



WATER-RIGHT DOCKET

Point Reyes National Seashore

Docket No: 2

CREEK. ARROYO HONDA "ONE MINERS INCH"

Land History

10-26-1926: official records: vol. 107 page 331

OFFICIAL RECORDS
VOL 107 PAGE 331

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0008

ALFRED O. L. ESTATE COMPANY

TO

HENRY V.

THIS INSTRUMENT, made and entered into this 26th day of October, 1926, by and between O.L. Shafter Estate Company, a corporation incorporated, organized and existing under the laws of the State of California, the party of the first part and Henry V. Genazzi, of the County of Marin, State of California, the party of the second part, witnesseth; That the party of the first part for and in consideration of the sum of ten dollars (\$10) lawful money of the United States paid by the party of the second part to the party of the first part, the receipt of which is hereby acknowledged by the party of the first part, hereby grants unto the party of the second part, the following rights and easements in the County of Marin, State of California. 1. The right to divert by means of a diverting dam, from a point of diversion herein after described, situated in the canyon commonly known as the Arroyo Honda Canyon on and in lands of the party of the first part commonly known as the "South End Ranch," and constituting a part of the Rancho Punta de Los Reyes Sobrante, in the County of Marin, State of California, and to convey, by means of not more than two (2) lines of pipe over, through along and in a strip of the said lands, also hereinafter described, for the use of Bolinas Public Utility District, a public corporation created, organized and existing under the laws of the State of California, one (1) cubic foot per second, constant flow, when available, and except as herein after otherwise provided, of the waters of the stream or creek commonly known as the Arroyo Honda, flowing in a general southeasterly and a westerly direction from its sources to the Pacific Ocean, through and in the said Arroyo Honda Canyon. 2. A right of way for the said pipe lines, for the said use, over, through along and in the said strip of land, of a uniform width of five (5) feet, and lying equally on either side of a center line particularly described as follows

COMMENCING at a point in the southeasterly boundary line of the said south end Ranch, distant thereon north 46°45' east 115.0 feet, more or less, from the point of intersection of the said southeasterly boundary line with the center line of the County Road running from the said southeasterly boundary line to the Town of Bolinas, in the said County of Marin, and running thence the following courses and distances; north 15°22' west 301.50 feet north 5°31' east 114.64 feet, north 9°07' west 622.0 feet, north 57°23' west 75.75 feet, north 24°19' west 361.70 feet, north 45°24' west 274.24 feet, north 33°37' west 451.61 feet, north 10°36' west 128.57 feet north 29°59' west 79.00 feet, north 46°34' west 69.80 feet, north 39°26' west 152.45 feet, north 35°56' west 86.05 feet, and north 62°55' west 79.90 feet to a point near the left or easterly bank of the Arroyo Honda; and thence up the said Arroyo Honda crossing and recrossing the same, the following courses and distances; north 27°43' west 226.45 feet, north 17°59' west 327.70 feet, north 22°46' west 155.90 feet, north 21°35' west 113.60 feet north 26°44' west 144.95 feet north 15°14' west 224.80 feet, north 7°38' west 105.65 feet north 13°45' west 170.75 feet, north 30°0' west 105.55 feet, north 32°40' west 158.80 feet north 8°48' East 96.0 feet north 5°18' East 176.80 feet north 5°30' east 241.75 feet, north 21°25' west 123.97 feet, north 71°45' west 165.18 feet, north 35°43' west 127.30 feet, north 57°51' west 148.80 feet, north 7°41' west 168.05 feet, north 62°53' west 107.65 feet, north 12°35' west 136.70 feet, north 53°32' west 148.30 feet north 42°25' west 238.98 feet, north 34°47' west 278.37 feet, north 36°05' west 67.35 feet, north 45°15' west 71.0 feet and north 30°15' west 62.0 feet to the said point of diversion. 3. The right to construct, reconstruct, maintain and operate the said diversion dam at the said point of diversion, and the right to construct, reconstruct maintain and operate the said pipe lines over, through along and in the

