

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

ORDER

APPLICATION 10871

PERMIT 6344

LICENSE 3168

ORDER ALLOWING CHANGE IN PURPOSE OF USE,
PLACE OF USE AND
CORRECTING DESCRIPTION OF SOURCE

WHEREAS:

1. License 3168 was issued to Smithson Springs Water Company and was filed with the County Recorder of San Bernardino County on June 4, 1951.
2. License 3168 was subsequently assigned to the County of San Bernardino.
3. A petition for change in purpose of use and place of use has been filed with the State Water Resources Control Board.
4. An inspection was made on September 22, 1980 and it was determined that the description of the source should be corrected.
5. The Board has determined that good cause for such changes and correction has been shown and that the petitioned changes and correction 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 source under this license shall be as follows:

Unnamed Springs (aka Smithson Springs) tributary to Boneyard Canyon thence Victor Valley thence Rogers Lake Basin.

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

Domestic and fire protection

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

Within the San Bernardino County Zone L Smithson Springs Service Area within Sections 7, 18, 19 and 30, T4N, R7W, SBB&M, as shown on map on file with State Water Resources Control Board.

Dated: JUNE 8 1984

Raymond Walsh

Raymond Walsh, Chief
Division of Water Rights

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

License for Diversion and Use of Water

APPLICATION 10871

PERMIT 6344

LICENSE 3168

THIS IS TO CERTIFY, That **Smithson Springs Water Company**
Box 84
Desert Springs, California

over

has made proof as of **May 6, 1948**

(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of **Smithson Springs in San Bernardino County**

tributary to **Victor Valley Watershed**

for the purpose of **irrigation and domestic and stockwatering uses**
under Permit **6344** of the Department of Public Works and that said right to the use of said water 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 **August 28, 1944; and**

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 **sixteen thousand (16,000)**
gallons per day to be diverted from **January 1 to December 31** of each year.

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 **North eleven hundred (1100) feet and
East nine hundred (900) feet** from the Southwest corner of Section 19, T 4 N,
R 7 W, S.B.B.&M., being within the Southwest quarter of Southwest quarter of
said Section 19.

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

Domestic and Stockwatering, within SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 5; SE $\frac{1}{4}$ of NW $\frac{1}{4}$
and SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 6; S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 7 South of Highway #138;
E $\frac{1}{2}$ and SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 18; NE $\frac{1}{4}$ of Section 19; and

irrigation of 2 acres within SE $\frac{1}{4}$ of SW $\frac{1}{4}$; 2 acres within SW $\frac{1}{4}$ of SE $\frac{1}{4}$; 4 acres
within NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and 4 acres within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18, all in T 4 N,
R 7 W, S.B.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 hereby confirmed to the diversion and use of water is restricted to the point or points of diversion
herein specified and to the lands or place of use herein described.

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 28th day of May, 19 51

A. D. Edmonston
A. D. EDMONSTON,
~~EDWARD HYATT~~, State Engineer

12-14-78 Asgd to County of San Bernardino

LICENSE 3168

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

LICENSE
TO APPROPRIATE WATER

ISSUED TO Smithson Springs Water Company

DATED MAY 28 1951

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