



STATE OF CALIFORNIA  
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

**RIGHT TO DIVERT AND USE WATER**

REGISTRATION H509346

CERTIFICATE H100685

Right Holder: *Fantastic Gardens Humboldt LLC*  
*PO Box 313*  
*Hydesville, CA 95547*

The State Water Resources Control Board (State Water Board) authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein SUBJECT TO PRIOR RIGHTS. The priority of this right dates from 07/01/2020. This right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights redelegation of authority dated October 19, 2017.

The Deputy Director for Water Rights finds that this registration meets the requirements for registration of small irrigation use appropriation. (Wat. Code, § 1228 et seq.)

Right holder is hereby granted a right to divert and use water as follows:

1. Location of point(s) of diversion (**Coordinates in WGS 84**)

Name of Diversion	Source	Tributary To:	Thence	Latitude	Longitude	County	Assessor's Parcel Numbers (APN)
POD 2 Creek	Unnamed Stream	Dairy Creek	Little Van Duzen River	40.408757	-123.580304	Humboldt	210-144-011
POD 1 Spring	Unnamed Spring	Dairy Creek	Little Van Duzen River	40.407225	-123.581382	Humboldt	210-144-011
POD 3 Creek	Unnamed Stream	Panther Creek	Little Van Duzen River	40.402814	-123.576418	Humboldt	210-144-012

2. Purpose of Use and 3. Place of Use

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	County	Assessor's Parcel Numbers (APN)	Acres
Irrigation	Humboldt	210-144-011-000	0.6
Irrigation	Humboldt	210-144-017-000	0.27
Irrigation	Humboldt	210-144-012-000	0.22

Note: Assessor's Parcel Numbers provided are based on the user's entries in this portal on 05/14/2020.

The place of use is shown on the map filed on 05/14/2020 with the State Water Board.

4. Quantity and Season:

The water appropriated by storage shall be limited to the quantity which can be beneficially used and shall not exceed 2.693 acre-feet per year to be collected from 11/01 to 03/31 and as permitted in the diversion season specified in the current

4.98 acre-feet. Together, the rate of direct diversion and the rate of diversion to storage shall not exceed **42,000 gallons per day (gpd) or the diversion rate specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive.** For onstream storage reservoirs, the diversion rate and diversion season bypass conditions may be modified by the Deputy Director for Water Rights (or designee) or the California Department of Fish and Wildlife as part of the onstream storage reservoir determinations under the Cannabis Policy.

5. No water shall be diverted or used under this right unless the right holder is in compliance with all applicable conditions and requirements, including the numeric and narrative instream flow requirements, of the current version of the State Water Board's Cannabis Policy, except as follows:

Diversion and use of water under this right may deviate from applicable conditions and requirements of the State Water Board's Cannabis Policy to the extent such diversion and use is in compliance with a local cooperative solution that supersedes specified general conditions of this right and which the Deputy Director for Water Rights has approved. To the extent of any conflict, the local cooperative solution shall supersede the general conditions of the Cannabis Policy as of the date the Deputy Director for Water Rights approves the local cooperative solution, unless the Deputy Director specifies a later effective date. The applicable conditions and requirements of this right shall revert to the general conditions of the Cannabis Policy if the local cooperative solution is withdrawn or canceled. Diversion or uses of water in violation of a local cooperative solution or agreement approved by the Deputy Director for Water Rights is subject to enforcement as a violation of the Cannabis Policy and the conditions of this right.

A local cooperative solution or agreement has not been approved by the Deputy Director for Water Rights.

The current version of the State Water Board's *Cannabis Policy* and the approval status of any proposed local cooperative solutions or agreements are available online at: <https://www.waterboards.ca.gov/cannabis> (<https://www.waterboards.ca.gov/cannabis>).

6. No water shall be diverted or used under this right, and no construction related to such diversion shall commence, unless right holder has obtained and is in compliance with all necessary permits or other approvals required by other agencies.
7. Diversion works shall be constructed and water applied to beneficial use with due diligence.
8. No water shall be diverted under this right unless right holder complies with all lawful conditions required by the California Department of Fish and Wildlife. (Wat. Code, § 1228.6, subd. (a)(2).)
9. No water shall be diverted under this right unless it is diverted in accordance with the information set forth in the completed registration form as to source, location of point of diversion, purpose of use, place of use, quantity, and season of diversion. This information is reproduced as conditions 1 through 5 of this certificate.
10. No water shall be diverted under this right unless right holder complies with all applicable state, city, county, and local laws, regulations, ordinances, permits, and license requirements including, but not limited to those for cannabis cultivation, grading, construction, and building.
11. Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this right, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.
12. The State Water Board reserves jurisdiction over this registration to change the season of diversion and rate of diversion based on later findings of the State Water Board concerning availability of water and the protection of beneficial uses. Any action to change the authorized season of diversion and rate of diversion will be taken only after notice to interested parties and opportunity for hearing. For changes required by amendments to the Cannabis Policy, the State Water Board may provide notice and the opportunity for a hearing by following the procedures specified in section 13147 of the Water Code.
13. Right holder shall grant, or secure authorization through right holder's right of access to property owned by another party, the staff of the State Water Board, and any other authorized representatives of the State Water Board the following:
  - a. Entry upon property where water is being diverted, stored, or used under a right issued by the State Water Board or where monitoring, samples and/or records must be collected under the conditions of this right;
  - b. Access to copy any records at reasonable times that are kept under the terms and conditions of a right or other order issued by the State Water Board;
  - c. Access to inspect at reasonable times any project covered by a right issued by the State Water Board, equipment (including monitoring and control equipment), practices, or operations regulated by or required under this right;

