State of California, State Water Resources Control Board
Division of Water Rights
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400 Web: http://waterrights.ca.gov

S010605%S%2004
STATE WATER RESOURCES CONTROL 2002, 2003, 2004

2005 JUL -8 AM 11:59
DIV. OF WATER RIGHTS SACRAMENTO

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

**Please Complete and Return This Form by JULY 1, 2005.**

***If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

**Owner of Record:** HILTON FAMILY TRUST;

STATEMENT NO.: S010605
CONTACT PHONE NO.: (775)463-5550

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**HILTON FAMILY TRUST**
**DBA FLYING M CATTLE COMPANY**
**11 PINE GROVE RD**
**YERINGTON, NV 89447**

**Source Name:** KIRKWOOD SPRING
**Tributary To:** MONO VALLEY
**County:** Mono
**Diversion Within:** NE1/4 of SE1/4 Section 10, T03N, R27E, MB&M

**Year of First Use:** 1895
**Parcel Number:**

A. **Water is Used Under:** Riparian claim _____ Pre-1914 right _____ Other (explain): _____

B. **Year of First Use:** (Please provide if missing above) _____

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons _____ Million Gallons (MG) _____ Acre-feet (AF) _____ Other _____

| Year | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2002 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| 2003 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| 2004 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |

D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 120 acres; Stockwatering cattle & horses; Domestic _____;

Other (specify) _____

E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

_____

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water
   a. Are you now employing water conservation efforts? YES ___ NO ___
   Describe any water conservation efforts you have initiated: _____

   b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

   Reduction in Diversions:

   Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

   Reduction in consumptive use:

   Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

   I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ____ NO ____.

b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:
Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____.

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES _____ NO _____.

b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____.

---

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

**DATE:** 6-30, 2005 at Yerington, Nevada, California

**SIGNATURE:** [signature]

**PRINTED NAME:** Ernest B. Paine, Manager
(first name) (middle initial) (last name)

**COMPANY NAME:** Flying M Cattle Co.

If there is insufficient space for your answers, please use the space provided below.

| ITEM | CONTINUATION |
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GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

# SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information
Notify this office if ownership or address changes occur during the coming year.

STATE WATER RESOURCES CONTROL BOARD
99 JUL -2 PM 4:56
DIV. OF WATER RIGHTS
SACRAMENTO

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999**

**OWNER OF RECORD:** HILTON FAMILY TRUST

HILTON FAMILY TRUST
DBA FLYING M CATTLE COMPANY
11 PINE GROVE RD
YERINGTON, NV 89447

**STATEMENT NO:** S010605

**SOURCE:** KIRKWOOD SPRING
**TRIBUTARY TO:** MONO VALLEY
**COUNTY:** MONO
**DIVERSION**
**WITHIN:** NE¼ OF SE¼ SECTION 10, T3N, R27E, MB&M.

**TELEPHONE NUMBER:**
775 ~~(702)~~ 463-5550
**YEAR OF FIRST USE:** 1895
**PARCEL NO:**

A. Water is used under: Riparian claim _____ Pre 1914 right X _____ Other (explain): _____

B. Year of first use (Please provide if missing above) 1895

C. Amount of Use – Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons _____ Acre-feet _____ Other _____

| Year | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1996 | X | | | | | | | | | | | X | |
| 1997 | X | | | | | | | | | | | X | |
| 1998 | X | | | | | | | | | | | X | |

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 120 acres; Stockwatering 75 hd cattle; Domestic _____.

Other (specify) _____

E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

_____

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water
   a. Describe any water conservation efforts you may have started: _____
   b. _____
   c. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

   19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

2. Water quality and wastewater reclamation
   a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO _____

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STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES ____ NO ____.

b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: June 23, 1999 at Yerington, Nevada, California

SIGNATURE: Ernest B Paine

PRINTED NAME: Ernest (first name) B (middle init.) Paine (last name)

COMPANY NAME: Flying M Cattle Company

If there is insufficient space for your answers, please use the space provided below.

| ITEM | CONTINUATION |
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GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, or return flows from use of groundwater

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and per 1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS
P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-2170

# SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.**

**OWNER OF RECORD:** BARRON HILTON DBA FLYING M CATTLE CO
(Wm. Barron Hilton, Trustee, Hilton Family Trust)

BARRON HILTON DBA FLYING M CATTLE CO
11 PINE GROVE RD
YERINGTON, NV 89447

**STATEMENT NO:** S010605

**SOURCE:** KIRKWOOD SPRING
**TRIBUTARY TO:** MONO VALLEY
**COUNTY:** MONO
**DIVERSION WITHIN:** NE¼ OF SE¼ SECTION 10, T3N, R27E, MB&M.

