



WATER-RIGHT DOCKET

Point Reyes National Seashore

Docket No: 28

OLEMA CREEK

Preliminary Docket Information

00-00-0000: McFadden Property: Note to the File

FORE

McFADDEN PROPERTY

This property was purchased by THE McFADDEN'S in 1971 from Rico BORDESSA. BORDESSA HAD FILED & RECEIVED A LICENSE FROM THE SWRCB FOR A 7.7 ACR. RESERVOIR IN 1966. THE PRIORITY DATE FOR A 20070, P13116, L 7938 IS 1961. THIS LICENSE WAS NEVER TRANSFERRED TO McFADDEN OR THE PARK. This is listed SWRCB as USNPS

IN 1980 McFADDEN applied for A 26421, FOR A 2 AFT RESERVOIR. THIS PROJECT WAS AN SCS SOIL EROSION PROJECT. THE LICENSE FOR A 26421, P18449, WAS ISSUED IN 1987. THE PARK PURCHASED THE RANCH 1989. Also listed USNPS

MR. McFADDEN SAYS THAT HE FAITHFULLY FILED THE REPORT OF LICENSEE FORMS UNTIL 1987 OR 1989 WHEN THE PARK BOUGHT IT. THESE LICENSES SHOULD BE TRANSFERRED & THIS PROCESS IS UNDER WAY.



IN REPLY REFER TO:

Sept. 2, 1993
United States Department of the Interior

NATIONAL PARK SERVICE
Point Reyes National Seashore
Point Reyes, California 94956



L54

August 19, 1993

Mr. James McFadden
P.O. Box 61
Olema, CA 94950

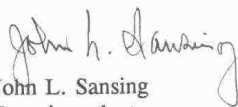
Dear Rancher:

The State of California's Water Commission has informed us that we must inventory our water use within the park. The Water Commission was created by the Water Commission Act and was given the task of licensing the water use in the state. This licensing process is important to protect your water supply from intrusions. Point Reyes National Seashore is required to comply with regulations concerning water use. To comply with the Water Commissions request we are asking that you fill out a brief *Water Inventory Questionnaire*. The prompt completion of this questionnaire will help us comply with the state requirements and ensure the security of your water.

The questionnaire is composed of fill-in-the-blank questions. Please follow the instructions and fill out the questionnaire as accurately as possible. Once the questionnaire is completed please return it promptly in the self-addressed and stamped envelope provided. If you have any questions please feel free to contact us. All questions should be directed to Bryan Leese at 663-8525.

Again, we hope that you will complete and return this form as quickly as possible. Your quick response will insure, for the park as well as for you, a secure and continuous supply of water for the future.

Thank You,


John L. Sansing
Superintendent

Enclosures

Water Inventory Questionnaire

The goal of this plan is to locate and record the source and use of water in the Point Reyes National seashore. All the data collected from this questionnaire will be used to aid the park in the filing of mandatory State Water Licensing forms. Please answer all the questions, and give the most accurate information possible. Please feel free to use the 'Remarks' spaces for any clarification of your responses, such as the area of a garden and lawn, or the separation of cows on more than tract of land and there main source of watering. Thank you.

Name: James McFadden

How many ranch animals do you have:

Type	yes	no	number
Dairy Cows			
Beef Cows	✓		35
Horses	✓		2
Sheep			
other			

* Remarks: _____

How many family members live on the ranch: 5

How many ranch hands do you have living on the ranch: 0

Do you have full plumbing in your living quarters as well as those of your hands:

yes no
☒ ☐

if no please explain what facilities you do have (toilet, sink, shower, etc.)

*remarks: _____

Do you know what the source(s) of your water is/are:

yes no
☒ ☐

If yes, please explain:

type	yes	no	number	use	months*
Well	☒	☐	2		12
Continuous Flowing Stream	☒	☐	2		12
Stock Pond	☒	☐	2		12
run-off Reservoir	☐	☐			
Stream Fed Reservoir	☐	☐			
Spring Development	☒	☐	3		9-10

*Months used out of the year.

* remarks: _____

If you have a reservoir, has it spilled or have you released a large amount from it;

yes no
☒ ☐

Do you have a garden/lawn that you water:

yes no
☒ ☐

If yes, how large is it: 20' x 40'

*remarks: _____

Do you have a pit pond (sediment pond) for the collection of animal waste for the use as fertilizer:

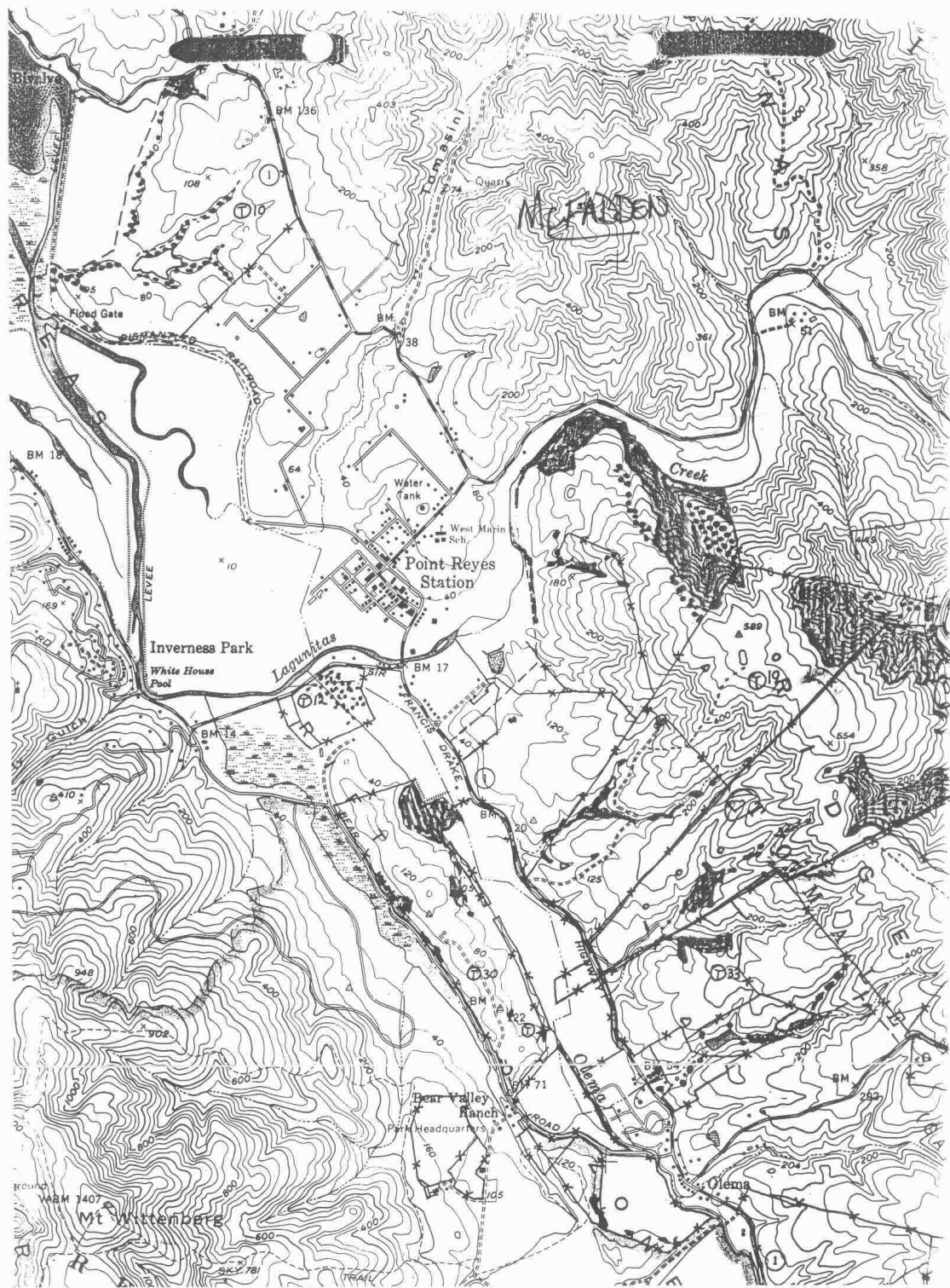
yes no
☐ ☒

**General Remarks: _____

Date: 8-31-93

Signature: _____

James McFadden





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

License for Diversion and Use of Water

APPLICATION 26421
Page 1 of 2

PERMIT 18449

LICENSE 12222

THIS IS TO CERTIFY, That James McFadden and Virginia R. McFadden
P.O. Box 61
Point Reyes Station, California 94956

have made proof as of July 9, 1987 (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 Marin County

tributary to Lagunitas Creek thence Tomales Bay

for the purpose of Stockwatering use

under Permit 18449 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 18, 1980 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 two (2) acre-feet per annum to be collected from
October 1 of each year to April 30 of the succeeding year.

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. (000000.

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. (000004.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

South 1,600 feet and East 400 feet from NW corner of projected Section 32, T3N,
R8W, MDB&M, being within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 32.

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

At reservoir within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 32, T3N, R8W, MDB&M, as
shown on map on file with State Water Resources Control Board.

APPLICATION
Page 2 of 2

26421

PERMIT

18445

LICENSE
12222

Licensee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this license.

The quantity of water diverted under this license is subject to modification by the Board if, after notice to the licensee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

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 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.

This 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, Sec. 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

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 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: JANUARY 29 1988

STATE WATER RESOURCES CONTROL BOARD

Walter G. Burt
Chief, Division of Water Rights

WR 16-6 (3-87)

87 44461

STATE OF CALIFORNIA
MINI-MEMO
STD 100-B (REV. 9-70)

TO: James I. Adden

SUBJECT: Permit 149
Application 26421

DATE 7/14/87

M As a result of my inspection of your water rights project, we can offer a license
E pursuant to the enclosed "Request for License." If, you concur, please sign date and
S return the form to this office.

Thank You

RETURN TO

SIGNED
Harry O'Leary

ADDRESS
P.O. Box 2000, Sacramento, 95810

PHONE
916-324-5692

R

E

P

L

Y

SIGNED

James I. Adden

ADDRESS

1200 Platform Rd

DATE

8-1-87

SEND PARTS 1 AND 3 INTACT — PART 3 WILL BE RETURNED WITH REPLY

85 93594

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
901 P Street, Sacramento, CA 95814
P. O. Box 2000, Sacramento, CA 95810

STATE WATER RESOURCES
CONTROL BOARD
DIVISION OF WATER RIGHTS
AUG -6 AM 11:56
DIV. OF WATER RIGHTS
SACRAMENTO

REQUEST FOR LICENSE

APPLICATION 26421

PERMIT 18449

SUBJECT TO APPROVAL BY THE STATE WATER RESOURCES CONTROL BOARD
James McFadden and Virginia R. McFadden
P.O. Box 61
Point Reyes Station, CA 94956

HAVING MADE PROOF AS OF July 9, 1987 (THE DATE OF INSPECTION)

HEREBY REQUEST LICENSE ACTION AS LISTED BELOW:

ACCORDING TO THE BEST KNOWLEDGE AND BELIEF OF THE UNDERSIGNED, A RIGHT HAS
BEEN ESTABLISHED TO USE OF THE WATERS OF
an Unnamed Stream in Marin County
Tributary to Lagunitas Creek thence Tomales Bay

FOR THE PURPOSE OF: Stockwatering use

UNDER PERMIT 18449 THE PRIORITY OF WHICH DATES FROM June 18, 1980

BY BENEFICIAL USE IN THE AMOUNT OF: two (2) acre-feet per annum to be collected
from October 1 of each year to April 30 of the succeeding year.

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. (000000)

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

South 1,600 feet and East 400 feet from NW corner of projected Section 32, T3N,
R8W, MDB&M, being within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 32.

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

At reservoir within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 32, T3N, R8W, MDB&M, as
shown on map on file with State Water Resources Control Board.

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. (000000)

CLAUSES REQUIRED Permit term 13

THIS REQUEST FOR LICENSE IS MADE SUBJECT TO BOARD APPROVAL OF ANY PETITION
NOTED ABOVE AND, IF ANY REDUCTION IN AMOUNT, SEASON, OR LAND DESCRIPTION
BECOMES NECESSARY WHEN THESE ROUGH CALCULATIONS ARE CHECKED, THE OWNER WILL BE
NOTIFIED AND ALLOWED 30 DAYS WITHIN WHICH TO PROTEST SUCH CHANGES.

PLEASE NOTE BEFORE SIGNING:

A LICENSE IS THE FINAL CONFIRMATION OF THE WATER RIGHT AND AMOUNT AND SEASON AS
LIMITED BY THE LICENSE CANNOT BE INCREASED. EXCEPT AS AUTHORIZED BY THE
LICENSE, ALL OTHER RIGHTS UNDER THE PERMIT ARE EXTINGUISHED.

SIGNATURE James J. McFadden
Permitter or his Representative

DATE 8-1-87

INSPECTED BY: _____

CHECKED BY: _____
SENIOR ENGINEER

WR 16A (3/83)

AAC

NEW APPLICATION

me James McFadden

Application Received by: Mail ☒ O.C. ☐ From Applicant ☒ Agent ☐ Other ☐

te Re'd: 6-17-80 Maps Submitted: Engr. ☐ App. ☒ Maps Due: Engr. ☐ App. ☐

e Rec'd: \$ 10.00 Accept: aac 6-18-80 Uncl: ☐ Return: ☐

e Total: \$ 10.00 Application Returned: ☐

e Due: \$ none Application Resubmitted: ☐

ream Code: 2-402-50-00-8 Map Code HH-37 Quad Name Inverness, Calif

Adjudicated Area? No Photorevised 1971

STATE OF CALIFORNIA

MINIMUM FILING FEE: \$10:00

FILE TWO COPIES

TYPE OR PRINT IN INK.