said strip of land, of sufficient capacity to divert and convey the said waters hereby granted, for the use of the said Bolinas Public Utility District, and of sufficient additional capacity to divert and convey for the party of the first part, its successors and assigns, as hereinafter provided one (1) miner's inch of the waters of the said Arroyo Honda, measured under not less than a six inch pressure. 4. The right to ingress to and egress from the said strip, of land and the said diversion dam, over the adjoining lands of the party of the first part, its successors and assigns, as hereinafter provided for the purpose of constructing, reconstructing, maintaining and operating the said diversion dam and pipe lines, for the said use. Excepting and reserving unto the party of the first part, and unto its successors and assigns, forever, the following; 1. One (1) miner's inch of the waters of the said Arroyo Honda, with the right of the party of the first part, its successors and assigns, at its or their election which may be exercised from time to time, either to have the same diverted and delivered by the party of the second part, through the said pipe lines to the party of the first part, its successors and assigns, in the manner hereinafter provided, or to divert the same in any other manner prior to any right of the party of the second part to convey any of the waters of the said Arroyo Honda hereby granted from the said lands of the party of the first part; and 2. All the waters of the said Arroyo Honda in excess of the said one (1) cubic foot per second thereof, or in excess of the requirements at any time, of the party of the second part for the use of the said Bolinas Public Utility District, should such requirements be less than one (1) cubic foot per second of the said waters hereby granted, and in excess also, of the said one (1) miner's inch of the said waters. To have and to hold the said rights and easements, unto the party of the second part, his heirs, executors, administrators and assigns forever. Subject, however, to the following conditions which shall bind the party of the second part, his heirs, executors, administrators and assigns forever; 1. All waters of the said Arroyo Honda in excess of the said one (1) cubic foot per second, or in excess of the requirements at any time, of the party of the second part for the use of the said Bolinas Public Utility District, should such requirements be less than one (1) cubic foot per second of the said waters hereby granted, and in excess, also of the said one (1) miner's inch of the said waters if the said one (1) miner's inch of the said waters shall not be diverted through the said pipe lines of the party of the second part, or at some point above the said diversion dam, shall be permitted at all times by the party of the second part to flow freely past, over, through or under the said diversion dam and to waste into the bed of the said Arroyo Honda below, 2. The party of the second part, prior to the diversion by the party of the second part from the said lands of the party of the first part of any of the waters of the said Arroyo Honda hereby granted, shall construct of reinforced concrete, and in a first class manner, at the place to be designated by the party of the first part below the bridge of the party of the first part across the said Arroyo Honda, and on the right of westerly bank thereof, a watering trough for livestock, twelve (12) feet in length, two (2) feet in depth two (2) feet in width at the top, and eighteen (18) inches at the bottom, (inside measurements) and shall also construct, in a first-class manner and, so far as practicable so to do, beneath the surface a pipe line leading directly from the said pipe lines of the party of the second part to the said trough and properly connected (and with stop cocks, which, at all times shall be under the control of the party of the first part, its successors and assigns, for turning on and off the water therein), at the one end thereof with the said pipe lines of the party of the second part and at the other end thereof with the said trough, and of sufficient capacity to deliver constantly through and from the said pipe lines of the party of the second part into the said trough the said one (1) miner's inch of the said waters, and at all times after the said construction of the said trough and of the said pipe line of the party of the