**TELEPHONE NUMBER:** (702) 463-5550
**YEAR OF FIRST USE:**
**PARCEL NO:**

A. Water is used under: Riparian claim _____; Pre 1914 right __x__; Other (explain) _____

B. Year of first use (Please provide if missing above) __1895__.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ❑ Gallons ❑ Acre-feet ❑ (other) _____

| YEAR | JAN. | FEB. | MAR. | APR. | MAY | JUNE | JULY | AUG. | SEPT | OCT. | NOV. | DEC | TOTAL ANNUAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1993 | XXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXX | |
| 1994 | XXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXX | |
| 1995 | XXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXX | |

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation __120__ acres; Stockwatering __75 hd. cattle__; Domestic _____
Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

STATE WATER RESOURCES CONTROL BOARD
96 JUL - 1 PM 2:44
DIV. OF WATER RIGHT SACRAMENTO

**I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.**

DATED: June 25, 19 96, at Yerington, Nevada 89447, California

SIGNATURE: Ernest B. Paine

PRINTED NAME: Ernest B. Paine
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: Flying M Cattle Company

**See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.**

WR40-1 (4/96)

ITEM CONTINUATION

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California, riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on their riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available, including the following:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

S-10 605

** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

# STATE WATER RESOURCES CONTROL BOARD
## DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATE WATER RESOURCES CONTROL BOARD
1995 JUL 28 AM 11:44
DIV. OF WATER RIGHTS SACRAMENTO

**STATEMENT NO:** S010605
**OWNER OF RECORD:** BARRON HILTON DBA FLYING M CATTLE CO

BARRON HILTON DBA FLYING M CATTLE CO
11 PINE GROVE RD
YERINGTON, NV 89447

**SOURCE:** KIRKWOOD SPRING
**TRIBUTARY TO:** MONO VALLEY
**COUNTY:** MONO
**DIVERSION WITHIN:** NE¼ OF SE¼ SECTION 10, T3N, R27E, MDB&M.

**TELEPHONE NUMBER:** (702) 463-5550
**YEAR OF FIRST USE:**
**PARCEL NO:**

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

**COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.**

A. Water is used under: Riparian claim _____; Pre 1914 right XX; Other (explain) _____

B. Year of first use (Please provide if missing above) 1895.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ❑ Gallons ❑ Acre-feet ❑ (other) _____

| | JAN. | FEB. | MAR. | APR. | MAY | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC | TOTAL ANNUAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1992 | XXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | |
| 1993 | XXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | |
| 1994 | XXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | XXXXX | |

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation 120 acres; Stockwatering 75 hd. cattle; Domestic _____
Other (specify) _____

*** CONTINUE ON BACK PAGE ***

***** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS *****

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

**I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.**

DATED: June 30, 19 95, at Yerington, Nevada, California

SIGNATURE: Ernest B. Paine

PRINTED NAME: Ernest (FIRST NAME) B. (M. NAME) Paine (LAST NAME)

COMPANY NAME: Flying M Cattle Co.

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE OF CALIFORNIA
*STATE WATER RESOURCES CONTROL BOARD*
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503
(916) 657-1875

# SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD: STATEMENT NO: 010605

BARRON HILTON DBA FLYING M CATTLE CO
~~9336 CIVIC CENTER DRIVE~~
~~BEVERLY HILLS, CA 90210~~

TELEPHONE NUMBER:
~~(213) 205-4011~~

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: KIRKWOOD SPRING

TRIBUTARY TO: MONO VALLEY

COUNTY: MONO

Flying M Cattle Co.
11 Pine Grove Road
Yerington, NV 89447
(702) 463-5550

DIVERSION
WITHIN: NE1/4 OF SE1/4 SECTION 10, T03N, R27E, MDB&M.

INSTRUCTIONS: Please complete Items A. B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1993. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ _____ (other)

| | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1990 | xxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxx | |
| 1991 | xxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | |
| 1992 | xxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | xxxxx | |

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 120 acres

Stockwatering 75 hd.