State Water Resources Control Board
DIVISION OF WATER RIGHTS
77 Cadillac Drive, Sacramento, CA 95825

JUN 18 9 25 AM '80

APPLICATION to APPROPRIATE UNAPPROPRIATED WATER

(For explanation of entries required, see booklet "How to File an Application to Appropriate Unappropriated Water in California")

Application No. 26421 Filed 6/18/80 at 9:25 A. M.

(Do NOT fill in the above blanks)

1. APPLICANT

I, James McFadden
(Name of Applicant)

415-663-1708.

(Telephone Number where you may be reached between 8 a.m. and 5 p.m.—include area code)

P.O. Box 161
(Address)

Pt. Reyes Sta.
(City or Town)

CA.
(State)

94956
(Zip Code)

do hereby make application for a permit to appropriate the following described UNAPPROPRIATED waters of the State of California,
SUBJECT TO VESTED RIGHTS

2. SOURCE

a. The name of the source at the point of diversion is Unnamed stream
(If unnamed, state nature of source and that it IS unnamed)

tributary to Lagunitas Creek & hence Tomales Bay

b. In a normal year does the stream dry up at any point downstream from your project? YES ☒ NO ☐. If Yes, in what months does it usually dry up? May through October

3. POINT of DIVERSION and REDIVERSION

a.	List all points giving coordinate distances from section corner or other tie as allowed by Board regulations	Point is within (40-acre Subdivision)	Section	Township	Range	Base and Meridian
	1500' S, 200' of NE Cor. South 1600 feet and east 400 feet from NW corner of Pcd. Sec. 32, T3N, R8N, M23W	SW 1/4 of NE 1/4	32	3N	8W	M2D

b. The point of diversion will be in the County of Marin

c. Does applicant own the land at the point of diversion? YES ☒ NO ☐.

d. If applicant does not own land at point of diversion, state name and address of owner and state what steps have been taken to obtain right of access: _____

4. PURPOSE of USE, AMOUNT and SEASON

a. State the purpose(s) for which water is to be appropriated, the amounts of water for each purpose and dates between which diversions will be made in the table below.

PURPOSE OF USE	DIVERION DIVERSION				STORAGE		
	AMOUNT		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	Cubic feet per second or gallons per day	Acre-feet annually	Beginning Date	Ending Date	Acre-feet annually	Beginning Date	Ending Date
Irrigation							
Domestic							
Stockwater					3	Oct	April
(TOTAL)					3 (TOTAL)		

b. Total combined direct diversion and storage during any one year will be 3 acre-feet.

c. If water will be stored and the reservoir is not at the diversion point, the maximum rate of diversion to offstream storage will be _____.

Diversion to offstream storage will be made by pumping ☐; gravity ☐.

(Submit "Environmental Information" SWRCB Form 1-2 if project is NOT exempt from CEQA. See Appendix D of the instructions, "How to File an Application to Appropriate Unappropriated Water in California".)

6.17.8
4.10.8

5. JUSTIFICATION OF AMOUNT

a. IRRIGATION: Maximum acreage to be irrigated in any one year will be _____ acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET (annually)	NORMAL SEASON	
				Beginning Date	Ending Date

b. DOMESTIC: The number of residences to be served _____. Separately owned: YES ☐ NO ☐

The total number of people to be served _____. Estimated daily use per person _____ (gallons per day)

The total area of domestic lawns and gardens _____ (square feet)

Miscellaneous domestic uses _____ (Dust control area, Number and kind of domestic animals, etc.)

c. STOCKWATERING: Kind of stock Beef. Maximum Number 250. Describe type of operation (feedlot, dairy, range, etc.)
Ranged. RECREATIONAL: Type of recreation _____
Private _____, Open to public without charge _____, Open to public admission charged _____.

(Submit "Supplement to Application", form SWRCB 1-1, for justification of amount for uses not listed above.)

6. DIVERSION WORKS

a. Diversion will be by pumping from _____ Pump discharge _____ Horsepower _____
(sump, offset well, channel, reservoir, etc.)b. Diversion will be by gravity by means of _____
(pipe in unobstructed channel, pipe through dam, siphon, gate, etc.)

c. Main conduit from diversion point to first lateral or offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Kind of Pipe or channel lining)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (feet)	TOTAL LIFT OR FALL		CAPACITY (estimated)
				(feet)	(+ or -)	

d. The following applies to storage reservoirs: (For reservoirs having a capacity of 25 acre-feet or more, complete supplemental form SWRCB 1-1).

Name or number of reservoir, if any	DAM				RESERVOIR		
	Height of dam from streambed to spillway level (ft.)	Material of construction	Dam Length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Max. water depth
	15	Earth	365	3	0.4	3	7

e. Estimated total cost of the diversion works proposed is \$10,000.00
(Give only cost of intake, or headworks, pumps, storage reservoirs, and main conduits.)

7. PLACE OF USE

a. Applicant owns the land where the water will be used: YES ☒ NO ☐. Land is in joint ownership: YES ☐ NO ☐.

All joint owners should include their names as applicants and sign the application. If applicant does not own land where the water will be used, give name and address of owner and state what arrangements have been made with the owner.

APC
6-17-80
4565

USE IS WITHIN (40-acre Subdivision)	SECTION	TOWNSHIP	RANGE	BASE AND MERIDIAN	IF IRRIGATION	
					State Number of Acres	Presently cultivated (Yes or No)
SEW 1/4 of NE 1/4	32	3N	9W	M.T.D.		
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						

If area is unsurveyed, state the location as if lines of the public land survey were projected. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map. For public districts or other extremely large areas, see Page 16 of instruction booklet "How to File an Application to Appropriate Unappropriated Water in California".

8. COMPLETION SCHEDULE

a. Proposed date of project commencement: June 1980. b. Estimated date of Project completion: July 1980.
c. Estimated date of complete application of water to proposed use: 1981. d. If complete, date of completion: _____.

(ATTACH SUPPLEMENTAL SHEETS HERE)

9. GENERAL

- a. What is the name of the post office most used by those living near the proposed point of diversion? Pr Reyes Sta
- b. Does any part of the place of use comprise a subdivision on file with the State Department of Real Estate? YES ☐ NO ☒. If Yes, state name of subdivision _____ If No, is subdivision of these lands contemplated? YES ☐ NO ☒.
Is it planned to individually meter each service connection? YES ☐ NO ☐. If Yes, when? _____
- c. Have you consulted the California Department of Fish and Game concerning this proposed project? YES ☐ NO ☒. If Yes, state the Department's opinion concerning the potential effects of your proposed project on fish and other wildlife and state measures required for mitigation _____
- If No, state the effects on fish and other wildlife you foresee as potentially arising from your proposed project. NONE
- d. Please name other public agencies, if any, from which you have obtained or are required to obtain approvals regarding this project:
Mexico Public Works Dept. ASCS
- e. Is reclaimed water available or do you expect such to be available in the near future which could be used in lieu of the water sought under this application? YES ☐ NO ☒ If Yes, explain: _____
- f. Is it practical to reduce the amount applied for by reusing or reclaiming a portion of the water appropriated? YES ☐ NO ☒
- g. What are the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion?
NONE

10. EXISTING WATER RIGHT

Check the appropriate box below:

- A. ☒ Applicant does not claim an existing right for the use of water sought by this application.
- B. ☐ Applicant claims an existing right for use of water sought by this application but agrees NOT to exercise said right so long as a permit or license for such use remains in effect.
- C. ☐ The water sought by this application is for additional water over that claimed under an existing right.

Complete Table below if B or C is checked:

Nature of Rights (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion

11. AUTHORIZED AGENT (Optional)With respect to: ☐ All matters concerning this water right application, ☐ those matters designated as follows: _____

Name _____ Address _____
 _____ Zip Code: _____ (Telephone No. of agent between 8 a.m. and 5 p.m.)

is authorized to act on my behalf as my agent.

12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated June 12 19 80, at Pr Reyes Sta, California

Ms. ☒ Mr. James M. Madden
 Miss, Mrs. _____ (Signature of applicant) (Refer to Section 671 of the Board's regulations)

If applicants are members of the same family
 (i.e., husband, wife, mother, father, son,
 brother, sister, etc.) or reside at the same
 address, please indicate their relationship:

Ms. ☒ Mr. Virginia A. Madden
 Miss, Mrs. _____ (Signature of applicant) (Refer to Section 671 of the Board's regulations)

Additional information needed for preparation of this application may be found in the leaflet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross reference all remarks to the numbered paragraph to which they may refer. Send application in duplicate to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, 77 Cadillac Drive, Sacramento, CA 95825, with \$10 minimum filing fee.

State Water Resources Control Board
DIVISION OF WATER RIGHTS

Application Map

(Please complete legibly, with as much detail as possible)

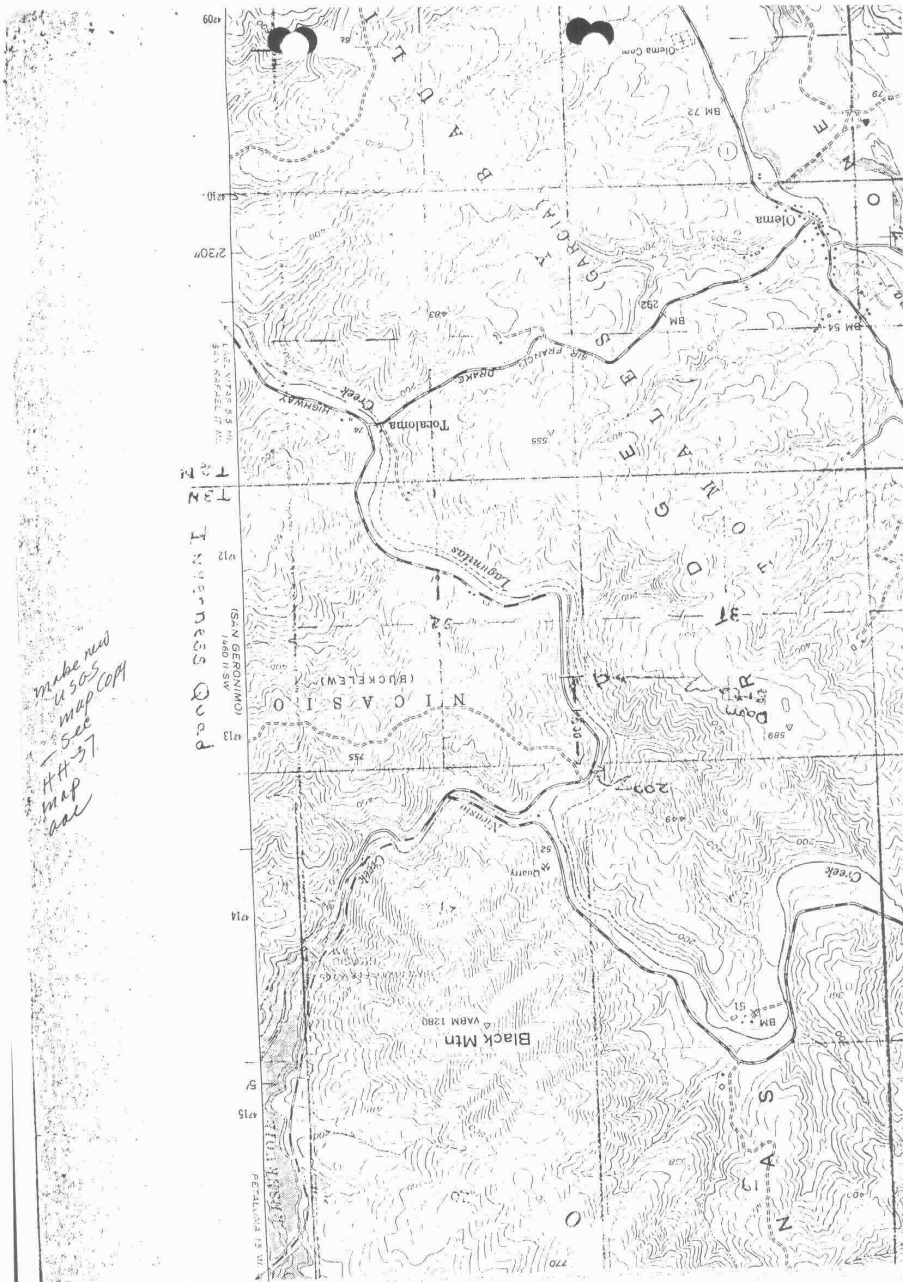
92

+	+	+	+	+	+
+	+	+	+	+	+
+	+	+	+	+	+
+	+	+	+	+	+
+	+	+	+	+	+
+	+	+	+	+	+
+	+	+	+	+	+
+	+	+	+	+	+

S

SECTION _____ SECTION(S) _____
TOWNSHIP _____; RANGE _____; _____ B&M

- (1) Show location of the spring or stream, and give name.
- (2) Show location of the main ditch or pipe line.
- (3) Indicate clearly the proposed place of use of the water.
- (4) Locate and describe the point of diversion (i.e., the point at which water is to be taken from the stream or spring) in the following way: Begin at the most convenient known corner of the public land survey, such as a section or quarter section corner (if on unsurveyed land more than two miles from a section corner, begin at a mark or some natural object or permanent monument that can be readily found and recognized) and measure directly north or south until opposite the point which it is desired to locate; then measure directly east or west to the desired point. Show these distances in figures on the map as shown in the instructions, Page 20. The map scale is 2 inches equals 1 mile. If a different scale is used, please indicate.



