



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 14787

PERMIT 9940

LICENSE 5600

THIS IS TO CERTIFY, That

Sarah F. Huff
P. O. Box 355
Whispering Pines, California

Notice of Assignment (Over)

has made proof as of October 23, 1957,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Callayomi Brook in Lake County

tributary to Putah Creek

for the purpose of domestic and fire protection uses
under Permit 9940 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 April 30, 1952,
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 thousand five hundred
(4,500) gallons per day to be diverted from January 1 to December 31 of each year.

The points of diversion of such water are located :

- (1) North four hundred twenty-five (425) feet and east two hundred sixty-seven (267) feet from center of Section 14, T11N, R8W, MDB&M, being within SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 14.
- (2) North four hundred sixty-five (465) feet and east three hundred (300) feet from center of Section 14, T11N, R8W, MDB&M, being within SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 14.

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

Lots 1, 2, and 3 of Valley View Block, and Lots 5 and 6 of Madrone Vista Block, all within Whispering Pines Subdivision No. 2, being within SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 14, T11N, R8W, MDB&M.

The issuance of this license shall in no way be construed as conferring upon licensee right of access to the point of diversion.

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.

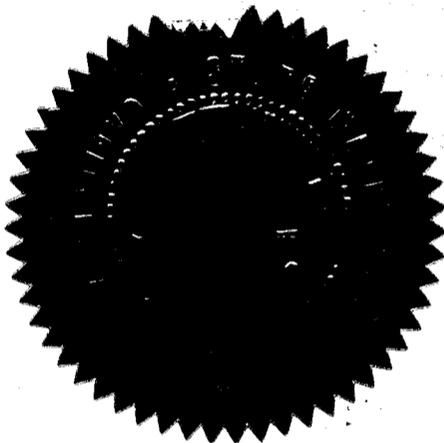
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

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 9 '59



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

11-18-60 Name changed to Sarah (Huff)
McInnis

3-27-67 RECEIVED NOTICE OF ASSIGNMENT TO ^{Parted} Peter & Mary
Minudri

1-12-79 Int of Peter & Mary Minudri sold to
Ronald + Jenice Minudri

LICENSE 5600

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Sarah F. Huff

DATED APR 9 '59

72849 3-58 5M ① SPO

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

ORDER

APPLICATION 14787A
14787B

PERMIT 9940

LICENSE 5600A
5600B

ORDER DIRECTING ISSUANCE OF SEPARATE LICENSES
AND REVOCATION OF LICENSE

WHEREAS:

1. License 5600 was issued to Sarah F. Huff and recorded with the County Recorder of Lake County on April 13, 1959.
2. License 5600 was subsequently assigned to Sarah F. Huff McInnis and Ronald Minudri and Janice Minudri.
3. A request for issuance of separate licenses to cover licensee's respective interest in License 5600 has been filed with the State Water Resources Control Board.
4. The Board has determined that such division of license and issuance of separate licenses does not constitute the initiation of a new right nor operate to the injury of any other legal user of water.
5. The license condition pertaining to the continuing authority of the Board does not conform to the current common law public trust doctrine as contained in Title 23, California Code of Regulations, Section 780(a).

NOW, THEREFORE, IT IS ORDERED THAT:

1. License 5600 be replaced by License 5600A issued to Sarah F. Huff McInnis and by License 5600B issued to Ronald Minudri and Janice Minudri.
2. Superseded License 5600 is hereby revoked upon issuance of Licenses 5600A and 5600B.
3. Separate licenses be issued as follows:

A.	License 5600A	(Application) 14787A)
1.	Owner:	Sarah F. Huff McInnis
2.	Sources:	Callayomi Brook tributary to Putah Creek in Lake County
3.	Use:	Domestic and Fire Protection
4.	Amount:	2,250 gallons per day
5.	Season:	January 1 to December 31

6. Points of Diversion: (1) North four hundred twenty-five (425) feet and East two hundred sixty-seven (267) feet from center of Section 14, T11N, R8W, MDB&M, being within SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 14, also described as California Coordinate System, Zone 2, N, 416,700 and E 1,797,800.
- (2) North four hundred sixty-five (465) feet and East three hundred (300) feet from center of Section 14, T11N, R8W, MDB&M, being within the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 14, also described as California Coordinate System, Zone 2, N 416,740 and E 1,797,835.
7. Place of Use: Lots 5 and 12 of Madrone Vista Block, Whispering Pines Subdivisions No. 2 being within the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 14, T11N, R8W, MDB&M, as shown on map on file with the Board.

