

APPROPRIATION OF WATER IS NOT AUTHORIZED UNLESS THE LICENSEE ENTERING THE RESERVOIR OR COLLECTING FROM THE RESERVOIR... THE CURRENT STORAGE CAPACITY SHALL BE RELEASED INTO THE DOWNSTREAM CHANNEL TO THE EXTENT NECESSARY TO SATISFY DOWNSTREAM PRIOR RIGHTS TO WATER... APPLICATION OF WATER IS NOT AUTHORIZED UNLESS THE LICENSEE...

LICENSEE SHALL MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY... AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL... TO SATISFY TO THE STATE WATER RESOURCES CONTROL BOARD... ENTERING THE RESERVOIR OR COLLECTING FROM THE RESERVOIR... STORAGE CAPACITY MAY BE RELEASED INTO THE DOWNSTREAM CHANNEL TO THE EXTENT NECESSARY TO SATISFY DOWNSTREAM PRIOR RIGHTS TO WATER...



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

License for Diversion and Use of Water

APPLICATION 22351 PERMIT 15136 LICENSE 9801

THIS IS TO CERTIFY, That

DONNER EUER VALLEY, A CORPORATION
P. O. BOX 344, WALNUT CREEK, CALIFORNIA 94596

HAS made proof as of OCTOBER 2, 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
AN UNNAMED STREAM IN NEVADA COUNTY

tributary to SOUTH FORK PROSSER CREEK THENCE PROSSER CREEK

for the purpose of RECREATIONAL USE
under Permit 15136 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 DECEMBER 13, 1965 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 (1) FIFTEEN-HUNDREDTHS (0.15) CUBIC FOOT PER SECOND BY
DIRECT DIVERSION, TO BE DIVERTED FROM JUNE 16 TO DECEMBER 31 OF EACH YEAR; AND
(2) THIRTY-FOUR AND SEVEN-TENTHS (34.7) ACRE-FEET PER ANNUM BY STORAGE, TO BE
COLLECTED FROM JANUARY 1 TO JUNE 15 OF EACH YEAR. THE TOTAL AMOUNT OF WATER
TO BE TAKEN FROM THE SOURCE (DIRECT DIVERSION PLUS COLLECTION TO STORAGE) SHALL
NOT EXCEED 59.7 ACRE-FEET PER WATER YEAR OF OCTOBER 1 TO SEPTEMBER 30. THE
TOTAL AMOUNT OF WATER TO BE PLACED TO BENEFICIAL USE (DIRECT DIVERSION PLUS
WITHDRAWAL FROM STORAGE) SHALL NOT EXCEED 25 ACRE-FEET PER CALENDAR YEAR OF
JANUARY 1 TO DECEMBER 31.

AFTER THE INITIAL FILLING OF THE STORAGE RESERVOIR, LICENSEE'S RIGHT UNDER
THIS LICENSE EXTENDS ONLY TO WATER NECESSARY TO KEEP THE RESERVOIR FULL BY
REPLACING WATER LOST BY EVAPORATION AND SEEPAGE, AND TO REFILL IF EMPTIED FOR NECESSARY
MAINTENANCE OR REPAIR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

NORTH 18° 48' EAST 462.65 FEET FROM S1/4 CORNER OF SECTION 34, T18N, R15E,
MDB&M, BEING WITHIN SW1/4 OF SE1/4 OF SAID SECTION 34.

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

WITHIN SW1/4 OF SE1/4 AND SE1/4 OF SW1/4 OF SECTION 34, T18N, R15E, MDB&M; LOT
2 OF SECTION 3, T17N, R15E, MDB&M; AND NE1/4 OF NW1/4 OF SECTION 3, T17N, R15E, MDB&M.

UPON A JUDICIAL DETERMINATION THAT THE PLACE OF USE UNDER THIS LICENSE OR A
PORTION THEREOF IS ENTITLED TO THE USE OF WATER BY RIPARIAN RIGHT, THE RIGHTS SO
DETERMINED AND THE RIGHT ACQUIRED UNDER THIS LICENSE SHALL NOT RESULT IN COMBINED
RIGHT TO THE USE OF WATER IN EXCESS OF THAT WHICH COULD BE CLAIMED UNDER THE
LARGEST OF THE RIGHTS.

WATER ENTERING THE RESERVOIR OR COLLECTED IN THE RESERVOIR DURING AND AFTER THE CURRENT STORAGE SEASON SHALL BE RELEASED INTO THE DOWNSTREAM CHANNEL TO THE EXTENT NECESSARY TO SATISFY DOWNSTREAM PRIOR RIGHTS AND/OR TO THE EXTENT THAT APPROPRIATION OF WATER IS NOT AUTHORIZED UNDER THIS LICENSE.

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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 DOWNSTREAM PRIOR RIGHTS.

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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: MAY 26 1971

4-4-00 asgd. to Phillip M

STATE WATER RESOURCES CONTROL BOARD

K.L. Woodward

Chief, Division of Water Rights

4-4-00 asgd. to Phillip Morris & Judy Morris

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