STATE OF CALIFORNIA

APPLICATION NO. 26421State Water Resources Control Board
DIVISION OF WATER RIGHTS

ENVIRONMENTAL INFORMATION

(Submit this form if project is NOT exempt from CEQA according to Appendix D
of the instructions on "How to File an Application to Appropriate Unappropriated Water in California")

COUNTY INFORMATION

1. What is (are) the County Tax Assessor's parcel number(s) for the project site? 166-010-24
2. What is the County zoning designation for the project site? AGRICULTURAL
3. Is the proposed project consistent with the current County zoning designation? ☒ YES ☐ NO
4. Which of the following best describes the type(s) of land use(s) generally occurring on other land adjacent to the project?
- ☒ agricultural ☐ residential ☐ industrial ☐ other (describe): _____

5. Does the project involve grading or other disturbance of the soil surface? ☒ YES ☐ NO If no, explain: _____

If yes, which of the following measures do you intend to use during construction and operation of the project in order to prevent erosion of soil into surface waters?

- ☒ construction only during dry season. ☐ immediate reseeded of disturbed areas. ☐ contour plowing in areas of use
- ☐ other (explain): _____

- ☐ none (explain): _____

6. Will the County require issuance of any of the following?

- a. grading permit: ☒ YES ☐ NO
- b. watercourse obstruction permit: ☐ YES ☐ NO
- c. change of zoning or variance: ☐ YES ☐ NO
- d. use permit: ☐ YES ☐ NO
- e. other permit/approval: ☐ YES ☐ NO If yes, explain: _____

If the answer to any of the above is yes, will the County prepare an environmental assessment of the project and become lead agency pursuant to the California Environmental Quality Act? ☐ YES ☒ NO

7. Sewage wastes shall be disposed of by which of the following means?

- ☐ County approved septic tank(s) under permit number(s): _____
- ☐ community sewer
- ☐ other (explain): _____

- ☐ no sewage will be generated by the project

FISH AND WILDLIFE INFORMATION

8. Which of the following best describes the general vegetative habitat in the project area?

- ☒ grassland ☐ oak woodland ☐ brush/chaparral ☐ pine forest ☐ hardwood forest ☐ marsh
- ☐ cultivated land (describe): _____
- ☐ other (describe): _____

9. Does the project involve removal or flooding (such as in a reservoir) of any grassland, brush, trees, or riparian (streamside) vegetation?

- ☒ YES ☐ NO If yes, explain and indicate number of acres involved: .4 ac

(ATTACH ADDITIONAL SHEETS, IF NEEDED)

(OVER)

10. Which of the following types of fisheries exist in the source? (Note: this information is available from the California Department of Fish and Game - see attached regional office listings.)

MIGRATORY

- ☐ salmon
☐ steelhead trout
☐ sturgeon
☐ striped bass
☐ shad
☐ none

NONMIGRATORY

- ☐ trout
☐ bluegill
☐ black bass
☐ catfish
☒ none

☐ other (explain): _____

Who is the source of information for the above?

Name: OWNER Telephone: () _____

11. Does a California Department of Fish and Game representative expect that the proposed project would substantially reduce the habitat of a fish or wildlife species or cause a fish or wildlife population to drop below self-sustaining levels? ☐ YES ☒ NO

Who did you contact regarding the above?

Name: NO ONE Telephone: () _____

WATER QUALITY INFORMATION

12. Will construction or operation of the project involve the discharge of any of the following materials into groundwater or surface waters?

- a. pesticides, herbicides, or fungicides ☐ YES ☒ NO
b. fertilizers ☐ YES ☒ NO
c. metallic wastes ☐ YES ☒ NO
d. industrial chemicals ☐ YES ☒ NO
e. decomposable organic materials ☐ YES ☒ NO
f. soil ☐ YES ☒ NO

13. If you answered yes to any of the above in question No. 12, will the appropriate Regional Water Quality Control Board (see attached regional office listings) require issuance of a permit to discharge wastes? ☐ YES ☒ NO Explain: _____

Who is the source of information for the above?

Name: _____ Telephone: () _____

14. Will the project divert all of the existing flow in the source at any time? ☒ YES ☐ NO If yes, during what months will this normally occur? Dec - April

ARCHAEOLOGICAL AND HISTORICAL INFORMATION

15. Are there any sites of known archaeological or historical value located within the general project area? ☐ YES ☒ NO
If yes, will construction or operation of the project disturb any artifacts or structures of archaeological or historical value? ☐ YES ☒ NO
Explain: _____

PHOTOGRAPHS

16. Enclose labeled colored photographs of each point of diversion and each place of use described in this application (Polaroid snapshots will be accepted.)

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated: June 12 19 80, at Pr. Reyes Station, California.

Ms. Mr. James McAdams

Miss Mrs. Virginia B. McAdams

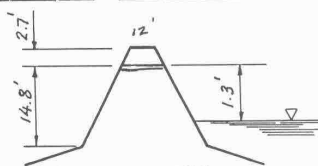
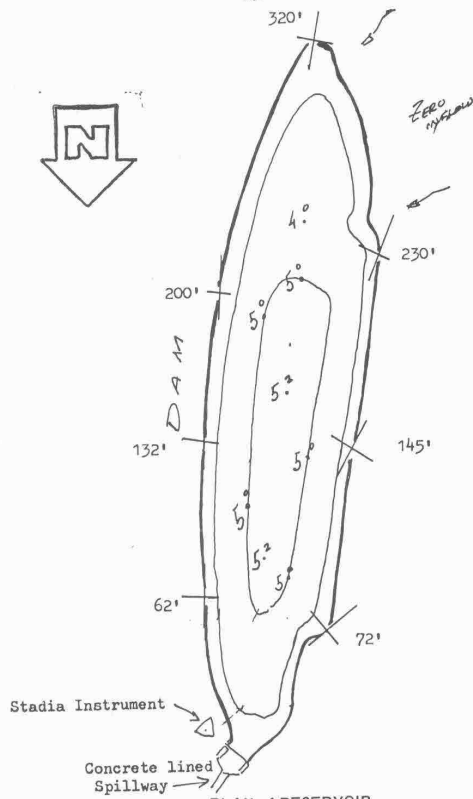
Ms. Mr. _____

Miss, Mrs. _____

(ATTACH ADDITIONAL SHEETS, IF NEEDED)

CAPACITY CALCULATIONS

Contour	Area Ac.	Avg.	Int. Ft.	Vol. AF
HWL +2.4	0.42	0.36	2.4	~~1.00~~ 0.86
WS 0.0	0.30	0.18	5.0	0.90
-5.0	0.07	0.04	0.20	~~0.08~~ 0.01
-5.2	0.00			

Volume = ~~1.98~~ 1.77Say 2 Ac-ft per HWL of SW
1.8 11/20/87DAM X-SECTION
No ScalePLAN of RESERVOIR
Scale 1" = 50'OWNER James McFadden and Virginia R. McFadden
H.W. O'Leary

SOURCE Unnamed Stream trib Lagunitas Creek

DIVERSION WITHIN SW 1/4 NW 1/4 OF

Proj/SECTION 32 T. 3N R. 8W MD B & M

COUNTY OF Sonoma

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

26421
APPLICATION 26241
PERMIT 18449
LICENSE

DATE: 7/10/87

DRAWN: [Signature]

88 35583

Place of Use (Permit)

none

Name of place of use, if commonly known as such _____ no changes

Describe briefly any changes from place of use as described in permit, license or order. _____

Is petition required? n/a If so, indicate when it will be submitted. n/a

Is place of use developed to a point where full use of water may be made? yes

If not, describe briefly what remains to be done. n/a

Does it appear that development has been pursued with due diligence? yes

Does permittee or licensee own or control all the land originally covered or as covered by change? n/a

Major Use of Water

Briefly describe method of applying water to major use. Water is stored in an onstream reservoir created by a 14 foot high earthfill dam. Stockwatering is at the reservoir.

Does method of use appear to be wasteful, judging from local standards? No

Explain answer. Collection of surplus seasonal runoff for use in the dry season

List units served during maximum season (if applicable) 160 head range cattle (80 Pairs)

Other Uses

Average number of persons served during maximum period _____ Number of housing units _____

Plumbing facilities available _____

Area of garden, lawn, etc., served _____ Area sprinkled to allay dust _____

Number of domestic livestock served _____

Other miscellaneous domestic use _____

Recreational use _____

Extent of Use of Water

Season of use and/or diversion to storage: October 1 to April 30

Average rate of use by direct diversion during maximum period _____

Approximate beginning and ending dates of maximum period _____ Year of maximum use _____

Complete the following only if storage is involved 2 ac-ft Year 1986

Maximum amount diverted to storage in one season _____

Does the purpose for which water was stored require withdrawal before use? no

If so, give maximum withdrawal in one season n/a Year _____

How much water was held over in dead storage? n/a

For what purpose? n/a

Permit Terms

Have all Permit terms been complied with? YES ☒ NO ☐ If not, explain _____

Other Rights

Riparian....

Harry W. O'Leary
Harry W. O'Leary
Associate WRC Engineer

SWRCB 19-2 (7/74)

After recording return to:

AREA: GOLDEN GATE NRA

National Park Service, Western Region
Division of Land Resources
450 Golden Gate Avenue, Box 36063
San Francisco, California 94102

TRACT NO.: 05-139

106-010-67, 24, 25
175100 TO & TC

GRANT DEED

JAMES J. MCFADDEN AND VIRGINIA ROSE MCFADDEN, HIS WIFE AS JOINT TENANTS, GRANTOR(S), In consideration of SEVEN HUNDRED SEVENTY-SEVEN THOUSAND SIX HUNDRED TWENTY AND NO/100 DOLLARS (\$777,620.00---), receipt of which is hereby acknowledged, do(es) hereby grant to the UNITED STATES OF AMERICA and its assigns, the following described property located in the County of MARIN, State of CALIFORNIA, containing 334.62 acres, more or less; to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH all buildings and improvements thereon and all water rights appurtenant thereto and all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

FOR THE NATIONAL PARK SERVICE

The grantor covenants and agrees to convey to the United States of America the fee simple title to the above-described land subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to the following outstanding rights in third parties:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

RESERVING, HOWEVER, unto Grantor(s), their Heirs, Administrators, Successors or Assigns, the right of use and occupancy for the purpose of pasturing beef and dairy cattle and horses, and for single family non-commercial residential purposes for a term of 25 years only, from the date of conveyance of said property to the United States subject to the conditions and restrictions in Exhibit "C" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same unto said UNITED STATES OF AMERICA and its assigns, forever

The Grantor(s) further remise(s), release(s) and forever quitclaim(s) to the UNITED STATES OF AMERICA and its assigns, all right, title, and interest which the Grantor may have in the banks, beds, and waters of any streams bordering or any appropriative water rights appurtenant to the said lands to be conveyed and also all interest in any alleys, roads, streets,

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RECORDED AT REQUEST OF
CAL LAND TITLE

1989 JAN -9 AM 8:00

OFFICIAL RECORDS
MARIN COUNTY CALIFORNIA
JAMES J. DAL DON

39⁰⁰

AREA. GOLDEN GATE NRA

- 39 01210

ways, strips, gores, or railroad rights-of-way abutting,
adjoining, or appurtenant to said land and in any means of
ingress or egress appurtenant thereto.

EXECUTED this 8 day of December, 1988

James J. MCFadden
JAMES J. MCFADDEN

Virginia Rose MCFadden
VIRGINIA ROSE MCFADDEN

County of MARIN)
) ss.
State of CALIFORNIA)

On this 8th day of December, 1988, before
me, Shirley Hart, A Notary Public in and
for said County and State, residing therein, duly commissioned
and sworn, personally appeared JAMES J. MCFADDEN and VIRGINIA ROSE
MC FADDEN known to me (or proved to me on the basis of
satisfactory evidence) to be the persons whose names are
subscribed to the within instruments, and acknowledged to me
that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my Official Seal the day and year in this certificate
first above written.



