

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

Application 13548 Permit 8014 License 4280

**ORDER AMENDING LICENSE**

**WHEREAS:**

1. License 4280 was issued to John J. Lucas and recorded at the office of the Inyo County Recorder on April 5, 1956.
2. License 4280 was subsequently assigned to Gary R. and Nicki Beaman.
3. License 4280 confers upon Gary R. and Nicki Beaman an appropriative right to use water from an Unnamed Spring tributary to the Owens River in Inyo County.
4. Fish and Game Code Section 5946 requires that the State Water Resources Control Board condition Licenses that authorize diversion of water in Department of Fish and Game District 4 ½ (Inyo and Mono Counties) to specify compliance with Section 5937 of the Fish and Game Code.
5. The License was issued without referencing compliance with Section 5937.
6. Since amendment of License 4280 to require compliance with Fish and Game Code Section 5937 is a ministerial action, this Order is exempt from the provisions of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines in accordance with Section 21080 of the Public Resources Code.

**NOW, THEREFORE, IT IS ORDERED THAT:**

The following condition is added to this License:

In accordance with the requirements of Fish and Game Code Section 5946, this License is conditioned upon full compliance with Section 5937 of the Fish and Game Code.

Dated: **JUNE 13 1997**

  
Walt Pettit  
Executive Director



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

## License for Diversion and Use of Water

APPLICATION 13548

PERMIT 8014

LICENSE 4280

(over)

THIS IS TO CERTIFY, That John J. Lucas  
Route 1, Box 39  
Bishop, California, <sup>has</sup> made proof as of April 7, 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 Spring in Inyo County

~~within~~ within Owens River Watershed

for the purpose of domestic and irrigation uses  
under Permit 8014 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 January 26, 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 two thousand five hundred  
(2,500) gallons per day to be diverted as follows:

- (a) from about April 1 to about October 1 of each year for irrigation purposes, and
- (b) throughout the year as required for domestic purposes.

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 three hundred (300) feet and west  
five hundred fifteen (515) feet from SE corner of Section 6, T8S, R33E, MDB&M,  
being within SE1/4 of SE1/4 of said Section 6.

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

2.0 acres within SW1/4 of SW1/4 of Section 5, T8S, R33E, MDB&M  
0.5 acres and domestic use within NE1/4 of NE1/4 of Section 7, T8S, R33E, MDB&M  
2.5 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 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) of 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 the 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 March, 1956

HARVEY O. BANKS,  
Assistant State Engineer

By *L. C. Jopson*  
L. C. Jopson  
Assistant State Engineer

*12-28-95 Assigned to Gary R. and Nicki Beaman*

8/31/99 ASGD TO GUY A. OVERSTREET & JANET M. KENNEDY

LICENSE 4280

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

LICENSE  
TO APPROPRIATE WATER

ISSUED TO John J. Lucas

DATED MAR 21 1956

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