B. License 5600B

(Application) 14787B)

1. Owner: Ronald and Janice Minudri
2. Source: Callayomi Brook tributary to Putah Creek in Lake County
3. Use: Domestic and Fire Protection
4. Amount: 2,250 gallons per day
5. Season: January 1 to December 31
6. Points of Diversion: (1) North four hundred twenty-five (425) feet and East two hundred sixty-seven (267) feet from center of Section 14, T11N, R8W, MDB&M, being within SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 14, also described as California Coordinate System, Zone 2, N 416,700 and E 1,797,800.
- (2) North four hundred sixty-five (465) feet and East three hundred (300) feet from center of Section 14, T11N, R8W, MDB&M, being within the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 14, also described as California Coordinate System, Zone 2, N 416,740 and E 1,797,835.
7. Place of Use: Lots 2, 3 and 4 of Valley View Block, Whispering Pines Subdivision No. 2 being within the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 14, T11N, R8W, MDB&M, as shown on map on file with the Board.

4. The paragraph pertaining to the continuing authority of the Board is replace with the following:

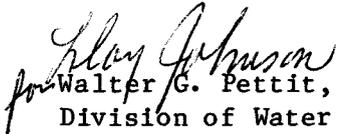
Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

Dated: DECEMBER 07 1988


for Walter G. Pettit, Chief
Division of Water Rights

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

Amended License for Diversion and Use of Water

APPLICATION 14787A

PERMIT 9940

LICENSE 5600A

Page 1 of 4

THIS IS TO CERTIFY, That Gwen Brokaw

Po Box 536
Cobb, CA 95426

Has the right to use waters of Callayomi Brook in Lake County tributary to Putah Creek for the following purposes: Domestic, Fire Protection

Amended License 5600A supersedes the license originally issued 12/07/1988, which was perfected in accordance with the laws of California, the regulations of the SWRCB or its predecessor, and the terms of Permit 9940. The priority of this right dates from 04/30/1952. Proof of maximum beneficial use of water pursuant to Application 14787A was made as of 10/23/1957 (the date of inspection)

The amount of water that may be used under this license is limited to the amount actually beneficially used for the stated purposes and shall not exceed 2,250 gallons per day to be diverted from January 1 to December 31 of each year.

Unless a change is approved by the State Water Resources Control Board (SWRCB), water used under this license may be diverted, rediverted, stored and used only as specified below;

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

- (1) North 425 feet and East 267 feet from center of Section 14, T11N, R8W, MDB&M, being within SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 14, and
- (2) North 465 feet and East 300 feet from center of Section 14, T11N, R8W, MDB&M, being within SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 14.

A DESCRIPTION OF THE LANDS OR THE PLACE WHERE SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

Lots 5 and 12 of Madrone Vista Block, Whispering Pines Subdivision No. 2 being within NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 14, T11N, R8W, MDB&M, as shown on map on file with SWRCB.

This license shall not be construed as conferring upon licensee right of access to the point of diversion.

Licensee shall comply with the following provisions which are derived from the Condition 12 Settlement Agreement dated March 10, 1995 (Agreement) pursuant to the Sacramento County Superior Court, Judicial Council Coordination Proceeding No. 2565:

- (1) Licensee is hereby put on notice that the Sacramento County Superior Court, Judicial Council Coordination Proceeding No. 2565, has retained jurisdiction over the parties and, upon application by the watermaster, has the right to temporarily enjoin the diversion of water under this license for noncompliance with the terms of the Agreement.

(2) The Court has appointed a Watermaster to implement the provisions of the Agreement. The licensee shall be responsible for partial payment of the watermaster costs in accordance with the terms of the Agreement.