Shirley Hart
Notary Public in and for said
County of MARIN,
State of CALIFORNIA
My Commission expires 4-22-90

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EXHIBIT "A"

All that certain real property situate in the County of Marin, State of California, described as follows:

BEING part and parcel of the Rancho Tomales y Baulinas located in said County and State, and which was granted to Rafael Garcia, now deceased, by the Mexican Government, the portion of said Rancho which is hereby conveyed is located, bounded and described as follows:

BEGINNING at Station 69 of the United States Government survey of the said Rancho Tomales y Baulinas, said Station being shown by a post marked "T.B." 101 on the bank on the South side of the East end of a ditch dug to turn the waters of the Olema Creek from the main creek to the slough which passes the house of D. D. Wilder; thence running by the true meridian, the magnetic variation being 16° East, the following courses and distances, viz: - North $57 \frac{1}{4}^{\circ}$ East 66.80 chains crossing the Valley of the Olema Creek, the road leading to the landing on the Arroyo San Geronimo, and low grassy ridges to Station Post 3-4-5 in mound of earth on the westerly slope of a spur of the ridge; thence South $40 \frac{1}{2}^{\circ}$ East 3.50 chains to station stake 4-2-5 in mound of earth from which the old lime kiln on the South side of the upper end of Tomales Bay is North $74 \frac{1}{2}^{\circ}$ West and Miller's point on the northerly side of said Bay is North $46-3 \frac{1}{4}^{\circ}$ West, said stake and mound being at the westerly corner of that portion of the said Rancho which was conveyed to Felix Garcia by M. Loretta Garcia and others by deed dated the 29th day of May, 1868, and which is recorded in the County Recorder's office of Marin County in Book "J" of Deeds at page 5; thence North $63-3 \frac{1}{4}^{\circ}$ East 50.50 chains; ascends crosses and descends from the main ridge to an alder tree on the South bank of the Arroyo San Geronimo marked "T.B. 27", being station 27 of the official survey of said Rancho Tomales y Baulinas; thence descending said Arroyo along the Rancho line North $3 \frac{1}{4}^{\circ}$ West 18.50 chains to station; thence North $17 \frac{1}{4}^{\circ}$ West 22.50 chains to station post on the bank of the Arroyo marked 3-4 from which North 46 deg. West 90 links is a maple tree 18 inches in diameter marked B. T. 3-4 and South $35 \frac{1}{4}^{\circ}$ West 1.29 chains is a laurel tree marked B. T. 3-4; thence West 20 chains along chaparel side hill and timbered spurs to station post "G" 3-9-4-4 in a grove of oak and madrone trees on the North side of the ridge; thence South $42 \frac{3}{4}^{\circ}$ West 106.40 chains to station post in the road from Olema to the landing on the Arroyo San Geronimo, said stake being at the South corner of that portion of the said Rancho Tomales y Baulinas which was conveyed by Loretta Garcia and others to Philippe Garcia by deed dated the 29th day of May, 1868, and which is recorded in the County Recorder's office of Marin County in Book "H" of deeds at page 83, and also a corner of the tract apportioned to M. Loretta Garcia; thence along the boundary line of the last named tract South $63 \frac{1}{2}^{\circ}$ West 10 chains to the Olema Creek,

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EXHIBIT "A"

thence South 9° East 12 chains to the place of beginning; containing an area of 340.93 acres of land, excepting from the conveyance the piece of land containing about six acres mentioned in the deed from Jose de la Cruz Noriel to Burton J. Shippey as theretofore deeded to Maria de Lores Hertage by deed dated February 4th, 1875, and recorded in the Recorder's office of Marin County in Book "M" of Deeds, page 296.

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Exhibit B

1. Such rights and easements for navigation and fishery which may exist over that portion of sad land lying beneath the waters of Olema Creek or Arroyo San Geronimo.
2. The free and natural flow of the creeks across the herein described property as the same may now exist.

Affects: Southerly, Southwesterly and Southeasterly Portions
3. Rights of the public in and to that portion of the herein described land lying within State Route No. 1.
4. The effect, if any, of that unrecorded agreement dated July 13, 1988, between the Marin Municipal Water District and the National Park Service on the right to divert and appropriate water from the Paper Mill Creek as conveyed from Loretta Garcia to the Marin County Water Company, by deed dated and recorded April 15, 1972 in Book "K" of Deeds at Page 180, Marin County Records.
5. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Recorded: March 31, 1923
in Book 18 of Official Records at Page 253,
Marin County Records.
In Favor of: Radio Corporation of America
For: Poles and lines
Affects: Southwesterly or Easterly portions
6. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Recorded: August 25, 1926
in Book 102 of Official Records at Page
367, Marin County Records.
In Favor of: Pacific Gas and Electric Company
For: Public Utilities
Affects: Westerly Portion
7. An easement for the purpose shown below and rights incidental thereto as set forth in a document:
Recorded: April 11, 1961
in Book 1451 of Official Records at Page
370, Marin County Records.
In Favor of: Marin Municipal Water District
For: Pipe and Pipelines
Affects: Easterly Portion

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EXHIBIT B

Covenants, Conditions and Restrictions (deleting therefrom any restrictions based on race, color or creed) as set forth in the document referred to in the numbered item last above shown.

The conditions therein contain no express words of forfeiture or reversion of title if violated.

8. Water rights, claims or title to water whether or not shown by the Public Records.

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EXHIBIT C

Reserving to the Vendors, their heirs, executors, administrators and assigns, the right to use and occupy the 334.62 acres of the property described in Exhibit A together with the improvements situated thereon for the purpose of pasturing beef and dairy cattle and horses and for single family noncommercial residential purposes for a period of 25 years commencing upon conveyance of title to said property to the United States, subject to the following terms and conditions:

1. That the term "Director" as used herein means the Director of the National Park Service and includes the appropriate Regional Director or Superintendent as the representative of the Director. The term "Reservors" as used herein refers to the Reservors executing this offer, their heirs, executors, administrators and assigns.

2. That the Reservors have inspected and know the condition of the reserved property and it is understood that the same is hereby reserved without any representation or warranty by the Government whatsoever, and without obligation on the part of the Government to make any alterations, repairs, or additions thereto.

3. That all improvements used and occupied by the Reservors under this reservation shall at all times be protected and maintained in a safe, sanitary and sightly condition by and at the expense of the Reservors. Maintenance to be accomplished during the period of this reservation includes but is not necessarily limited to the following.

(a) Residence will be painted periodically to maintain a neat and pleasing appearance.

(b) Fencing will be maintained and replaced as necessary to ensure that the fence wire is adequately strung and unbroken and that the fence posts are in the proper upright positions to ensure that livestock are properly confined at all times. Special attention will be given to the fencing within view of Highway One, the yards and the land surrounding the residences and buildings and other fencing ordinarily within view of the public.

(c) That the Ranch service roads will be maintained in a safe condition by and at the expense of the Reservoir. No new roads or truck trails will be constructed or established by the Reservoir without written permission of the Director or his representative.

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(d) That existing livestock water reservoirs will be maintained in an adequate condition to prevent washouts and erosion. No new reservoirs will be constructed or established without written permission of the Director or his representative.

4. That the furnishing of all utilities services (water, sewer, telephone, electricity, sanitation and garbage disposal) are the responsibility of the Reservors. Reservors will ensure that all applicable federal, state and local pollution-control laws and regulations and U.S. Public Health Service standards are met and that all refuse, garbage, and trash are disposed of in a proper location outside the boundaries of the National Recreation Area. Diseased, injured, dying or dead animals shall be treated promptly, removed from the property or otherwise disposed of in a clean and sanitary manner.

5. That manure accumulating around outlying feed or watering stations will be periodically removed and stored, so that it will not contribute to stream pollution, until spread as fertilizer or disposed outside the Park boundary.

6. Improvements and lands under this reservation shall be used in connection with the pasturing of beef cattle, horses and dairy replacement heifers only. The operation of a dairy or other agricultural use is not authorized. The annual average stocking level for reserved lands is 35 Animal Units (AU) or 420 Animal Unit Months (AUM's). For the purpose of this reservation a cow with or without an unweaned calf at her side or a heifer, 2 years old or older, will be counted as 1.0 AU, young cattle, 1 - 2 years old, as .8 AU, weaned calves to 1 year, as .6 AU, bulls, 2 years or older, as 1.3 AU, and mature horses as 1.2 AU. This stocking level is based on 244 acres of pasture judged suitable for grazing. Except for animals in a defined corral or fenced impact area, the maximum number of head of cattle and horses in combination allowed at any one time is 70. See Exhibit "A"

7. The Reservoir shall not permit the land to be overgrazed. The determination of whether there is overgrazing shall be made by the Superintendent or his representative in accordance with the attached Grazing Standards and Monitoring Procedures (Attachment B) which were developed in cooperation with the Soil Conservation Service. His decision shall be final. If it is determined that overgrazing is or has occurred, the Superintendent reserves the right to regulate the number of livestock allowed on the land. A meeting between the Reservoir and the Superintendent or his designated representative will be scheduled in October of each year, as necessary, to discuss pasture conditions with respect to stocking level and to review adherence to other reservation conditions.

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8. That during the term of this reservation, the Reservoir shall use said property for grazing purposes only. The Reservoir shall not plant, cultivate, or harvest crops on said property or alter the surface or any lands or fields on said premises except within the residential area or except as authorized by the written permission of the Director or his representative. The Reservoir shall not commit or permit any unlawful acts, activities or nuisances upon said property.

9. That the Reservoirs will abide by the rules and regulations pertaining to the National Park Services as set forth in the Compendium and code of Federal Regulations, Title 36, Chapter 1, Parts 1 through 5 as amended. The Reservoir will also abide by the applicable state and county regulations.

10. That the Reservoirs shall not construct any permanent structure on the said premises and shall not construct any temporary structure or place any advertising or other sign thereon without the prior written consent of the Director of the National Park Service or his representative.

11. That the United States reserves all rights for water which may be developed or used in connection with this reservation. However, Reservoir shall be permitted to maintain all present water supplies used in the present operations and the repair and replacement thereof so that sufficient water is available for normal ranching operations.

12. That the Reservoir and their employees shall take all reasonable precautions to prevent forest, brush, grass and structural fires.

13. That any property of the United States damaged or destroyed by the Reservoir incident to their use and occupation of the premises shall be promptly repaired or replaced by the Reservoir to the satisfaction of the said Director or his representative, or in lieu of such repair or replacement the Reservoir shall, if so required by the said Director or his representative, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.

14. That the Reservoir shall pay to the proper authority, when as the same become due and payable, all taxes, assessments and similar charges which, at any time during the term of the reservation, may be taxed, assessed, or imposed upon the Reservoir's interest in the leased premises.

15. That the United States or its contractors or any of their officers, agents or employees shall not be responsible for any loss, expense, damages to property or injuries to persons which

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may arise from or be incident to the use and occupation of the said premises, or for damages to the property of the Reservoirs, or for injuries to the person of the Reservoir (if an individual), or for damages to the property or injuries to the person of the Reservoir's officers, agents, servants, or employees or others who may be on said premises at their invitation or the invitation of any one of them, arising from activities of the United States or its contractors, and the Reservoirs shall hold the United States and its contractors and any of their officers, agents or employees harmless from any and all such claims.

16. That Reservoir shall peacefully relinquish possession and control of the reserved premises upon the expiration of the term of the right of use and occupancy. They shall leave the reserved premises in a neat and clean condition. Any personal property left on the reserved premises upon the expiration of the term may be disposed of by the National Park Service.

17. That use by the Reservoir of the is subject to the right of the Superintendents to establish trails, roads and other improvements and betterments over, upon or through said premises, and further to the use by travelers and others of such roads and trails as well as of those already existing. With advance notice to the reservoir, the Superintendent or his/her representative shall have the right to enter and inspect the property to monitor adherence to reservation conditions and to accomplish resource management projects. If it is necessary to exercise such rights every effort will be made by the National Park Service to refrain from unduly interfering or preventing use of the land by the Reservoir for the purpose intended under this reservation. The Reservoir understands that occasional park visitors are authorized to walk or hike on the various pastures and fields included in the reserved area even though no trail is formally established.

18. That all notices to be given pursuant to this reservation shall be addressed, if to the Reservoir, to Mr. James J. McFadden, P.O. Box 61, Pt. Reyes Station, CA 94950, if to the United States, to the Superintendent, Point Reyes National Seashore, California 94956, or as may from time to time be directed by the parties. Notice shall be deemed to have been duly given if and when enclosed in a properly sealed envelope or wrapper, addressed as aforesaid and deposited postage prepaid (or, if mailed by the United States, deposited under its franking privilege) in a Post Office or branch Post Office regularly maintained by the United States Government.

19. That Reservoir's estate in the reserved premises may be conveyed or leased for not less than 90 days by the Reservoirs or their successors, or assigns, provided the instrument of

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conveyance or lease imposes upon the grantee or lessee all of the restrictions and requirements of these provisions. A copy of any such conveyance or lease shall be furnished to the United States, prior to the effective date of such conveyance or lease.

20. The reservors shall purchase and maintain a standard liability insurance policy of not less than \$100,000.00 for each incident. The reservor shall obtain such insurance from a responsible insurance company and provide the Superintendent with a copy of the certificate of insurance. The reservors are responsible for insuring their other interests in the reserved premises if they deem it necessary.

21. That Reservors fully understand that by reserving the rights of use and occupancy herein they waive replacement housing benefits under Sections 203, 204, 205 and 206 of Public Law 91-646.

