



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

# License for Diversion and Use of Water

APPLICATION 10235

PERMIT 5880

LICENSE 3970

THIS IS TO CERTIFY, That **Irving Wills** Notice of Assignment (Over)  
1421 State Street  
Santa Barbara, California

has made proof as of May 27, 1953  
to the satisfaction of the State Engineer of California of a right to the use of the water of  
an unnamed spring in Santa Barbara County

tributary to East Fork Bear Creek thence Bear Creek and Santa Ynez River

for the purpose of irrigation and domestic uses  
under Permit 5880 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 July 3, 1941;  
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 forty-one thousandths  
(0.041) cubic foot per second to be diverted from about April 1 to about November 15  
of each year for irrigation purposes and throughout the year as required for  
domestic purposes.

The point of diversion of such water is located north twenty-five (25) feet and east  
one hundred (100) feet from SW corner of Lot 7, Section 7, T 5 N, R 28 W,  
SBB&M being within Lot 7 (SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of said Section 7.

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

- 5 acres within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 6, T 5 N, R 28 W, SBB&M
- 8 acres within SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 6, T 5 N, R 28 W, SBB&M
- 2 acres within SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of projected Section 6, T 5 N, R 28 W, SBB&M
- 15 acres total

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 15th day of July, 1954

A. D. EDMONSTON, State Engineer

By *Harvey O. Banks*  
HARVEY O. BANKS  
Assistant State Engineer

5/7/60 RECEIVED NOTICE OF ASSIGNMENT TO Rancho San Fernando

2/21/66 Name chgd. to John P. Collins & Balancho Sant  
Fernando Rey

1/25/68 RECEIVED NOTICE OF ASSIGNMENT TO R. S. Cathcart Trustee

LICENSE 3970  
STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Irving Mills  
DATED

83587 B-53 3M SFO

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

**ORDER**

APPLICATION 10235

PERMIT 5880

LICENSE 3970

ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS License 3970 was issued to Irving Wills and was filed with the County Recorder of Santa Barbara County on July 28, 1954, File No. 12839, and

WHEREAS said license was subsequently assigned to R. S. Cathcart, Trustee, and

WHEREAS the State Water Resources Control Board has found that the change in place of use under said license for which petition was submitted on March 22, 1968, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said change and has directed that an order be issued to describe said place of use in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the place of use under said License 3970 to a place of use described as follows, to wit:

DOMESTIC USE AND IRRIGATION OF 3 ACRES IN RANCHITO DEL RIO, A PORTION OF SAN MARCOS RANCH, WITHIN SW $\frac{1}{4}$  OF PROJECTED SECTION 6, T5N, R28W, SBB&M, AS SHOWN ON MAP FILED WITH THE STATE WATER RESOURCES CONTROL BOARD.

Dated: MAY 20 1968

*K. L. Woodward*  
K. L. Woodward, Chief  
Division of Water Rights

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