



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

License for Diversion and Use of Water

APPLICATION 11814

PERMIT 7943

LICENSE 3955

THIS IS TO CERTIFY, That H. G. Kelsey
744 26th Street
Merced, California

made proof as of September 16, 1953

(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
(1) South Fork Dry Creek and unnamed streams 2, 3, 4, and 5 in Mariposa County and
Unnamed stream 6 in Merced County all within Merced River watershed
~~XXXXXXXXXX~~

for the purpose of irrigation and stock-watering uses
under Permit 7943 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 April 4, 1947;
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 one thousand two and six
tenths (1002.6) acre-feet per annum to be collected from about November 1 of each
year to about March 31 of the succeeding year. Source 1 contributes 70% and sources
2, 3, 4, 5, and 6 each contribute 6% of the total quantity. The maximum rate of diversion
to storage is 100 cubic feet per second.

The points of diversion of such water are located (1) north one thousand four
hundred thirty-five (1435) feet and east five hundred thirty-three (533) feet from
SW corner of Section 21, T 4 S, R 15 E, MDB&M, being within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said
Section 21, (2) north two hundred sixty-two (262) feet and east four hundred twenty-
five and five tenths (425.5) feet from W $\frac{1}{2}$ corner of Section 28, T 4 S, R 15 E, MDB&M,
being within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 28, (3) north one thousand three hundred
thirty-two (1332) feet and east three hundred ninety-six and five tenths (396.5)
feet from SW corner of Section 28, T 4 S, R 15 E, MDB&M, being within NW $\frac{1}{4}$ of SW $\frac{1}{4}$
of said Section 28, (4) north three hundred forty-seven and two tenths (347.2) feet
and east one thousand three and five tenths (1003.5) feet from SW corner of Section
28, T 4 S, R 15 E, MDB&M being within SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 28, (5) south one
thousand thirty-four and seven tenths (1034.7) feet and east one thousand one hundred
twenty-two and five tenths (1122.5) feet from NW corner of Section 33, T 4 S, R 15 E,
MDB&M, being within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 33, (6) north three thousand two
hundred sixty-four (3264) feet and west one thousand one hundred sixty-three (1163)
feet from SE corner of Section 31, T 4 S, R 15 E, MDB&M, being within SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of
said Section 31. The point of rediversion is north three thousand two hundred sixty
(3260) feet and west nine hundred eight (908) feet from SE corner of Section 31, T 4 S,
R 15 E, MDB&M, being within SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 31.

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

64.15 acres within Section 25, T 4 S, R 14 E, MDB&M
7.50 acres within Section 29, T 4 S, R 15 E, MDB&M
147.65 acres within Section 30, T 4 S, R 15 E, MDB&M
42.59 acres within Section 31, T 4 S, R 15 E, MDB&M
5.00 acres within Section 32, T 4 S, R 15 E, MDB&M
266.89 acres total as shown on map filed with 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 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).

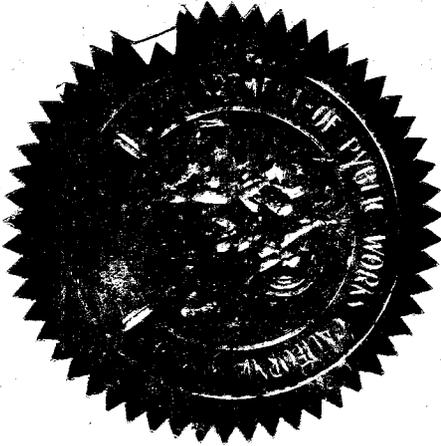
Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied 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 10th
day of June , 19 54

A. D. EDMONSTON, *State Engineer*

By 
HARVEY O. BANKS
Assistant State Engineer



LICENSE 3955

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

LICENSE
TO APPROPRIATE WATER

ISSUED TO H. G. Kelsey

DATED