the three springs. These unknown costs have the potential to double the estimate. In comparison, the 2017 budget for the Ranch was approximately \$139,000. It is not reasonable for the Ranch to increase its annual budget by nearly 150% in order to purchase and install measurement equipment, not including the subscriptions, maintenance, and other unknown costs.

For the above reasons, LaGrande has determined that the cost to install and maintain measurement equipment in order to comply is excessive and unreasonable and therefore is submitting this Plan pursuant to Section 935 of the California Code of Regulations.

**Section A – Water Right Owner Information**

- |  |   |
|--|---|
| (1) Owner Name(s)  | Ronald M. LaGrande                                |
| (2) Email Address  | lgfarms@frontier.net                              |
| (3) Phone Number   | (530) 473-2669                                    |
| (4) Mailing Address Line 1                                     | P.O. Box 370                                      |
| (5) Mailing Address Line 2                                     |   |
| (3) City   | Williams  |
| (4) State  | California  |
| (5) Zip Code   | 95987   |
| (6) Is the Water Right Owner<br>also the Primary Contact?      | No  |
| (7) Installation Deadline                                      | July 1, 2017                                      |
| (8) Measurement Accuracy                                       | 10%   |
| (9) Required Monitoring Frequency                              | Daily   |
| (10) Qualifications of the Individual<br>Installing/Certifying | California Licensed Professional Engineer<br>(PE) |

**Section B – Information on Primary Contact**

- |  |  |
|--|--|
| (1) Name(s)  | MBK Engineers c/o Kyle Knutson   |
| (2) Phone Number   | (916) 456-4400   |
| (3) Email Address  | <a href="mailto:knutson@mbkengineers.com">knutson@mbkengineers.com</a> |
| (4) Mailing Address Line 1                                     | 455 University Avenue  |
| (5) Mailing Address Line 2                                     | Suite 100  |
| (6) City   | Sacramento   |
| (7) State  | California   |
| (8) Zip Code   | 95825  |
| (9) The Alternative Compliance<br>Plan Primary Contact is a(n) | Authorized Representative  |

**Section C – Information on Qualified Individual**

- |   |  |
|---|--|
| (1) Name(s)   | Kyle Knutson   |
| (2) Phone Number  | (916) 456-4400   |
| (3) Email Address   | <a href="mailto:knutson@mbkengineers.com">knutson@mbkengineers.com</a> |
| (4) Mailing Address Line 1  | 455 University Avenue  |
| (5) Mailing Address Line 2  | Suite 100  |
| (6) City  | Sacramento   |
| (7) State   | California   |
| (8) Zip Code  | 95825  |
| (9) The qualifications of the individual<br>certifying the Alternative<br>Compliance Plan are | California Licensed Professional Engineer<br>(PE)                      |
| (10) Qualifying Individual's PE or<br>Contractor License number, if<br>applicable             | 86370  |

## Section D – Request for Alternative Compliance

**(1a) Diverter is seeking alternative compliance from the requirement(s)** Measuring Device Location, Installation and Maintenance, Monitoring Frequency

**(1b) Provide additional information for each of the reasons selected in question 1a:**

As described on Page 2 of this Plan it is “not feasible” and “unreasonably expensive”. Strict compliance with the requirements for measuring and monitoring at each of the points of diversion (PODs) is not feasible due to the difficulty and expense of installing measurement equipment to accurately estimate water use.

**(2a) Alternative Compliance is being pursued because strict compliance with one or more of the requirements for measuring and monitoring (check all that apply)** Is not feasible, Is unreasonably expensive

**(2b) Provide additional information for each justification selected in 2a:** See pages 2 and 3, and Attachment 6

**(3a) Alternative compliance is requested under the following categories (check all that apply)** Point of diversion is inaccessible a portion of the year due to weather or other on-site conditions. There is an existing measurement device or measurement method in use.

**(3b) Provide additional information for each of the categories selected in question 3a:**

Point of diversion is inaccessible a portion of the year due to weather or other on-site conditions – During the winter Movich and Wilson Reservoirs are subject to freezing and the parts of the Ranch are inaccessible, including the area where the springs are located.

There is an existing measurement device or measurement method in use – The Ranch currently estimates diversions based upon the timing of the application of water for irrigation and the rate of the discharge from each spring. Under this Plan, the Ranch is proposing to estimate water use based upon crop data and the ITRC Method adjusted for effective precipitation, cultural practices, and system irrigation efficiencies. Precipitation and reference evapotranspiration data will be collected from California Irrigation Management Information System (CIMIS) weather station #90 (Alturas).

**(4) Alternative Compliance Plans shall include alternative, objective measurement and performance standards that achieve the closest attainable compliance. Describe the measurement or alternative to measurement that will be used at each point of diversion in the plan to achieve closest attainable compliance:**

Under this Plan, the Ranch is proposing estimate water use based upon crop data and the ITRC Method adjusted for effective precipitation, cultural practices, and system irrigation efficiencies. Precipitation and reference evapotranspiration data will be collected from California Irrigation Management Information System (CIMIS) weather station #90 (Alturas).

## **Section E – Area Covered by the Alternative Compliance Plan**

### **(1) Provide a general description of the area covered by the Alternative Compliance Plan:**

The Ranch is adjacent to the Pit River in Modoc County. For additional detail, see Attachment 3.

### **(2) Describe all diversion and conveyance works covered by the Alternative Compliance Plan:**

See Attachment 3 for an overview of the Ranch and the POD locations. In addition, the Plan covers the earthen ditches that convey discharges from the springs along the south and east boundary of the Ranch. The Plan also covers the gravity pipe system that conveys water from the reservoirs to the irrigated pasture within the Ranch. As shown on the attached map all of the POD's are integrated and there are no intervening water users in between them.

### **(3) Describe the type(s) of Beneficial Use:**

Irrigation, Recreation, Domestic and Fire Protection Purposes

### **(4) Have you attached a list of assessor's parcel numbers and the current owner of each parcel covered by the Alternative Compliance Plan? (Attachments may be under Section I of this form)**

Yes, see Attachment 7.

## **Section F – Measurement and Monitoring**

### **(1) For each point of diversion listed in the Alternative Compliance Plan, describe how the water is measured:**

Under this Plan, the Ranch is proposing estimate water use based upon crop data and the ITRC Method adjusted for effective precipitation, cultural practices, and system irrigation efficiencies. Precipitation and reference evapotranspiration data will be collected from California Irrigation Management Information System (CIMIS) weather station #90 (Alturas).

### **(2) Identify the measurement accuracy associated with the measurement devices:**

Estimating water use based upon crop data and the ITRC Method adjusted for effective precipitation, cultural practices, and system irrigation efficiencies is an industry standard and the most feasible approach for the Ranch.

### **(3) Describe how the accuracy of the Alternative Compliance Plan was calculated:**

Estimating water use based upon crop data and the ITRC Method adjusted for effective precipitation, cultural practices, and system irrigation efficiencies is an industry standard and the most feasible approach for the Ranch.

**Section G – Implementation Schedule**

- (1) If applicable, describe the implementation schedule for the Alternative Compliance Plan, including objective milestones from date of filing through final implementation. Milestone's should include date of completion for construction and testing, expected dates of issuance of required permits, and expected date for compliance with the California Environmental Quality Act:

The Ranch plans to use the method identified in this Plan for its 2017 annual water right reporting and each year thereafter.

**Section H – Other Permits**

- (1) Describe any other permits required to implement the Alternative Compliance Plan. Include information on the agency that will issue the permit, and the expected date of issuance.

Not applicable

**Section I – Attachments**

- (1) Attach documents that support the Alternative Compliance Plan.  
(2) Provide a brief description of the attached documents:

Attachment 1 – 1934 Agreement  
Attachment 2 – Order Creating the Hot Springs Valley Water Master District  
Attachment 3 – Map of LaGrande Ranch  
Attachment 4 – Water Rights Covered Under this Alternative Compliance Plan  
Attachment 5 – Alternative Compliance Plan S014784  
Attachment 6 – Cost Estimate to Install and Maintain Measurement Devices  
Attachment 7 - Assessor's Parcel Numbers (APNs) and Landowner  
Information for Each Parcel Covered Under the Plan

**Section J – Important information and signatures**

Yes  
Kyle Knutson

**Certification:**

I, Kyle Knutson, 455 University Ave Suite 100, Sacramento, California, hereby certify that this Alternative Compliance Plan is in compliance with Chapter 2.8, Section 935 of the California Code of Regulations. The compliance is based on the use of crop data and the ITRC Method adjusted for effective precipitation, cultural practices, and system irrigation efficiencies which is an industry standard and the most feasible approach to comply with Chapter 2.8, Section 933 of the California Code of Regulations to determine the diversion under each License, Certificate and Statement. This Alternative Compliance Plan is reasonable and practical (based on my September 7, 2017 site visit and knowledge of the water rights and operations of the Ranch), and facilitates the Ranch's water right reporting and the Division's overall water right management and regulation pursuant to Title 23, California Code of Regulations.

  
\_\_\_\_\_  
Kyle Knutson  
CAPE # 86370

# Attachment 1: 1934 Agreement



AGREEMENT DETERMINING RIGHTS TO WATER  
AND TO THE USE THEREOF FROM PIT RIVER AND RATTLESNAKE  
CREEK IN HOT SPRINGS VALLEY IN MODOC COUNTY, CALIFORNIA

oOo

The waters of Pit River and Rattlesnake Creek in Hot Springs Valley, in Modoc County, State of California, having been administered during the irrigation seasons of 1931 and 1934 under the supervision of the Division of Water Resources of the Department of Public Works of the State of California, pursuant to an agreement entered into by the users of water from said river and creek, dated March 28, 1931, and an order of the Board of Directors of Hot Spring Valley Irrigation District, dated April 21, 1934, data having been collected relative to the water rights of said water users and compiled in reports on supervision of diversions during said irrigation seasons by said Division of Water Resources, said agreement and reports being filed in the office of said Division, and it being the purpose of this agreement to utilize said data and to hereby effect an ascertainment and determination of all the rights and interests of whatsoever kind and character of all of the parties signatory hereto in and to the waters of said Pit River and Rattlesnake Creek in said Hot Springs Valley, and in and to the use thereof, save and except as otherwise hereinafter provided in paragraph 8, in order that a water master district, embracing the area served with water from said Pit River and Rattlesnake Creek in said Hot Springs Valley, may be created in accordance with the provisions of Section 37 of the Water Commission Act of the State of California, Statutes 1913, Chapter 586, as amended,

NOW THEREFORE IT IS HEREBY AGREED by and between each, every and all of the parties hereunto subscribed that all of their rights and interests of whatsoever kind and character in and to the waters of said Pit River and Rattlesnake Creek in said Hot Springs Valley, and in and to the use thereof, save and except as otherwise hereinafter provided in paragraph 8, are hereby, and by these presents finally ascertained and determined as hereinafter set forth.

1. This agreement shall be binding upon all the parties signatory hereto regardless of whether one or more of the claimants of rights in and to the waters of said Pit River and Rattlesnake Creek in said Hot Springs Valley, and in and to the use thereof, shall or shall not sign this agreement and shall have the effect of ascertaining and determining all rights among, and by and between, all parties signatory hereto in and to the waters of said river and creek, and in and to the use thereof, save and except as otherwise hereinafter provided in paragraph 8; provided however, that nothing contained in this agreement shall, or shall be construed to, in any manner, prejudice or affect any right, claim or defense of any party signatory hereto with respect to or against any person, firm, corporation or interest which may fail to subscribe to these presents.

