

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

Application 9510 Permit 5381 License 4621

ORDER AMENDING LICENSE

WHEREAS:

1. License 4621 was issued to the United States National Park Service, Death Valley National Monument, and recorded at the office of the Inyo County Recorder on April 29, 1957.
2. License 4621 confers upon the United States National Park Service, Death Valley National Monument, an appropriative right to use water from Main Cow Creek tributary to Amargosa River in Inyo County.
3. 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.
4. The License was issued without referencing compliance with Section 5937.
5. Since amendment of License 4621 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 10 1997**


Walt Pettit
Executive Director

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 9510

PERMIT 5381

LICENSE 4621

ORDER ALLOWING CHANGE IN POINTS OF DIVERSION
AND CORRECTION OF DESCRIPTION OF SOURCE

Licensee having established to the satisfaction of the State Water Rights Board that the change in points of diversion and correction of description of source under Application 9510, Permit 5381, License 4621, for which petition was submitted on January 5, 1959 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 change the points of diversion under said Application 9510, Permit 5381, License 4621 to point of diversion described as follows, to wit:

NORTH SIXTY-NINE DEGREES, THIRTY-NINE MINUTES EAST (N69°39'E)
THREE THOUSAND AND SEVENTY-SEVEN (3077) FEET FROM E $\frac{1}{4}$ CORNER
OF SECTION 35, T28N, R1E, SBB&M, BEING WITHIN SW $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF
SECTION 36, T28N, R1E, SBB&M.

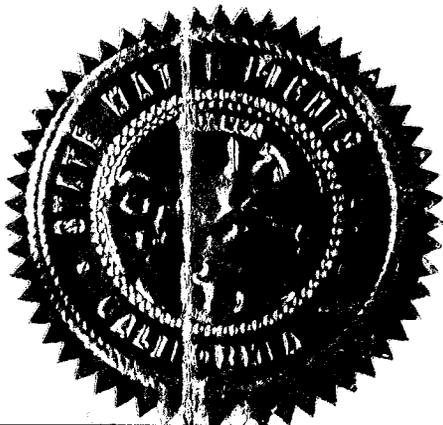
IT IS FURTHER ORDERED that permission be and the same is hereby granted to correct the description of the source under said Application 9510, Permit 5381, License 4621, to read as follows, to wit:

SPRINGS (ALSO KNOWN AS NEVARES SPRINGS) LOCATED IN INYO COUNTY,
TRIBUTARY TO NORTH CANYON COW CREEK AND COW CREEK THENCE SALT
CREEK.

WITNESS my hand and the seal of the State Water Rights Board of
the State of California this

4th day of May, 1959

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 9510PERMIT 5381LICENSE 4621

THIS IS TO CERTIFY, That

United States - Death Valley National Monument
c/o A. van V. Dunn, National Park Service
Department of Interior, Washington 25, D.C.

has made proof as of April 8, 1955
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Main Cow Creek and tributaries in Inyo County

tributary to Amargosa River

for the purpose of domestic and recreational use

under Permit 5381 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 17, 1939; 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 four hundred forty-six thousandths (0.446) cubic foot per second to be diverted from January 1 to December 31 of each year.

The point of diversion of such water is located at any point along a line roughly parallel to and varying from one (1) to twenty-five (25) feet westerly from the east boundary of Section 35, T 28 N, R 1 E, SBB&M, between a point (a) which lies north seven degrees forty three minutes west ($N 7^{\circ} 43' W$) one hundred seventy-nine (179) feet from east $\frac{1}{4}$ corner of said Section 35, and a point (b) which lies south zero degrees one minute east ($S 0^{\circ} 01' E$) seven hundred eighty-eight (788) feet from east $\frac{1}{4}$ corner of said Section 35, being within $SE\frac{1}{4}$ of $NE\frac{1}{4}$ and $NE\frac{1}{4}$ of $SE\frac{1}{4}$ of said Section 35.

A description of the lands or the place where such water is put to beneficial use is as follows: Domestic and recreational use at Headquarters Death Valley National Monument, being within Sections 3 and 4, T 27 N, R 1 E, SBB&M, and Sections 33 and 34, T 28 N, R 1 E, SBB&M, as shown on map filed with State Water Rights Board.

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.

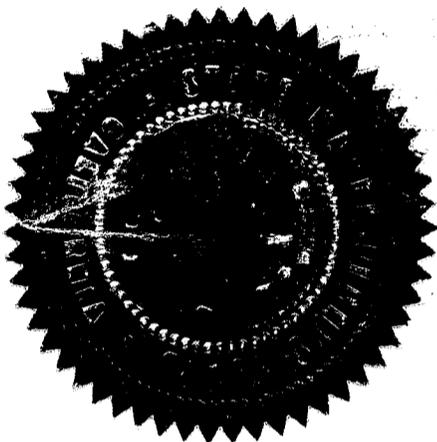
Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water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

LICENSE 4621
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO United States-Death Valley
National Monument

DATED APR 24 1957