

STATE OF CALIFORNIA  
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
STATE WATER RESOURCES CONTROL BOARD

**DIVISION OF WATER RIGHTS**

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In the Matter of License 4392 (Application 12833)  
Reginald D. Cook

**ORDER REVOKING LICENSE**

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SOURCE: UNNAMED STREAM TRIBUTARY TO OWENS RIVER  
COUNTY: INYO

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**WHEREAS:**

1. A revocation request form dated December 31, 2004 has been received from Reginald D. Cook (Licensee), requesting revocation of the license by the State Water Resources Control Board (State Water Board), Division of Water Rights (Division).
2. The Division interprets the Licensee's request for revocation as a waiver of the notice and hearing requirements set forth in Water Code sections 1675 through 1675.2.

**Therefore, it is ordered** that License 4392 is hereby revoked by the State Water Board, and the water is declared to be subject to appropriation. This revocation may not result in additional water being available for new appropriations if there are applicable restrictions due to past State Water Board decisions regarding water availability.

  
Victoria A. Whitney, Chief  
Division of Water Rights

Dated:

**JUL 11 2005**

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

**ORDER**

Application 12833 Permit 7454 License 4392

**ORDER AMENDING LICENSE**

**WHEREAS:**

1. License 4392 was issued to Stephen H. Williard and recorded at the office of the Inyo County Recorder on July 16, 1956.
2. License 4392 was subsequently assigned to Richard Moss and Pat Carney.
3. License 4392 confers upon Richard Moss and Pat Carney an appropriate right to use water from an Unnamed Stream 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 4392 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 16 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 12833

PERMIT 7454

LICENSE 4392

THIS IS TO CERTIFY, That Stephen H. Willard  
Box 155  
Lone Pine, California

Notice of Assignment (Over)

has made proof as of April 6, 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 stream in Inyo County

tributary to Owens River

for the purpose of irrigation use

under Permit 7454 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 November 22, 1948; 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 thousand one hundred (10,100) gallons per day to be diverted from about April 1 to about November 1 of each year.

The point of diversion of such water is located south seventy-two degrees west (S72°W) five thousand five hundred ninety-nine and six-tenths (5,599.6) feet from NE corner of Section 32, T15S, R36E, MDB&M, being within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 32.

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

6.0 acres within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 32, T15S, R36E, MDB&M.

*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 3rd day of July 1956

HARVEY O. BANKS, State Engineer

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

10-17-66 RECEIVED NOTICE OF ASSIGNMENT TO *Trif Beatrice*  
*Willard*

3-9-79 assg to *Haward E & Laura M. Mitchell*  
2-14-86 assg to *Richard Moss*  
12-19-86 Ownership chge to *Richard Moss & Pat Carney*