STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

APPLICATION 18830 PERMIT 12485 LICENSE 10596

(over)

ORDER TO CHANGE PURPOSE OF USE

WHEREAS:

1. License 10596 was issued to United Continental Development Corp. and filed with the County Recorder of El Dorado County on March 16, 1976.

2. License 10596 was subsequently assigned to Showcase Ranches Owners Association.

3. A petition to change the purpose of use has been filed with State Water Resources Control Board and said Board has determined that good cause for such change exists.

4. The change is needed to delete irrigation storage as a purpose of use at the reservoir (AKA Aukum View Reservoir) located within the SW¼ of SE¼ of Section 1, T8N, R11E, MDB&M and to delete the 35 acres place of use for irrigation.

5. The Board has determined that said change will not initiate a new right nor operate to the injury of any other lawful user of water and that good and sufficient cause has been shown for said correction.

6. The license condition pertaining to the continuing authority of the Board does not conform to the current common law public trust doctrine contained in Title 23, California Code of Regulations, Section 780(a).

NOW, THEREFORE, IT IS ORDERED THAT:

1. The purpose of use under this license be amended to read:

   Recreation and Stockwatering (0000003)

2. The description of lands where such water may be put to beneficial use is:

   At the reservoir (AKA Aukum View Reservoir) located within the S½ of SE¼ of Section 1, and within N½ of the NE¼ of Section 12, T8N, R11E, MDB&M. (0000004

3. The existing continuing authority condition in License 8481 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 license 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: MARCH 1 2 1990

Roger A. Reynolds

for Walter G. Pettit, Chief
Division of Water Rights

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

License for Diversion and Use of Water

APPLICATION 18830 PERMIT 12485 LICENSE 10596

over

THIS IS TO CERTIFY, *That* UNITED CONTINENTAL DEVELOPMENT CORP.
2121 SOUTH BUNDY DRIVE, LOS ANGELES, CALIFORNIA 90

HAS *made proof as of* NOVEMBER 10, 1975 *(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 EL DORADO COUNTY

tributary to FLAT CREEK THENCE SPANISH CREEK THENCE MIDDLE FORK COSUMNES RIVER

for the purpose of IRRIGATION, STOCKWATERING AND RECREATIONAL USES *under Permit* 12485 *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 25, 1959 *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* ONE HUNDRED TWENTY-EIGHT (128) ACRE-FEET PER ANNUM, TO BE COLLECTED FROM NOVEMBER 15 OF EACH YEAR TO MAY 15 OF THE SUCCEEDING YEAR. THE MAXIMUM WITHDRAWAL IN ANY ONE YEAR SHALL NOT EXCEED 53 ACRE-FEET.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

NORTH 15 FEET AND WEST 2,150 FEET FROM SE CORNER OF SECTION 1, T8N, R11E, MDB&M, BEING WITHIN SW1/4 OF SE1/4 OF SAID SECTION 1.

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

STOCKWATERING WITHIN SW1/4 OF SE1/4 OF SECTION 1 AND NE1/4 OF NE1/4 OF SECTION 12, T8N, R11E, MDB&M, AND IRRIGATION AS FOLLOWS

10 ACRES WITHIN NW1/4 OF NW1/4 OF SECTION 12, T8N, R11E, MDB&M
10 ACRES WITHIN NE1/4 OF NW1/4 OF SECTION 12, T8N, R11E, MDB&M
15 ACRES WITHIN NW1/4 OF NE1/4 OF SECTION 12, T8N, R11E, MDB&M

35 ACRES TOTAL

4-7-82 Assgd to Showcase Ranches Owners. Assn
4-22-96 Assigned to Showcase Ranches Community Service District.

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.

[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