

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

ORDER

APPLICATION 15618

PERMIT 9699

LICENSE 5255

ORDER PARTIALLY REVOKING LICENSE 5255, REDUCING AMOUNT,
DELETING A POINT OF DIVERSION AND REDUCING THE PLACE OF USE

WHEREAS:

1. A request has been received from Charles McGimsey for revocation of his interest in License 5255.
2. License 5255 was issued to Ellsworth Cushman and was filed with the County Recorder of Solano County on July 3, 1958.
3. Said License was subsequently assigned to Thomas J. Cunningham and Charles McGimsey.
4. The State Water Resources Control Board has found that partial revocation, reduction of amount, deletion of a point of diversion, and reduction of place of use under said License 5255 will not operate to the injury of any other legal user of water.
5. The Board has approved and allowed said partial revocation, reduction of amount, deletion of point of diversion and reduction of place of use and has directed that an order be issued to describe ownership, amount, point of diversion and place of use in accordance with said request.

NOW THEREFORE IT IS ORDERED that permission is hereby granted to:

1. Change the ownership of said License to:
THOMAS J. CUNNINGHAM
2. Change the amount of water diverted to beneficial use to:
4.5 ACRE-FEET PER ANNUM

3. Describe the point of diversion as follows:

SOUTH TWO THOUSAND THREE HUNDRED FIFTY (2,350) FEET AND
WEST THREE THOUSAND TWO HUNDRED FIFTY (3,250) FEET FROM
E $\frac{1}{4}$ CORNER OF SECTION 23, T7N, R2W, MDB&M BEING WITHIN
THE SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SAID SECTION 23.

4. Describe the place of use as follows:

SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ SECTION 23 AND NE $\frac{1}{4}$ OF NW $\frac{1}{4}$ SECTION 26, T7N, R2W, MDB&M.


R. L. ROSENBERGER, Chief
Division of Water Rights

Dated: SEP 15 1975

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 15618

PERMIT 9699
Ellsworth Cushman
P.O. Box 573
Dixon, California

LICENSE 5255

THIS IS TO CERTIFY, That

Notice of Assignment (Over)

has made proof as of April 24, 1956
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
two unnamed streams in Solano County

tributary to Pleasanta Creek, thence Putah Creek

for the purpose of stockwatering use
under Permit 9699 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 November 23, 1953
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 1. three (3) acre-feet
per annum and 2. four and five-tenths (4.5) acre-feet per annum to be collected
from about December 1 of each year to about May 1 of the succeeding year.

The points of diversion of such water are located as follows:

1. South one thousand (1000) feet and west two thousand six hundred (2600) feet from $E\frac{1}{4}$ corner of Section 23, T7N, R2W, MDB&M, being within $NW\frac{1}{4}$ of $SE\frac{1}{4}$ of said Section 23.
2. South two thousand three hundred fifty (2350) feet and west three thousand two hundred fifty (3250) feet from $E\frac{1}{4}$ corner of Section 23, T7N, R2W, MDB&M, being within $SE\frac{1}{4}$ of $SW\frac{1}{4}$ of said Section 23.

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

Within $NE\frac{1}{4}$ of $SW\frac{1}{4}$, $SE\frac{1}{4}$ of $SW\frac{1}{4}$, $NW\frac{1}{4}$ of $SE\frac{1}{4}$, $SW\frac{1}{4}$ of $SE\frac{1}{4}$ of Section 23 T7N, R2W, MDB&M.
of Section 23, T7N, R2W, 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.

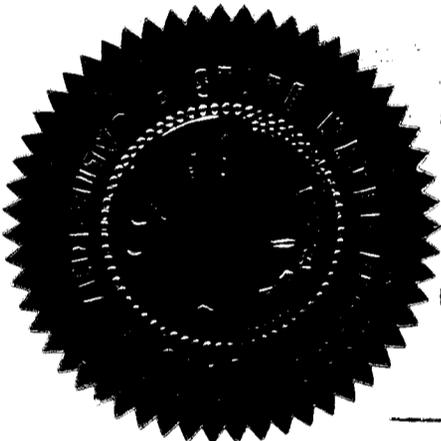
Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water 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: JUL 2 1958

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



10/6/58

RECEIVED NOTICE OF ASSIGNMENT TO

Charles
McGinsey

5/30/59

RECEIVED NOTICE OF ASSIGNMENT TO

Thomas J.
Cunningham

11-18-59

RECEIVED NOTICE OF ASSIGNMENT TO

Partial
Charles McGinsey

5-26-58 asgt to Timothy P & Pamela A Chambers
8-4-92 asgt to Peter & Helen Widinczyk

LICENSE 5255
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Ellsworth Cushman

DATED JUL 2 1958

72849 2-58 5M SPO

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 14280

PERMIT 8893

LICENSE 5256

THIS IS TO CERTIFY, That

Estate of Peter J. Huth
c/o T. E. Marchand, Executor
1159 Perkins Way
Sacramento, California

Notice of Assignment (Over)

has made proof as of December 17, 1957

(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of Stone Lake in Sacramento County

tributary to Snodgrass Slough

for the purpose of irrigation use
under Permit 8893 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 May 2, 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 thirteen (13) cubic feet per second to be diverted from about April 1 to about October 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:

South one thousand three hundred twenty (1320) feet and west seven hundred (700) feet from NW corner of SE $\frac{1}{4}$ of Section 24, T6N, R4E, MDB&M, being within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 24.

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

196.5 acres within Section 24, T6N, R4E, MDB&M
567.5 acres within Section 19, T6N, R5E, MDB&M
163.5 acres within Section 20, T6N, R5E, MDB&M
136.0 acres within Section 30, T6N, R5E, MDB&M
1063.0 acres total 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.

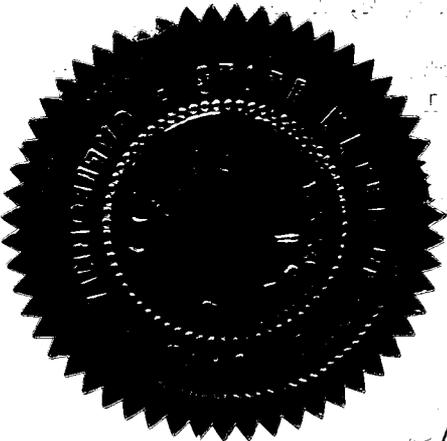
Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water 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: JUL 2 1958

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



~~8-21-64 RECEIVED NOTICE OF ASSIGNMENT IN~~ *Dave Little*
& *Val Little*

~~9-16-64 RECEIVED NOTICE OF ASSIGNMENT TO~~ *John Colin Campbell*

~~2-27-76~~ *Asgd to Eric + Patricia Lorety;*
Frank A. Lorety

5/12/97 assigned to Frank A. Lorety

LICENSE 5254

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Estate of Peter J. Ruth

DATED JUL 2 1958

DATED

72849 2-55 RM ① SPO