FORM 100. 64029 10-28 1500
PRINTING OFFICE

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

LICENSE No. 385 PERMIT No. 743 APPLICATION No. 959

This is to certify, *That* ~~E. Clemens Horst Company~~ ASSIGNMENT MADE to Camp Far West Irrigation District

of Sacramento, California, *has made proof to the satisfaction of the Division of Water Rights of California of a right to the use of the waters of* Bear River

in Yuba County, *tributary of* Sacramento River

for the purpose of agricultural use

under Permit No. 743 *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* April 1st, 1918; *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*

thirteen and twenty four hundredths (13.24) cubic feet per second from about April 1st to about October 1st of each season. Diversions under this license, together with those under existing rights of licensee herein, which are to be directly applied to irrigation use, shall not exceed the rate of one cubic foot per second continuous flow to each eighty acres of irrigated land; provided however, that in case of rotation the equivalent of such continuous flow allowance for any thirty day period may be diverted in a shorter time if there be no interference with other vested rights.

County Recorder of Yuba County; also within Sections 1 and 2 of T 13 N, R 5 E, and Sections 25, 35 and 36 of T 14 N, R 5 E, M.D.M., all being shown on maps on file with the Division of Water Rights.

Amended by order of 2/27/41

Amended by order 12/27/41

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 24th *day of* March, *1925.*

MSE:B (SEAL)

16835 2-22 250

EDWARD HYATT JR
Chief of Division of Water Rights, Department of Public Works of the State of California

FORM 100. 64029 11-38 150C
STATE PRINTING OFFICE

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

LICENSE No. 385 PERMIT No. 743 APPLICATION No. 959

This is to certify, *That* ~~E. Clemens Horst Company~~ ASSIGNMENT MADE to Camp Far West Irrigation District

of Sacramento, California, *has made proof to the satisfaction of the Division of Water Rights of California of a right to the use of the waters of* Bear River in Yuba County, *tributary of* Sacramento River *for the purpose of* agricultural use

The point of diversion of such water is located ~~From the~~ Northwest corner of the SW¼ of SW¼ of Section 35 of Johnson Rancho, running thence Southeasterly along the North and South dividing line between Sections 34 and 35 of said Rancho six hundred forty (640) feet, thence running North fifty four degrees thirty minutes East (N 54°30' E) two hundred sixty two (262) feet, being within the SW¼ of SW¼ of Section 35 of Johnson Rancho, and within the (projected) NE¼ of NW¼ of Section 29, T 14 N, R 6 E, M.D.M.

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

1058.96 acres located within Sections 19, 20, 25 and 26 of Johnson Rancho as numbered and designated upon map of said Rancho made by A. W. Von Schmidt and on file with the County Recorder of Yuba County; also within Sections 1 and 2 of T 13 N, R 5 E, and Sections 25, 35 and 36 of T 14 N, R 5 E, M.D.M., all being shown on maps on file with the Division of Water Rights.

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 24th *day of* March, *1925.*

MSB:B (SEAL)

EDWARD HYATT JR
Chief of Division of Water Rights, Department of Public Works of the State of California

16835 2-22 250

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES

ORDER

APPLICATION 959 PERMIT 743 LICENSE 385

ORDER ALLOWING CHANGE IN POINT OF DIVERSION AND PLACE OF USE

Licensee having established to the satisfaction of the Division of Water Resources that the change in point of diversion and place of use under Application 959, Permit 743, License 385 for which petition was submitted on January 30, 1941, will not operate to the injury of any other legal user of water, the Division of Water Resources so finds, and

IT IS ORDERED that permission be and the same is hereby granted to change the point of diversion under said Application 959, Permit 743, License 385 to points of diversion described as follows to-wit:

CAMP FAR WEST DITCH - Three hundred (300) feet West of the northeast corner of Section 29, T. 14 N., R. 6 E., M.D.B.& M., being within the NE¼ of NE¼ of said Section 29.

HORST AND DURST DITCH - Approximately at the north one-quarter corner of Section 29, T. 14 N., R. 6 E., M.D.B. & M., being within the NE¼ of NW¼ of said Section 29.

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the place of use under said Application 959, Permit 743, License 385, to a place of use described as follows to-wit:

4102.37 ACRES WITHIN CAMP FAR WEST IRRIGATION DISTRICT IN PLACER AND YUBA COUNTIES AS SHOWN ON MAP OF THE DISTRICT FILED JANUARY 2, 1924 WITH THE DIVISION OF WATER RESOURCES.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 27 day of February 1941.

