

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

ORDER

APPLICATION 7392

PERMIT 4099

LICENSE 2715

ORDER ALLOWING CHANGE IN POINT OF
DIVERSION AND PLACE OF USE

Licensee having established to the satisfaction of the State Engineer that the change in point of diversion and place of use under Application 7392, Permit 4099, License 2715 for which petitions were submitted on December 3, 1949 and February 20, 1950 will not operate to the injury of any other legal user of water, the State Engineer so finds, and

IT IS ORDERED that permission be and the same is hereby granted to change the point of diversion under said Application 7392, Permit 4099, License 2715 to points of diversion described as follows to-wit:

- (1) SOUTH ONE THOUSAND SEVENTY-SEVEN (1077) FEET AND WEST ONE THOUSAND THREE HUNDRED FIFTY-SIX (1356) FEET FROM NE CORNER OF SECTION 33, T 20 N, R 3 E, M.D.B.&M., BEING WITHIN NW $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SAID SECTION 33.
- (2) SOUTH ONE THOUSAND THREE HUNDRED (1300) FEET AND EAST ONE THOUSAND FOUR HUNDRED (1400) FEET FROM NW CORNER OF SECTION 33, T 20 N, R 3 E, M.D.B.&M., BEING WITHIN NE $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SAID SECTION 33.

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the place of use under said Application 7392, Permit 4099, License 2715 to a place of use described as follows to-wit:

FOUR (4) ACRES WITHIN NW $\frac{1}{4}$ OF NE $\frac{1}{4}$ AND FOUR (4) ACRES WITHIN NW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 33, T 20 N, R 3 E, M.D.B.&M.

WITNESS my hand and the seal of the Department of Public Works of the State

24th day of March, 1950.



A. D. Edmonston
A. D. Edmonston
State Engineer

3



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

License for Diversion and Use of Water

LICENSE 2715

PERMIT 4099

APPLICATION 7392

THIS IS TO CERTIFY, That **E. J. Wakeman and Ray L. Wakeman**
Oroville, California

Notice of Assignment (Over)

have made proof as of **July 29, 1943**,
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the waters of
Cottonwood Creek in Butte County
tributary to **Dry Creek thence Butte Creek**

for the purpose of **irrigation use**
under Permit **4099** of the Department of Public Works 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 Department of Public Works
and the terms of the said permit; that the priority of the right herein confirmed dates from **September 27, 1932**;

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 **twenty-two thousandths**
(0.022) cubic foot per second or approximately fourteen thousand (14,000) gallons
per day from about May 1 to about November 1 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.

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 immediately preceding
the date of inspection, namely July 29, 1943.

The point of diversion of such water is located **South one thousand seventy-seven (1077)**
feet and West one thousand three hundred fifty-six (1356) feet from the Northeast
corner of Section 33, T 20 N, R 3 E, M.D.B.&M., being within the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of
said Section 33.

Amended by order of 3-21-50

A description of the lands or the place where such water is put to beneficial use is as follows: **Irrigation of**
8 acres within the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 33, T 20 N, R 3 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 Department acting through the State Engineer 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 State Engineer.

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.

1

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 subdivision 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.

Witness my hand and the seal of the Department of Public Works of the State of California, this 26th day of September, 1944.

EDWARD HYATT, State Engineer



By Harold Conkling
Deputy State Engineer

10/22/57 RECEIVED NOTICE OF ASSIGNMENT TO Shirley Openchew

LICENSE 2715

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

LICENSE
TO APPROPRIATE WATER

ISSUED TO E. J. Wakeman and
Ray L. Wakeman

DATED September 26, 1944