

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

ORDER

APPLICATION 14415

PERMIT 8848

LICENSE 4659

ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS:

1. License 4659 was issued to Garden Highway Mutual Water Company and was filed with the County Recorder of Sutter County on July 12, 1957.
2. An order allowing change in place of use was granted on December 26, 1978 and has been recorded with the County Recorder of Sutter County on January 3, 1979 in Volume 945, Page 402.
3. A petition for change in place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
4. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The place of use under this license shall be as follows:

A net of 3,708.45 acres within a gross of 3,765.45 acres, said gross acreage lying within: projected Section 1, fractional Section 2, and Section 3, T12N, R3E, and projected Sections 24, 25 and 36, fractional Sections 23, 26 and 35, and Sections 22, 27 and 34, T13N, R3E, MDB&M.

Dated: **DECEMBER 10 1984**

L. D. Johnson
for Raymond Walsh, Chief
Division of Water Rights

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 14415

PERMIT 8848

LICENSE 4659

ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS:

1. Petition for change in place of use under License 4659 has been filed with the State Water Resources Control Board and said Board has determined that good cause for such changes has been shown.
2. License 4659 was issued to Garden Highway Mutual Water Company and was filed with the County Recorder of Sutter County on June 12, 1957.
3. The Board has determined that this change in place of use will not operate to the injury of any other legal user of water involved.

NOW, THEREFORE, IT IS ORDERED THAT:

Permission is hereby granted to change the place of use to a place of use described as follows:

A NET OF 3,688.45 ACRES WITHIN A GROSS OF 3,745.45 ACRES, SAID GROSS ACREAGE LYING WITHIN: PROJECTED SECTION 1, FRACTIONAL SECTION 2, AND SECTION 3, T12N, R3E, AND PROJECTED SECTIONS 24, 25, AND 36, FRACTIONAL SECTIONS 23, 26, AND 35, AND SECTIONS 22, 27, AND 34, T13N, R3E, MDB&M AS MORE EXPLICITLY SHOWN ON THE MAP FILED WITH THE STATE WATER RESOURCES CONTROL BOARD ON JULY 21, 1976.

Dated: DECEMBER 26 1978



Clint Whitney, Executive Director
Water Rights and Administration

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

4415

PERMIT 8848

LICENSE 4659

ORDER ALLOWING CHANGE IN PLACE OF USE

Licensee having established to the satisfaction of the State Water Rights Board that the change in place of use under Application 14415, Permit 8848, License 4659 for which petition was submitted on May 31, 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 change the place of use under said Application 14415, Permit 8848, License 4659 to a place of use described as follows, to wit:

2705.11 ACRES WITHIN SECTIONS 23, 24, 25, 26, 27, 34, 35, 36;
T13N, R3E, MDB&M.

409.19 ACRES WITHIN SECTIONS 1, 2, 3; T12N, R3E, MDB&M.

506.30 ACRES WITHIN SECTIONS 22 AND 23, T13N, R3E, MDB&M.

27.85 ACRES WITHIN LOT 30 OF LOS PLUMAS TRACT, BEING WITHIN
THE $W\frac{1}{2}$ OF FRACTIONAL SECTION 23, T13N, R3E, MDB&M.

7.80 ACRES WITHIN $SW\frac{1}{4}$ OF $NW\frac{1}{4}$ AND

32.20 ACRES WITHIN $SE\frac{1}{4}$ OF $NW\frac{1}{4}$ OF PROJECTED SECTION 23, T13N,
R3E, MDB&M.

3688.45 ACRES TOTAL - AS SHOWN ON MAP FILED WITH STATE WATER RIGHTS
BOARD

WITNESS my hand and the seal of the State Water Rights Board of the
State of California this 8 th day of October, 1960

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





STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 14415PERMIT 8848LICENSE 4659

THIS IS TO CERTIFY, That

Garden Highway Mutual Water Company
c/o Jennie S. Tweedy, Secretary
Route 3
Yuba City, California

has made proof as of June 20, 1955,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Feather River in Sutter County

tributary to Sacramento River

for the purpose of irrigation

under Permit 8848 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 August 3, 1951; 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 twenty-three (23) cubic feet per second to be diverted from about May 1 to about November 1 of each year.

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 point of diversion of such water is located north seventy-two degrees east (N72°E) four thousand one hundred thirty (4130) feet from SW corner of projected Section 24, T 13 N, R 3 E, MDB&M, being within SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 24.

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

10.43 acres in projected Section 1, T 12 N, R 3 E, MDB&M
318.76 acres in projected Section 2, T 12 N, R 3 E, MDB&M
80 acres in Section 3, T 12 N, R 3 E, MDB&M
318 acres in Section 22, T 13 N, R 3 E, MDB&M
188.3 acres in Section 23, T 13 N, R 3 E, MDB&M
915.49 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.

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.

JUN 10 1957

Dated:

STATE WATER RIGHTS BOARD

By Leslie C. Jobson
Leslie C. Jobson
Chief Engineer



44657
#695
LICENSE
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Garden Highway Mutual Water Co.

DATED JUN 10 1957