FORM 64

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

License for Diversion and Use of Water

Notice of Assignment (Over)

LICENSE 2008 PERMIT 2701 APPLICATION 5184

THIS IS TO CERTIFY, *That* Mignonette K. Ellis, Piedmont, California; Elizabeth McD. Walker, Truckee, California, and A. C. Wagner, San Francisco, California,

has *made proof to the satisfaction of the Division of Water Resources of California of a right to the use of the waters of* in Placer County

tributary of Truckee River

for the purpose of irrigation and domestic uses

under Permit 2701 *of the Division of Water Resources 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 Resources and the terms of the said permit; that the priority of the right herein confirmed dates from* September 2, 1925;

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 seventeen thousand (17,000) gallons per day from about March 1st to about November 1st of each season.

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.

The point of diversion of such water is located South thirty (30) feet and East fourteen hundred twenty (1420) feet from the Northwest corner of Section 34, T. 16 N., R. 16 E., M.D.B. & M. and being within the NW¼ of NW¼ of said Section 34.

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

Mignonette K. Ellis: Domestic use and the irrigation of 0.38 acre within the SW¼ of NW¼ of Section 27, T. 16 N., R. 16 E. M.D.B. & M.

Elizabeth McD. Walker: Domestic use and the irrigation of 0.95 acre within the SW¼ of NW¼ of Section 27, T. 16 N., R. 16 E., M.D.B. & M.

A. C. Wagner: Domestic use and the irrigation of 0.43 acre within the NW¼ of SW¼ of Section 27, T. 16 N., R. 16 E., M.D.B. & M.

1.76 Acres - Total.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Division of Water Resources.

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 of 1913, as amended, 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 [illegible] as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said [illegible] 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 therein expressed; *provided*, that at any time after the expiration of twenty years after the granting of a license, the state or any [illegible] municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the property [illegible] occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and [illegible] said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state to determine [illegible] 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 [illegible] determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued [illegible] that the permittee, or licensee, or the heirs, successors, or assigns, of said permittee or licensee, has not put the water granted under [illegible] useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors, or [illegible] 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 [illegible] 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 [illegible] licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license [illegible] unappropriated and open to further appropriation in accordance with the terms of this act. The findings and declaration of the commission [illegible] to be prima facie correct until modified or set aside by a court of competent jurisdiction; *provided*, that any action brought to modify or [illegible] or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee, licensee [illegible] And every licensee or permittee under the provisions of this act if he accepts such permit or license shall accept the same under the conditions [illegible] 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 [illegible] under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulation [illegible] authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns [illegible] 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 subdivision [illegible] the rights and property of any permittee or licensee, or the possession of any rights granted, issued, or acquired under the provisions of this act [illegible] for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered [illegible] irrespective of whether they are first in time; *provided, however*, that such application for a permit or the granting thereafter of permission [illegible] to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; *and providing, further*, that [illegible] appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal [illegible] 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 [illegible] in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become a [illegible] public utility, subject to the jurisdiction and control of the railroad commission of the State of California, for such period or periods from time to time [illegible] of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; [illegible] 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 [illegible] for taking, conveying and storing such additional water tendered valueless for said purposes, to the person, firm or corporation which constructed and [illegible] for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation [illegible] determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.

Witness my hand and the seal of the Department of Public Works of the State of California, this 22nd *day of* March, *19*48

EDWARD HYATT
State Engineer

By Harold Corkling
Deputy

10/26/45 RECEIVED NOTICE OF ASSIGNMENT Name of Mignonette E. Ellis changed to Mignonette E. Luhrs

7/9/47 RECEIVED NOTICE OF ASSIGNMENT ~~to~~ Int of Albert C. Wagner to Theodore T. Beckett

12/6/51 RECEIVED NOTICE OF ASSIGNMENT ~~to~~ Int of Theodore T. Beckett to Peter D. Rosebrook

11/13/57 RECEIVED NOTICE OF ASSIGNMENT ~~to~~ partial Elizabeth McD. Walker Dr. + Mrs. Clark Burnham

4-22-58 Name changed from Elizabeth McDonald Walker to Estate of Elizabeth McDonald Walker

12-6-72 Name chgd to Marilyn Hills Card

LICENSE 2008

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

LICENSE
TO APPROPRIATE WATER

ISSUED TO Mignonette E. Ellis
Elizabeth McD. Walker and
A. C. Wagner

DATED March 22, 1940

57171 4-38 1M STATE PRINTING OFFICE

8/19/59 RECEIVED NOTICE OF ASSIGNMENT OF Int of Est. of Elizabeth McDonald Watkin to Walter R. Van Der Ahe of Int. of M. E. Lohrs

~~7-16-64~~ ~~RECEIVED NOTICE OF ASSIGNMENT TO Phy llis H. Meek~~

10-21-68 Records chgd to show Charles O. ~~Tracy~~ Jr. Matchan - Phyllis Meek and Marilyn Burnham Name changed to

3/10/77 RECEIVED NOTICE OF ASSIGNMENT TO Marilyn Hills Horning

1-22-85 Name of Phyllis Meek chgd to Phyllis H. Jayred

5-24-91 Int of Tracy R. Matchan asgd to Charles O. Matchan, Jr.

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