22. That the area reserved for single family noncommercial residential purpose only is shown on the Attachment C.

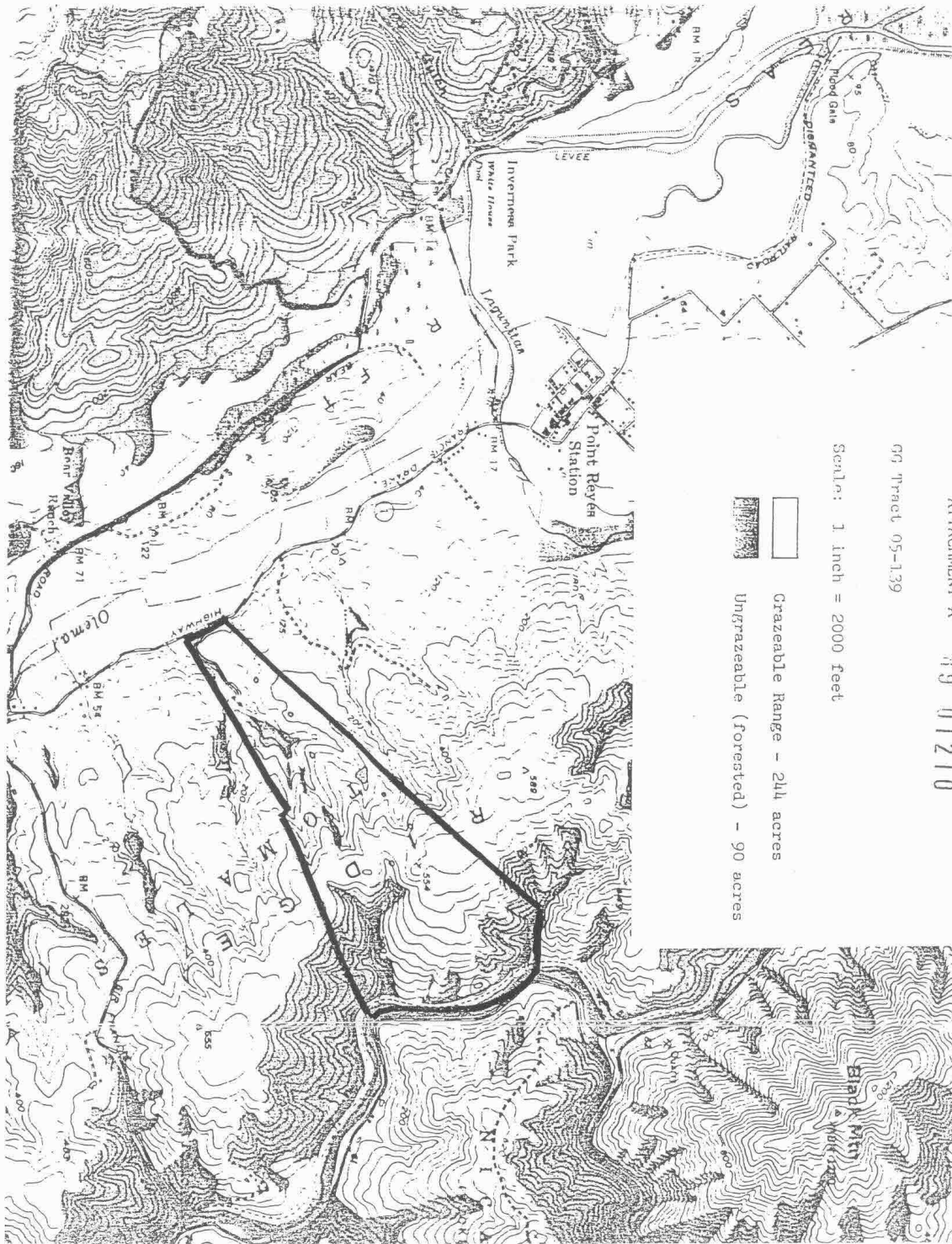
23. That the proposed use of pesticides or chemicals for agricultural use must be submitted in writing to the Director or his representative in advance of the time proposed for use so that permission for their use can be obtained, if necessary and if possible, from higher authority.

24. That at the election of the Superintendent, the Reservor may be subject to a penalty fee of \$25.00 per day for failure to comply with the terms and conditions of this reservation in lieu of termination because of a breach of condition. In the instance of correctable non-compliance, the Reservor will be given in writing a reasonable grace period from one to thirty days to allow corrective action as prescribed by the Superintendent before the penalty fee will be assessed. The penalty fee will be assessed each day beginning with the date included in the written notice until the corrective action is completed. Payment of the penalty charge under this provision shall not relieve the Reservor from taking the necessary corrective action. This reservation condition will not preclude citations for violations of reservation conditions covered by Title 36 of the Code of Federal Regulations when and if those violations occur.

25. The Director, or his representative, shall have the right to enter the property (with appropriate advance notice) to conduct natural, cultural and recreational inventories and studies and to perform necessary resource management activities as long as such activities do not materially interfere with Reservor's ability to conduct normal ranching activities.

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26. The Reservoir shall take reasonable precautions to prevent soil erosion on the lands covered by this reservation, and shall so utilize such lands as not to contribute to erosion on adjoining lands.



ATTACHMENT B

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GOGA
05-139
McFadden

VI. GRAZING STANDARDS

A. Definitions:

1. Proper Use

Proper use is a range management term defined as "the degree of livestock utilization of the current year's range forage growth which, if continued, will achieve management objectives and maintain or improve the long term productivity of the site" (RISC Report 1983).

2. Residual Dry Matter

Residual dry matter (RDM), sometimes called mulch residue, refers to the amount of forage plant material left on the range in the fall following spring and summer grazing. RDM consists of litter or dried plant material (either standing or on the ground) from the current season's growth. It does not include unpalatable forbs or weeds, woody plants, new green growth or dung. Research on California rangelands has shown the importance of RDM in protecting the soil from erosion, improving soil fertility, structure and infiltration rate, and in providing beneficial surface conditions for plant growth.

3. Key Areas

A key area is a relatively small portion of a pasture approximately 2 acres in size. It is selected to represent the overall pasture conditions. Factors used in the selection of key grazing areas include:

- a. Kind and class of grazing animal
- b. Range site(s), representative slope, conditions and trend
- c. Grazing system used or planned
- d. Season of use
- e. Pasture size
- f. Location of fences and natural barriers, water supplies, salt and mineral blocks and feeding areas.

Key grazing areas have the following characteristics:

- a. They consist of a single "range site" (a classification of land based on specific soil characteristics and potential natural plant community).
- b. They provide a significant amount of available forage in the pasture.
- c. They represent the average amount of use for the pasture.

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Key areas are not located where livestock congregate such as around water and feed supplement facilities and loafing areas, nor are they located in little-used portions of pasture.

When properly chosen, key areas will reflect the effects of current grazing management practices. Permittees will be invited to participate in selection of key areas. Once selected they will be identified on range maps and maps associated with Special Use Permits.

B. Monitoring Procedures:

Several procedures or techniques are needed to gather sufficient information to monitor both present range condition and range trend over the long term. The three indicators which will be used to evaluate range condition and trend on National Park Service lands are residual dry matter, species composition changes and forage productivity.

1. Residual Dry Matter Standards and Procedures

Proper use of the mixed perennial/annual ranges in the Point Reyes area is best evaluated by measuring the amount of residual dry matter (RDM) at the end of the summer grazing period just prior to the fall rain.

RDM is important in that it improves surface conditions for plant growth by providing more organic matter in the top soil and by sheltering seedlings from the desiccating effects of sun and wind. Thus it provides a favorable micro-environment for early seedling growth and extends the season in which forage is available. RDM is also important in that it provides soil protection against erosion. The RDM standard recommended by the Soil Conservation Service for Point Reyes and vicinity is 1200 pounds air dry weight per acre as an average for all grazed lands regardless of slope. Using 1200 pounds as an average will allow for areas of less than that amount, which will likely occur in very rocky or shallow soils and in areas where cattle tend to concentrate. In these areas 1000 pounds per acre is the minimum acceptable amount. Any pasture which has areas less than 1200 pounds per acre will need to have other areas with more than this amount in order to attain an overall RDM measurement of 1200 pounds per acre. High impact areas described in Section C are excluded from RDM requirements.

These standards will be used by the National Park Service. RDM will be measured by National Park Service personnel in key areas between September 1 and October 15, just prior to the fall rainy season. Point Reyes National Seashore will use the "Double Sampling Weight Estimation Method" for measuring RDM (Wilm et al 1944). This statistically based method has been extensively field tested and is a standard range management technique for RDM measurement. The double sampling method makes possible the monitoring of many range units during the few weeks of the year which are suitable for RDM measurement.

2. Plant Species Composition

Range condition refers to the "health" of vegetation and soil on a particular site in relation to its natural potential. It is evaluated

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3. Forage Productivity

Range condition and trend can also be evaluated by measuring forage productivity. Productivity can be defined as the weight, in pounds per acre, of palatable forage species. Productivity data supplements composition data by providing an index of plant vigor and an estimate of yield.

Productivity measurements are obtained by placing "cages" on the range in October at the beginning of the growing season. The cages prevent grazing by cattle and deer. Samples from within the cages are clipped and weighed in June at the end of the growing season. The clipping technique utilizes the 0.96 square foot ring and 0.5 inch clipping height similar to that used in RDM measurements. The resulting dry weight expressed in pounds per acre is an estimate of forage productivity for that year. Cages will be moved each year to ensure that current management practices are evaluated.

Forage productivity data will be used in two ways:

- a. By comparing forage productivity data between pastures with similar soil characteristics, an estimate of range conditions can be obtained.
- b. By comparing forage productivity data over many years (and adjusting for rainfall) a direction can be established indicating an improving or declining range trend.

C. High Impact Areas

The size and location of high impact areas allowed for each specific ranch unit shall be mutually agreed upon by the rancher and the NPS. Wherever possible, high impact areas will be restricted to level (less than 10% slope), well drained areas, 200 feet from perennial streams or other bodies of water. Areas near main roads and other high visitor use zones will also be avoided where possible.

It is recognized that a high degree of trampling and denudation of vegetation is unavoidable on these sites. Therefore the "proper use" standards described above will not apply.

Examples include corrals and feedlots where livestock are confined for management purposes and permanent feeding and watering facilities.

D. Management Practices

Recommendations will be developed and implemented for any pastures which fall below the minimum standard. For example, range conditions may reflect an unusually dry winter, and an average of range conditions over several years may be used to evaluate whether or not a reduction in animal units being grazed is necessary. Additionally, improvements in range condition may be made by changes in fencing or stock water facilities to obtain better distribution of animals. Other alternatives include changing the length of time or period of grazing, changing the type and class of livestock or transferring animals from pastures to impact areas and increasing the supplemental feed.

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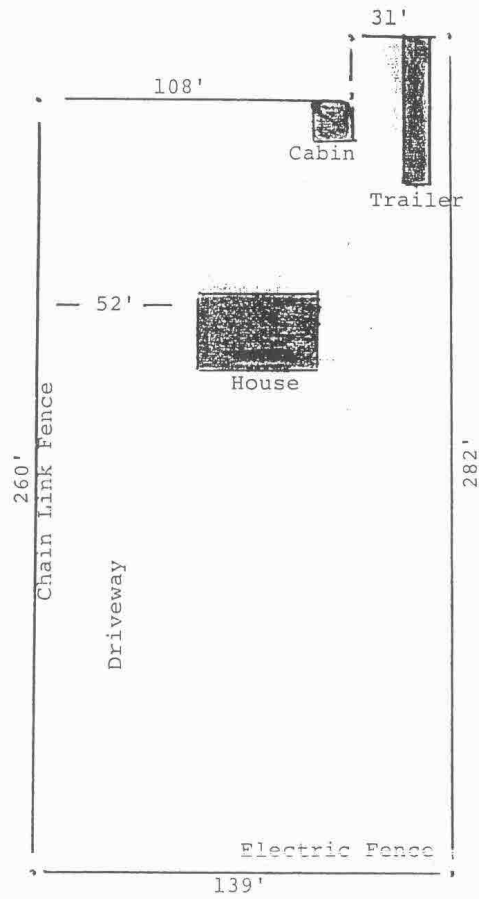
on the basis of the kinds, proportions and amounts of plants in a given area.

Line/point composition transects are one way of measuring the kinds and proportions of plants on a site. In this method surveying tapes are laid out in a key area and individual plant species are identified and tallied at 400 random points located in relation to the tape. The resulting data is summarized in terms of the proportion of plant species present. In range management terminology this is referred to as "composition." The total percentage of plant cover, bare ground and litter is also summarized.

Plant composition transects are sampled in spring after seed heads have developed and grasses are readily identifiable. Transects will initially be read each year to determine if the plant community is stable or changing. Changes in the proportion of desirable versus nondesirable forage species indicate whether the range condition is improving or declining in quality over a period of years. In range management terminology this is called monitoring range "trend".