2. There is in said Modoc County a natural stream of water known as and called "Pit River", which said river arises on the west slope of the Warner Range of mountains in Modoc and Lassen counties, State of California, and flows thence in a general westerly direction through said Hot Springs Valley between well defined banks in a well defined channel to, upon, and across <sup>some of the lands of</sup> some of the parties hereto, which lands are hereinafter described, and said river has an important tributary from the North, known as and called "Rattlesnake Creek", which said creek flows in a southerly direction to its confluence with said Pit River at the head of Hot Springs Valley below the Town of Alturas.

3. The various parties hereto are the owners of all of the lands embraced in the legal subdivisions set forth under their respective names in Schedule 1 hereunto annexed and made a part hereof; that the allotments of water from said Pit River and Rattlesnake Creek in said Hot Springs Valley as hereinafter set forth are for use upon the acreage described in said Schedule 1; that said lands are depicted on the map herein referred

STATE OF CALIFORNIA, COUNTY OF MODOC, SS.  
I, DARCY M. LOCKEN, County Recorder, do hereby certify  
that this is a true and correct copy of the record recorded in  
this office in Document Number 12417851  
Witnessed my hand and official seal this 13 day of May, 1935

Darcy M. Locken, Recorder  
Deputy

season of each and every year, then the distribution of water under said Schedule 3 for the remainder of said irrigation season shall be successive to each diversion in order downstream, rather than simultaneous among the various diversions, such succession of use to be in accordance with the respective quantities and heads of water necessary for proper inundation and penetration of the irrigated areas served with water under the respective diversions, but shall not exceed a gross diversion of 0.8 acre foot per acre of irrigated land per irrigation, i. e., under the rotation provided in said plan of distribution, the number of diversions operating at the same time shall be dependent upon the number of irrigating heads that the available water supply will furnish, and under the proration provided in said plan of distribution, any water user named in said Schedule 3, who has received a full irrigation not to exceed 0.8 acre foot per acre of irrigated land, shall not receive any further water under said second right until such time as all other water users named in said Schedule 3 have received a gross diversion of an equal amount of water per acre of irrigated land; and provided further, that the owners of the various irrigated areas shall maintain facilities on their respective lands for passing all carry-over water and surface drainage flow in a direct manner for the utilization of the next successive water user.

7. All allotments of second priority class hereinbefore provided in paragraph 6 shall be limited to diversion during the season of irrigation, which is defined as the period commencing on April first and ending on September thirtieth of each and every year, both dates inclusive.

8. The rights hereinbefore provided shall be applicable to all waters flowing in Pit River and Rattlesnake Creek in Hot Springs Valley with the exception of waters released from storage from Big Sage Reservoir of the Hot Spring Valley Irrigation District; the release and the administration of waters released from storage in said Big Sage Reservoir shall be subject to the control and direction of the board of directors of said Hot Spring Valley Irrigation District in accordance with the laws of the State of California appertaining to irrigation districts; and nothing herein contained shall, or shall be construed to, limit or restrict the rights of the various parties hereto, who require water from said Pit River and Rattlesnake Creek for uses other than channel storage and stock watering purposes, to divert and use such of the waters of said river as they may be legally entitled to, during the period between October first of each and every year and March thirty-first of the succeeding year, both dates inclusive, subject to the rights hereinbefore provided in paragraph 5.

9. All allotments of first and second priority classes hereinbefore provided in paragraphs 5 and 6 shall be measured as the difference between the flow of Pit River above and the flow of said river below the respective diversions whenever the diversion is not susceptible to direct measurement; and all other allotments herein provided shall be measured at the respective points of diversion from the stream.

10. IT IS FURTHER AGREED that all allotments of water herein made shall, and shall be construed to, include all the right, title and interest in and to the waters of said Pit River and Rattlesnake Creek, and in and to the use thereof, of the respective husband or wife, if any, of each of the parties hereto, and all other persons who may be jointly or otherwise interested with any of the parties hereto in the lands described under their respective names in Schedule 1 hereof.

11. IT IS FINALLY AGREED that this agreement shall be recorded in the office of the County Recorder of Modoc County in order that the Division of Water Resources of the Department of Public Works of the State of California may create a water master district under the provisions of Section 37 of the Water Commission Act, which district may embrace the area served with water under the rights herein provided, as said area is described in Schedule 1 hereof; and the continuous flow allotments of water set forth in Schedule 5, hereunto annexed and made a part hereof, shall be used as the basis under Section 37f of said Water Commission Act for apportionment of the cost of administration and of the distribution of water in such water master district so created.



State of California )  
County of Modoc ) ss.

On this 12th day of December, in the year 1934, before me, A. K. Wylie, a notary public in and for the County of Modoc, State of California, personally appeared C. S. Baldwin, Mrs. Annie Akins, S. B. Kelley, Dora H. Kelley, B. L. Kelley, James M. Fitzhugh, Grace O. Fitzhugh, Klaus Mohr, John Cummings, Lizzie D. Pope, George Fellencer, A. F. Spicer, W. A. Howe, Lena Layton, Frank McArthur, Jack Connally, Roy Lindauer, J. R. Lybarger, Laura A. Lybarger, Carl Kober, Emma Godfrey, Anna Hughes, J. C. Strawn, Thomas W. Lush, James H. Edwards and F. W. Caldwell, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day in this certificate first above written.

A. K. Wylie  
Notary Public in and for the County  
of Modoc, State of California.

( S E A L )

State of California )  
County of Lassen ) ss.

On this 11th day of December, in the year 1934, before me, Aubrey C. Bieber, a notary public in and for the County of Lassen, State of California, personally appeared L. W. Kramer and Carrie E. Kramer, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Aubrey C. Bieber  
Notary Public in and for the County  
of Lassen, State of California

( S E A L )

State of California )  
City and County of ) ss.  
San Francisco )

On this 23rd day of November in the year One Thousand Nine Hundred and Thirty-four before me, EUGENE P. JONES, a Notary Public, in and for the City and County of San Francisco, personally appeared Mary Elizabeth McConnell known to me to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, at my office in the City and County of San Francisco, the day and year in this certificate first above written.

Eugene P. Jones  
Notary Public in and for the City and County  
of San Francisco, State of California  
809 Crocker Building

( S E A L )  
My Commission Expires October 18, 1935.

State of California )  
County of Alameda ) ss.

On this 24th day of November in the year One Thousand Nine Hundred and 34 before me N. Hopkins a Notary Public in and for the County of Alameda, State of California, residing therein, duly commissioned and sworn, personally appeared Frank P. Hodgson known to me to be the Vice President and F. S. Baldwin known to me to be the Asst. Secretary of the Corporation that executed the within instrument and the officers who executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, the day and year in this certificate first above written.

N. Hopkins  
Notary Public in and for the County of  
Alameda, State of California

( S E A L )  
Corporation Acknowledgment  
Hardy's Blank No. 414  
Hardy's Bookstore, Oakland, California.

State of California )  
City and County of ) ss.  
San Francisco )

On this 21st day of December in the year One Thousand Nine Hundred and Thirty-four before me, JOHN F. BURNS, a Notary Public in and for the City and County of San Francisco, State of California, residing therein, duly commissioned and sworn, personally appeared Harry McClelland and A. P. Carter known to me to be the Vice-President and Assistant Secretary of the corporation described in and that executed the within instrument, and also known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, in the City and County of San Francisco, the day and year in this certificate first above written.

John F. Burns  
Notary Public in and for the City and County  
of San Francisco, State of California.

( S E A L )  
My Commission Expires April 12, 1937.

SCHEDULE 1 (Continued)

Estate of J. W. Cummins

72 acres lying within the following described tract:

SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 7, T 42 N, R 12 E, M.D.B. & M.

N $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 18, T 42 N, R 12 E, M.D.B. & M.

NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 18, T 42 N, R 12 E, M.D.B. & M.

P. S. Dorris

39 acres lying within the following described tract:

S $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 15, T 42 N, R 12 E, M.D.B. & M.

NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 15, T 42 N, R 12 E, M.D.B. & M.

James M. Edwards

44 acres lying within the following described tract:

S $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 21, T 42 N, R 11 E, M.D.B. & M.

SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 20, T 42 N, R 11 E, M.D.B. & M.

Mary L. Ellledge

Stockwater from Pit River within the following described tract:

SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 10, T 41 N, R 9 E, M.D.B. & M.

Federal Land Bank of Berkeley

Ned Chambers Ranch

37 acres lying within the following described tract:

SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 36, T 42 N, R 10 E, M.D.B. & M.

SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 36, T 42 N, R 10 E, M.D.B. & M.

Howe Ranch

53 acres lying within the following described tract:

NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 1, T 41 N, R 9 E, M.D.B. & M.

E $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 2, T 41 N, R 9 E, M.D.B. & M.

SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 2, T 41 N, R 9 E, M.D.B. & M.

George Fellencer

313 acres lying within the following described tract:

E $\frac{1}{2}$  E $\frac{1}{2}$  Sec. 2, T 41 N, R 10 E, M.D.B. & M.

W $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 2, T 41 N, R 10 E, M.D.B. & M.

NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 2, T 41 N, R 10 E, M.D.B. & M.

E $\frac{1}{2}$  NW $\frac{1}{4}$  Sec. 2, T 41 N, R 10 E, M.D.B. & M.

NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 2, T 41 N, R 10 E, M.D.B. & M.

SE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 34, T 42 N, R 10 E, M.D.B. & M.

SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 34, T 42 N, R 10 E, M.D.B. & M.

NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 34, T 42 N, R 10 E, M.D.B. & M.

SCHEDULE 1 (Continued)

Klaus Mohr Ranch

Stock water from Pit River within the following described tract:

SE $\frac{1}{2}$  NW $\frac{1}{4}$  Sec. 10, T 41 N, R 9 E, M.D.B. & M.

Annie Hughes

89 acres lying within the following described tract:

SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, T 42 N, R 10 E, M.D.B. & M.

N $\frac{1}{2}$  NW $\frac{1}{4}$  Sec. 31, T 42 N, R 10 E, M.D.B. & M.

SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 31, T 42 N, R 10 E, M.D.B. & M.

Ira Hulbert

23 acres lying within the following described tract:

N $\frac{1}{2}$  NW $\frac{1}{4}$  Sec. 12, T 41 N, R 10 E, M.D.B. & M.

Dora H. Kelley

82 acres lying within the following described tract:

S $\frac{1}{2}$  N $\frac{1}{2}$  Sec. 13, T 42 N, R 11 E, M.D.B. & M.

NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 13, T 42 N, R 11 E, M.D.B. & M.

S $\frac{1}{2}$  N $\frac{1}{2}$  Sec. 14, T 42 N, R 11 E, M.D.B. & M.

SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 13, T 42 N, R 11 E, M.D.B. & M.

NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 13, T 42 N, R 11 E, M.D.B. & M.

John Kelley

12 acres lying within the following described tract:

SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 6, T 41 N, R 11 E, M.D.B. & M.

S. B. Kelley and E. L. Kelley

43 acres lying within the following described tract:

SW $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 7, T 42 N, R 12 E, M.D.B. & M.

E $\frac{1}{2}$  SW $\frac{1}{2}$  Sec. 7, T 42 N, R 12 E, M.D.B. & M.

S. B. Kelley

4 acres lying within the following described tract:

N $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 13, T 42 N, R 11 E, M.D.B. & M.

NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 13, T 42 N, R 11 E, M.D.B. & M.

Estate of G. L. Kramer

189 acres lying within the following described tract:

W $\frac{1}{2}$  NW $\frac{1}{4}$  Sec. 34, T 42 N, R 10 E, M.D.B. & M.

NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 34, T 42 N, R 10 E, M.D.B. & M.

S $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 33, T 42 N, R 10 E, M.D.B. & M.

N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 33, T 42 N, R 10 E, M.D.B. & M.

SW $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 33, T 42 N, R 10 E, M.D.B. & M.

SE $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 33, T 42 N, R 10 E, M.D.B. & M.

