

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

**ORDER**

Application 14844 Permit 9133 License 4618

**ORDER AMENDING LICENSE**

**WHEREAS:**

1. License 4618 was issued to Edwin W. and Marion A. Elliott and recorded at the office of the Inyo County Recorder on April 29, 1957.
2. License 4618 was subsequently assigned to T. W. and J. D. Dickinson.
3. License 4618 confers upon T. W. and J. D. Dickinson an appropriative right to use water from Independence Creek 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 4618 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 18 1997**

*Walt Pettit*  
Walt Pettit  
Executive Director

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 14844

PERMIT 9133

LICENSE 4618

ORDER ALLOWING CORRECTION OF DESCRIPTION OF POINT  
OF DIVERSION AND CORRECTION OF DESCRIPTION OF PLACE OF USE

Licensees having established to the satisfaction of the State Water Rights Board that the correction of description of point of diversion and correction of description of place of use under Application 14844, Permit 9133, License 4618, for which petitions were submitted on February 4, 1960, will not operate to the injury of any other legal user of water, the Board so finds, and

IT IS ORDERED that permission be and the same is hereby granted to correct the description of point of diversion under said Application 14844, Permit 9133, License 4618, to read as follows, to wit:

NORTH ONE THOUSAND FIVE HUNDRED SEVENTY-FIVE  
(1575) FEET AND WEST NINE HUNDRED EIGHTY-THREE  
(983) FEET FROM SE CORNER OF SECTION 20, T13S,  
R34E, MDB&M, BEING WITHIN  $NE\frac{1}{4}$  OF  $SE\frac{1}{4}$  OF SAID  
SECTION 20.

IT IS FURTHER ORDERED that permission be and the same is hereby granted to correct the description of the place of use under said Application 14844, Permit 9133, License 4618, to read as follows, to wit:

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

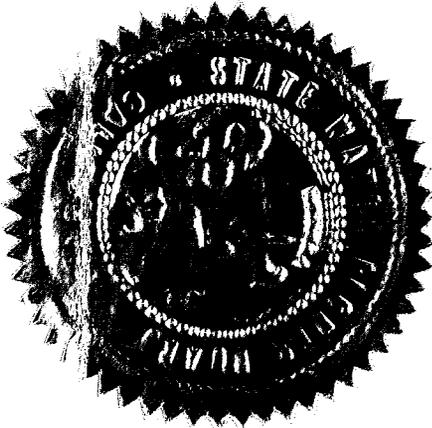
APPLICATION 14844

PERMIT 9133

LICENSE 4618

LOT 20 OF SEVEN PINES TRACT BEING WITHIN  
SE $\frac{1}{4}$  OF SE $\frac{1}{4}$  OF SECTION 20, T13S, R34E,  
MDB&M.

WITNESS my hand and the seal of the State Water Rights  
Board of the State of California this 23<sup>rd</sup> day of May, 1960



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

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## STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

## License for Diversion and Use of Water

APPLICATION 14844PERMIT 9133LICENSE 4618

THIS IS TO CERTIFY, That **Edwin W. Elliott, Jr., and Marion A. Elliott** <sup>Notice of Change (Over)</sup>  
10305 Mississippi, Los Angeles 25, California  
have made proof as of July 12, 1955  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of  
Independence Creek in Inyo County  
tributary to Owens River

for the purpose of domestic use  
under Permit 9133 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 June 9, 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 two hundred (200) gallons  
per day to be diverted from January 1 to December 31 of each year.

The point of diversion of such water is located due north six hundred (600) feet from  
SW corner of Section 21, T 13 S, R 34 E, MDB&M, being within SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said  
Section 21.

A description of the lands or the place where such water is put to beneficial use is as follows:  
Lot 20, Seven Pines Tract, Inyo National Forest, being within SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section  
21, T 13 S, R 34 E, 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 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.

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.

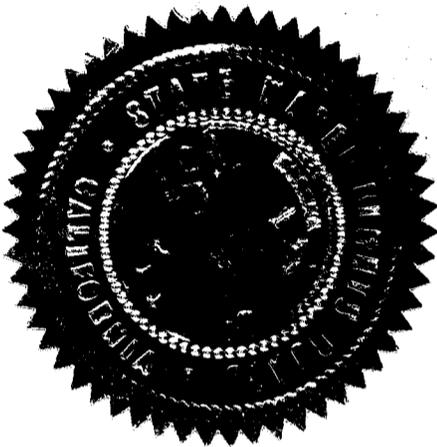
Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water 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: APR 24 1957

STATE WATER RIGHTS BOARD



By Leslie C. Jopson  
Leslie C. Jopson  
Chief Engineer

11-22-11 RECEIVED NOTICE OF ASSIGNMENT TO Edwin W. Elliott, Jr. & Marion A. Elliott

4-7-97 asg/b J.W. + J.P. Dickinson;

LICENSE <u>4618</u>
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD
<b>LICENSE TO APPROPRIATE WATER</b>
ISSUED TO <u>Edwin W. Elliott, Jr. &amp; Marion A. Elliott</u>
DATED <u>APR 24 1957</u>