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ATTACHMENT C1



ATTACHMENT C

Residential
Reservation
GOGA 05-139
McFadden

7-15-88

BUILDING COST ANALYSIS SHEET

Bldg. No.	Use	Bldg. Area S.F.	Cost/ S.F.	Cost New	Physical		
					Depre- ciation Rate	Depre- ciation	Depre- ciated Value
1.	SFR	2132	\$55	\$117,260			
	Porch	64	\$25	\$ 1,600			
	Deck	736	Lump Sum	\$ 3,380			
	AEK	-	Lump Sum	\$ 2,425			
	FPL	-	Lump Sum	\$ 1,500			
				\$126,165	10%	\$12,617	\$113,548
2.	Trailer	510	\$25	\$ 12,750	50%	\$ 6,375	\$ 6,375
3.	SFR	206	\$45	\$ 9,270	20%	\$ 1,854	\$ 7,416
4.	Barn	5407	\$20	\$108,140	30%	\$32,442	\$ 75,698
5.	Storage	194	\$15	\$ 2,910	50%	\$ 1,455	\$ 1,455
6.	Repair, Storage	1055	\$12.50	\$ 13,188	50%	\$ 6,594	\$ 6,594
7.	Barn	1228	\$15	\$ 18,420	40%	\$ 7,368	\$ 11,052
8.	Feed Barn	1586	\$20	\$ 31,720	20%	\$ 6,344	\$ 25,376
9.	Water Tanks	-	Lump Sum	\$ 5,000	30%	\$ 1,500	\$ 3,500
10.	Equip. Shed	20	\$10	\$ 200	20%	\$ 40	\$ 160
				\$315,013		\$70,214 (22%)	\$244,799
Sub-Totals (not incl. Bldg. #2)							
Land Improvements							
	Road and Bridge			\$ 45,240			
	Fencing			\$ 37,397			
	Miscellaneous			\$ 17,800			
	Reservoirs, Well, Piping			\$ 65,000			
	Sub-Total			\$169,437		\$ 37,276	\$132,161
Total Before							
	External Depreciation			\$484,450		\$107,490	\$376,960
	Less External Depreciation						\$131,960
	Improvement Value - Depreciated						\$225,000

ARTHUR GIMMY CO., INC.

DESCRIPTION OF IMPROVEMENTS

The subject property has a variety of residential and agricultural improvements that make up the entire ranch. These include ten structures, nine of which contribute some value.

PHYSICAL CHARACTERISTICS: In a following table, we have indicated the type of improvement, approximate age, size, stories, use, overall condition and approximate percent of depreciation of each structure described in the following paragraphs. We make reference to photographs of each improvement together with a brief line drawing of each. These visual items are found in the Addenda and provide a clear view of each of the ten structures.

Building No. 1 is a two-story, wood-frame, five room, three bedroom, two and one-half bath, detached residential structure containing a total area of 2,130 square feet. It has a concrete perimeter and pier foundation, wood frame construction with painted stucco exterior walls and painted drywall and sheetrock interior wall and ceiling finish. The roof is composition shingle. Electrical service consists of a 220-volt system and the kitchen and bath areas are modern.

Interior finish consists of a combination of wall-to-wall carpeting and linoleum with painted walls and painted and acoustical ceilings. The structure has metal casement windows which are partially screened and metal gutters and downspouts. Heat is by a gas fired system which is augmented by a fireplace on the ground floor. The kitchen consists of all electrical appliances.

Exterior improvements related to the building include a covered porch of 64 square feet and deck of 676 square feet. The porch is centrally located on the southwest (front) and southeast elevations of the structure between two nearly identically shaped portions of the open deck which is attached to the structure on two sides.

Building No. 2 is a one-story, wood-frame, mobile home structure which has been semi-permanently mounted on a wood and block foundation. Exterior finish consists of typical painted metal siding on the walls and roof and metal casement, partially screened windows. Interior finish consists of a combination of wall-to-wall carpeting, simulated wood paneling, and dropped acoustical ceiling. The interior consists of three rooms plus bath and connecting hallways. The rooms are a living room, bedroom, and kitchen. Interior finish consists of wall-to-wall carpeting in all but the bath which has a resilient type floor. The building is not part of the appraisal because it is owned as a personalty rather than as realty. It is occupied by the son and daughter-in-law of the owner. They pay no rent.

Kitchen fixtures are all electric and include a single, built-in, oven, an electric four burner range, and a hood and fan unit above. Bath finish consists of a shower over tub enclosure, lavatory, and water closet. Bathroom tile work is plastic.

The extra features contained in this structure include an imitation of fireplace in the living room and a metal awning attached to the northwest portion of the structure. This awning covers an area of approximately 133 square feet. The unit is identified as a Smoker which was made by Custom Homes of New Parish, Indiana.

The unit is approximately 15 years old and is in average condition.

Building No. 3 is a one-story, wood-frame, residential unit consisting of one room and a bath. It contains 200 square feet of living area and its features include a concrete perimeter foundation and a wood-frame wall and roof system. Exterior finish consists of painted stucco with a single pedestrian door and several metal casement, partially screened, windows. Interior finish consists of a combination of wall-to-wall carpeting and linoleum simulated wood panel walls, and dropped acoustical ceilings. The roof consists of targeted metal panels over wood-frame.

The building is highly utilitarian, is in very clean condition and its extra features include an exterior, open, wood porch with wood railing and a wall-mounted exterior light. The overall condition is average. The building is utilized as a sleeping and bath area for an older member of the McFadden family. It contains no kitchen facilities because its occupant takes meals with the family in the main residents. The building could be occupied by any type of small-family living group.

Building No. 4 consists of a one-story, two-part, barn containing a total area of 5,407 square feet with the primary barn area of 4,200 square feet and the smaller area of 1,207 square feet. This smaller area, attached to the southwest elevation of the larger portion, was originally the milking station for the ranch which had been operated as a dairy.

Construction features include a concrete perimeter and slab floor and foundation, a combination of wood-frame (larger portion) and concrete block and wood-frame (smaller portion). Exterior finish includes vertical corrugated metal siding covering the entire area of the larger portion and a combination of painted concrete block (up to four feet) and corrugated metal siding (from four feet) to the eaves (smaller section) walls and corrugated metal roof. The building is approximately 40 years old and is in average condition.

Building No. 5 is a one-story, wood-frame, storage structure. Its

characteristics include a concrete pad, vertical wood siding walls, and corrugated metal roof. It contains no windows and one metal pedestrian door.

Interior finish consists of the concrete pad and open wall and roof framing. We estimate that the building is 50 years old and it is in fair condition. The building contains a total area of 194 square feet.

Building No. 6 is a one-story, wood-frame structure utilized for vehicle storage and repair. It contains 1,055 square feet with a central 148 square foot segment being fully enclosed. The building characteristics consist of a concrete perimeter foundation and a wood-frame wall and roof structure. Exterior finish consists of vertical wood walls on three sides with the fourth, which is the southeast side, being open with the exception of a central eight roof wide room.

Interior finish consists of a combination of dirt and concrete floors, and exposed frame walls and ceilings. We estimate the building age to be 50 years and it is in fair condition.

Building No. 7 is a one-story, wood-frame, barn containing a total area of 1,205 square feet. Its characteristics include a concrete foundation and a wood wall and roof structure. Exterior finish includes vertical wood panels on all wall areas and corrugated metal barn roof areas.

Interior finish consists of a combination of wood and dirt floors, minor interior wood partitions, and primarily open wood framing for walls and ceilings. The building is divided into three interior segments and this division has taken place apparently over a long period time because one of the interior walls shows evidence of having been originally the exterior wall of a smaller structure.

We estimate that the building age is in excess of 60 years and it is in fair condition.

Building No. 8 is a one-story, wood and metal-frame feed barn which contains a total area of 1,586 square feet. Its northwest and northeast sides are open with the exception of framing and the other two sides consist of wood (southeast side) and metal (southwest side). This latter side is really two large, tracked, sliding metal doors. Building characteristics consist of a concrete pad, the framing which was described earlier, and a corrugate metal roof. Interior finish consists of the concrete pad and the open wall and ceiling framing.

We estimate that the building age is 15 years and it is in good condition.

Building No. 9 is really a combination of two, above-ground, concrete, water-storage tanks situated above and to the east of the main building compound. The upper tank has a 15,000 gallon storage capacity and the lower tank has an 8,000 gallon storage capacity. These structures are portion of the property's water system which has already been described.

Building No. 10 is a small (20 square feet), one-story, concrete block equipment enclosure situated in close proximity to Building No. 4. It contains a composition shingle roof. We estimate that its age is 10 years and it is in good condition.

Other Improvements

The other improvements found on the subject property include the roadway, which is of 2,212 feet in length, the last 100 feet of which are gravel and the first 2,112 feet of which (leading to Sir Francis Drake Boulevard) are paved and blacktopped. This is approximately 25,482 lineal feet) of sideline (boundary) and cross fencing which is a combination of wood and multi-strand barb wire on metal post, 625 lineal feet of three-foot cyclone fencing in which there are two 12-foot, three four-foot, and one eight-foot vehicular gates, 500 lineal feet of concrete and/or steel culvert, one manhole, two concrete catch basins, and one concrete bridge, as well as the other portions of the domestic water system which were described earlier.

Personalty

Personal property consists of household furniture typical for two-plus residential buildings units (see descriptions of Buildings 1 through 3) and various items of farm and ranch machinery typical for a dairy producing entity of the subject's age, condition, and status of operation.

As we described earlier, there are ten buildings; all but one of these contribute to value in some fashion. The trailer, Building No. 2, is considered to be personal property. We have inspected each of the structures, and inquired from the property owner as to either their approximate age or actual time of construction, and estimated, for use only in the Cost-Additive portion of this valuation, accrued depreciation of each unit. The Cost-Additive portion of this report presents a valuation schedule for these improvements in which they are set forth together with unit prices, unit totals, item-by-item depreciation rates and resultant depreciation amounts and final depreciated values. We have estimated depreciation levels varying from 15% to 60% for each of the ten buildings; after relating the total depreciation to total new cost, the analysis depreciation indicates a rate of 68.5% overall.

PLANNING CONSIDERATIONS AND HIGHEST AND BEST USE

Highest and best use is defined as that use, from among reasonably probable and legal alternative uses, found to be physically possible, appropriately supported, financially feasible, and which results in the highest land value. The highest and best use concept must also give recognition of that use to community environment and to community development goals, in addition to wealth maximization of individual property owners.

In considering the highest and best use for the subject property, we have conducted personal interviews with members of the Planning Department for Marin County, reviewed the easements affecting the subject property, analyzed the effects of water and topography, reviewed the zoning designation for the land, reviewed the Marin Countywide Plan and the Marin County Local Coastal Program (Unit II), and studied trends in the current market for agricultural and residential activities.

Zoning

The current zoning for the subject property is designated C-APZ-60. Generally, the 60 acre, agricultural emphasis and the restriction upon bonus or development right transfers establishes the maximum limits to which the subject property can be put. There is strict interpretation of the zoning which indicates that one allowable residential unit would be permitted for every 60 acres of land. For the 334.62 acres of land, therefore, the property could be developed with a maximum of five units.

Agricultural Consideration

The subject property, because of its topography, vegetation, and good water supply from existing facilities, is adequate for agricultural use. There are two basic agricultural markets for the property: grazing land for sheep or beef cattle and other uses, including horse breeding. As indicated from the slope breakdown and vegetation indicated, much of the ranch is suitable for grazing purposes.

Grazing carrying capacity is defined by the number of animals that can be fed on a given area of land without injuring the sod. Grazing carrying capacity is typically measured in animal unit months (AUM) which is defined as the amount of forage required to sustain a 1,000 pound animal for a month. For information regarding the appropriate carrying capacity for the subject ranch, we contacted members of the Soil Conservation Service in Petaluma and the Farm Bureau of the University of California Extension at the Civic Center in San Rafael. Grass, terrain, and climate conditions are not conducive to support enough animal units to make the ranch a self-sufficient beef-producing entity.

L14
Tract 05-139 GGNRA

July 30, 1987

Memorandum

To: Regional Director, Western Region
From: Superintendent, Point Reyes National Seashore
Subject: Tract 05-139 Golden Gate, Jim McFadden

Enclosed are copies of the Assessor's Map BK-166-Pg.01 and a title report for the subject tract. Mr. McFadden, in his discussions with us yesterday, stated that the Rancho Tomales Y Baulines line as shown on the Assessor's Map indicates that his property fronts the Platform Bridge Road in one place. If true, we suspect that there would be a substantial impact on the value of the property.

Unless you have other documents which show that his property fronts only Lagunitas Creek, you may want to consider having it surveyed or suggest that Mr. McFadden have it surveyed. We presume that the survey could begin with one of the BLM markers in place about $\frac{1}{2}$ mile north.