SCHEDULE 1 (Continued)

Pickering Lumber Company

39 acres lying within the following described tract:

SE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

Lizzie D. Pope

64 acres lying within the following described tract:

W $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 2, T 41 N, R 9 E, M.D.B. & M.

E $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 2, T 41 N, R 9 E, M.D.B. & M.

Spicer Corporation

399 acres lying within the following described tract:

W $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 35, T 43 N, R 12 E, M.D.B. & M.

SE $\frac{1}{4}$  Sec. 34, T 43 N, R 12 E, M.D.B. & M.

NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 34, T 43 N, R 12 E, M.D.B. & M.

S $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 34, T 43 N, R 12 E, M.D.B. & M.

NW $\frac{1}{4}$  Sec. 3, T 42 N, R 12 E, M.D.B. & M.

N $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 3, T 42 N, R 12 E, M.D.B. & M.

E $\frac{1}{2}$  E $\frac{1}{2}$  Sec. 4, T 42 N, R 12 E, M.D.B. & M.

W $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 4, T 42 N, R 12 E, M.D.B. & M.

SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 4, T 42 N, R 12 E, M.D.B. & M.

NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

NW $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

W $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

E $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 8, T 42 N, R 12 E, M.D.B. & M.

John Strawn

3 acres lying within the following described tract:

NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 18, T 42 N, R 12 E, M.D.B. & M.

G. B. Wilcox

176 acres lying within the following described tract:

NW $\frac{1}{4}$  Sec. 32, T 42 N, R 10 E, M.D.B. & M.

SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 29, T 42 N, R 10 E, M.D.B. & M.

S $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30, T 42 N, R 10 E, M.D.B. & M.

N $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 31, T 42 N, R 10 E, M.D.B. & M.



SCHEDULE 3

ALLOTMENTS OF SECOND PRIORITY CLASS TO VARIOUS WATER USERS  
FROM PIT RIVER AND RATTLESNAKE CREEK  
IN HOT SPRINGS VALLEY

Name of Diversion	Name of Owner	Allotment:	
		Acres: cu.ft. per:	Irrigated: second:
Kelley Ditch	Estate of J. M. Clark	22	0.44
	Emma Godfrey	3	0.06
	Estate of J. W. Cummins	37	0.74
	S. B. and B. L. Kelley	43	0.86
	S. B. Kelley	4	0.08
	Dora H. Kelley	98	1.94
	A. H. Layton	1	0.02
	T. W. Lush	15	0.30
Rattlesnake Canal	Spicer Corporation	35	0.70
	Pickering Lumber Company	39	0.78
Rattlesnake Creek and/or Rattlesnake Canal	Spicer Corporation	364	7.28
	Bank of Modoc County	4	0.08
Butcher Dam	P. S. Dorris	39	0.78
	Bank of Modoc County	128	2.56
Barnes Dam	Emma Godfrey	71	1.42
Barnes Dam, Cummins Dam, and/or Kelley Ditch	Estate of J. W. Cummins	35	0.70
	A. H. Layton	32	0.64
	Emma Godfrey	57	1.14
	John Strawn	3	0.06
McBrien Dam	Hot Spring Valley Irrigation District	179	3.58
	Estates of McBrien and McConnell	30	0.60
	John Lybarger	16	0.32
Lindauer Upper Dam	James M. Edwards	44	0.88
	Estate of G. C. Lindauer	136	2.72
	Hot Spring Valley Irrigation District	83	1.66
Lindauer Upper and/or Lower Dam	Estate of G. C. Lindauer	59	1.18
	Hot Spring Valley Irrigation District	441	8.82
Lindauer Upper Dam, Lindauer Lower Dam and/or McArthur Upper Dam	Estate of G. C. Lindauer	20	0.40
McArthur Upper and/or Lower Dam	Frank McArthur	542	10.84
	John Kelley	12	0.24
	C. S. Baldwin	47	0.94
	Hot Spring Valley Irrigation District	85	1.70
McArthur Upper Dam, McArthur Lower Dam and/or Claussen Dam	Frank McArthur	122	2.44
Claussen Dam	Federal Land Bank of Berkeley	37	0.74
Claussen Dam and/or Fellencer Dam	Bank of Modoc County	63	1.26
Fellencer Dam	Katherine E. Hazelton	94	1.88
	George Fellencer	259	5.18
	Bank of Modoc County	107	2.14
	Ira Hulbert	23	0.46
Fellencer Dam and/or Fitzhugh Dam	California Joint Stock Land Bank	50	1.00
Fitzhugh Dam	California Joint Stock Land Bank	228	4.56
	Bank of Modoc County	25	0.50
Marie Caldwell Upper Dam	California Joint Stock Land Bank	4	0.08
	Bank of Modoc County	73	1.46
	George Fellencer	54	1.08
	Estate of G. L. Kramer	99	1.98
Marie Caldwell Lower Dam	Estate of G. L. Kramer	100	2.00
Warren Caldwell Dam	G. S. Wilcox	166	3.32
Hughes Dam	G. E. Wilcox	10	0.20
	Annie Hughes	89	1.78
Howe Dam	Federal Land Bank of Berkeley	28	0.56
Lizzie Pope Dam	Federal Land Bank of Berkeley	25	0.50
	Lizzie D. Pope	64	1.28
TOTAL		4400	88.00

McArthur Upper Dam (Meckfessel)

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately S. 50° W., approximately 950 feet distant from the northeast corner of Section 6, T 41 N, R 11 E, M.D.B. & M., and being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 6.

McArthur Lower Dam (Meckfessel)

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately S. 12° E., approximately 1130 feet distant from the northwest corner of Section 6, T 41 N, R 11 E, M.D.B. & M. and being within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 6.

Claussen Dam

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately N. 40° E., approximately 2850 feet distant from the southwest corner of Section 1, T 41 N, R 10 E, M.D.B. & M., and being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 1.

Fellencer Dam (Green)

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately N. 7° W., approximately 1450 feet distant from the southeast corner of Section 2, T 41 N, R 10 E, M.D.B. & M., and being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 2.

Fitzhugh Dam

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately N. 46° W., approximately 2600 feet distant from southeast corner of Section 3, T 41 N, R 10 E, M.D.B. & M., and being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 3.

Marie Caldwell Upper Dam (Kramer)

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately N. 8° E., approximately 1350 feet distant from the southwest corner of Section 34, T 42 N, R 10 E, M.D.B. & M., and being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 34.

Marie Caldwell Lower Dam (Kramer)

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately N. 71° 30' W., approximately 2770 feet distant from the southeast corner of Section 33, T 42 N, R 10 E, M.D.B. & M., and being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 33.

Warren Caldwell Dam (G. B. Wilcox)

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately N. 66° W., approximately 2500 feet distant from the southeast corner of Section 30, T 42 N, R 10 E, M.D.B. & M., and being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 30.

Hughes Dams - North and South

At a point on the north channel of Pit River (shown on Division of Water Resources Map) which bears approximately S. 7° 30' E., approximately 1850 feet distant from the northwest corner of Section 31, T 42 N, R 10 E, M.D.B. & M., and at a point on the south channel of Pit River (shown on Division of Water Resources Map) which bears approximately S. 15° E., approximately 2250 feet distant from the said northeast corner of Section 31, and both dams being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 31.



Attachment 2:  
Order Creating the Hot Springs Valley Water Master  
District

ORDER CREATING HOT SPRINGS VALLEY WATER MASTER DISTRICT  
MODOC COUNTY, CALIFORNIA.

Case No. 3 File #92

Filed January 28, 1935.

The rights of the various claimants to the waters of Pit River and Rattlesnake Creek in Hot Springs Valley in Modoc County, California, having been ascertained and determined by an agreement in writing entered into on November 7, 1934, by the respective claimants, the original of said agreement being on file and of record in the office of the County Recorder of Modoc County, and it appearing to the Division of Water Resources, Department of Public Works of the State of California that the most practical and economical supervisions of the distribution of water on the part of the State may be accomplished by the creation of a water master district covering such territory as will include all of said water rights.

IT IS HEREBY ORDERED that a water master district be and the same is hereby created, as provided in Section 37 of the Water Commission Act, said district to be limited to and to include all of the lands to which the above mentioned water rights are appurtenant, and said district to be known as the Hot Springs Valley Water Master District.

Description of the lands within the Hot Springs Valley Water Master District as affects the Estate of J. W. Cummings, are as follows:  
The SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section (7); N $\frac{1}{2}$  of NE $\frac{1}{4}$ , NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section (18)  
Township (42) North, Range (12) East, M.D.M.

#####

NOW, THEREFORE IT IS HEREBY AGREED by and between each, every and all of the parties hereunto subscribed that all of their rights and interest of whatsoever kind and character in and to the waters of said Pit River and Rattlesnake Creek in said Hot Springs Valley, and in and to the use thereof, are hereby and by these presents finally ascertained and determined as hereinafter set forth. - - -

It is Finally agreed that this agreement shall be recorded in the office of the County Recorder of Modoc County, California in order that the Division of Water Resources of the Department of Public Works of the State of California may create a water master district under the provisions of Section 37 of the Water Commission Act, which district may embrace the area served with water under the rights herein provided, as said area is described in Schedule 1 hereof; - - -

Signed by:

John O. Cummings (owner)  
Estate of J. W. Cummings  
designated herein as Estate of  
J. W. Cummins.

On December 12, 1934, John Cummins<sup>g</sup> acknowledged before A. K. Wylie, Notary Public, Modoc County, California. (Seal)

#### SCHEDULE 1

Estate of J. W. Cummins:

72 Acres lying within the following described tract, to-wit:

The SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section (7), N $\frac{1}{2}$  of NE $\frac{1}{4}$ , NE $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section (18) Township (42) North, Range (12) East, M.D.M.

#### SCHEDULE 2

Allotments of first priority Class to various water users from Rattlesnake Creek and Pit River in Hot Springs Valley.

Name of Water User	Irrigated	Name of River	Dam	First right per cu.
	Acres			ft. per second.
Emma Godfrey	57	Cummins		0.20
Estate of J. W. Cummins	35			
A. H. Layton	29			
John Strawn	3			
Total	124			



SCHEDULE 3

Allotments of second priority class to various water users from Pit River andattlesnake Creek in Hot Springs Valley.

Name of Diversion	Name of Owner	Acreage Irrigated	Allotment Cu. ft. per second.
Kelley Ditch	Estate of J.W.Cummins	37	0.74
Barnes Dam, Cummins Dam and/or Kelley Ditch,	Estate of J.W.Cummins	35	0.70

SCHEDULE 4

Description of location of Dams and points of diversion on Pit River andattlesnake Creek in Hot Spring Valley.

At a point on Pit River (shown on Division of "ater Resources Map) which bears approximately S. 58° West approximately 2050 feet distant from the Northeast corner of Section (18) Township (42) North, Range (12) East, and being within the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section (18).

