STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

LICENSE No. 219 PERMIT No. 352 APPLICATION No. 341

This is to certify, *That* The American Trona Corporation 11/17/26 American Potash and Chemical Corp

of Trona, San Bernardino County *has made proof to the satisfaction of the Division*

of Water Rights of California of a right to the use of the waters of Rock Cabin Spring, Middle Springs, Dripping Spring and Peach Spring in Bruce Canyon, Elliott Tunnel, Arrastra Tunnel, Stonewall Spring, Argus Creek ~~[illegible]~~ Forks, Twin Springs and Austin Spring in Argus Canyon, ~~and Joe Peterson Creek~~.

for the purpose of mining, milling and domestic uses

under Permit No. 352 *of the Division of Water Rights and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Rights and the terms of the said permit; that the priority of the right herein confirmed dates from* May 16, 1916; *that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed* a total of sixteen hundredths (0.16) cubic foot per second to be diverted from January 1st to December 31st of each season.

The points of diversion of such water are *located* as per summary hereto attached and made a part hereof.

Amended by order of 3-18-32 WBC

A description of the lands or the place where such water is put to beneficial use is as follows:

Mines, mills and houses within the NW¼ of Section 17 (unsurveyed) T 25 S, R 43 E, M.D.M.

Amended by order of 3-18-32 WBC

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion herein specified and to the lands or place of use herein described.

This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions set forth in section 20 of Chapter 586, Statutes 1913, which is as follows:

SEC. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; *provided,* that if, at any time after the expiration of twenty years after the granting of a license, the state, or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has ceased to put said water to such useful or beneficial purpose, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license, and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. And the findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; *provided,* that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accept such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulations by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivison of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; *provided, however,* that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; *and providing, further,* that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; *and providing, further,* that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; *and provided, further,* that when such municipality shall desire to use the additional water granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.

Witness the signature of the Chief of the Division of Water Rights, Department of Public Works of the State of California, and the seal of said department this 26th *day of* March *, 19* 23 .

(SEAL)

H. A. Kluegel
Chief of Division of Water Rights, Department of Public Works of the State of California

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REVOKED

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SUMMARY

Rock Cabin Spring North fifty-one degrees four minutes west twenty thousand, one hundred two feet from the southeast corner of Section 29, T 23 S, R 43 E, M.D.M., being within the NW¼ of SW¼ Section 13, T 23 S, R 42 E, M.D.M.

Middle Springs North thirty-nine degrees west seventeen thousand six hundred forty feet from the southeast corner of Section 29, T 23 S, R 43 E, M.D.M., being within the SE¼ of NE¼ Section 13, T 23 S, R 42 E, M.D.M.

Dripping Spring North forty degrees ten minutes west thirteen thousand nine hundred eighty-six feet from the southeast corner of Section 29, T 23 S, R 43 E, M.D.M., being within the SE¼ of SW¼ of unsurveyed Section 18, T 23 S, R 43 E, M.D.M.

Peach Spring North thirty-five degrees west thirteen thousand eight hundred sixty feet from the southeast corner of Section 29, T 23 S, R 43 E, M.D.M., being within the SE¼ of SW¼ Section 18, T 23 S, R 43 E, M.D.M.

Elliott Tunnel North seventy-seven degrees twenty-three minutes west twelve thousand seven hundred fifty-four feet from the southwest corner of Section 8, T 24 S, R 43 E, M.D.M., being within the SW¼ of NE¼ Section 11, T 24 S, R 42 E, M.D.M.

Arrastra Tunnel North seventy-eight degrees thirty-six minutes west thirteen thousand three hundred twelve feet from the southwest corner of Section 8, T 24 S, R 43 E, M.D.M., being within the SE¼ of NW¼ Section 11, T 24 S, R 42 E, M.D.M.

Stonewall Spring North eighty-eight degrees fifty-seven minutes west twelve thousand four hundred forty-three feet from the southwest corner of Section 8, T 24 S, R 43 E, M.D.M., being within the SW¼ of SE¼ Section 11, T 24 S, R 42 E, M.D.M.

Argus Creek Forks North eighty-six degrees forty-four minutes west eleven thousand four hundred forty-two feet from the southwest corner of Section 8, T 24 S, R 43 E, M.D.M., being within the SE¼ of SE¼ Section 11, T 24 S, R 42 E, M.D.M.

Twin Springs North eighty-seven degrees west seven thousand five hundred twenty-five feet from the southwest corner of Section 8, T 24 S, R 43 E, M.D.M., being within the SW¼ of SE¼ Section 12, T 24 S, R 42 E, M.D.M.

Austin Spring North seventy-four degrees fifty-three minutes west four thousand eight hundred ninety-three feet from the southwest corner of Section 8, T 24 S, R 43 E, M.D.M., being within the unsurveyed SW¼ of SW¼ Section 7, T 24 S, R 43 E, M.D.M.