Enclosures

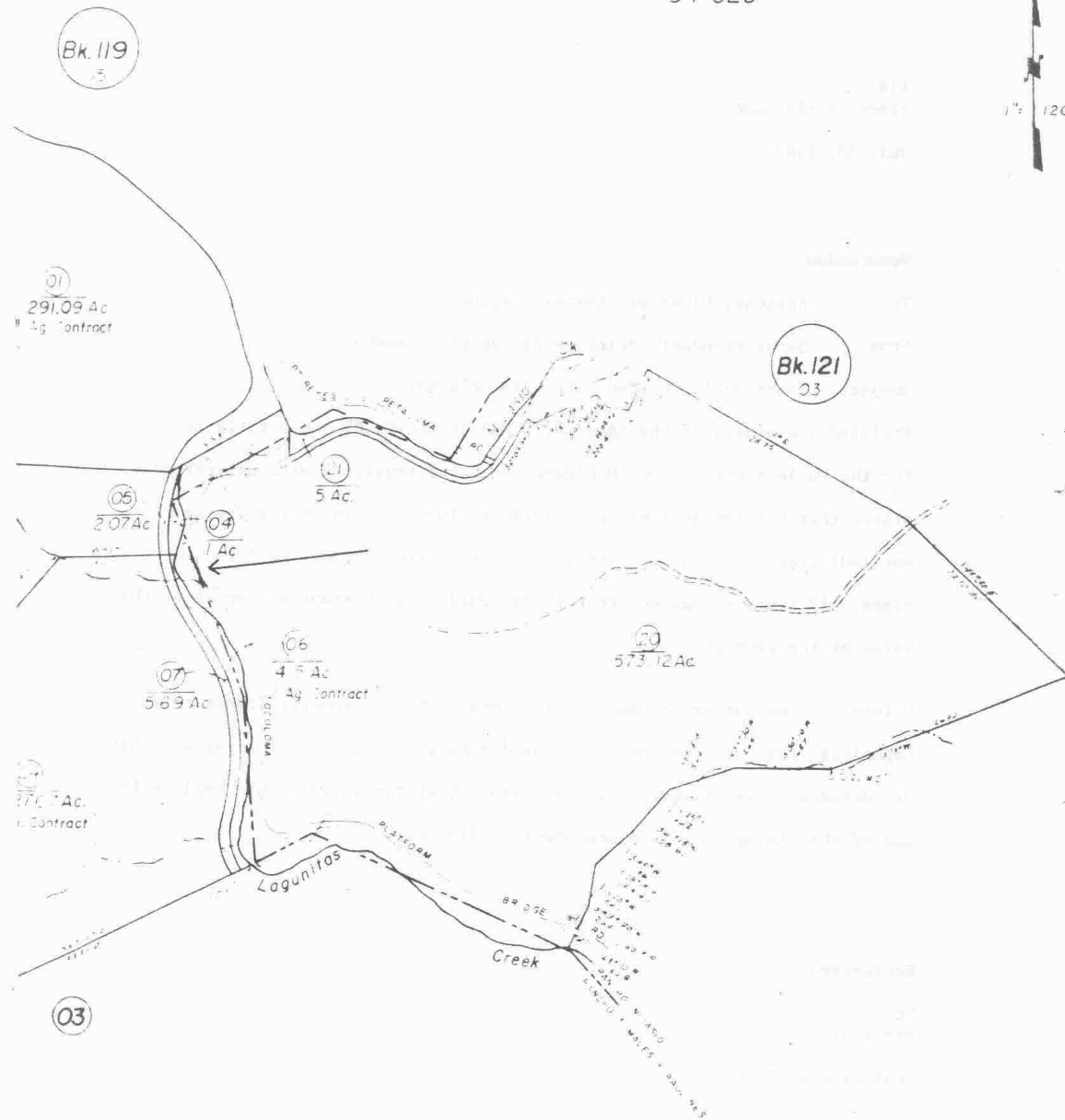
bc:
Brock w/c enc

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TOMALES Y BAULIN

Tax Area Code
94-009
94-013
94-020

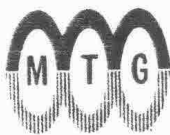
166-01



Assessor's Map Bk.166-Pg.01
County of Marin, Calif.

NOTE Assessor's Block Numbers Shown in Ellipses.





MARIN TITLE GUARANTY COMPANY

PRELIMINARY REPORT



SAN RAFAEL
1300 FOURTH STREET
P. O. BOX 669
456-4400



MILL VALLEY
319 MILLER AVENUE
P. O. BOX 351
388-9440

Redwood Empire
#P 32184pr

APPLICATION NUMBER 98254 EAH

In response to the above referenced application for a policy of title insurance, MARIN TITLE GUARANTY COMPANY hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a California Land Title Association Standard Coverage form Policy of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy form.

This report (and any supplements or amendments thereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed by the Company prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of December 15, 1971, at 7:00 A.M.

By

John M. Gentry
Vice-President

The estate or interest in the land hereinafter described or referred to covered by this Report is:

Fee

Title to said estate or interest at the date hereof is vested in:

RICO BORDESSA, by Gift Deed dated October 26, 1955

Exceptions to policy coverage in addition to the printed exceptions and exclusions contained in said policy form are as follows:

See Page 2

SUBJECT TO:

1. County of Marin taxes for the fiscal year 1971-72

1st Installment \$2.36 - delinquent plus penalty if unpaid
2nd Installment \$2.36
Assessment No. 166-010-06 Code No. 94-009

1st Installment \$50.28 - delinquent plus penalty if unpaid
2nd Installment \$50.28
Assessment No. 166-010-07 Code No. 94-009

1st Installment \$171.62 - delinquent plus penalty if unpaid
2nd Installment \$171.62
Assessment No. 166-010-24 Code No. 94-009

1st Installment \$473.45 - delinquent plus penalty if unpaid
2nd Installment \$473.45
Assessment No. 166-010-25 Code No. 94-013

1st Installment \$289.98 - delinquent plus penalty if unpaid
2nd Installment \$289.98
Assessment No. 166-220-07 Code No. 94-013

2. Existing easement for road purposes over and along Tocaloma Platform Bridge Road.

3. Right of way and incidents thereto as contained in the Deed from David Bordessa to Radio Corporation of America, recorded March 31, 1923 in Book 18 of Official Records at page 23. (Affects Parcel One) (The width and location does not appear of record)

4. Right of way and incidents thereto as contained in the Deed from David Bordessa and wife to Pacific Gas and Electric Company, a corporation recorded August 25, 1926 in Book 102 of Official Records at page 367. (Affects Parcel One)

5. Right of way (20 feet wide) and incidents thereto as contained in the Deed from Rico Bordessa, et al, to Marin Municipal Water District, a public corporation, recorded April 11, 1961 in Book 1451 of Official Records at page 370. (Affects Parcel One)

SPECIAL INFORMATION SHEET

Attached To Preliminary Report No. 98254 EAH Dated December 15, 1971

Unless shown in the body of this preliminary report there appear of record no transfers or agreements to transfer the land described herein recorded during the period of six months prior to the date of this report, except as follows:

None

All that certain real property situate in the County of Marin, State of California, described as follows:

PARCEL ONE

Being part and parcel of the Rancho Tomales y Baulinas located in said County and State and which was granted to Rafael Garcia, now deceased, by the Mexican Government, bounded and described as follows:

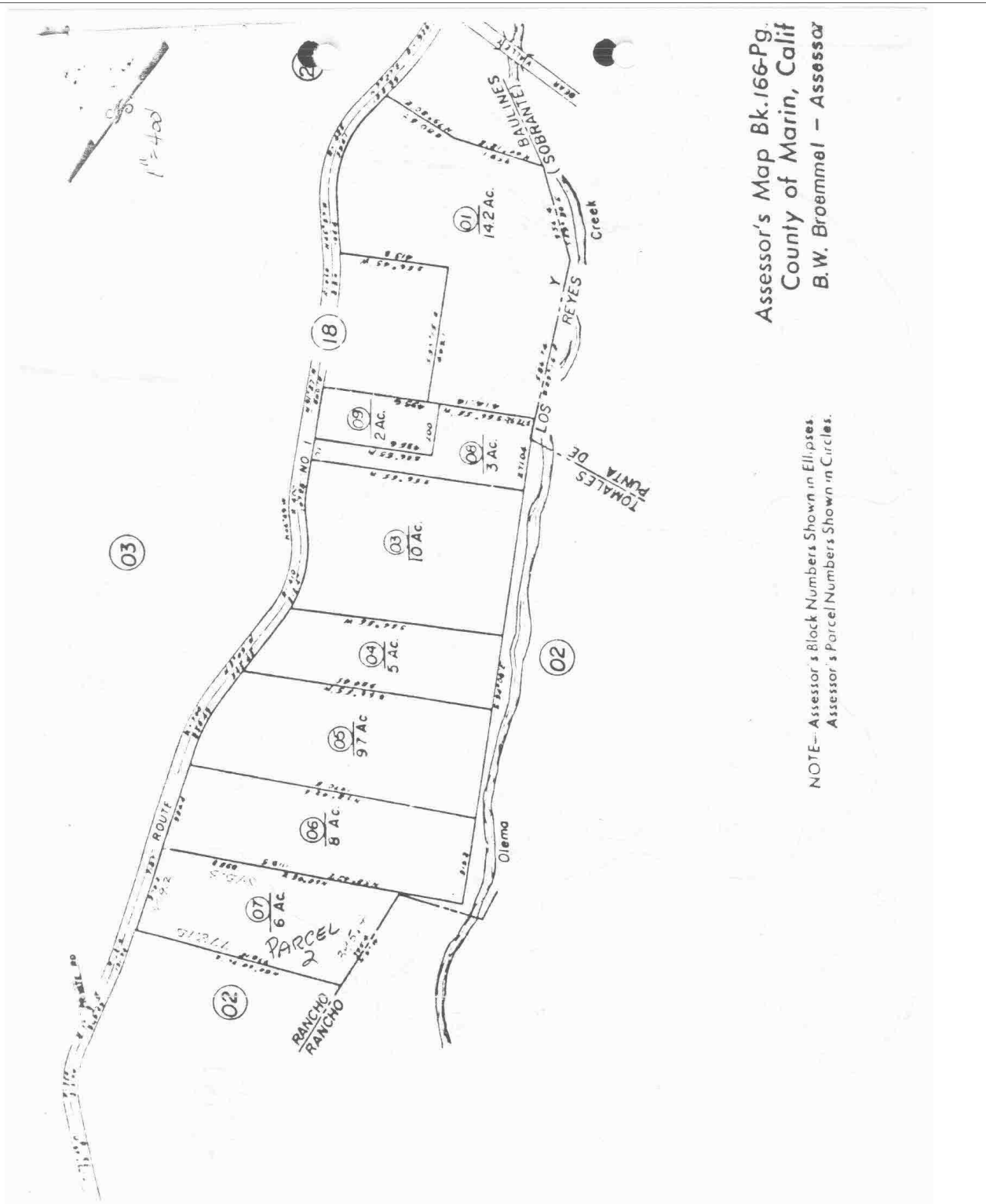
BEGINNING at Station 69 of the United States Government Survey of the said Rancho Tomales y Baulinas, said Station being shown by a post marked "T.B." 101 on the bank on the South side of the East end of a ditch dug to turn the waters of the Olema Creek from the main creek to the slough which passes the house of D.D. Wilder; thence running by the true meridian, the magnetic variation being 16° East, the following courses and distances, viz: North $57-1/4^{\circ}$ East 66.80 chains crossing the Valley of the Olema Creek, the road leading to the landing on the Arroyo San Geronimo, and low grassy ridges to Station Post 3-4-5 in mound of earth on the Westerly slope of a spur of the ridge; thence South $40-1/2^{\circ}$ East 3.50 chains to Station Stake 4-2-5 in mound of earth from which the old lime kiln on the South side of the upper end of Tomales Bay is North $74-1/2^{\circ}$ West and Miller's point on the Northerly side of said Bay is North $46-3/4^{\circ}$ West, said stake and mound being at the Westerly corner of that portion of the said Rancho which was conveyed to Felix Garcia by M. Loretta Garcia and others, by Deed dated the 29th day of May, 1868, and which is recorded in the County Recorder's office of Marin County in Book "J" of Deeds at page 5; thence North $63-3/4^{\circ}$ East 50.50 chains, ascends, crosses and descends from the main ridge to an alder tree on the South bank of the Arroyo San Geronimo marked "T.B. 27", being Station 27 of the official survey of said Rancho Tomales y Baulinas; thence descending said Arroyo along the Rancho line North $3/4^{\circ}$ West 18.50 chains to station; thence North $17-1/4^{\circ}$ West 22.50 chains to station post on the bank of the Arroyo marked 3-4 from which North 46° West 90 links is a maple tree 18 inches in diameter marked "B.T. 3-4" and South $35-1/4^{\circ}$ West 1.29 chains is a laurel tree marked "B.T. 3-4"; thence West 20 chains along chaparel side hill and timbered spurs to station post "G" 3-9-4-4 in a grove of oak and madrone trees on the North side of the ridge; thence South $42-3/4^{\circ}$ West 106.40 chains to station post in the road from Olema to the landing on the Arroyo San Geronimo, said stake being at the South corner of that portion of the said Rancho Tomales y Baulinas which was conveyed by M. Loretta Garcia and others to Philippe Garcia by Deed dated the 29th day of May, 1868, and which is recorded in the County Recorder's office of Marin County in Book "H" of Deeds at page 83, and also a corner of the tract apportioned to M. Loretta Garcia; thence along the boundary line of the last named tract South $63-1/2^{\circ}$ West 10 chains to the Olema Creek; thence South 9° East 12 chains to the place of beginning; EXCEPTING THEREFROM the piece of land containing about six acres mentioned in the Deed from Jose de la Cruz Noriel to Burton J. Shippey as being theretofore deeded to Maria Dolores Hurtado by Deed dated February 4th, 1875 and recorded in the Recorder's office of Marin County in Book "M" of Deeds at page 296.

PARCEL TWO

That certain tract of land, being a portion of the Rancho Tomales y

Baulinas (Garcia) in the County of Marin, State of California, and more particularly described as follows, to wit:

COMMENCING at a point on the Westerly line of the County Road running from Olema to Point Reyes Station, where said Westerly line is intersected by the Southerly line of the tract of land conveyed by Mamie Myers, et al, to David Bordessa by Deed dated July 1st, 1918 and recorded in the Office of the County Recorder of the County of Marin in Volume 196 of Deeds at page 274, and running thence South $58^{\circ} 42'$ West 895.3 feet to a redwood post distant North 9° West 5.1 feet from a 6 x 6 redwood post marked 484 set to mark Station 484 of the Survey of the Exterior Boundary Line of the Rancho Punta de los Reyes Sobrante; thence North $9^{\circ} 00'$ West 395.4 feet; thence North $62^{\circ} 58-1/2'$ East 778.15 feet to the Westerly line of said County Road; and thence Southeasterly along the Westerly line of the said County Road 309.2 feet to the point of commencement.