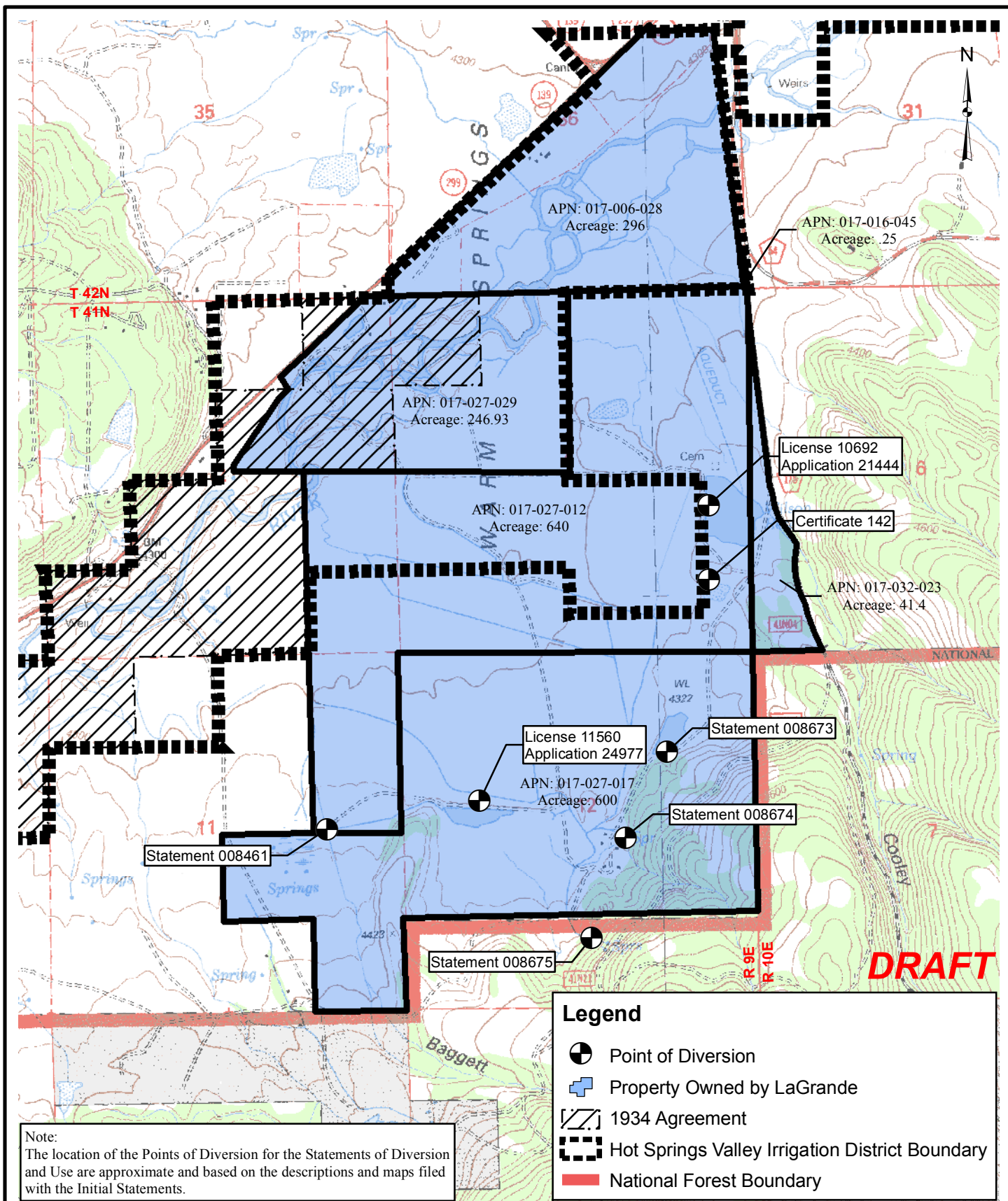
SCHEDULE 5

Continuous flow allotments to be used as a basis for apportionment of expenses incurred for water master service.

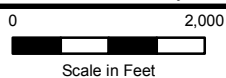
Name of Owner	Continuous Flow Allotments <u>Cubic Feet per second.</u>		
	1st right	2nd right	total
Estate of J. W. Cummins	0.06	1.44	1.50

#####

Attachment 3:  
Map of LaGrande Ranch



Client Number: 3267  
 Requested By: SH  
 Drawn By: PWE  
 Date: January 2012



## Overview of Water Rights

Associated with Properties Owned by LaGrande

**MBK**  
 ENGINEERS

1771 Tribute Road, Suite A  
 Sacramento, CA 95815  
 Phone: 916-456-4400 Fax: 916-456-0253  
 www.mbkengineers.com

**Attachment 4:**  
**Water Rights Covered Under Alternative Compliance**  
**Plan**

## Water Right Summary

### **1934 Agreement (In effect only when there are water shortages)**

Type of claim:	Riparian (per 1934 Agreement)
Source:	Pit River and Rattlesnake Creek
Purpose:	Irrigation, Domestic, and Stockwatering
Quantity:	Beneficial use except during dryer years when supply is dictated by 1934 Agreement
Place of Use:	53 acres within the NW ¼ of the NW ¼ of Section 1, and the E ½ of the NE ¼, and the SW ¼ of NE ¼ all within T41N, R9E, MDB&M

### **Statement 8461**

Type of claim:	Riparian
Source:	Baggett Gulch
Purpose:	Irrigation and Stockwatering
Quantity:	*
Season:	*
Place of Use:	*

*\*Note: Initial Statement of Water Diversion and Use not available; quantity, season, and place of use not identified.*

### **Statement 8673**

Type of claim:	Riparian and Pre-1914
Source:	Unnamed Spring (commonly referred to as Allen Springs)
Purpose:	Irrigation, Recreation, and Stockwatering
Quantity:	Approx. 13 acre-feet of storage and withdrawal
Season:	January 1 to December 31
Place of Use:	Original Statement identifies 246 acres

*\*Note: Map not available. Initial Statement identifies that the pre-1914 claim was recorded with Modoc County.*



**Statement 8674**

Type of claim:	Riparian and Pre-1914
Source:	Unnamed Spring (commonly referred to as Townsend Spring)
Purpose:	Irrigation and Stockwatering
Quantity:	150 miners inches
Season:	January 1 to December 31
Place of Use:	Original Statement identifies 394 acres

*\*Note: Map not available. Initial Statement identifies that the pre-1914 claim was recorded with Modoc County. The general description of location of the place of use is identified as "same as shown in Application 24977".*

**Statement 8675**

Type of claim:	Riparian and Pre-1914
Source:	Unnamed Spring (commonly referred to as Caldwell Spring)
Purpose:	Irrigation, Domestic, and Stockwatering
Quantity:	100 miners inches and 49 acre-feet storage in Movich Reservoir
Season:	January 1 to December 31
Place of Use:	Original Statement identifies 349 acres

*\*Note: Map not available. Initial Statement identifies that the pre-1914 claim was recorded with Modoc County. The general description of location of the place of use is identified as "same as shown in Application 24977".*

**License 10692 (Application 21444)**

Priority Date:	August 27, 1963
Source:	Cooley Gulch
Purpose:	Irrigation, Recreation, and Stockwatering
Quantity:	Max Storage and Withdrawal of 93 acre-feet per annum
Season:	December 1 to March 31
Place of Use:	Stockwatering and Recreation at Wilson Reservoir; Stockwatering and Irrigation of 153 acres within Section 1, and 32 acres within Section 2, T41N, R9E, MDB&M

**License 11560 (Application 24977)**

Priority Date:	January 20, 1976
Source:	Unnamed Stream
Purpose:	Irrigation, Recreation, Stockwatering, and Fire Protection
Quantity:	Max Storage and Withdrawal of 49 acre-feet per annum
Season:	December 1 to March 31
Place of Use:	Stockwatering, Recreation, and Fire Protection at Movich Reservoir; Irrigation of 56 acres within SW ¼ of Section 1, and NW ¼ of Section 12, T41N, R9E, MDB&M.

**Certificate 142**

Priority Date:	1967
Source:	Unnamed Stream (pond 1,000 feet south of Wilson Reservoir)
Purpose:	Stockpond
Quantity:	Max Storage of 9 acre-feet

Attachment 5:  
Alternative Compliance Plan S014784

## Summary

# Alternative Compliance Plan for Water Right (S014784)

You completed the survey on 03/30/2017 12:01:03

[Return to Dashboard](#)

## INTRODUCTION

See [Information and Instruction Sheet](#) for assistance in completing this form. The form shall be completed by the water right owner, their agent, or for an Alternative Compliance Plan filed for a group, the designated contact. The vast majority of water right owners should be able to meet the measurement requirements. Participation in an Alternative Compliance Plan does not relieve the participant of the independent obligation to file an online annual Report of Water Diversion and Use.

All sections of the form below must be completed. An incomplete form does not excuse non-compliance with the regulation or release you from the obligation to measure. The Alternative Compliance Plan may not be used to avoid measurement and monitoring, but should be used to describe an alternative method of measurement and monitoring which will provide the information required by the Regulation. Estimated diversion records may not meet the Regulation's accuracy requirements without supporting documentation.

Note: The large text boxes in the form have a character limit of 2,000 characters. Responses requiring more than 2,000 characters for a particular text box should be submitted as an attachment in Section I of this form. Additional information should be attached in Section I.

## SECTION A - WATER RIGHT OWNER INFORMATION

This section of the form describes the information that is required for each water right or claimed right covered under the Alternative Compliance Plan.

In Section I, attach a table (in Microsoft Excel .xlsx, comma-separated .csv, or tab-separated .txt format) containing the Application or Statement Number for each water right covered under the Alternative Compliance Plan. For your water right, answer the questions below.

(1) Owner Name(s) \*

Hot Springs VAlly Water

(2) Email Address \*

[REDACTED]

(3) Phone Number \*

[REDACTED]

(4) Mailing Address Line 1 \*

[REDACTED]

(5) Mailing Address Line 2:

[REDACTED]

(6) City \*

Alturas

(7) State \*

C.A

(8) Zip Code \*

96101



(9) Is the Water Right Owner also the Primary Contact? \*

☒ Yes

☐ No



On questions 10 through 13, please tell us what you understand the requirements of the regulation to be for this water right to be.

(9) Installation Deadline \*

☒ January 1, 2017

- ☐ July 1, 2017
- ☐ January 1, 2018

**(10) Measurement Accuracy \***

- ☒ 10%
- ☐ 15%
- ☐ Other, as specified in the Alternative Compliance Plan (if submitted)

**(11) Required Monitoring Frequency \***

- ☒ Hourly
- ☐ Daily
- ☐ Weekly
- ☐ Monthly

**(12) Qualifications of the Individual Installing/Certifying \***

- ☐ A California Licensed Professional Engineer (PE), a person working under the supervision of a California PE, a California-licensed contractor authorized by the State License Board for C- 57 well drilling or C- 61 Limited Specialty/D-21 Machinery and Pumps, or a Hydrologist or Engineer employed by a Federal Agency
- ☒ A person trained and experienced in water measurement (for diversions less than 100 acre-feet per year)

## SECTION B - INFORMATION ON PRIMARY CONTACT

This section of the form includes the contact information for the primary contact associated with the Alternative Compliance Plan.

**(1) Name(s): \***

**(2) Phone Number: \***

**(3) Email Address: \***

**(4) Mailing Address Line 1: \***

**(5) Mailing Address Line 2:**

**(6) City: \***

**(7) State: \***

**(8) Zip Code: \***

**(8) The Alternative Compliance Plan Primary Contact is a(n): \***

- ☐ Water Right Owner
- ☐ Agent
- ☐ Designated Contact

## SECTION C - INFORMATION ON QUALIFIED INDIVIDUAL

This section of the form includes the contact information for the Qualified Individual certifying the Alternative Compliance Plan.

(1) Name(s): *	<input type="text" value="Richard Jennings"/>
(2) Phone Number: *	<input type="text" value=""/>
(3) Email Address: *	<input type="text" value=""/>
(4) Mailing Address Line 1: *	<input type="text" value=""/>
(5) Mailing Address Line 2:	<input type="text" value=""/>
(6) City: *	<input type="text" value="Canby"/>
(7) State: *	<input type="text" value="Ca"/>
(8) Zip Code: *	<input type="text" value="96015"/>
(9) The qualifications of the individual certifying the Alternative Compliance Plan are: *	<div><div><input type="radio"/> California Licensed Professional Engineer (PE)</div><div><input type="radio"/> Person working under the supervision of a California Professional Engineer</div><div><input type="radio"/> California-licensed contractor authorized by the State License Board for C- 57 well drilling or C-61 Limited Specialty/D-21 Machinery and Pumps</div><div><input type="radio"/> Hydrologist or Engineer employed by a Federal Agency</div><div><input checked="" type="radio"/> Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year)</div></div>
(10) Qualifying Individual's PE or Contractor license number, if applicable:	<input type="text" value=""/>

## SECTION D - REQUEST FOR ALTERNATIVE COMPLIANCE

Water right holders who divert more than 10 acre-feet of water per year are required to measure the water they divert. A diverter may choose any measuring device, or combination of devices, that meet the measurement and monitoring requirements of the regulation. The measurement requirements are summarized on the [Reporting and Measurement Webpage](#) .