first part leading thereto the party of the second part shall keep and maintain the same in good order, condition, repair and restoration. 3. The said right of the party of the second part of ingress to and egress from the said diversion dam and strip of land shall be through the gate of the party of the first part, at the said County Road, or through a similar entrance which may be hereafter constructed from or near the said County Road to the said lands of the party of the first part, and thence in the most direct and practicable way to and from the said strip of land and the said diversion dam using so far as possible, an old road along and near the said strip of land, and brushing out and regrading for that purpose the said old road. 4. The party of the second part shall keep all gates and bars in fences of the party of the first part its successors and assigns, which may be used by the party of the second part in such ingress and egress, closed, and if desired by the party of the first part, its successors and assigns, locked when not in such use; and whenever in constructing, reconstructing, maintaining and operating the said pipe lines of the party of the second part, it shall be necessary for the party of the second part to injure or destroy fences or other structures of the party of the first part, its successors and assigns, the party of the second part shall forthwith restore such fences or other structures to their former condition as near as may be. 5. The said pipe lines of the party of the second part shall be constructed reconstructed and maintained by the party of the second part, either beneath or on trestles above the surface of the said strip, in such manner, in either case, as shall cause the least interference possible with the use by the party of the first part, its successors and assigns, for purposes of agriculture and grazing of the said strip and the adjoining lands of the party of the first part, its successors and assigns. 6. The party of the second part shall not fence the said right of way, or any portion thereof, nor any other of the said lands of the party of the first part, its successors and assigns, nor exclude the livestock of the party of the first part its successors and assigns, therefrom, nor shall the party of the first part, its successors and assigns, be required to fence any of the said lands of the party of the first part, its successors and assigns, nor to exclude livestock therefrom, provided however, that the party of the second part shall have the right to construct, reconstruct, and maintain fences around the said trestles and around the said diversion dams to the extent only, however, which shall be necessary to protect the same from injury thereto by livestock. 7. In the event of the abandonment by the party of the second part of the said rights hereby granted, or any thereof, the same shall revert to the party of the first part or to its successors or assigns who may then be the owners of the said lands of the party of the first part, riparian to the said Arroyo Honda. The non user by the party of the second part, for any length of time, of the rights hereby granted, or any thereof, or any portion thereof, including the said waters shall not constitute such abandonment or any forfeiture thereof. IN WITNESS WHEREOF, The party of the first part has caused its corporate name to be hereunto subscribed and its corporate seal to be hereunto affixed by its officers thereunto duly authorized the day and year first above written.

(CORPORATE SEAL) O. L. SHAFTER ESTATE COMPANY

By Chauncey S. Goodrich, vice president.

By Anne Howard, secretary.

State of California,
City and County of San Francisco.) ss

On this 26th day of October, 1926, before me, Minnie V. Collins, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared Chauncey S. Goodrich and Anne Howard, known to me to be the Vice President and the Secretary, respectively of the within named O. L. Shafter Estate Company, a corporation, and also known to

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me to be the persons who executed the within instrument on behalf of the said corporation and acknowledged to me that such corporation executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first hereinabove written.

SEAL
Minnie V. Collins, Notary Public
in and for the City and County of San Francisco, State of California.
filed for record

and recorded at the request of H. V. Genazzi Nov 16, 1926 at 5 min past 9 o'clock.

J. W. FALLON, RECORDER.

By C. C. Andrews Deputy



Other Supporting Information

SAN FRANCISCO PLANNING AND SERVICE CENTER
Office of Land and Water Rights
450 Golden Gate Avenue, Box 38063
San Francisco, California 94103
July 28, 1966

L54 LWSSC

WR#2 - PORE

Memorandum


Morris

To: Assistant Director Specialized Services
Attention, Chief, Branch of Water Resources

From: Supervisory Hydraulic Engineer, LWSSC

Subject: Water Right Docket #2, Point Reyes

Please insert the enclosed copy of memorandum from the Superintendent, Point Reyes, in the subject water docket. It is in answer to the second paragraph of my memorandum to him, dated July 12, 1966.

By copy of this memorandum we are asking the Superintendent, Point Reyes, to file his copy in Docket #2, also.

Manuel Morris

Enclosure

cc:
Superintendent, Point Reyes

MMoore



IN REPLY REFER TO:

L54 LWSSC

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

POINT REYES NATIONAL SEASHORE
Point Reyes, California 94956

July 18, 1966



RECEIVED	
San Francisco Planning and Service Center Office of Land and Water Rights NATIONAL PARK SERVICE	
JUL 20 1966	
ACT. INFO.	INITIALS DATE
☒ CHIEF	☒
☒ ASST. CHIEF	☒
☒ SUPV. APPR.	☒
☒ SUPV. Hyd. Eng.	☒

Memorandum

To: Chief, Land and Water Rights, SSC

From: Superintendent, Point Reyes

Subject: Delivery of water by Bolinas Public Utility District

We appreciate receiving the water rights dockets transmitted by Mr. Morris' memorandum of July 12. The matter of the Bolinas Public Utility District providing the National Park Service with water at no charge, pursuant to an agreement of 1926, was discussed sometime ago with Mr. Sherman Smith of the BPUD. It is our present understanding, based upon verbal advice from Mr. Smith, that we will be supplied with water at the Palomarin School Site by the BPUD pursuant to the aforementioned agreement.