4996549

OFFICIAL RECEIPT
COUNTY OF MARIN
STATE OF CALIFORNIA
No. 336850

SAN RAFAEL 5-12-80

RECEIVED OF James M. Vidler (check) \$ 50.00

1200 Platform Rd.

Pt. Reyes Station

Erosion Dam Control Application

AP# 166-010-24

Permit # 8003

FORM 500

Land Development DEPARTMENT
BY J. Bunker

25 ccs. 7,
11. 11. 11.
11. 11. 11.
11. 11. 11.

25 ccs. 7,
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DEEDS
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This indenture made the Twenty ninth day of May in the year of our Lord, one thousand eight hundred and fifty eight, between M. Loreto Garcia, (widow of Rafael Garcia deceased) Thomas Garcia, Thomas Garcia by his Guardian Felipe Garcia, M. Belaria Garcia, Felipe Garcia, Francisco Hurtado, and M. Belaria Hurtado his wife, Jose Garcia, & Juan Garcia, all of Marin County and State of California, parties of the first part, and Felipe Garcia, Son and heir of Rafael Garcia deceased, of Marin County, party of the second part Witnesseth; That the said parties of the first part, for and in consideration of the sum of Five dollars (and the further consideration that on the partition of the Rancho Somalo y Paulinas hereinafter described, the said party of the second part has released and quit claimed conveyed and granted to the said parties of the first part, all his right title and interest in said Rancho as divided, except the lands hereinafter named and conveyed, to them in kind paid by the said party of the second part, at or before the making and delivery of these presents, the receipt whereof is hereby acknowledged, Have come to, released and quit claimed, said by them sought so come, release and quit claim unto the said party of the second part, and to his heirs and assigns forever, All that certain tract or parcel of land located in Marin County and State of California, being part and parcel of the Rancho Somalo y Paulinas, located in said County of Marin & State of said said and which was granted to Rafael Garcia (now deceased) by the Mexican Government - The portion of said Rancho hereby conveyed is located bounded and divided as follows to wit: Beginning at a point in a Stone Monument at a point in the Road lately surveyed from the village of Olinda in a North-Easterly Course across said Rancho, near the house occupied by S. Curtis, said point and Stone Monument being North $12\frac{1}{4}^{\circ}$ West 6 chains, and 10 links from a large rock, which is near and on the west side from the house of said S. Curtis, from said point and Stone Monument bearing along the middle of said Road by the true Meridian, Magnetic Variation being 16° East, the following Course and distance, To wit: $83\frac{1}{4}^{\circ}$ East, 2 chains 50 links to Station, Thence South $26\frac{1}{4}^{\circ}$ East 5 chains 20 links to Station, Thence South 72° East 16 chains to Station, Thence South 34° East 5 chains to Station, Thence South 58° East 7 chains to Station, Thence South 86° East 11 chains 40 links to Station, Thence North $6\frac{1}{4}^{\circ}$ East 18 chains 30 links to Station, Thence N 53° S, 11 chains to the point where the new Road crosses Arroyo San Lorenzo, to Station, Center of South side end of New Bridge, across the Arroyo San Lorenzo, Thence descending along the middle of said Arroyo, N $17\frac{1}{4}^{\circ}$ East 18 chains 70 links to Station, Thence N $70\frac{1}{4}^{\circ}$ W, 13 chains 50 links to Station, Thence N $53\frac{1}{4}^{\circ}$ W, 11 chains 50 links to Station, Thence S $82\frac{1}{4}^{\circ}$ W, 19 chains to Station to an Alder tree on the South bank of the Arroyo, said Alder tree being marked T. B. 27 at Station 27 of the official Survey of the 8th line boundary of the said Rancho Somalo y Paulinas.

and at the Southeastly corner of that portion of said Rancho Yermal y Paulinas which on partition thereof was appertained to M. Mariana Garcia, and which was conveyed to said M. Mariana Garcia, by Loretta Garcia and others by deed dated 29th day of May, A.D. 1868, and which is recorded in the County Recorder's Office of Marin County in Book G^o of deeds page 122. Thence along the boundary of the said tract of said M. Mariana Garcia, S 63³/₄° W, 50 chains 50 links to Station Stake S. 2.5, in ground of earth from which the old horse mill, on the South side of the upper end of the Bay of Yermal y Paulinas is S 14¹/₂° W, and Miller point on the North side of said Bay is W. 46³/₄° W, Thence S 10¹/₂° E, 45 chains 50 links along the Northwesterly end of the tract, or that portion of said Rancho Yermal y Paulinas, which was conveyed by M. Loretta Garcia, and others to Thomas Garcia by deed dated the 29th day of May A.D. 1868, - which is recorded in Book of deeds page in the County Recorder's Office of Marin County - and along the Northwesterly end of that portion of said Rancho which was conveyed by M. Loretta Garcia and others to Juan Garcia by deed dated the 29th day of May A.D. 1868 & which is recorded in Book III of deeds page 101 & 5 in the Recorder's Office of Marin County, to the place of beginning, containing an area of Four Hundred and Fifty four, and eighty one hundredths (454⁸¹/₁₀₀) Acs of land, also that certain other lot or tract of land, located within the boundaries of the tract here described which was conveyed to Juan Garcia by Loretta Garcia and others, by deed as above stated, provided and divided as follows, beginning at a stake driven in the Northwesterly side of the road which leads from the village of Thomas to the landing on the average Plan Formosus, said stake being S 3³/₄° W, 1 chain 5¹/₂ links from the Southeastly corner of said Rancho Garcia dwelling house, thence Northwesterly along the Easterly side of the last named Road 4 chains, thence South Easterly at a right angle to the line of the Road 2 chains 73¹/₂ links thence South Easterly and parallel to the Road 4 chains, thence Southwesterly at a right angle to the line of the Road 2 chains 73¹/₂ links to the place of beginning, containing (1⁵²/₁₀₀) one and Eighty nine one thousandth of an acre of land, And for a more full and particular description of the tract hereby conveyed reference is here made to the Map or plot of the said Rancho (showing the subdivisions of the said Rancho allotted on partition thereof to the various buyers) which is attached to and recorded with deed to M. Loretta Garcia, from Juan Garcia and others dated the 29th day of May A.D. 1868, and which is recorded in Book III of deeds page 101 in the County Recorder's Office of Marin County, with the same effect as if said Map or plot were thereon fully set forth and incorporated, Together with all and singular the tenement, hereditaments and appurtenances thereto belonging or in any wise appertaining and the Easements and Easement, Remainder and Easements hereto issues and profit thereof - And also all the Estate right title interest property, possession, claim and demand

whatsoever, as well in law as in equity of said parties of the first part
 of, in or to the above described premises, and any part and parcel
 thereof with the appurtenances - To Have and to Hold all
 and singular, the above mentioned and divided premises, to-
 gether with the appurtenances unto the said party of the second
 part his heirs and assigns forever.

In Witness Whereof the said
 parties of the first part have hereunto set their hands and seals
 the day and year first above written,

Signed, sealed and delivered in
 the presence of

Thos. H. Hanson

M. Loretta ⁱⁿ Garcia (and
^{her} mark)

M. Hilania ⁱⁿ Garcia (and
^{her} mark) (seal)

M. Lolosa ⁱⁿ Hurtado (and
^{her} mark) (seal)

Jose Garcia (seal)

Juan Garcia (seal)

Delipio S. Garcia (seal)

Francisco Hurtado (seal)

Thomas ⁱⁿ Garcia (and
^{his} mark) (seal)

Thomas Garcia ⁱⁿ (seal)
 Delipio S. Garcia Juror
 of the person and estate,

State of California
 County of Marin

In the 29th day of May, A.D. one thousand
 eight hundred and fifty eight personally appeared before me the
 undersigned a Justice of the Peace in and for said County of Marin
 M. Loretta Garcia, M. Hilania Garcia, Jose Garcia, Juan
 Garcia, Delipio S. Garcia, and Thomas Garcia, whose names
 are subscribed to the aforesaid instrument as parties thereto, person-
 ally known to me to be the same persons described in and who
 executed the said aforesaid instrument as parties thereto who each
 separately acknowledged to me that he said who executed the same
 freely and voluntarily and for the use and purpose therein
 mentioned.

In Witness Whereof I have hereunto set my hand
 (L.S.) and affixed my official seal the day and year in
 this certificate first above written

Thomas H. Hanson

Justice of the Peace

comes into the right of rocky bank and descends to
 station just marked 27 on a line marked in the Book
 of the Arroyo San Lorenzo, from which just a mile
 or just in diameter bears N. 35° E. distant 2 1/2
 miles and another and larger rock was the
 junction of the Arroyo Alcaraz with the Arroyo San
 Lorenzo to N. 40° E. distant 1 1/2 miles to the
 the Indian boundary line of the said Rancho then
 along said Indian boundary line ascending the said
 Arroyo San Lorenzo S. 75° E. 10 chains to a point on the
 western bank of the Arroyo said just is marked 30 on
 from said just N. 40° W. 20 links to a mark in the
 18 inches in diameter marked B.T. 2. 11 and S. 75° E. 20
 chains 23 links to a second mark marked B.T. 2. 12 then
 leaving the Arroyo and running West to Chain 23
 Chaparral and along Alcaraz Hill & timbered up to
 station just 28. Station in a grove of oak and Mesquite
 trees on north slope of the ridge - Thoma Station, No.
 106 Chain 40 links around the corner ridge and descend
 another slope to the area of beginning containing an
 area of three hundred and twenty one and eight
 one hundredths (321 1/8) acres of land and also
 all that other tract or parcel of said Rancho Tracts
 I. Paulino bounded and described as follows being
 one of the six town lots which are located in
 the South Western corner of the tract of land conveyed
 by said Juan Garcia and others to Juan Garcia
 by deed dated the 24th day of May A.D. 1868 and
 which is recorded in the County Records of the
 County of Mono in Book -- of deeds page -- 6 all
 of town lots being reserved from said Juan Garcia
 Garcia & wife No. 11 The six town lots conveyed to Paulino
 as and is marked Lot No. 1 on the map or plat which
 is marked N. 2. Plat of Juan Garcia which is attached
 to and referred with deed to Juan Garcia from Juan
 Garcia and others dated the 24th day of May A.D.
 1868 and which is recorded in the County Records
 of Mono County in Book -- of deeds page
 said Lot No. 2 containing one and eight one
 eighth acre one thousandths (1 1/8) acres of land
 and for a more full and particular description
 of the tract hereby conveyed reference is here made
 to the maps or plat attached to and recorded
 with said deed to Juan Garcia from Juan
 Garcia and others as also stated marked No. 1 and
 No. 2 with the same effect as if said map or
 plat were herein fully set forth and incorporated
 Together with all and singular the
 tenements, hereditaments and appurtenances thereto
 belonging, or in anywise appertaining, and the
 rights and demands, demands and hereditaments
 and all the late right title interest

mission plain and demand whatever, as well as leave for supply of said goods by the first part of in or by the above described premises, and every first and second Monday with the appearance mentioned to last and to last all and together the mentioned and described premises together with the appurtenances into the said party of the second part his heirs and assigns forever.

And it is expressly understood that the said
Parties of the first part, since the aforesaid day over
the present order bearing first date is the second
bearing in the San Francisco Court or some other
court between said parties equally as practicable so be
wied by all the Parties to this deed and their assigns
In witness whereof the said parties of the
first part have hereunto set their hands and seals
the day and year first above written.

1. *Platyedra & Clamper Cavalier* } *In Lixella* ¹⁸⁹¹ *Grise* *Grise*
 2. *Lyred & sealed and delivered* } *Grise*
 3. *in the presence of* } *In Lixella* ¹⁸⁹¹ *Grise* *Grise*
 4. *Thos. H. Hanson* } *Grise*

Miriam G. Warkis & Co.		In Buenos Aires	(red)
Exportacion y Importacion		on	
Garcia In Habana		Thomas L. Garcia	(red)
Garcia In Lisboa		vendi	
Estrada & Thomas		José Garcia	(red)
Garcia		Juan Garcia	(red)
H. H. Hansen		Ricardo Garcia	(red)
		Fernando Hernandez	(red)

State of California } ss.
County of Merced }

On the
Twenty, Ninth day of May, A D One Thousand
Eight Hundred and Fifty, Eight before me the said
Herman A. Wiley Public in and for the said State
County duly Commissioned and sworn personally appeared
Francis Goodale and Wm Adams Trustees of the said
Wiley Waring are submitted to the annexed Instrument
as parties thereto personally known to me to be the
individual described in and who execute the same
and each respectively, acknowledged to me that
they executed the said Instrument freely and voluntarily
and for the uses and purposes therein mentioned.

Find, also further certify, that the said Mr.
Solomon ~~Amara~~ ^{Huntley} had by me first made agreement with
the said T. J. Davis in payment and thereupon admitted and

Docket Information

Number of Documents in Docket 62

Documents Dated from 6/17/1980 to 8/19/1993

Docket Compiled: 3/1/2012