For each box checked in questions 1a through 3 below, submit a detailed explanation and attach substantiating documentation.



(1a) Diverter is seeking alternative compliance from the requirement(s) checked below. \*

- ☒ Measuring Device Location
- ☐ Required Accuracy
- ☐ Certification of Accuracy
- ☐ Installation and Maintenance
- ☐ Monitoring Frequency
- ☐ Telemetry
- ☐ Other (describe in Section 1b)

(1b) Provide additional information for each of the reasons selected in question 1a: \*

Measuring top and bottom and using math to break it up. as per agreement with the D.W.R within the 10% margin range.

(5000 character max.)



**(2a) Alternative compliance is being pursued because strict compliance with one or more of the requirements for measuring and monitoring (check all that apply): \***

- ☒ Is not feasible.
- ☐ Would unreasonably affect public trust resources.\*
- ☐ Is unreasonably expensive.\*\*
- ☐ Would result in the waste or unreasonable use of water.

\* Including fish, wildlife, recreation, navigation, and aesthetic values.

\*\* Plans claiming that strict compliance is unreasonably expensive shall be accompanied by an attached supporting cost analysis. The cost analysis should compare the cost of the proposed alternate measuring devices to the cost of the measurement devices required by the Regulation. All Plans shall include a budget and shall identify sources of financing. The budget should provide sufficient detail to show the cost of the proposed alternate measuring devices, the cost of obtaining any necessary permits, and the cost of installation.

**(2b) Provide additional information for each justification selected in question 2a: \***

It wouldn't be as accurate as measuring by hand splitting riparian and district water.

(5000 character max.)



**(3a) Alternative compliance is requested under the following categories (check all that apply): \***

- ☒ Highly variable flow rate at point of diversion.
- ☐ Point of diversion is inaccessible a portion of the year due to weather or other on-site conditions.
- ☐ Point of diversion is under tidal influence
- ☒ There is an existing measuring device or measurement method in use.
- ☐ Water is corrosive to measurement equipment.
- ☐ The diversion is measured by another entity (identify entity and method of measurement used).
- ☒ Other (provide complete description in section 3b)

**(3b) Provide additional information for each of the categories selected in question 3a: \***

other sources of water incoming to the river mixes, water master needs to split water using percentages and hand measure the water incoming.

(5000 character max.)



**(4) Alternative Compliance Plans shall include alternative, objective measurement and performance standards that achieve the closest attainable compliance. Describe the measurement or alternative to measurement that will used at each point of diversion in the plan to achieve closest attainable compliance. \***

Both water going in the District and leaving the District will be measured by U.S.G.S compliant tools measured within the hour at the Boxler Dam as well as the Mohr dam. water used by individual diverters will be measured and recorded by the water master and be available for public record in the office at normal Business hours .

(5000 character max.)

## SECTION E - AREA COVERED BY THE ALTERNATIVE COMPLIANCE PLAN

Summarize the following for each water right covered by the Alternative Compliance Plan. In Section I, attach maps, aerial photographs, or other renderings showing the area covered by the Alternative Compliance Plan and delineating the acreage of each place of use served. For the area covered by the Alternative Compliance Plan, include a list of assessor's parcel numbers and the current owner of each parcel.

**(1) Provide a general description of the area covered by the Alternative Compliance Plan. \***

1934 agreement attached has land numbers and descriptions as well as list of names and phone numbers, this plan also covers, S014783-// S014780-//S014781//S000373//S008597, district will submit further numbers as the diverters submit numbers as they have turned in necessary paperwork.

(5000 character max.)

**(2) Describe all diversion and conveyance works covered by the Alternative Compliance Plan. \***

diversion works and agreements are attached within

(5000 character max.)

**(3) Describe the type(s) of Beneficial Use(s). \***

stock water, alfalfa, grain , hay , wild rice , organic,

(5000 character max.)

**(4) Have you attached a list of assessor's parcel numbers and the current owner of each parcel covered by the Alternative Compliance Plan? (Attachments may be made under Section I of this form.) \***

☒ Yes | ☐ No

## SECTION F - MEASUREMENT AND MONITORING

**(1) For each Point of Diversion listed in the Alternative Compliance Plan, describe how the water is measured. \***

Water is measured by a Water master using a measuring device and mathematic procedure.

(5000 character max.)

**(2) Identify the measurement accuracy associated with the measurement devices. \***

accuracy is within 10% margin.

(5000 character max.)

**(3) Describe how the accuracy of the Alternative Compliance Plan was calculated. \***

Flow coming out of the Reservoir and through the flash board structures. and riparian water is measured through a U.S.G.S device going in and out of the district.

(5000 character max.)

## SECTION G - IMPLEMENTATION SCHEDULE (IF NECESSARY)

**(1) If applicable, describe the implementation schedule for the Alternative Compliance Plan, including objective milestones from date of filing through final implementation. Milestones should include date of completion for construction and testing, expected dates of issuance of required permits, and expected date for compliance with the California Environmental Quality Act:**

Nothing needed at this time waiting on other controlled dams.

(5000 character max.)

**An Alternative Compliance Plan shall be submitted and implemented by the established regulatory deadlines (see form instructions for additional information) unless a Request for Additional Time has been granted.**



## SECTION H - OTHER PERMITS

(1) Describe any other permits required to implement the Alternative Compliance Plan. Include information on the agency that will issue the permit, and the expected date of issuance.

none at this time.

(5000 character max.)

## SECTION I - ATTACHMENTS



(1) Attach documents that support the Alternative Compliance Plan.

Choose File

No file selected

Upload

(Uploaded files:)

[scan0002.pdf](#)

[scan0001.pdf](#)

[division 1-5.xlsx](#)

0%

(2) Provide a brief description of the attached documents.

1934 agreement stating land descriptions and parcel numbers. landowners addresses and phone numbers, order creating HSWMD.

(5000 character max.)

## SECTION J - IMPORTANT INFORMATION AND SIGNATURES

Each participant in an Alternative Compliance Plan (Plan) must sign this form or an "opt-in" form that must be retained by the Plan manager. Attach a listing of participants, as needed, in Microsoft Excel .xlsx, comma-separated .csv, or tab-separated .txt format. By signing this form or the Plan's "opt-in" form, each Plan participant acknowledges that the Plan will be timely implemented and that the measurement of diversions will substantially comply with the Measurement Regulation. Further, each Plan participant acknowledges that the water rights covered by the Plan will not be exercised outside the scope of the Plan. Each Plan participant is responsible for promptly informing the Division of Water Rights or Delta Watermaster, as appropriate, if the participant withdraws from the Plan. The Plan manager is responsible for promptly informing the Division of Water Rights or the Delta Watermaster, as appropriate, if the Plan is modified or abandoned or if the Implementation Schedule is adjusted.

**I hereby certify that the information in this Alternative Compliance Plan is true to the best of my knowledge and belief and that the Alternative Compliance Plan is in compliance with the requirements of Title 23, Division 3, Chapter 2.8, Section 931 through 938 of the California Code of Regulations. \***

☒ Yes | ☐ No

Printed Name \*

Ben Sylvia

Division of Water Rights and Delta Watermaster staff may or may not evaluate the contents of an Alternative Compliance Plan at the time of receipt. Staff will initially determine if all the information has been filled out, and accept the Alternative Compliance Plan as complete or return it as incomplete. An Alternative Compliance Plan may be reviewed for compliance purposes at any time or as part of a systematic audit.

AGREEMENT DETERMINING RIGHTS TO WATER  
AND TO THE USE THEREOF FROM PIT RIVER AND RATTLESNAKE  
CREEK IN HOT SPRINGS VALLEY IN MODOC COUNTY, CALIFORNIA

oOo

The waters of Pit River and Rattlesnake Creek in Hot Springs Valley, in Modoc County, State of California, having been administered during the irrigation seasons of 1931 and 1934 under the supervision of the Division of Water Resources of the Department of Public Works of the State of California, pursuant to an agreement entered into by the users of water from said river and creek, dated March 28, 1931, and an order of the Board of Directors of Hot Spring Valley Irrigation District, dated April 21, 1934, data having been collected relative to the water rights of said water users and compiled in reports on supervision of diversions during said irrigation seasons by said Division of Water Resources, said agreement and reports being filed in the office of said Division, and it being the purpose of this agreement to utilize said data and to hereby effect an ascertainment and determination of all the rights and interests of whatsoever kind and character of all of the parties signatory hereto in and to the waters of said Pit River and Rattlesnake Creek in said Hot Springs Valley, and in and to the use thereof, save and except as otherwise hereinafter provided in paragraph 8, in order that a water master district, embracing the area served with water from said Pit River and Rattlesnake Creek in said Hot Springs Valley, may be created in accordance with the provisions of Section 37 of the Water Commission Act of the State of California, Statutes 1913, Chapter 586, as amended,

NOW THEREFORE IT IS HEREBY AGREED by and between each, every and all of the parties hereunto subscribed that all of their rights and interests of whatsoever kind and character in and to the waters of said Pit River and Rattlesnake Creek in said Hot Springs Valley, and in and to the use thereof, save and except as otherwise hereinafter provided in paragraph 8, are hereby, and by these presents finally ascertained and determined as hereinafter set forth.

1. This agreement shall be binding upon all the parties signatory hereto regardless of whether one or more of the claimants of rights in and to the waters of said Pit River and Rattlesnake Creek in said Hot Springs Valley, and in and to the use thereof, shall or shall not sign this agreement and shall have the effect of ascertaining and determining all rights among, and by and between, all parties signatory hereto in and to the waters of said river and creek, and in and to the use thereof, save and except as otherwise hereinafter provided in paragraph 8; provided however, that nothing contained in this agreement shall, or shall be construed to, in any manner, prejudice or affect any right, claim or defense of any party signatory hereto with respect to or against any person, firm, corporation or interest which may fail to subscribe to these presents.

2. There is in said Modoc County a natural stream of water known as and called "Pit River", which said river arises on the west slope of the Warner Range of mountains in Modoc and Lassen counties, State of California, and flows thence in a general westerly direction through said Hot Springs Valley between well defined banks in a well defined channel to, upon, and across <sup>some of the lands of</sup> some of the parties hereto, which lands are hereinafter described, and said river has an important tributary from the North, known as and called "Rattlesnake Creek", which said creek flows in a southerly direction to its confluence with said Pit River at the head of Hot Springs Valley below the Town of Alturas.

