

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

APPLICATION 6242

PERMIT 3290

LICENSE 2056

ORDER ALLOWING CHANGE IN PLACE OF USE  
AND ADDING AN ADDITIONAL POINT OF DIVERSION

WHEREAS:

1. License 2056 was issued to United States Mono National Forest and was filed with the County Recorder of Mono County on September 17, 1940.
2. License 2056 was subsequently assigned to United States Inyo National Forest.
3. A petition for change in point of diversion and place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
4. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The points of diversion under this license shall be as follows:
  - (1) Humiston Spring South 550 feet from SW corner of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 14, T2S, R26E, MDB&M, being within SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 14.
  - (2) Middle Spring South 39° West 1,670 feet from SW corner of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 14, T2S, R26E, MDB&M, being within NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 14.
  - (3) Middle Creek No. 1 South 45° 15' West 1,630 feet from SW corner of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 14, T2S, R26E, MDB&M, being within SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 14.
  - (4) Middle Creek No. 2 South 46° 45' West 1,610 feet from SW corner of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 14, T2S, R26E, MDB&M, being within SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 14.
  - (5) Hedderly Spring South 36° 15' West 2,130 feet from SW corner of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 14, T2S, R26E, MDB&M, being within NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 14.
  - (6) Hedderly Creek South 38° 45' West 2,085 feet from SW corner of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 14, T2S, R26E, MDB&M, being within NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 14.
  - (7) June Lake North 8° 38' 38" East 1,843.7 feet from S $\frac{1}{4}$  corner of Section 11, T2S, R26E, MDB&M, being within NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Section 11.

2. The place of use under this license shall be as follows:

The service area of the June Lake Public Utility District within Section 36, T1S, R26E, MDB&M and Sections 1, 2, 11, 12, 14, 15 and 22, T2S, R26E, MDB&M, as shown on map filed with the State Water Resources Control Board.

Dated: JULY 21 1983

*Raymond Walsh*

Raymond Walsh, Chief  
Division of Water Rights

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

**ORDER**

APPLICATION 6242

PERMIT 3290

LICENSE 2056

ORDER ALLOWING CHANGE IN THE POINTS OF DIVERSION

WHEREAS:

1. License 2056 was issued to U. S. Mono National Forest and was filed with the County Recorder of Mono County on September 17, 1940.
2. License 2056 was subsequently assigned to U. S. Inyo National Forest.
3. An order allowing change in points of diversion and place of use was granted on July 21, 1983 and has been recorded with the County Recorder of Mono County on August 1, 1983 in Volume 386, Page 293.
4. A petition for change in points of diversion has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
5. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The points of diversion under this license shall be as follows:
  1. Twin Springs: South 1,228 feet and West 2,006 feet from NE corner of Section 22, T2S, R26E, MDB&M, being within NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section 22.
  2. June Lake - North 8° 38' 38" East 1,843.7 feet from S $\frac{1}{4}$  corner of Section 11, T2S, R26E, MDB&M, being within NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Section 11.
2. The amount of water under this license shall be amended to read as follows:

The maximum amount of water under this license shall not exceed 8,615 gallons per day from about May 1 to about October 31 of each year.

Dated: MARCH 21 1985

*Raymond Walsh*  
Raymond Walsh, Chief  
Division of Water Rights



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES

License for Diversion and Use of Water

LICENSE 2056

PERMIT 3290

APPLICATION 6242

THIS IS TO CERTIFY, That **United States, Mono National Forest,  
Reno, Nevada**

Notice of Assignment (Over)

has made proof to the satisfaction of the Division of Water Resources of California of a right to the use of the waters of (1) **Hamilton Spring**, (2) **Middle Spring**, (3) and (4) **Middle Creek** (5) **Hobby Spring** and (6) **Hobby Creek** in Mono County, tributary of **Gull Lake**

for the purpose of **domestic use**  
under Permit **3290**

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

**April 9, 1920;**

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 (1) **forty-seven hundred (4700) gallons per day**, (2) **six hundred sixty-five (665) gallons per day**, (3) **four hundred (400) gallons per day**, (4) **four hundred fifty (450) gallons per day**, (5) **five hundred (500) gallons per day** and (6) **nineteen hundred (1900) gallons per day**, total **eighty-six hundred fifteen (8615) gallons per day** from about May 1st to about October 31st of each season.

The points of diversion of such water are located (1) **South five hundred fifty (550) feet**, (2) **South thirty-nine degrees west (S. 39°00' W.) Sixteen hundred seventy (1670) feet**, (3) **South forty-five degrees fifteen minutes west (S. 45°15' W.) Sixteen hundred thirty (1630) feet**, (4) **South forty-six degrees forty-five minutes west (S. 46°45' W.) Sixteen hundred ten (1610) feet**, (5) **South thirty six degrees fifteen minutes west (S. 36°15' W.) twenty-one hundred thirty (2130) feet** and (6) **South thirty-eight degrees forty-five minutes west (S. 38°45' W.) two thousand eighty-five (2085) feet**, all from the southwest corner of the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 14, T 26 S, R 26 E, M.D.B. & M. and being within the (1) SE $\frac{1}{4}$  of NW $\frac{1}{4}$  (2) NE $\frac{1}{4}$  of SW $\frac{1}{4}$  (3) SE $\frac{1}{4}$  of NW $\frac{1}{4}$  (4) SW $\frac{1}{4}$  of NW $\frac{1}{4}$  (5) NE $\frac{1}{4}$  of SW $\frac{1}{4}$  and (6) NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 14.

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

Lots 1, 2, 3, 4, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 31, 32, 37, 38 and 32 of Gull Lake Tract, upper and lower Gull Lake Public Camp Grounds and Gull Lake Ranger Station of Mono National Forest and being within the SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , NE $\frac{1}{4}$  of SW $\frac{1}{4}$  and SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 14 and NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 15, T 26 S, R 26 E, M.D.B. & M.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Division of Water Resources in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

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 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 at any time after the expiration of twenty years after the granting of a license, the state or any city, 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 said state, city, county, municipal water district, irrigation district, lighting district or political subdivision of the state so desires 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 shall be deemed unappropriated and open to further appropriation in accordance with the terms of this act. The findings and declaration of said commission shall be deemed unappropriated and open to further appropriation in accordance with the terms of this act. *provided*, that any action brought so to modify or set aside such finding 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 license or permit under the provisions of this act if he accepts 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 regulation 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, county, municipal water district, irrigation district, lighting district or any political subdivision 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 thereof, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation 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 providing, 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 my hand and the seal of the Department of Public Works of the State of California, this 10th day of August, 1940

EDWARD HYATT

State Engineer

By

Harold Conkling  
Deputy

4/25/44

RECEIVED NOTICE OF ASSIGNMENT TO

U.S. Inyo National Forest

LICENSE 2056

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES

LICENSE  
TO APPROPRIATE WATER

ISSUED TO INYO NATIONAL FOREST, INYO COUNTY, CALIF. DATED AUGUST 30, 1940.

STATE PRINTING OFFICE

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