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

License for Diversion and Use of Water

APPLICATION 20774 PERMIT 13919 LICENSE 8313

over

THIS IS TO CERTIFY, *That* M. L. KUGELMAN
P. O. BOX 267, LOWER LAKE, CALIFORNIA

HAS *made proof as of* MAY 18, 1967 *(the date of inspection) to the satisfaction of the State Water Resources Control Board of a right to the use of the water of* AN UNNAMED STREAM IN LAKE COUNTY

tributary to SEIGLER CANYON CREEK THENCE CACHE CREEK THENCE YOLO BY-PASS

for the purpose of STOCKWATERING AND RECREATIONAL USES *under Permit* 13919 *of the Board and that the right to the use of this water has been perfected in accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of this right dates from* MAY 17, 1962, *and that the amount of water to which this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall not exceed* TWENTY-FIVE (25) ACRE-FEET PER ANNUM TO BE COLLECTED FROM ABOUT OCTOBER 1 OF EACH YEAR TO ABOUT JUNE 1 OF THE SUCCEEDING YEAR.

LICENSEE'S RIGHT HEREUNDER EXTENDS ONLY TO WATER NECESSARY TO KEEP THE RESERVOIR FULL BY REPLACING WATER BENEFICIALLY USED OR LOST BY EVAPORATION AND SEEPAGE, AND TO REFILL IF EMPTIED FOR NECESSARY MAINTENANCE OR REPAIR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

SOUTH 1,840 FEET AND EAST 1,680 FEET FROM NW CORNER OF SECTION 10, T12N, R7W, MDB&M, BEING WITHIN SE1/4 OF NW1/4 OF SAID SECTION 10.

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

WITHIN SE1/4 OF NW1/4 OF SECTION 10, T12N, R7W, 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 OF OCTOBER 1 OF EACH YEAR AND JUNE 1 OF THE SUCCEEDING YEAR, LICENSEE SHALL, UPON DEMAND OF CLEAR LAKE WATER COMPANY, RELEASE FROM HIS RESERVOIR INTO THE NATURAL STREAM CHANNEL THE WATER IMPOUNDED DURING THE STORAGE SEASON UNDER THIS LICENSE. SUCH RELEASES ARE TO BE MADE AT THE MAXIMUM FLOW PRACTICAL. PROVIDED, HOWEVER, THAT THE AMOUNT OF WATER RELEASED SHALL BE SUFFICIENT ONLY TO MEET THE AFORESAID ELEVATION REQUIREMENT. 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 THIS SAME CONDITION, EVEN THOUGH CLEAR LAKE DOES NOT REACH THE LEVEL OF 7.56 FEET ON THE RUMSEY GAGE.

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LICENSEE SHALL MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY IN HIS DAM AS NEAR AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL, OR PROVIDE OTHER MEANS SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, IN ORDER THAT WATER ENTERING THE RESERVOIR OR COLLECTED IN THE RESERVOIR DURING AND AFTER THE CURRENT STORAGE SEASON MAY BE RELEASED INTO THE DOWNSTREAM CHANNEL TO THE EXTENT NECESSARY TO SATISFY THE DOWNSTREAM PRIOR RIGHTS AND/OR TO THE EXTENT THAT APPROPRIATION OF SAID WATER IS NOT AUTHORIZED UNDER THIS RIGHT.

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

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 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 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: FEB 1 1968

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward

Chief, Division of Water Rights

3-11-83 Asgd to Maxine R. Glimme, Elaine E. Wallin + Muriel A. Kenyon

7/31/90 Asgd to Lee Holly

JAN 16 '68 J.R.H