3. The various parties hereto are the owners of all of the lands embraced in the legal subdivisions set forth under their respective names in Schedule 1 hereunto annexed and made a part hereof; that the allotments of water from said Pit River and Rattlesnake Creek in said Hot Springs Valley as hereinafter set forth are for use upon the acreage described in said Schedule 1; that said lands are depicted on the map herein referred

STATE OF CALIFORNIA, COUNTY OF MODOC, SS.  
I, DARCY M. LOCKEN, County Recorder, do hereby certify  
that this is a true and correct copy of the record recorded in  
this office in Document Number 12417851  
Witnessed my hand and official seal this 13 day of May, 1935

Darcy M. Locken, Recorder  
Deputy

season of each and every year, then the distribution of water under said Schedule 3 for the remainder of said irrigation season shall be successive to each diversion in order downstream, rather than simultaneous among the various diversions, such succession of use to be in accordance with the respective quantities and heads of water necessary for proper inundation and penetration of the irrigated areas served with water under the respective diversions, but shall not exceed a gross diversion of 0.8 acre foot per acre of irrigated land per irrigation, i. e., under the rotation provided in said plan of distribution, the number of diversions operating at the same time shall be dependent upon the number of irrigating heads that the available water supply will furnish, and under the proration provided in said plan of distribution, any water user named in said Schedule 3, who has received a full irrigation not to exceed 0.8 acre foot per acre of irrigated land, shall not receive any further water under said second right until such time as all other water users named in said Schedule 3 have received a gross diversion of an equal amount of water per acre of irrigated land; and provided further, that the owners of the various irrigated areas shall maintain facilities on their respective lands for passing all carry-over water and surface drainage flow in a direct manner for the utilization of the next successive water user.

7. All allotments of second priority class hereinbefore provided in paragraph 6 shall be limited to diversion during the season of irrigation, which is defined as the period commencing on April first and ending on September thirtieth of each and every year, both dates inclusive.

8. The rights hereinbefore provided shall be applicable to all waters flowing in Pit River and Rattlesnake Creek in Hot Springs Valley with the exception of waters released from storage from Big Sage Reservoir of the Hot Spring Valley Irrigation District; the release and the administration of waters released from storage in said Big Sage Reservoir shall be subject to the control and direction of the board of directors of said Hot Spring Valley Irrigation District in accordance with the laws of the State of California appertaining to irrigation districts; and nothing herein contained shall, or shall be construed to, limit or restrict the rights of the various parties hereto, who require water from said Pit River and Rattlesnake Creek for uses other than channel storage and stock watering purposes, to divert and use such of the waters of said river as they may be legally entitled to, during the period between October first of each and every year and March thirty-first of the succeeding year, both dates inclusive, subject to the rights hereinbefore provided in paragraph 5.

9. All allotments of first and second priority classes hereinbefore provided in paragraphs 5 and 6 shall be measured as the difference between the flow of Pit River above and the flow of said river below the respective diversions whenever the diversion is not susceptible to direct measurement; and all other allotments herein provided shall be measured at the respective points of diversion from the stream.

10. IT IS FURTHER AGREED that all allotments of water herein made shall, and shall be construed to, include all the right, title and interest in and to the waters of said Pit River and Rattlesnake Creek, and in and to the use thereof, of the respective husband or wife, if any, of each of the parties hereto, and all other persons who may be jointly or otherwise interested with any of the parties hereto in the lands described under their respective names in Schedule 1 hereof.

11. IT IS FINALLY AGREED that this agreement shall be recorded in the office of the County Recorder of Modoc County in order that the Division of Water Resources of the Department of Public Works of the State of California may create a water master district under the provisions of Section 37 of the Water Commission Act, which district may embrace the area served with water under the rights herein provided, as said area is described in Schedule 1 hereof; and the continuous flow allotments of water set forth in Schedule 5, hereunto annexed and made a part hereof, shall be used as the basis under Section 37f of said Water Commission Act for apportionment of the cost of administration and of the distribution of water in such water master district so created.



State of California )  
County of Modoc ) ss.

On this 12th day of December, in the year 1934, before me, A. K. Wylie, a notary public in and for the County of Modoc, State of California, personally appeared C. S. Baldwin, Mrs. Annie Akins, S. B. Kelley, Dora H. Kelley, B. L. Kelley, James M. Fitzhugh, Grace O. Fitzhugh, Klaus Mohr, John Cummings, Lizzie D. Pope, George Fellencer, A. F. Spicer, W. A. Howe, Lena Layton, Frank McArthur, Jack Connally, Roy Lindauer, J. R. Lybarger, Laura A. Lybarger, Carl Kober, Emma Godfrey, Anna Hughes, J. C. Strawn, Thomas W. Lush, James H. Edwards and F. W. Caldwell, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day in this certificate first above written.

A. K. Wylie  
Notary Public in and for the County  
of Modoc, State of California.

( S E A L )

State of California )  
County of Lassen ) ss.

On this 11th day of December, in the year 1934, before me, Aubrey C. Bieber, a notary public in and for the County of Lassen, State of California, personally appeared L. W. Kramer and Carrie E. Kramer, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Aubrey C. Bieber  
Notary Public in and for the County  
of Lassen, State of California

( S E A L )

State of California )  
City and County of ) ss.  
San Francisco )

On this 23rd day of November in the year One Thousand Nine Hundred and Thirty-four before me, EUGENE P. JONES, a Notary Public, in and for the City and County of San Francisco, personally appeared Mary Elizabeth McConnell known to me to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, at my office in the City and County of San Francisco, the day and year in this certificate first above written.

Eugene P. Jones  
Notary Public in and for the City and County  
of San Francisco, State of California  
809 Crocker Building

( S E A L )  
My Commission Expires October 18, 1935.

State of California )  
County of Alameda ) ss.

On this 24th day of November in the year One Thousand Nine Hundred and 34 before me N. Hopkins a Notary Public in and for the County of Alameda, State of California, residing therein, duly commissioned and sworn, personally appeared Frank P. Hodgson known to me to be the Vice President and F. S. Baldwin known to me to be the Asst. Secretary of the Corporation that executed the within instrument and the officers who executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, the day and year in this certificate first above written.

N. Hopkins  
Notary Public in and for the County of  
Alameda, State of California

( S E A L )  
Corporation Acknowledgment  
Hardy's Blank No. 414  
Hardy's Bookstore, Oakland, California.

State of California )  
City and County of ) ss.  
San Francisco )

On this 21st day of December in the year One Thousand Nine Hundred and Thirty-four before me, JOHN F. BURNS, a Notary Public in and for the City and County of San Francisco, State of California, residing therein, duly commissioned and sworn, personally appeared Harry McClelland and A. P. Carter known to me to be the Vice-President and Assistant Secretary of the corporation described in and that executed the within instrument, and also known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, in the City and County of San Francisco, the day and year in this certificate first above written.

John F. Burns  
Notary Public in and for the City and County  
of San Francisco, State of California.

( S E A L )  
My Commission Expires April 12, 1937.

SCHEDULE 1 (Continued)

Estate of J. W. Cummins

72 acres lying within the following described tract:

SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 7, T 42 N, R 12 E, M.D.B. & M.

N $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 18, T 42 N, R 12 E, M.D.B. & M.

NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 18, T 42 N, R 12 E, M.D.B. & M.

P. S. Dorris

39 acres lying within the following described tract:

S $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 15, T 42 N, R 12 E, M.D.B. & M.

NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 15, T 42 N, R 12 E, M.D.B. & M.

James M. Edwards

44 acres lying within the following described tract:

S $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 21, T 42 N, R 11 E, M.D.B. & M.

SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 20, T 42 N, R 11 E, M.D.B. & M.

Mary L. Ellledge

Stockwater from Pit River within the following described tract:

SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 10, T 41 N, R 9 E, M.D.B. & M.

Federal Land Bank of Berkeley

Ned Chambers Ranch

37 acres lying within the following described tract:

SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 36, T 42 N, R 10 E, M.D.B. & M.

SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 36, T 42 N, R 10 E, M.D.B. & M.

Howe Ranch

53 acres lying within the following described tract:

NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 1, T 41 N, R 9 E, M.D.B. & M.

E $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 2, T 41 N, R 9 E, M.D.B. & M.

SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 2, T 41 N, R 9 E, M.D.B. & M.

George Fellencer

313 acres lying within the following described tract:

E $\frac{1}{2}$  E $\frac{1}{2}$  Sec. 2, T 41 N, R 10 E, M.D.B. & M.

W $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 2, T 41 N, R 10 E, M.D.B. & M.

NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 2, T 41 N, R 10 E, M.D.B. & M.

E $\frac{1}{2}$  NW $\frac{1}{4}$  Sec. 2, T 41 N, R 10 E, M.D.B. & M.

NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 2, T 41 N, R 10 E, M.D.B. & M.

SE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 34, T 42 N, R 10 E, M.D.B. & M.

SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 34, T 42 N, R 10 E, M.D.B. & M.

NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 34, T 42 N, R 10 E, M.D.B. & M.

SCHEDULE 1 (Continued)

Klaus Mohr Ranch

Stock water from Pit River within the following described tract:

SE $\frac{1}{2}$  NW $\frac{1}{4}$  Sec. 10, T 41 N, R 9 E, M.D.B. & M.

Annie Hughes

89 acres lying within the following described tract:

SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, T 42 N, R 10 E, M.D.B. & M.

N $\frac{1}{2}$  NW $\frac{1}{4}$  Sec. 31, T 42 N, R 10 E, M.D.B. & M.

SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 31, T 42 N, R 10 E, M.D.B. & M.

Ira Hulbert

23 acres lying within the following described tract:

N $\frac{1}{2}$  NW $\frac{1}{4}$  Sec. 12, T 41 N, R 10 E, M.D.B. & M.

Dora H. Kelley

82 acres lying within the following described tract:

S $\frac{1}{2}$  N $\frac{1}{2}$  Sec. 13, T 42 N, R 11 E, M.D.B. & M.

NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 13, T 42 N, R 11 E, M.D.B. & M.

S $\frac{1}{2}$  N $\frac{1}{2}$  Sec. 14, T 42 N, R 11 E, M.D.B. & M.

SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 13, T 42 N, R 11 E, M.D.B. & M.

NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 13, T 42 N, R 11 E, M.D.B. & M.

John Kelley

12 acres lying within the following described tract:

SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 6, T 41 N, R 11 E, M.D.B. & M.

S. B. Kelley and E. L. Kelley

43 acres lying within the following described tract:

SW $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 7, T 42 N, R 12 E, M.D.B. & M.

E $\frac{1}{2}$  SW $\frac{1}{2}$  Sec. 7, T 42 N, R 12 E, M.D.B. & M.

S. B. Kelley

4 acres lying within the following described tract:

N $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 13, T 42 N, R 11 E, M.D.B. & M.

NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 13, T 42 N, R 11 E, M.D.B. & M.

Estate of G. L. Kramer

189 acres lying within the following described tract:

W $\frac{1}{2}$  NW $\frac{1}{4}$  Sec. 34, T 42 N, R 10 E, M.D.B. & M.

NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 34, T 42 N, R 10 E, M.D.B. & M.

S $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 33, T 42 N, R 10 E, M.D.B. & M.

N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 33, T 42 N, R 10 E, M.D.B. & M.

SW $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 33, T 42 N, R 10 E, M.D.B. & M.

SE $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 33, T 42 N, R 10 E, M.D.B. & M.

SCHEDULE 1 (Continued)

Pickering Lumber Company

39 acres lying within the following described tract:

SE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

Lizzie D. Pope

64 acres lying within the following described tract:

W $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 2, T 41 N, R 9 E, M.D.B. & M.

E $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 2, T 41 N, R 9 E, M.D.B. & M.

Spicer Corporation

399 acres lying within the following described tract:

W $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 35, T 43 N, R 12 E, M.D.B. & M.

SE $\frac{1}{4}$  Sec. 34, T 43 N, R 12 E, M.D.B. & M.

NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 34, T 43 N, R 12 E, M.D.B. & M.

S $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 34, T 43 N, R 12 E, M.D.B. & M.

NW $\frac{1}{4}$  Sec. 3, T 42 N, R 12 E, M.D.B. & M.

N $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 3, T 42 N, R 12 E, M.D.B. & M.

E $\frac{1}{2}$  E $\frac{1}{2}$  Sec. 4, T 42 N, R 12 E, M.D.B. & M.