Domestic

Other (specify)

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 1, 1993, at Yerington, Nevada, California

Signature: Ernest B Paine

WR 40-I (2/90)

0952 1992 JUL 9 1993 KSN

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE OF CALIFORNIA
*STATE WATER RESOURCES CONTROL BOARD*
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5676

# SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 010605

BARRON HILTON DBA FLYING M CATTLE CO
9336 CIVIC CENTER DRIVE
BEVERLY HILLS, CA 90210

TELEPHONE NUMBER:
(213) ~~277-1393~~
205-4011

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: KIRKWOOD SPRING

TRIBUTARY TO: MONO VALLEY

COUNTY: MONO

DIVERSION
WITHIN: NE1/4 OF SE1/4 SECTION 10, T03N, R27E, MDB&M.

STATE WATER RESOURCES CONTROL BOARD
1990 JUN 14 PM 2
DIV. OF WATER RIGHTS
SACRAMENTO

INSTRUCTIONS: Please complete Items A. B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1990. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ _____ (other)

| | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct | Nov. | Dec. | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1987 | X | | | | | | | | | | | X | |
| 1988 | X | | | | | | | | | | | X | |
| 1989 | X | | | | | | | | | | | X | |

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 120 acres

Stockwatering (600 hd. cattle permit) 75 hd. cattle

Domestic

Other (specify)

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

no changes

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 5, 1990, at Yerington Nevada, California

Signature: Ernest B. Paine Mgr

JUN 26 1990 KSN

WR 40-I (11/85)
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1989

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE OF CALIFORNIA
*STATE WATER RESOURCES CONTROL BOARD*
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5741

# SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 010605

BARRON HILTON DBA FLYING M CATTLE CO
9990 SANTA MONICA BOULEVARD 9336 Civic Center Drive
BEVERLY HILLS, CALIF ~~90212~~ 90210

TELEPHONE NUMBER:
(213) 277-1393

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

STATE WATER RESOURCES CONTROL BOARD
1987 JUL -1 PM 1:20
DIV. OF WATER RIGHTS SACRAMENTO

SOURCE: KIRKWOOD SPRING

TRIBUTARY TO: MONO VALLEY

COUNTY: MONO

DIVERSION
WITHIN: NE1/4 OF SE1/4 SECTION 10, T03N, R27E, MDB&M.

INSTRUCTIONS: Please complete Items A. B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1987. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ _____ (other)

| | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept | Oct | Nov. | Dec | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1984 | X | X | X | X | X | X | X | X | X | X | X | X | |
| 1985 | X | X | X | X | X | X | X | X | X | X | X | X | |
| 1986 | X | X | X | X | X | X | X | X | X | X | X | X | |

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 120 acres

Stockwatering (600 hd. cattle permit) 75 hd.

Domestic

Other (specify)

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

no changes

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 25, 19 87, at Yerington, Nevada, California

Signature: Ernest B Plane Mgr

OCT 22 1987

WR 40-L(11/85)
0802

1986

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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STATE OF CALIFORNIA 10605 (6)

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

# STATEMENT OF WATER DIVERSION AND USE

***(This is not a Water Right)***

*This statement should be typewritten or legibly written in ink.*

STATE WATER RESOURCES CONTROL BOARD
Nov 27 9 23 AM '81
DIV. OF WATER RIGHTS
SACRAMENTO

A. Name of person diverting water Barron Hilton DBA Flying M Cattle Company

Address 9990 Santa Monica Blvd, Beverly Hills, CA 90212 Telephone: 213-277-1393

B. Name of body of water at point of diversion Kirkwood Spring

Tributary to Mono Valley

C. Place of diversion NE ¼ SE ¼ Section 10 Township 3N Range 27E, MD B&M, Mono County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works Lower Kirkwood Spring

E. Capacity of diversion works _____ cubic feet per second / gallons per minute

Capacity of storage reservoir _____ gallons / acre-feet

State quantity of water used each month in gallons or acre-feet

| Year | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | X | X | X | X | X | | | | | | | X | |

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

# of stock watered = 100

Maximum annual water use in recent years _____ gallons / acre-feet

Minimum annual water use in recent years _____ gallons / acre-feet

Type of diversion facility: gravity _____, pump _____

Method of measurement: weir _____, flume _____, electric power meter _____, water meter _____, estimate _____

F. Purpose of use (what water is being used for) stock watering

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)

H. Year of first use as nearly as known _____

I. Name of person filing statement Walter L. Neitz

Position Principal Organization AER, Inc.

Address 2890 Vassar St., Reno, Nevada 89502 Telephone: 702-323-4202

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

DATED: November 17, 19 81, at Los Angeles, California.

Signature: Jonathan D. Lobb, Attorney

*See Instructions on Reverse Side*

6-010-98-04-0

WR 40 (7/77)