STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

Certificate for Stockpond Water Right

CERTIFICATE NO.: 3959

PRIORITY OF RIGHT: June 9, 1989

Under the provisions of Article 2.5, Chapter 1 of Part 2 of Division 2 of the Water Code,

Louis S. Frankel
Trilex Construction, Inc.
1700 The Alameda
San Jose, CA 95126

has filed a claim of water right for a stockpond constructed prior to January 1, 1969, and has applied to the State Water Resources Control Board for evidence of such water right.

It appears from evidence provided by the claimant and from such other information as has been obtained by the Board that the stockpond described herein had a capacity of 2.6 *acre-feet on January 1, 1975; that the stockpond was constructed in* 1946 *that the stockpond is used primarily for stockwatering purposes; and that the stockpond was not involved in water rights litigation between private parties prior to January 1, 1974.*

It therefore appears and the State Water Resources Control Board certifies that the above-named claimant has complied with the statute and has a water right within the meaning of Water Code Section 1226.1, with a priority of June 9, 1989 *, to collect and hold in storage* 2.6 *acre-feet of water for stockwatering, including domestic and recreational use which is incidental to stockwatering use, at the following location:*

Stockpond on Unnamed Stream tributary to Penitencia Creek being within the NE$\frac{1}{4}$ of NW$\frac{1}{4}$ of projected Section 21, T6S, R2E, MDB&M in the Santa Clara County

The water right described herein is subject to other stockpond water rights on which certificates have been issued by the Board with an earlier priority, to appropriative water rights with an earlier priority initiated prior to December 19, 1914, to water right permits or licenses issued prior to January 1, 1975, and to riparian rights.

DATED: AUGUST 0 6 1990

STATE WATER RESOURCES CONTROL BOARD

Mark Dinsinger

for *Chief, Division of Water Rights*