

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

ORDER

APPLICATION 8796

PERMIT 4864

LICENSE 2794

ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS:

1. License 2794 was issued to D. W. Stone and was filed with the County Recorder of Del Norte County on June 26, 1945.
2. License 2794 was subsequently assigned to George E. Tryon then to Merrill G. and Dorris M. Dickson and General Telephone Company.
3. A petition for change in 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 change does 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 place of use under this license shall be as follows:
Domestic Use and Irrigation of 0.75 acres being within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 4, T16N, R1E, HB&M (assessor's parcels 124-40-09, 124-40-10, 124-40-11)

Dated: JULY 25 1984

Raymond Walsh
Raymond Walsh, Chief
Division of Water Rights



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

License for Diversion and Use of Water

LICENSE 2794

PERMIT 4864

APPLICATION 8796

THIS IS TO CERTIFY, That **D. W. Stone, Crescent City, California** Notice of Assignment (Over)

has made proof as of **September 26, 1944**
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the waters of
Rock Creek in Del Norte County
tributary to **Smith River**

for the purpose of **domestic and irrigation uses**
under Permit **4864** 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 21, 1936;**

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 **sixty five hundred (6500)**
gallons per day from January 1 to December 31 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 1944 which was
the year of maximum use within the three year period immediately preceding the
date of inspection.

The point of diversion of such water is located **North five hundred ninety (590) feet**
and **East nine hundred seventy eight (978) feet** from the West one-quarter corner
of Section 4, T 16 N, R 1 E, H.B. & M., being within the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said
Section 4.

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

Domestic use and the irrigation of 0.75 acres within the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of
Section 4, T 16 N, R 1 E, H.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.

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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 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 18th day of June, 1945

EDWARD HYATT, State Engineer

Edward Hyatt

By _____

Deputy State Engineer

10/28/54

RECEIVED NOTICE OF ASSIGNMENT TO

George E. Truon

Merrill G. Dickson

6-21-82 ownership Chgd to Merrill G. + Doris M. Dickson; General Telephone Company

~~10-10-84 ownership Chgd to General Telephone Company of the Northwest Inc. delete this assign.~~

3-30-87 ownership Chgd to Doris M. Dickson, General Telephone Company + Estate of Merrill G. Dickson

12-18-89 assigned to Mimi Wallace 2-14-90 ownership Chgd to

Debra L. Wallace, Mimi Wallace + General Telephone Co

11/26/97 asgd. to Debra L. Wallace, Mimi Wallace, and General Telephone Company.

1-2-02 ASGD TO DEBRA L. STOVER, WARD L. STOVER, GENERAL TELEPHONE CO., MIMI WALLACE;

LICENSE 2794

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

LICENSE
TO APPROPRIATE WATER

ISSUED TO *D. V. Stone*

DATED *June 18, 1945*

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