STATE OF CALIFORNIA—RESOURCES AGENCY

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 15724 PERMIT 9767 LICENSE 5179

ORDER ALLOWING CHANGE IN CHARACTER OF USE

WHEREAS License 5179 was issued to Everett S. and Bessie M. Ballard and was filed with the County Recorder of Sonoma County on June 10, 1958, and

WHEREAS the State Water Rights Board has found that the change in character of use under said license for which petition was submitted on January 14, 1966, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said change and has directed that an order be issued to allow said character of use in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the character of use under said License 5179 to character of use as follows, to wit:

IRRIGATION AND STOCKWATERING

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 1 st day of April, 1966

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

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 15724 PERMIT 9767 LICENSE 5179

THIS IS TO CERTIFY, *That* Everett S. Ballard and Bessie M. Ballard
10150 Westside Road
Healdsburg, California

Notice of Assignment (Over)

ha ve *made proof as of* September 24, 1957
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Mark West Creek in Sonoma County

tributary to Russian River

for the purpose of irrigation use
under Permit 9767 *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 15, 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 forty-one hundredths (0.41) cubic foot per second to be diverted from about May 1 to about October 15 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* :
South one hundred sixty-five (165) feet and east twenty (20) feet from NW corner of Lot 4 of Molino Rancho, being within NW¼ of SW¼ of projected Section 33, T8N, R9W, MDB&M.

A description of the lands or the place where such water is put to beneficial use is as follows:
42 acres within Lot 4 of Molino Rancho comprising
20 acres within NW¼ of SW¼ of projected Section 33, T8N, R9W, MDB&M, and
22 acres within SW¼ of SW¼ of projected Section 33, T8N, R9W, 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: JUN 9 1958

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

12/4/58 RECEIVED NOTICE OF ASSIGNMENT TO Howard W. Fish and Thomas L. Fish

2-20-64 RECEIVED NOTICE OF ASSIGNMENT TO Everett S. Ballard and Bessie M. Ballard

12-18-62 RECEIVED NOTICE OF ASSIGNMENT TO Tiburon Vintners, Inc.

4-10-70 RECEIVED NOTICE OF ASSIGNMENT TO The Prudential Insurance Company of America

10-8-71 RECEIVED NOTICE OF ASSIGNMENT TO Tiburon Vintners Inc

1-29-73 RECEIVED NOTICE OF ASSIGNMENT TO River Road Vineyards Partners

LICENSE 5179
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Everett S. Ballard and Bessie M. Ballard

DATED JUN 9 1958

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LICENSE 5179 APPLICATION 15724

9/18/75 Assigned to Sonoma Vineyards, Inc.
1-24-82 Asgd to River Road Vineyards
1/28/98 Asgd. to J WINE COMPANY

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