

4388

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

ORDER

APPLICATION 14883

PERMIT 9193

LICENSE 4388

ORDER CORRECTING THE DESCRIPTION OF THE POINT OF DIVERSION

WHEREAS:

1. License 4388 was issued to United States-Stanislaus National Forest and was filed with the County Recorder of Alpine County on June 8, 1956.
2. The USGS 7.5' Quadrangle map Dardanelles Cone shows the Point of Diversion within SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 32. License 4388 describes the same Point of Diversion as being within NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 32, T8N, R20E, MDB&M. A correction in the description of Point of Diversion under said license is needed to conform the description with the location on the quadrangle map.

NOW, THEREFORE, IT IS ORDERED THAT:

The Point of Diversion under License 4388 be described as follows:

West 400 feet from SE corner of Section 32, T8N, R20E, MDB&M being within the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Section 32.

Dated: AUGUST 10 1982

*Raymond Walsh*

Raymond Walsh, Chief  
Division of Water Rights

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STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
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2. The USGS 7.5' Quadrangle Map Dardanelles Cove shows the Point of Diversion within SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 32, License 4388 describes the same Point of Diversion as being within NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 32, T8N, R20E, MDB&M. A correction in the description of the Point of Diversion under said license is needed to conform the description with the location on the quadrangle map.

NOW, THEREFORE, IT IS ORDERED THAT:

The Point of Diversion under License 4388 be described as follows:

West 1,600 feet from SE corner of Section 32, T8N, R20E, MDB&M, being within the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Section 32.

Dated: SEPTEMBER 17 1982

*Raymond Walsh*

Raymond Walsh, Chief  
Division of Water Rights

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

## License for Diversion and Use of Water

APPLICATION 14883

PERMIT 9193

LICENSE 4388

THIS IS TO CERTIFY, *That* United States - Stanislaus National Forest  
Sonora, California

*has* made proof as of June 24, 1954,  
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of  
Lower Highland Lake in Alpine County

tributary to North Fork Mokelumne River

for the purpose of recreational use  
under Permit 9193 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 June 30, 1952;  
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 hundred forty (140)  
acre-feet per annum to be collected from about April 30 to about June 30 of each  
year.

The point of diversion of such water is located north forty-eight degrees west  
(N48°W) three thousand one hundred seventy (3,170) feet from SE corner of  
Section 32, T8N, R20E, MDB&M, being within NW1/4 of SE1/4 of said Section 32.

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

The natural channel of North Fork Mokelumne River from the point of diversion  
at Lower Highland Lake to a point within Section 3, T8N, R18E, MDB&M, being  
within T8N, R18E; T8N, R19E; and T8N, R20E, MDB&M.

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.

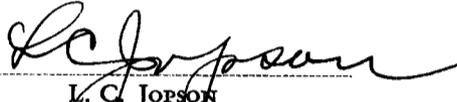
Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water 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 cannot 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 May, 1956

HARVEY O. BANKS, State Engineer

By   
L. C. JOPSON  
Assistant State Engineer



LICENSE 4388

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

LICENSE  
TO APPROPRIATE WATER

ISSUED TO U. S. - Stanislaus Nat'l Forest

DATED MAY 21 1956

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