W $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 4, T 42 N, R 12 E, M.D.B. & M.

SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 4, T 42 N, R 12 E, M.D.B. & M.

NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

NW $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

W $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 9, T 42 N, R 12 E, M.D.B. & M.

E $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 8, T 42 N, R 12 E, M.D.B. & M.

John Strawn

3 acres lying within the following described tract:

NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 18, T 42 N, R 12 E, M.D.B. & M.

G. B. Wilcox

176 acres lying within the following described tract:

NW $\frac{1}{4}$  Sec. 32, T 42 N, R 10 E, M.D.B. & M.

SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 29, T 42 N, R 10 E, M.D.B. & M.

S $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30, T 42 N, R 10 E, M.D.B. & M.

N $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 31, T 42 N, R 10 E, M.D.B. & M.



SCHEDULE 3

ALLOTMENTS OF SECOND PRIORITY CLASS TO VARIOUS WATER USERS  
FROM PIT RIVER AND RATTLESNAKE CREEK  
IN HOT SPRINGS VALLEY

Name of Diversion	Name of Owner	Allotment:	
		Acres: cu.ft. per:	Irrigated: second:
Kelley Ditch	Estate of J. M. Clark	22	0.44
	Emma Godfrey	3	0.06
	Estate of J. W. Cummins	37	0.74
	S. B. and B. L. Kelley	43	0.86
	S. B. Kelley	4	0.08
	Dora H. Kelley	98	1.94
	A. H. Layton	1	0.02
	T. W. Lush	15	0.30
Rattlesnake Canal	Spicer Corporation	35	0.70
	Pickering Lumber Company	39	0.78
Rattlesnake Creek and/or Rattlesnake Canal	Spicer Corporation	364	7.28
	Bank of Modoc County	4	0.08
Butcher Dam	P. S. Dorris	39	0.78
	Bank of Modoc County	128	2.56
Barnes Dam	Emma Godfrey	71	1.42
Barnes Dam, Cummins Dam, and/or Kelley Ditch	Estate of J. W. Cummins	35	0.70
	A. H. Layton	32	0.64
	Emma Godfrey	57	1.14
	John Strawn	3	0.06
McBrien Dam	Hot Spring Valley Irrigation District	179	3.58
	Estates of McBrien and McConnell	30	0.60
	John Lybarger	16	0.32
Lindauer Upper Dam	James M. Edwards	44	0.88
	Estate of G. C. Lindauer	136	2.72
	Hot Spring Valley Irrigation District	83	1.66
Lindauer Upper and/or Lower Dam	Estate of G. C. Lindauer	59	1.18
	Hot Spring Valley Irrigation District	441	8.82
Lindauer Upper Dam, Lindauer Lower Dam and/or McArthur Upper Dam	Estate of G. C. Lindauer	20	0.40
McArthur Upper and/or Lower Dam	Frank McArthur	542	10.84
	John Kelley	12	0.24
	C. S. Baldwin	47	0.94
	Hot Spring Valley Irrigation District	85	1.70
McArthur Upper Dam, McArthur Lower Dam and/or Claussen Dam	Frank McArthur	122	2.44
Claussen Dam	Federal Land Bank of Berkeley	37	0.74
Claussen Dam and/or Fellencer Dam	Bank of Modoc County	63	1.26
Fellencer Dam	Katherine E. Hazelton	94	1.88
	George Fellencer	259	5.18
	Bank of Modoc County	107	2.14
	Ira Hulbert	23	0.46
Fellencer Dam and/or Fitzhugh Dam	California Joint Stock Land Bank	50	1.00
Fitzhugh Dam	California Joint Stock Land Bank	228	4.56
	Bank of Modoc County	25	0.50
Marie Caldwell Upper Dam	California Joint Stock Land Bank	4	0.08
	Bank of Modoc County	73	1.46
	George Fellencer	54	1.08
	Estate of G. L. Kramer	99	1.98
Marie Caldwell Lower Dam	Estate of G. L. Kramer	100	2.00
Warren Caldwell Dam	G. S. Wilcox	166	3.32
Hughes Dam	G. E. Wilcox	10	0.20
	Annie Hughes	89	1.78
Howe Dam	Federal Land Bank of Berkeley	28	0.56
Lizzie Pope Dam	Federal Land Bank of Berkeley	25	0.50
	Lizzie D. Pope	64	1.28
TOTAL		4400	88.00



McArthur Upper Dam (Meckfessel)

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately S. 50° W., approximately 950 feet distant from the northeast corner of Section 6, T 41 N, R 11 E, M.D.B. & M., and being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 6.

McArthur Lower Dam (Meckfessel)

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately S. 12° E., approximately 1130 feet distant from the northwest corner of Section 6, T 41 N, R 11 E, M.D.B. & M. and being within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 6.

Claussen Dam

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately N. 40° E., approximately 2850 feet distant from the southwest corner of Section 1, T 41 N, R 10 E, M.D.B. & M., and being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 1.

Fellencer Dam (Green)

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately N. 7° W., approximately 1450 feet distant from the southeast corner of Section 2, T 41 N, R 10 E, M.D.B. & M., and being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 2.

Fitzhugh Dam

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately N. 46° W., approximately 2600 feet distant from southeast corner of Section 3, T 41 N, R 10 E, M.D.B. & M., and being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 3.

Marie Caldwell Upper Dam (Kramer)

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately N. 8° E., approximately 1850 feet distant from the southwest corner of Section 34, T 42 N, R 10 E, M.D.B. & M., and being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 34.

Marie Caldwell Lower Dam (Kramer)

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately N. 71° 30' W., approximately 2770 feet distant from the southeast corner of Section 33, T 42 N, R 10 E, M.D.B. & M., and being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 33.

Warren Caldwell Dam (G. B. Wilcox)

At a point on Pit River (shown on Division of Water Resources Map) which bears approximately N. 66° W., approximately 2500 feet distant from the southeast corner of Section 30, T 42 N, R 10 E, M.D.B. & M., and being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 30.

Hughes Dams - North and South

At a point on the north channel of Pit River (shown on Division of Water Resources Map) which bears approximately S. 7° 30' E., approximately 1850 feet distant from the northwest corner of Section 31, T 42 N, R 10 E, M.D.B. & M., and at a point on the south channel of Pit River (shown on Division of Water Resources Map) which bears approximately S. 15° E., approximately 2250 feet distant from the said northeast corner of Section 31, and both dams being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 31.

ORDER CREATING HOT SPRINGS VALLEY WATER MASTER DISTRICT  
MODOC COUNTY, CALIFORNIA.

Case No. 3 File #92

Filed January 28, 1935.

The rights of the various claimants to the waters of Pit River and Rattlesnake Creek in Hot Springs Valley in Modoc County, California, having been ascertained and determined by an agreement in writing entered into on November 7, 1934, by the respective claimants, the original of said agreement being on file and of record in the office of the County Recorder of Modoc County, and it appearing to the Division of Water Resources, Department of Public Works of the State of California that the most practical and economical supervisions of the distribution of water on the part of the State may be accomplished by the creation of a water master district covering such territory as will include all of said water rights.

IT IS HEREBY ORDERED that a water master district be and the same is hereby created, as provided in Section 37 of the Water Commission Act, said district to be limited to and to include all of the lands to which the above mentioned water rights are appurtenant, and said district to be known as the Hot Springs Valley Water Master District.

Description of the lands within the Hot Springs Valley Water Master District as affects the Estate of J. W. Cummings, are as follows:  
The SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section (7); N $\frac{1}{2}$  of NE $\frac{1}{4}$ , NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section (18)  
Township (42) North, Range (12) East, M.D.M.

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NOW, THEREFORE IT IS HEREBY AGREED by and between each, every and all of the parties hereunto subscribed that all of their rights and interest of whatsoever kind and character in and to the waters of said Pit River and Rattlesnake Creek in said Hot Springs Valley, and in and to the use thereof, are hereby and by these presents finally ascertained and determined as hereinafter set forth. - - -

It is Finally agreed that this agreement shall be recorded in the office of the County Recorder of Modoc County, California in order that the Division of Water Resources of the Department of Public Works of the State of California may create a water master district under the provisions of Section 37 of the Water Commission Act, which district may embrace the area served with water under the rights herein provided, as said area is described in Schedule 1 hereof; - - -

Signed by:

John O. Cummings (owner)  
Estate of J. W. Cummings  
designated herein as Estate of  
J. W. Cummins.

On December 12, 1934, John Cummins<sup>g</sup> acknowledged before A. K. Wylie, Notary Public, Modoc County, California. (Seal)

#### SCHEDULE 1

Estate of J. W. Cummins:

72 Acres lying within the following described tract, to-wit:

The SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section (7), N $\frac{1}{2}$  of NE $\frac{1}{4}$ , NE $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section (18) Township (42) North, Range (12) East, M.D.M.

#### SCHEDULE 2

Allotments of first priority Class to various water users from Rattlesnake Creek and Pit River in Hot Springs Valley.

Name of Water User	Irrigated	Name of River	Dam	First right per cu. ft. per second.
	Acres			
Emma Godfrey	57	Cummins		0.20
Estate of J. W. Cummins	35			
A. H. Layton	29			
John Strawn	3			
Total	124			

SCHEDULE 3

Allotments of second priority class to various water users from Pit River andattlesnake Creek in Hot Springs Valley.

Name of Diversion	Name of Owner	Acreage Irrigated	Allotment Cu. ft. per second.
Kelley Ditch	Estate of J.W.Cummins	37	0.74
Barnes Dam, Cummins Dam and/or Kelley Ditch,	Estate of J.W.Cummins	35	0.70

SCHEDULE 4

Description of location of Dams and points of diversion on Pit River andattlesnake Creek in Hot Spring Valley.

At a point on Pit River (shown on Division of "ater Resources Map) which bears approximately S. 58° West approximately 2050 feet distant from the Northeast corner of Section (18) Township (42) North, Range (12) East, and being within the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section (18).

SCHEDULE 5

Continuous flow allotments to be used as a basis for apportionment of expenses incurred for water master service.

