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

DIVISION OF WATER RIGHTS

In the Matter of Minor Change Request

GBRK LLC

ORDER APPROVING A MINOR CHANGE TO LICENSE 3459 (APPLICATION 11555)

SOURCE: Merced River

COUNTY: Merced

WHEREAS:

1. The GBRK LLC (Petitioner) filed a Minor Change Request with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) on August 15, 2025.

2. License 3459 (Application 11555) authorizes a maximum diversion rate of 1.3 cubic foot per second (cfs) to be collected from March 1 to October 31 of each year for irrigation purposes and throughout the year as required for stockwatering. The equivalent of such continuous flow allowance for any thirty-day period may be diverted in a shorter time if there would be no interference with other vested rights. The place of use includes a total of 95 acres within Section 36, Township 6 South, Range 9 East, Mount Diablo Base and Meridian, as follows:
   40 acres in Southwest quarter of Southeast quarter
   15 acres in Southeast quarter of Southeast quarter
   21 acres in Northwest quarter of Southeast quarter
   15 acres in Northeast quarter of Southeast quarter
   4 acres in Southeast quarter of Northeast quarter

3. Petitioner requested a Minor Change to modify the point of diversion for License 3459. The existing diversion pump for License 3459 was relocated over 15 years ago to its current location on the Merced River. However, the point of diversion was never updated in License 3459. The proposed point of diversion is located at North 1,532,898 feet and East 6,871,412 feet, California Coordinate System, NAD 83, Zone 3, within the Northeast quarter of the Southwest quarter

of Section 36, Township 6 South, Range 8 West, Mount Diablo Base and Meridian. No physical work is necessary to effectuate the Minor Change, and existing conditions will not change because the pump has been in place at its current location for over 15 years.

4. The Division noticed the Minor Change Request on July 3, 2026, to the Division's website pursuant to Water Code section 1700.6, subdivision (b). The notice period ended on July 17, 2026, and no comments were received in response to the notice.

5. Pursuant to Water Code Section 1700.6, the State Water Board may make a minor change to a permit or license without requiring the filing of a petition for change if the State Water Board finds all of the following:
   - The change involves a minor adjustment of the point of diversion, place of use, or purpose of use.
   - The change will not result in an increase in consumptive use.
   - The change does not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses.

6. The proposed Minor Change meets the requirements provided by Water Code section 1700.6. The Minor Changes involves a minor adjustment to the point of diversion that will not result in an increase in consumptive use and does not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses.

7. Petitioner indicated that there will be no construction required to implement the above changes. Further, no new or adapted facilities are needed to facilitate the above changes. Thus, Division staff believe that the purpose of use is consistent with CEQA Categorical Exemption section 15301.b, Existing Facilities.

8. In addition to any obligation the State Water Board may have under CEQA, the State Water Board has an independent obligation to consider the effect of the proposed changes on public trust resources and to protect those resources where feasible. (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419.) There is no evidence that the Minor Change Request will have any adverse impacts on public trust resources.

9. Pursuant to Resolution No. 2012-0029, the State Water Board has delegated authority to the Deputy Director for Water Rights (Deputy Director) to administer the duties required under CEQA and make minor changes to applications, permits, or licenses. By memorandum dated April 20, 2023, the Deputy Director has redelegated the authority.

THEREFORE, THE REQUEST TO MAKE A MINOR CHANGE TO LICENSE 3459 IS APPROVED AND LICENSE 3459 IS AMENDED AS FOLLOWS:

The point of diversion for License 3459 is located as follows:

By California Coordinate System of 1983, Zone 3, North 1,532,898 feet and East 6,871,412 feet, being within the Northeast quarter of the Southwest quarter of Section 36, Township 6 South, Range 8 West, Mount Diablo Base and Meridian. The point of diversion is shown on map dated August 2025, filed with the State Water Board.

STATE WATER RESOURCES CONTROL BOARD

Jason Heidington

Juliet Christian-Smith, Deputy Director
Division of Water Rights

Dated: September 17, 2026