STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

Application 16039 Permit 10059 License 4913

ORDER AMENDING LICENSE

WHEREAS:

1. License 4913 was issued to Charles C. Tuthill and Larena Tuthill and recorded at the office of the Mono County Recorder on January 2, 1958.

2. License 4913 was subsequently transferred to Lloyd Don Hopf.

3. License 4913 confers upon Lloyd Don Hopf an appropriative right to use water from an Unnamed Stream tributary to Twin Lakes in Mono County.

4. License 4913 is conditioned upon full compliance with Section 525 of the Fish and Game Code; however, Fish and Game Code Section 525 was superseded and replaced by Section 5937 prior to issuance of the License.

5. 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.

6. Since amendment of License 4913 to conform with the Fish and Game Code 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 License condition,

"This license is conditioned upon full compliance with Section 525 of the Fish and Game Code"

is deleted and replaced with the following:

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 16 1997

Walt Pettit
Executive Director

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 16039 PERMIT 10059 LICENSE 4913

THIS IS TO CERTIFY, *That* Charles C. and Larena Tuthill
334 Roycroft Avenue
Long Beach 14, California

Notice of Change (Over)

have made proof as of August 27, 1956 *(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of* an unnamed stream in Mono County

tributary to Twin Lakes

for the purpose of domestic use *under Permit* 10059 *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* September 14, 1954; *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* seven hundred fifty (750) gallons per day to be diverted from about June 1 to about November 1 of each year.

The point of diversion of such water is *located* south forty-two degrees thirty minutes east (S42°30'E) two thousand one hundred seventy (2170) feet from W¼ corner of Section 9, T4S, R27E, MDB&M, being within SE¼ of SW¼ of said Section 9.

A description of the lands or the place where such water is put to beneficial use is as follows: Lot 46 of Twin Lakes Tract, Mammoth Lakes District of Inyo National Forest and being within NW¼ of SW¼ of Section 9, T4S, R27E, MDB&M.

This license is conditioned upon full compliance with Section 525 of the Fish and Game Code.

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: DEC 31 1957

STATE WATER RIGHTS BOARD

By Leslie C. Jopson
LESLIE C. JOPSON
Chief Engineer

12-24-74 RECEIVED NOTICE OF ASSIG Lorne J. & Ursli T. Brown

12/26/95 L 4913
ASGD TO LLOYD DON HOPF

LICENSE 4913
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Charles C. and Larena Tuthill

DATED DEC 31 1957

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