Name of Owner	Continuous Flow Allotments Cubic Feet per second.		
	1st right	2nd right	total
Estate of J. W. Cummins	0.06	1.44	1.50

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district 1 land owners	address	phone#	notes on account
Absher, Dave	P.o Box 1335 Hughson, CA 95326	<b>209-531-4915</b>	
Arrowhead/Widby	1901 Warner StreetAlturas, CA 96101	<b>530-233-3404</b>	
Baldwin, Mitch	no info posted		
Bethal, Leta	county road 251 Alturas CA 96101		
Cantrall, Elwood	P.O Box 113 Alturas CA 96101	<b>530-233-2443</b>	
Chuck, Mitch	7096 Holsclaw Rd Gilroy, CA 95020	<b>408-968-2333</b>	
Cole, Norma	Hc4 B ox 40520 Alturas, CA 96101	<b>530-233-2425</b>	
Krauel, Tom	Hc4 box 40523 Alturas, CA 96101	<b>530-233-3838</b>	
Kresge Gerald & Carmen	P.O Box 1866 Alturas, CA 96101	<b>530-233-3561</b>	
Landis, Daryl	HC 4 Box 40512 Alturas, CA 96101	<b>530-233-4964</b>	
Ray, Lawrence	HC 4 Box 40501 Alturas, CA 96101	<b>530-233-3699</b>	
Loren bucher/deceased	<b>Spicer Lane 780a County R</b>	<b>now owns property:</b>	<b>pamela morel po box 1073 alturas</b>
Mast, Rodney	HC4 Box 40509 Alturas, CA 96101		
Modoc Land Company	326 N. Main St Alturas, CA 96101	<b>530-233-2107</b>	county road 251 Alturas CA 96101 William Madison
Moller,Shara	Hc3#61 Alturas, CA 96101		
Olio, Kacy	215 main st. Alturas, CA 96101		
Picotte, John	P.O Box 756 Alturas, CA 96101	<b>530-640-8080</b>	
Pit River Land and Cattle	2350 Persimmon Ln Newcastle, CA 95658		

district 2 land owners	address	phone#	notes on account
Absher, Dave	P.o Box 1335 Hughson, CA 95326	<b>209-531-4915</b>	501 15th St. modesto 95354
Anklin, Pinky	HRC4 box 40510 Alturas, CA 96101	<b>530-640-0377</b>	35545 Hwy 299E Alturas CA 96101
Blizzeard,Waundra	P.O Box 202 Canby, CA 96015	<b>530-233-2274</b>	34640 Hwy 299E Alturas CA 96101
Clark, John	P.O Box 1733 Alturas, CA 96101	<b>530-708-0041</b>	34352B Hwy 299E Alturas CA 96101
Clough, Richard	13800 Duggan Rd Central Piont OR 97502	<b>530-233-2939</b>	230 Co Rd 75 Alturas CA 96101
Dolby, Paul	P.O Box 1630 Alturas, CA 96101	<b>530-233-2616</b>	605 Co Rd 75 Alturas CA 96101
Eades, Corey	640-750 Deer creek trail McArthur, CA 96056	<b>530-336-5816</b>	640-750 Deer creek trail McArthur, CA 96056
Green Wing	Hc4 Box 40523 Alturas CA 96101	<b>530-233-0445</b>	Thomas Kraul
Hagge, William	P.O Box 444 Alturas, CA 96101	530-233-2053	1454 Co. rd 179 Alturas, C.A 96101
Hallmark, Steve	P.O. Box 1083 Alturas, CA 96101	<b>530-640-1214</b>	34850 HWY 299 Alturas, C.A 96101
Heard, Bob	PO Box 703 Alturas, CA 96101		36789 HWY 299 Alturas, C.A 96101
Lyberger, Kip	P.O Box 734 Alturas, CA 96101	<b>530-233-2453</b>	233-4115
Marine Merchant	2423 Camino Del Rio St. ste 202 San Diego, CA 92108	619-384-2685	266 R RD Alturas C.A, 96101
Netoff, Dennis	4014 White Rock Ct.Reno, NV 89508	c/o stan smith	4367 Osprey St San Diego C.A 92107
Richardson, Donny	P.O Box 81 Canby, CA 96015	936-661-2527	4014 White Rock Ct.Reno, NV 89508
Scofield,Curt	HCR 4 Box 42004 Alturas,CA 96101	<b>530-233-5851</b>	35144 HWY 299E Alturas, C.A 96101
Spetnagle, Tim	12638 Casa Avenida, Poway CA 92064	619-230-0390	12638 Casa Avenida, Poway CA 92064
Sponseller, Dyan	HCR4 Box 42509 Alturas, CA 96101	<b>530-640-2186</b>	5454 Co Rd 76 Alturas CA 96101
Woods, David	HC4 Box 49518 Alturas, CA 96101		746 Co Rd 75 Alturas CA 96101
Zimmerman,James	P.O Box 506 Alturas, CA 96101	<b>530-233-6737</b>	35080 Hwy 299E Alturas CA 96101

district 3 land owners	address	phone#	notes on account
Carey Ranch/Peter	P.O.Box 1892 Alturas, CA 96101	<b>530-233-8180</b>	
Hagge, William	P.O Box 444 Alturas, CA 96101	<b>530-233-2053</b>	
Hayes, Hal	4181 lathem st Riverside, CA 92501	<b>530-233-9220</b>	
Jennings, Richard	HC 2 Box 304 Canby, CA 96015	<b>530-233-4750</b>	
	Patricia Burdock		
	38 Prentiss Place		
Patricia Burdock	San Ramon, CA 94583		
Sponseller, Dyan	HCR4 Box 42509 Alturas, CA 96101	<b>530-640-2186</b>	

district 4 land owners	address	phone#	notes on account
Jennings, Richard	HC 2 Box 304 Canby, CA 96015	<b>530-233-4750</b>	mike felkins:richards tennant 530-868-1625
D,S,L sitzhuh,llc&dslr,llc	P.O Box 520 Alturas, CA 96101	<b>530-233-2262</b>	Dan & Susan/owners
jim del bondio	P.O Box 3 Oakville, CA 94562	<b>707-963-2092</b>	formerly del bondio &poncia
Monson,Pamela	P.O Box 911 Alturas, CA 96101		
White, Monte, Joann	P.O Box 1791 Alturas,CA 96101		
Thompson, Doyle	P.O Box 287 Ehrenberg, AZ, 85334	928-923-7869	
Imbach, Ron&Cindy	P.O Box 306 Canby, CA 96105	530-233-4080	
Rock Spring Ranches	5100 Franktown Rd.Carson City, NV 89704	<b>310-4235</b>	Greg-contact person
DSLRLLC	P.O Box 520 Alturas, CA 96101	<b>530-233-2262</b>	Dan & Susan/owners



district 5 land owners	address	phone#	notes on account
Baird,Robert & Dawn	P.O Box 333 Canby, CA 96015	<b>530-233-2391</b>	says has nothing to do with water district anymore
Derner,John&Betty	P.O Box 362 Canby, CA 96015	<b>530-233-3693</b>	
Isler,Donald&Kathleen	30266 La Fluer Laguna Miguel, CA 92677		
Jennings, Richard	HC 2 Box 304 Canby, CA 96015	<b>530-233-4750</b>	
Lusardi,Warner	no info posted		
Mandel,Simon	P.O Box 123 Canby, CA 96015		
McCully Ranch	P.O Box 23 Canby, CA 96015	<b>530-233-4905</b>	
Milano Land &Cattle	PMB#231 25101 Bear Valley Rd Tahachapi,CA 93561	<b>530-233-6610</b>	mark milano
Mohr,Eddie&Cindy	P.O. Box 33 Canby, CA 96015	<b>530-233-4051</b>	
Myrtle Tree Development	P.O. Box 192 Canby, CA 96015	<b>530-233-5151</b>	
Rock Spring Ranches	5100 Franktown Rd.Carson City, NV 89704	<b>310-4235</b>	Greg-contact person
Sasfy,Katherine	no info posted		
Shirley,Bert&Regina	225 N, Roop St. Susanville, CA 96130	<b>530-257-7815</b>	
ron lagrande lagrande farms	P.O Box 370 willams,CA 95987	530-473-3533	
Wilson,Lloyd&Sandra	P.O Box 164 Canby, CA 96015		

Rattlesnake Landowners

NAME	ADDRESS	CITY/ZIP			
Absher, Dave	P.o Box 1335	Hughson, CA 95326	<b>209-531-4915</b>		
Arrowhead/Widby	1901 Warner Street	Alturas, CA 96101	<b>530-233-3404</b>		
Cantrall, Elwood	P.O Box 113	Alturas CA 96101	<b>530-233-2443</b>		
Cole, Norma	Hc4 B ox 40520	Alturas, CA 96101	<b>530-233-2425</b>		
Kresge Gerald & Carmen	P.O Box 1866	Alturas, CA 96101	<b>530-233-3561</b>		
Landis, Daryl	HC 4 Box 40512	Alturas, CA 96101	<b>530-233-4964</b>		
Ray, Lawrence	HC 4 Box 40501	Alturas, CA 96102	<b>530-233-3699</b>		
Modoc Land Company	326 N. Main St	Alturas, CA 96103	<b>530-233-2107</b>	county road 251 Alturas CA 96101	William Madison
Picotte, John	P.O Box 756	Alturas, CA 96104	<b>530-640-8080</b>		
Anklin, Pinky	HRC4 box 40510	Alturas, CA 96105	<b>530-640-0377</b>		
Blizzeard,Waundra	P.O Box 202	Canby, CA 96015	<b>530-233-2274</b>		
Clark, John	P.O Box 1733	Alturas, CA 96107	<b>530-708-0041</b>	<b>530-233-2939</b>	
Clough, Richard	13800 Duggan Rd	Central Piont OR 97502			
Dolby, Paul	P.O Box 1630	Alturas, CA 96109	<b>530-233-2616</b>		
Hallmark, Steve	P.O. Box 1083	Alturas, CA 96110	<b>530-640-1214</b>		
Heard, Bob	PO Box 703	Alturas, CA 96111			
Lyberger, Kip	P.O Box 734	Alturas, CA 96112	<b>530-233-2453</b>	233-4115	
Zimmerman,James	P.O Box 506	Alturas, CA 96113	<b>530-233-6737</b>		

**Attachment 6:**  
**Cost Estimate to Install and Maintain Measurement**  
**Equipment**

**Table 1: Summary of Estimated Cost for Measurement Equipment**

<b>Item</b>	<b>Location</b>	<b>Quantity</b>	<b>Unit Price</b>	<b>Total</b>
Propeller Meter (Pipe Flow)	Pit River Pumps <sup>1</sup>	4 EA	\$2,400.00	\$9,600.00 <sup>2</sup>
Staff Gage	Movich Reservoir, Wilson Reservoir and Allen Spring	1 LS	\$6,500.00	\$6,500.00 <sup>3</sup>
Propeller Meter (Pipe Flow)	Movich Reservoir Inlet	1 EA	\$2,400.00	\$2,400.00 <sup>2</sup>
Propeller Meter (Pipe Flow)	Movich Reservoir Outlet	1 EA	\$2,400.00	\$2,400.00 <sup>2</sup>
Propeller Meter (Pipe Flow)	Wilson Reservoir Inlet	1 EA	\$2,400.00	\$2,400.00 <sup>2</sup>
Propeller Meter (Pipe Flow)	Wilson Reservoir Outlet	1 EA	\$2,400.00	\$2,400.00 <sup>2</sup>
Area Velocity Meter (Open Channel)	Allen Spring	1 EA	\$12,000.00	\$12,000.00 <sup>2</sup>
Area Velocity Meter (Open Channel)	Caldwell Spring	1 EA	\$12,000.00	\$12,000.00 <sup>2</sup>
Area Velocity Meter (Open Channel)	Townsend Spring	1 EA	\$12,000.00	\$12,000.00 <sup>2</sup>
Total Cost for First Year				\$61,700.00
Total Cost for 2 <sup>nd</sup> Year (and every even year thereafter)				\$11,000.00 <sup>4</sup>
Total Cost for 3 <sup>rd</sup> Year (and every odd year thereafter)				\$22,000.00 <sup>5</sup>

<sup>1</sup> Pit River deliveries from the District would need to be measured in order to separate deliveries from the District and diversions under water rights held by LaGrande.

<sup>2</sup> Cost includes estimate for tax, shipping and installation.

<sup>3</sup> Cost includes tax, shipping, travel, lodging and the purchase and installation of staff gages at Movich Reservoir, Wilson Reservoir and Allen Spring. In addition, the cost includes a bathymetric survey for Wilson Reservoir and Allen Spring because there is not an area-capacity curve on file at the Division of Water Rights.

<sup>4</sup> This is the annual cost to download, process, perform quality control and assurance to the data from each meter. We estimate this cost to be on average \$1,000 per meter.

<sup>5</sup> This includes the annual data cost described above plus the biennial cost to calibrate and repair (as necessary) the 11 measurement equipment. We estimate the cost for calibration and repairs to be on average \$1,000 per meter.

**Attachment 7:**  
**Assessor's Parcel Numbers (APNs) and Landowner**  
**Information for Each Parcel Covered Under the Plan**

Assessor's Parcel Number and Landowner Information for each Parcel Covered Under the Plan	
Landowner Name	Parcel #
LaGrande, Ronald M.	017-006-028, 017-016-045, 017-027-029, 017-027-012, 017-032-023, and 017-027-017