STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 18734 PERMIT 12117 LICENSE 7242

Notice of Change (Over)

THIS IS TO CERTIFY, *That* John B. Hughes and Ramona D. Hughes
6 Lorraine Court
San Francisco 18, California

have made proof as of May 16, 1964,
(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 Lake County

tributary to Cooper Creek thence Scott Creek thence Clear Lake

for the purpose of irrigation, domestic, recreational, and fish culture uses
under Permit 12117 *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 22, 1959,
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 three hundred (300) gallons per day by direct diversion to be diverted from about November 1 of each year to about July 1 of the succeeding year and three and two-tenths (3.2) acre-feet per annum by storage to be collected from about November 1 of each year to about June 1 of the succeeding year.

The maximum withdrawal from storage in any one year has been 2.3 acre-feet.

The point of diversion of such water is located:

North two hundred fifty (250) feet and east four hundred (400) feet from W¼ corner of Section 2, T15N, R10W, MDB&M, being within SW¼ of NW¼ of said Section 2.

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

Recreational and fish culture uses at reservoir, domestic use and irrigation of 5 acres all within SW¼ of NW¼ of Section 2, T15N, R10W, MDB&M.

This license is subject to the prior rights of Clear Lake Water Company. Should the level of Clear Lake not reach an elevation of 7.56 feet above zero as measured on the Rumsey gage at Lakeport, California, during the period October 1 of each year and June 1 of the succeeding year, licensee shall, upon demand of the Clear Lake Water Company, release from his reservoir into the natural channel the water impounded during the storage season under this license.

Provided, however, that the amount of water released shall be sufficient only to meet the aforesaid elevation requirement after holders of rights subsequent in time and subject to the same conditions have been ordered to comply therewith.

Provided further, that any water released from Clear Lake by Clear Lake Water Company during the period October 1 of each year and June 1 of the succeeding year for purposes other than irrigation shall be considered surplus regardless of the level of Clear Lake at the time of said release and the licensee shall be entitled to retain an equivalent amount of water for storage in accordance with the priority of rights subject to the same condition even though Clear Lake does not reach the level of 7.56 feet on the Rumsey gage.

The Clear Lake Water Company further agrees that one-half acre-foot may be retained in storage for domestic and stockwatering purposes not subject to above restrictions.

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: MAR 30 1965

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

Gordon T. & Juanita V. Ford.
8-28-67 RECEIVED NOTICE OF ASSIGNMENT TO Albert M. Ford & John T. Freer
3-22-71 RECEIVED NOTICE OF ASSIGNMENT TO [illegible]
Bertha L. Yough, James W. McKinney and Della L. McKinney
4-24-75 Records chgd to show Annd L. Leary as owner
3-15-83 Asgd to Paul Koich

LICENSE 7242

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE TO APPROPRIATE WATER

ISSUED TO John B. and Ramona D. Hughes

DATED MAR 30 1965

JAN 12 '65 B.R.

72048 3-58 1M SPO

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