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

License for Diversion and Use of Water

APPLICATION 22452 PERMIT 15675 LICENSE 10435

over

THIS IS TO CERTIFY, *That* R. C. NAUMAN
BLUE RIVER ROUTE, KREMMLING, COLORADO 80459

HAS *made proof as of* OCTOBER 5, 1973 *(the date of inspection) to the satisfaction of the State Water Resources Control Board of a right to the use of the water of* PEACOCK CREEK IN SHASTA COUNTY

tributary to PIT RIVER

for the purpose of STOCKWATERING AND RECREATIONAL USES *under Permit* 15675 *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* APRIL 25, 1966 *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* THIRTY-SIX (36) ACRE-FEET PER ANNUM, TO BE COLLECTED FROM NOVEMBER 15 OF EACH YEAR TO APRIL 1 OF THE SUCCEEDING YEAR. THE TOTAL QUANTITY OF WATER DIVERTED UNDER THIS LICENSE, TOGETHER WITH THAT DIVERTED UNDER LICENSE 6858 (APPLICATION 17256) SHALL NOT EXCEED 49.5 ACRE-FEET PER ANNUM.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

SOUTH 50 FEET AND EAST 820 FEET FROM NW CORNER OF SW1/4 OF SW1/4 OF SECTION 22, T37N, R5E, MDB&M, BEING WITHIN SW1/4 OF SW1/4 OF SAID SECTION 22.

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

AT SUN MEADOW LAKE WITHIN PORTIONS OF S1/2 OF SW1/4 OF SECTION 22 AND NW1/4 OF SECTION 27, T37N, R5E, MDB&M, AS SHOWN ON MAP FILED WITH STATE WATER RESOURCES CONTROL BOARD.

THIS LICENSE DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE OUTSIDE OF THE SPECIFIED SEASON TO OFFSET EVAPORATION AND SEEPAGE LOSSES OR FOR ANY OTHER PURPOSE.

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

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. IN ACCORDANCE WITH THE STIPULATION ENTERED INTO BETWEEN LICENSEE AND KENNETH MCARTHUR, AT ALL TIMES LICENSEE IS AUTHORIZED TO STORE WATER BY THIS LICENSE, LICENSEE SHALL RELEASE WATER FROM THE RESERVOIR AT A RATE EQUAL TO ONE-HALF THE NATURAL FLOW OF PEACOCK CREEK AS MEASURED AT A POINT NEAR THE SPRING WHERE IT ORIGINATES.

THE STATE WATER RESOURCES CONTROL BOARD RESERVES JURISDICTION OVER THIS LICENSE FOR THE PURPOSE OF CONFORMING THE SEASON OF DIVERSION TO LATER FINDINGS OF THE BOARD ON PRIOR APPLICATIONS INVOLVING WATER IN THE SACRAMENTO RIVER BASIN AND DELTA. ACTION BY THE BOARD WILL BE TAKEN ONLY AFTER NOTICE TO INTERESTED PARTIES AND OPPORTUNITY FOR HEARING.

LICENSEE SHALL MAINTAIN SUITABLE MEASURING DEVICES (A) UPSTREAM FROM THE HIGH WATER ELEVATION OF THE RESERVOIR CLOSE TO THE SPRING WHERE PEACOCK CREEK ORIGINATES AND (B) IMMEDIATELY BELOW THE STORAGE DAM IN ORDER THAT ACCURATE MEASUREMENT CAN BE MADE OF THE QUANTITY OF WATER FLOWING INTO AND OUT OF SAID RESERVOIR.

Licensee shall allow representatives of the Board, KENNETH MCARTHUR AND HIS SUCCESSORS, *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.

[illegible]

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 24 1975

STATE WATER RESOURCES CONTROL BOARD

R. L. Rousberger

Chief, Division of Water Rights

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L10435

4-17-79 asgd to Richard a. Stockett

6-2-93 asgd to Grant D. + Cheryl L. Ewen

9/28/93 Not of asgd: Lic#10435 App#22452
Russell A. & Deborah B. Margiata

8/29/97 assigned to Willow Springs Land + Cattle Company, Inc.

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