Leslie P. Arnberger
Leslie P. Arnberger

SAN FRANCISCO PLANNING AND SERVICE CENTER
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
San Francisco, California 94102
July 12, 1966

LS4INSSC

Memorandum

Morris

To: Superintendent, Point Reyes
From: Supervisory Hydraulic Engineer, L&W, SSC
Subject: Water Rights Docket 1 and 2, and Alien Water Right No. 2,
Point Reyes

We have made several additions to WR#1 and AWR#2 and have added a new docket, WR#2, which is enclosed. The latter concerns the right of the United States to one miner's inch as specified in the indenture from Shafter to Genazzi dated October 26, 1926. WR#2 consists of the aforementioned indenture and a memo dated July 3, 1966 to you from this office.

Attention is directed to the fourth paragraph on page 2, of the memo where the suggestion is made that the Bolinas PUD be asked to furnish water at no charge in accordance with the indenture. Please advise what success you may have had. WR#2 is closely related to AWR#2 and reference to the latter may be required for a fuller understanding of their interrelationships.

The additions to WR Docket 1, copies enclosed are following:

1. Extension of application dated May 27, 1966 for application 20014, permit 12834
2. Report of Inspection on May 25, 1966 by Haumersen and Skochan (5 pages)
3. Deed for Parcel A from Church of the Golden Rule to U.S. dated October 1, 1963 (3 pages)
4. Deed for Parcel B from Church of the Golden Rule to U.S. dated August 10, 1964 (6 pages)
5. Map - NS-PR-2085; Survey of Welch Land by Scherf dated July, 1962
6. Map - NS-PR-2085; Exhibit B-Purchase Contract, Palomarin Ranch
7. Map - NS-PR-2085; Exhibit A-Purchase Contract, Palomarin Ranch (two sheets)

The additions to AWR#2, copies enclosed are as follows:

1. Progress Report by Permittee for the year 1964 application 19571 permit 12764

2. Petition for Extension of Time application 19571
Permit 12764 May 12, 1965
3. Report of Inspection on May 7, 1965 by M. Lininger
(5 pages)
4. Order Approving A New Development Schedule dated
August 25, 1965
5. Extension Petition for application 4881, permit
2550 dated February 7, 1964
6. Order Granting Extension of Time until December 11,
1965 dated March 26, 1964
7. Progress Report by Permittee for the Year 1965 for
application 4881 dated December 27, 1965
8. Report of Inspection for application 4881 permit
2550 dated May 26, 1966 by Haumersen & Sheehan
(6 pages)
9. Report of Licensee for years 1961, 1962, and 1963
dated January 13, 1964
10. Report of Inspection on May 24, 1960 by S. Skeehan
11. Map accompanying amended application No. 4881 dated
February 1926

So that we may have identical dockets--WR#1, WR#2, AWR#1--we list the items in our docket from the bottom forward. This list should be placed as the top item in each docket. If you are missing any item please advise.

(Sgd) MANUEL MORRIS

Manuel Morris

Enclosures

cc: Chief Branch of Water Resources, WASO w/enclosures



IN REPLY REFER TO:

AS54(WR)
PORE/WTR DOCKET #2
PORE/WTR DOCKET #5

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WESTERN REGION
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIFORNIA 94102

April 13, 1972

97 4/17/72
1. [Signature] [unclear]
2. Burton

Mr. K. L. Woodward
Chief, State Water Resources Control Board
Division of Water Rights
Resources Building, Room 1140
1416 Ninth Street
Sacramento, California 95814

Re: Permit 13839(Application 20771) Alemea Creek in Marin County
Permit 13334(Application 20014) Arroyo Honda in Marin County

Dear Mr. Woodward:

We have received your letters of March 30, 1972 advising that the above-cited permits would be cancelled unless the National Park Service requests a hearing. As you point out, the permits are on the Alemea Creek and the Arroyo Honda, both of which are entirely within the Point Reyes National Seashore.

We do not by this letter request a hearing, but as a matter of comity advise that it is our intention to continue to cooperate with the Board where possible in furnishing information as to use of water within National Park Service areas of California.

Sincerely yours,

(Sgd) Howard H. Chapman

Howard H. Chapman
Director, Western Region

cc:

PN-WASO

Supt., Point Reyes NS

Field Solicitor's Office, Mr. Mihan

Docket Information

Number of Documents in Docket 9

Documents Dated from 10/26/1926 to 4/12/1972

Docket Compiled: 6/9/2011