EDWARD HYATT, State Engineer

By Harold Conkling
Deputy

WEC:GG

STATE OF CALIFORNIA—RESOURCES AGENCY

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 959 PERMIT 743 LICENSE 385

ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS License 385 was issued to E. Clemens Horst Company and was filed with the County Recorders of Placer and Yuba Counties on November 27, 1925, and

WHEREAS said license was subsequently assigned to Camp Far West Irrigation District, and

WHEREAS the State Water Rights Board has found that the change in place of use under said license for which petition was submitted on December 23, 1966, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said change and has directed that an order be issued to describe said place of use in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the place of use under said License 385 to place of use described as follows, to wit:

> 3,490.37 ACRES WITHIN THE PRESENT BOUNDARIES OF CAMP FAR WEST IRRIGATION DISTRICT IN PLACER AND YUBA COUNTIES, WITHIN T13 AND 14N, R5 AND 6E, MDB&M; AND 808 ACRES OUTSIDE THE BOUNDARIES OF SAID DISTRICT, 4,298.37 ACRES TOTAL, ALL AS SHOWN ON MAP FILED WITH STATE WATER RIGHTS BOARD ON DECEMBER 23, 1966.

Dated: APR 5 1967

L. K. Hill

L. K. Hill
Executive Officer

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STATE OF CALIFORNIA—RESOURCES AGENCY

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 959 PERMIT 743 LICENSE 385

ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS License 385 was issued to E. Clemens Horst Company and was filed with the County Recorders of Placer and Yuba Counties on November 27, 1925, and

WHEREAS said license was subsequently assigned to Camp Far West Irrigation District, and

WHEREAS the State Water Rights Board has found that the change in place of use under said license for which petition was submitted on January 19, 1967, and amended May 2, 1967, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said change and has directed that an order be issued to describe said change in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the place of use under said License 385, to a place of use described as follows, to wit:

> A NET IRRIGABLE AREA OF 4,445 ACRES WITHIN A GROSS AREA OF 5,003.4 ACRES CONSISTING OF 4,587 ACRES WITHIN THE BOUNDARIES OF CAMP FAR WEST IRRIGATION DISTRICT IN PLACER AND YUBA COUNTIES, WITHIN T13 AND 14N, R5 AND 6E, MDB&M, AND 416.4 ACRES OUTSIDE THE BOUNDARIES OF SAID DISTRICT, ALL AS SHOWN ON THE MAP FILED WITH THE STATE WATER RIGHTS BOARD ON MAY 2, 1967.

Dated: JUN 2 1967

L. K. Hill

L. K. Hill
Executive Officer

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STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Licenses 385, 2266, 2267, and 2740 Issued on Applications 959, 2881, 3843, and 10190, CAMP FAR WEST IRRIGATION DISTRICT Licensee.	Order: WR 74-33 Source: Bear River Counties: Placer and Yuba

ORDER AMENDING LICENSES

BY BOARD VICE CHAIRMAN ROBIE:

On August 1, 1969, petitions were filed by Camp Far West Irrigation District to enlarge the place of use under its Licenses 385, 2266, 2267, and 2740. The petitions were protested by South Sutter Water District, Del Monte Corporation, and the U. S. Bureau of Reclamation, and a hearing was held on April 27 and 28, 1972.

Subsequent to the hearing an agreement was reached resulting in withdrawal of the protests. As a result of the agreement, the licensee requested that the petitions be amended to request that the place of use under the licenses read as follows:

> "A net irrigable area of 4,445 acres within a gross area of 5,045 acres consisting of 4,732 acres within the boundaries of Camp Far West Irrigation District and 313 acres outside the District." (The proposed new place of use is shown on a map filed with the Board.)

There is no change in the net irrigable area, the land use, the purpose of use of water, or the quantity of water diverted. The proposed change in place of use will not operate to the injury of any other legal user of water and will have no significant effect on the environment.

NOW, THEREFORE, IT IS ORDERED:

That the place of use under Licenses 385, 2266, 2267, and 2740, issued on Applications 959, 2881, 3843, and 10190 be changed to a place of use as follows:

A net irrigable area of 4,445 acres within a gross area of 5,045 acres consisting of 4,732 acres within the boundaries of Camp Far West Irrigation District and 313 acres outside the District, all as more explicitly set forth on a map on file with the State Water Resources Control Board.

Dated: OCT 17 1974

Ronald B. Robie

Ronald B. Robie, Vice Chairman

We Concur:

ABSENT

W. W. Adams, Chairman

Roy E. Dodson

Roy E. Dodson, Member

Mrs. Carl H. Auer

Mrs. Carl H. (Jean) Auer, Member

W. Don Maughan

W. Don Maughan, Member

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