

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

ORDER

APPLICATION 13584

PERMIT 8074

LICENSE 4142

ORDER ALLOWING CHANGE IN CHARACTER OF USE

WHEREAS License 4142, was issued to Romilda Mancuso and Estate of Gaetano Mancuso and was filed with the County Recorder of Santa Clara County on October 24, 1955, and

WHEREAS the State Water Resources Control Board has found that the change in character of use under said license for which petition was submitted on October 6, 1967, 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 change in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the character of use under said License 4142 to character of use described as follows, to wit:

RECREATION AND IRRIGATION

Dated: **JUL 18 1968**

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



DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

License for Diversion and Use of Water

APPLICATION 13584

PERMIT 8074

LICENSE 4142

THIS IS TO CERTIFY, That

Romilda Mancuso and Estate of Gaetano Mancuso
c/o Peter J. Mancuso, Attorney, Security Building
84 South First Street, San Jose, California

Notice of Change (Over)

have made proof as of May 5, 1954,
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
an unnamed ravine in Santa Clara County

tributary to Dry Creek within Coyote River Watershed

for the purpose of irrigation use

under Permit 8074

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 February 16, 1950;
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 ten (10) acre-feet per annum
by storage to be collected from about November 1 of each year to about May 1 of
the succeeding year.

The point of diversion of such water is located south eleven hundred (1100) feet and west
two hundred sixty-four (264) feet from NE corner of projected Section 28, T 7 S,
R 2 E, MDB&M, being within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 28.

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

5 acres within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 28, T 7 S, R 2 E, MDB&M
15 acres within NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 28, T 7 S, R 2 E, MDB&M.
20 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 void and licensee accepts all rights herein conferred 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).

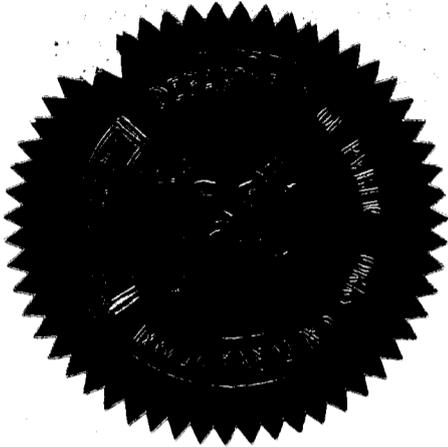
Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied 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 21st day of October, 19 55

A. D. EDMONSTON, State Engineer

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



8/22/67 RECEIVED NOTICE OF ASSIGNMENT *Let* of *Romilda Mancuso*
Estate of Romilda Mancuso

LICENSE 4142

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

LICENSE
TO APPROPRIATE WATER

ISSUED TO Romilda Mancuso and Estate of
Gaetano Mancuso

DATED OCT 21 1955

8887 5-33 34 SPO