~~Joe Peterson Creek~~ ~~North sixty-six degrees twenty-one minutes west two thousand one hundred sixty feet from the northwest corner of Section 30, T 24 S, R 43 E, M.D.M., being within the SW¼ of SE¼ Section 24, T 24 S, R 42 E, M.D.M. This point of diversion is about thirty-one hundred feet below the pump of the San Bernardino Borax Mining Co. near Searles Garden.~~

Amended by order of 2-IX-[illegible]

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13-72 RECEIVED NOTICE OF ASSIGNMENT TO Kell McGee Chemical corporation

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FORM 100. 90514 11-31 500
CALIFORNIA STATE PRINTING OFFICE

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

ORDER

APPLICATION 341 PERMIT 352 LICENSE 219

ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS on November 27, 1931 and March 9, 1932, petitions were received from licensee requesting permission to change the place of use under Application 341, Permit 352, License 219, and

WHEREAS petitioner has established to the satisfaction of the Division of Water Resources that said change will not operate to the injury of any other legal user of water, and the Division of Water Resources so finds,

NOW THEREFORE IT IS HEREBY ORDERED that permission be and the same is hereby granted to change the location of place of use under said Application 341, Permit 352, License 219

FROM: A place of use located within the NW¼ of Section 17, T. 25 S., R. 43 E., M.D.B. & M.

TO: A place of use located within SE¼ of Section 7, S½ of Section 8, S½ of Section 9, S½ of SW¼ of Section 10; N½ and NW¼ of SW¼ of Section 17, NE¼ and N½ of SE¼ and SW¼ of SE¼ of Section 18, SW¼ of SW¼ of Section 13, S½ of S½ of Section 14, S½ of S½ of Section 15, E½ of NE¼ of Section 21, all of Section 22, all of Section 23, W½ of W½ of Section 24, W½ of NW¼ of Section 25, N½ of Section 26, N½ of Section 27, all in T. 25 S., R. 43 E., M.D.B. & M. NE¼ of SE¼ of Section 21, N½ of S½ of Section 22, NW¼ of SW¼ of Section 23, all in T. 24 S., R. 43 E., M.D.B. & M.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 18th day of March, 1932.

EDWARD HYATT, State Engineer

By Harold Conkling
Deputy

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FORM 100. 90514 11-31 500
CALIFORNIA STATE PRINTING OFFICE

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

ORDER

APPLICATION 341 PERMIT 352 LICENSE 219

ORDER DELETING JOE PETERSON CREEK AS A SOURCE

WHEREAS a right has heretofore been confirmed to appropriate from Rock Cabin Spring, Middle Spring, Dripping Spring, Peach Spring, Elliott Tunnel, Arrastra Tunnel, Stonewall Spring, Argus Creek Forks, Twin Springs, Austin Spring and Joe Peterson Creek under Application 341, Permit 352, License 219, and

WHEREAS it appears that use of water from Joe Peterson Creek under said application, permit and license has been abandoned and licensee has requested that reference to said source be stricken from said application, permit and license.

NOW THEREFORE IT IS HEREBY ORDERED that reference to Joe Peterson Creek and the right to appropriate therefrom be and the same are hereby stricken from Application 341, Permit 352, License 219.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 18th day of March, 1932.

EDWARD HYATT, State Engineer

By Harold Conkling
Deputy

(WEC:MM

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STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

DIVISION OF WATER RESOURCES

ORDER

APPLICATION 1159 PERMIT 551 LICENSE 220

ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS on November 27, 1931 and March 9, 1932, petitions were received from licensee requesting permission to change the place of use under Application 1159, Permit 551, License 220, and

WHEREAS petitioner has established to the satisfaction of the Division of Water Resources that said change will not operate to the injury of any other legal user of water, and the Division of Water Resources so finds,

NOW THEREFORE IT IS HEREBY ORDERED that permission be and the same is hereby granted to change the location of place of use under said Application 1159, Permit 551, License 220

FROM: A place of use located within the NW¼ of Section 17, T. 25 S., R. 43 E., M.D.B. & M.

TO: A place of use located within SE¼ of Section 7, S½ of Section 8, S½ of Section 9, S½ of SW¼ of Section 10, N½ and NW¼ of SW¼ of Section 17, NE¼ and N½ of SE¼ and SW¼ of SE¼ of Section 18, SW¼ of SW¼ of Section 13, S½ of S½ of Section 14, S½ of S½ of Section 15, E½ of NE¼ of Section 21, all of Section 22, all of Section 23, W½ of W½ of Section 24, W½ of NW¼ of Section 25, N½ of Section 26, N½ of Section 27, all in T. 25 S., R. 43 E., M.D.B. & M. NE¼ of SE¼ of Section 21, N½ of S½ of Section 22, NW¼ of SW¼ of Section 23, all in T. 24 S., R. 43 E., M.D.B. & M.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 18th day of March, 1932.

EDWARD HYATT, State Engineer

By Harold Conkling
Deputy

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