STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

# ORDER

APPLICATION 13406 PERMIT 7928 LICENSE 4393

## ORDER ALLOWING CHANGE IN POINTS OF DIVERSION

WHEREAS license was issued to Victor W. Sease and Constance P. Sease and was filed with the County Recorder of Sonoma County on July 13, 1956, and

WHEREAS license was subsequently assigned to J. Paul and Emily D. Thompson, and

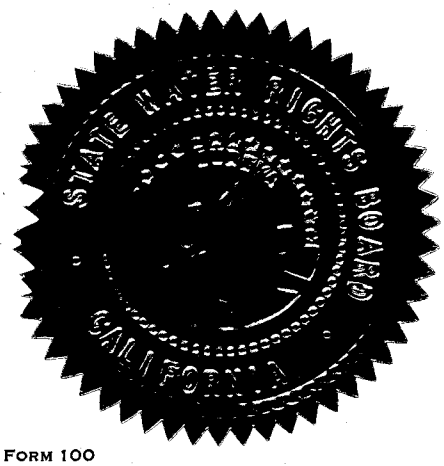
WHEREAS licensees have established to the satisfaction of the State Water Rights Board that the change in points of diversion under Application 13406, Permit 7928, License 4393, for which petition was submitted on November 21, 1961, will not operate to the injury of any other legal user of water and the Board so finds;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the points of diversion under said Application 13406, Permit 7928, License 4393, to points of diversion described as follows, to wit:

(1) NORTH SIXTEEN DEGREES EAST (N16°E), ONE THOUSAND TWENTY (1020) FEET FROM SW CORNER OF PROJECTED SECTION 13, T9N, R9W, MDB&M, BEING WITHIN SW¼ OF SW¼ OF SAID SECTION 13, and

(2) SOUTH THREE HUNDRED NINETY-SIX (396) FEET AND EAST ONE THOUSAND EIGHT HUNDRED FOURTEEN (1,814) FEET FROM SW CORNER OF PROJECTED SECTION 13, T9N, R9W, MDB&M, BEING WITHIN NE¼ OF NW¼ OF PROJECTED SECTION 24, T9N, R9W, MDB&M.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 21st day of February, 1962




L. K. Hill
L. K. Hill
Executive Officer

3

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

# License for Diversion and Use of Water

APPLICATION 13406 PERMIT 7928 LICENSE 4393

THIS IS TO CERTIFY, *That* Victor W. Sease and Constance P. Sease Notice of Assignment (Over)
2480 Bailache Avenue
Healdsburg, California
*has made proof as of* May 14, 1954,
*(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of* Russian River in Sonoma County

*tributary to* Pacific Ocean

*for the purpose of* irrigation
*under Permit* 7928 *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* October 20, 1949; *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-tenth (0.1) cubic foot per second to be diverted from about April 1 to about November 15 of each year.

The amount of water diverted from Point (1) shall not exceed sixty-five thousandths (0.065) cubic foot per second and the amount of water diverted from Point (2) shall not exceed thirty-five thousandths (0.035) cubic foot per second.

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 points of diversion of such water* are *located* (1) north one thousand five hundred eighty-four (1,584) feet and west one hundred thirty-five (135) feet from SW corner of projected Section 13, T9N, R9W, MDB&M, being within NE¼ of SE¼ of projected Section 14, T9N, R9W, MDB&M.

(2) south three hundred ninety-six (396) feet and east one thousand eight hundred fourteen (1,814) feet from SW corner of projected Section 13, T9N, R9W, MDB&M, being within NE¼ of NW¼ of projected Section 24, T9N, R9W, MDB&M.

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

5 acres within NE¼ of SE¼ of projected Section 14, T9N, R9W, MDB&M
5 acres within SE¼ of SE¼ of projected Section 14, T9N, R9W, MDB&M
7 acres within NE¼ of NW¼ of projected Section 24, T9N, R9W, MDB&M
17 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 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
*Assistant State Engineer*

5/7/56 RECEIVED NOTICE OF ASSIGNMENT TO Victor W. & Constance P. Sease

1/8/58 RECEIVED NOTICE OF ASSIGNMENT TO J. Paul & Emily D. Thompson

12/2/65 RECEIVED NOTICE OF ASSIGNMENT TO Robert & Lois M. John & Richard A & Isola Z. Burns

4-25-79 Assigned to Frank W & Mary Grace Johnson

2-24-86 Asgd to Tim & Candace Foy

LICENSE 4393

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

# LICENSE TO APPROPRIATE WATER

ISSUED TO Victor W. Sease & Constance P. Sease

DATED JUL 3 1956

32904 3-56 4M (1) SPO

2