

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

ORDER

APPLICATION 20817 PERMIT 13809 LICENSE 9357

ORDER CORRECTING THE NAME OF SOURCE
AND AMENDING THE LICENSE

WHEREAS:

1. License 9357 was issued to Wiley P. Ramey, Mildred Y. Ramey, John F. Curtin, and Mabel L. Curtin, on April 29, 1970, pursuant to Application 20817; and was recorded on May 4, 1970, with the County Recorder of San Luis Obispo in Volume 1564, Page 62.
2. License 9357 was subsequently assigned to Wiley P. Ramey and Mildred Y. Ramey.
3. On December 23, 1993 licensee informed State Water Resources Control Board (State Water Board) staff that the Falls Creek source should be named Waterfalls Creek. The project map, dated May 1961, also has Waterfalls Creek rather than Falls Creek.
4. State Water Board staff finds that the sources related to License 10183 should be corrected as follows: (1) Twin Springs Creek and (2) Waterfalls Creek in San Luis Obispo County.
5. The State Water Board has determined that said correction will not initiate a new right nor operate to the injury any legal user of the water.
6. The continuing authority condition should be amended to conform to Title 23, of the California Code of Regulations, Section 780(a).

NOW, THEREFORE, IT IS ORDERED THAT:

1. The license condition regarding the source of water be amended to read:

(1) Twin Springs Creek and (2) Waterfalls Creek in San Luis Obispo County

(0000001)

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2. The license condition regarding the State Water Board's continuing authority be amended to read:

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 permit 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: **JANUARY 26 1994**

for 
Edward C. Anton, Chief
Division of Water Rights

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

License for Diversion and Use of Water

APPLICATION 20817

PERMIT 13809

LICENSE 9357

THIS IS TO CERTIFY, That

WILEY P. RAMEY, MILDRED Y. RAMEY, JOHN F. CURTIN AND
MABEL L. CURTIN
P. O. BOX 98, SAN SIMEON, CALIFORNIA 93452 *overly*

HAVE *made proof as of* SEPTEMBER 24, 1969 *(the date of inspection)*
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
(1) TWIN SPRINGS CREEK AND (2) FALLS CREEK IN SAN LUIS OBISPO COUNTY

tributary to PACIFIC OCEAN

for the purpose of DOMESTIC USE
under Permit 13809 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 JUNE 13, 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 EIGHT THOUSAND (8,000) GALLONS PER DAY, TO BE DIVERTED
FROM JANUARY 1 TO DECEMBER 31 OF EACH YEAR. THE MAXIMUM AMOUNT DIVERTED UNDER
THIS LICENSE SHALL NOT EXCEED 5 ACRE-FEET PER YEAR.

THE POINTS OF DIVERSION OF SUCH WATER ARE LOCATED:

- (1) NORTH 17° WEST 3,450 FEET FROM S1/4 CORNER OF SECTION 4, T25S, R6E, MDB&M,
BEING WITHIN SE1/4 OF NW1/4 OF SAID SECTION 4 AND
- (2) NORTH 24° 22' WEST 4,600 FEET FROM S1/4 CORNER OF SECTION 4, T25S, R6E, MDB&M,
BEING WITHIN NW1/4 OF NW1/4 OF SAID SECTION 4.

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

WITHIN SW1/4 OF SW1/4 AND SE1/4 OF SW1/4 OF SECTION 4, T25S, R9E, MDB&M; NW1/4 OF
NW1/4 AND NE1/4 OF NW1/4 OF SECTION 9, T25S, R9E, MDB&M.

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:

APR 29 1970

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward
Chief, Division of Water Rights

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3-11-88 asgd to Wiley P. Ramey & Mildred Y. Ramey

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