FORM 64

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

License for Diversion and Use of Water

LICENSE 2661 PERMIT 5790 APPLICATION 10155

THIS IS TO CERTIFY, *That* United States - Tahoe National Forest
Nevada City, California
as of August 21, 1943 (the date of inspection)
has made proof to the satisfaction of the Division of Water Resources of California of a right to the use of the waters of Dempsey Springs in Nevada County

tributary of Rosses Creek thence McKilligan Creek and South Fork of Yuba River

for the purpose of Stockwatering, recreational and fire protection uses
under Permit 5790 *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* March 22, 1941;

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 hundred (1300) gallons per day from about April 1 to about December 1 of each season.

Nothing herein contained shall be construed to confirm in Licensee any right to an amount of water in excess of that reasonably necessary for actual fire fighting and to maintain an adequate reserve for fire protection.

This license is based on the use of water made during the year 1942 which was the year of maximum use within the three year period preceding the date of inspection; namely, August 21, 1943.

The point of diversion of such water is *located* South, ten hundred fifty-six (1056) feet and East, two hundred sixty-four (264) feet from the NW Corner of Section 35, T 18 N, R 10 E, M.D.B.&M., being within the NW¼ of NW¼ of said Section 35.

A description of the lands or the place where such water is put to beneficial use is as follows: Stockwatering, recreational and fire protection uses within the NW¼ of NW¼ of Section 35, T 18 N, R 10 E, M.D.B.&M.

The Water Commission Act was superseded by the Water Code on August 4, 1943. By force of the provisions of the latter all references in this form to the Division of Water Resources will be understood to mean the Department of Public Works acting by and through the State Engineer.

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.

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This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license, does so 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 license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) 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 of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. 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 subdivison of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

FORM 64-A

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Witness my hand and the seal of the Department of Public Works of the State of California, this 1st day of June, 1944

EDWARD HYATT
State Engineer

By Harold Conkling
Deputy State Engineer.

LICENSE 2661

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES

LICENSE
TO APPROPRIATE WATER

ISSUED TO U.S. Tahoe National Forest

DATED June 1, 1944

10669 3-42 1500 STATE PRINTING OFFICE

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