(3) Licensee may employ existing methods or means of measurement (or alternatively any other standard means of measurement normally acceptable or satisfactory to the SWRCB in its administration of appropriative water rights) for determining the amount of water directly diverted under this license, unless otherwise specified by the Agreement.

(4) Licensee shall install at licensee's own cost such additional or other measurement devices as are necessary to measure actual depletions, if the watermaster determines that additional measures are necessary, consistent with Section 3.A.3 (Measuring Devices) of the Agreement.

(5) Licensee shall report to the watermaster annually, on or about September 1, the amount of water directly diverted under this license. Such annual reports shall be made in writing on forms approved by the watermaster.

(6) The watermaster shall have the right to enter to inspect measuring equipment and to observe compliance with the terms and conditions of this license, upon 48-hour prior notice and upon such reasonable conditions as licensee may prescribe.

(7) Licensee is hereby put on notice that there may be years when diversion of water under this license will not be within the reservation of water established for the Putah Creek watershed upstream of Monticello Dam, as set forth in the Agreement and that in those years no water may be available under this license.

(8) In the event Allowable Depletion is exceeded in any year, licensee shall curtail direct diversions of water during ensuing seasons until the amount of the exceedence is paid back consistent with the repayment provisions of the Agreement. (Agreement pp. 9, 10, and 11)

(9) In any year in which Annual Depletion exceeds Allowable Depletion, if Lake Berryessa: (1) does not drop below 640,000 acre-feet in storage as of May 1, licensee shall have three years, starting in the next Accumulation Season, to make up or repay licensee's excess diversion (2) does not reach 640,000 acre-feet of storage as of May 1, licensee shall have one year, starting in the next Accumulation Season, to make up or repay licensee's excess diversions. In the event that Lake Berryessa spills at any time prior to full payback of excess depletion, licensee shall be excused from any further obligation for repayment of the overage.

(10) Licensee shall provide watermaster prior notice of any repayment. Repayment may be made either by releases from storage, curtailment of direct diversion, or by the provision of water from other sources.

(11) Licensee shall notify the watermaster of any change in ownership of land, changes in the water right, or changes in address related to the license.

(12) Licensee is hereby put on notice of licensee's right, upon reasonable prior notice, to inspect and to copy, at licensee's own expense, all records and reports of the watermaster.

Inclusion in the license of certain provisions of this Agreement shall not be construed as disapproval of other provisions of the Agreement or as affecting the enforceability, as between the parties, of such other provisions insofar as they are not inconsistent with the terms of this license.

(0000024)

The State Water Resources Control Board (SWRCB) shall have continuing authority under Article X, Section 2 of the California Constitution, Water Code Sections 100 and 275, and the common law public trust doctrine over this license to delete, revise, amend, or adopt new terms or conditions to: (1) implement the March 10, 1995 Condition 12 Settlement Agreement and any amendments to the agreement and (2) make the terms or conditions

consistent with any order of the superior court. No action shall be taken pursuant to this paragraph unless the SWRCB provides notice to affected parties and provides an opportunity for a hearing.

(0000012)

Licensee shall allow representatives of SWRCB and other parties, as may be authorized from time to time by said SWRCB, reasonable access to project works to determine compliance with the terms of this license.

The quantity of water diverted under this license is subject to modification by the SWRCB if, after notice to the licensee and an opportunity for hearing, the SWRCB finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the SWRCB finds that: (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

Pursuant to California Water Code Sections 100 and 275 and the common law public trust doctrine, 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 SWRCB in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the SWRCB may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the SWRCB also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the SWRCB.

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 SWRCB.

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 (of the Water Code) and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

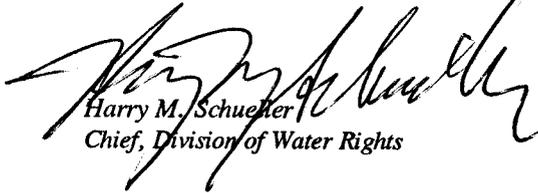
Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the 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 21 2000

STATE WATER RESOURCES CONTROL SWRCB



Harry M. Schueller
Chief, Division of Water Rights