STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 11736 PERMIT 7052 LICENSE 4435

THIS IS TO CERTIFY, *That* J. E. Albaugh
Adin, California

Notice of Approval (Over)

has made proof as of July 30, 1955,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
(1) Willow Creek (Diversion 92, Ash Creek Reference, 1938), (2) unnamed stream in Lassen County
tributary to (1) & (2) Ash Creek

for the purpose of irrigation and stockwatering uses
under Permit 7052 *of the State Water Rights Board 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 State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from* February 18, 1947;
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 forty (40) acre-feet per annum as follows: thirty (30) acre-feet per annum from source number (1) and ten (10) acre-feet per annum from source number (2) to be collected from about October 1 of each year to about May 1 of the succeeding year.

The maximum rate of diversion to offstream storage from source (1) Willow Creek is five (5) cubic feet per second.

The point of diversion of such water are *located* (1) south fifteen degrees thirty minutes east (S 15° 30' E) two thousand seven hundred (2,700) feet from the NW corner of Section 17, T 38 N, R 9 E, MDB&M, being within the SW¼ of NW¼ of said Section 17. (2) South two hundred sixty-five (265) feet and east one hundred eighty (180) feet from W¼ corner of Section 5, T 38 N, R 9 E, MDB&M, being within the NW¼ of SW¼ of said Section 5.

A description of the lands or the place where such water is put to beneficial use is as follows:
2 acres within SW¼ of NW¼ of Section 5, T 38 N, R 9 E, MDB&M
9 acres within NW¼ of NW¼ of Section 5, T 38 N, R 9 E, MDB&M
1 acre within SW¼ of SW¼ of Section 32, T 39 N, R 9 E, MDB&M
12 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 State Water Rights Board 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 Water Rights Board.

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.

COVERED BY LICENSE ORDER NO. 4

FORM 64

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 board.

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.

Dated: JAN 15 1957

STATE WATER RIGHTS BOARD

By Leslie C. Jopson
Leslie C. Jopson
Chief Engineer

10-6-61 - Name chgd from J.E. to James E. Albaugh

10-6-61 RECEIVED Partial NOTICE OF ASSIGNMENT TO Orma K Albaugh

5-11-66 Records changed to show James E & Orma K Albaugh dba Frosty Acres, Inc;

LICENSE 4435

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO J. E. Albaugh

DATED JAN 15 1957

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