



WATER-RIGHT DOCKET

Death Valley National Park

Docket No: 58

WATER CANYON - LICENSE # 002095

Preliminary Docket Information

02-23-2005: WRIMS Query Report: Permit# 003545, Application# A003269, License# 002095

[login client: Wed Feb 23 12:45:08 PST 2005/165. 241]

WRIMS Query Report

Application : A003269 [JShape Map - 250K] [JShape Map - 100K]
Permit : 003545 Issued on AUG 28,1930
License : 002095 Issued on SEP 19,1940

Primary Contact Owner : C/O DIVISION OF WATER RIGHTS, U S NATIONAL PARK SERVICE
Owner(s) : C/O DIVISION OF WATER RIGHTS, U S NATIONAL PARK SERVICE
Mail Receiver (Owner) : C/O DIVISION OF WATER RIGHTS, U S NATIONAL PARK SERVICE

Source & POD Information :

Water to be diverted from WATER CANYON - (Stream Code: 600411050)
Tributary to SURPRISE CANYON thence PANAMINT VALLEY
Maximum Direct Diversion from this source : 0.06 cubic-feet/sec
Maximum Storage from this source per year : 0 ac-ft/annum
POD IN SE Quarter of NE Quarter of Section 11, T21S, R45E, MM&B (Inyo County)
Direct Diversion from this POD : 0.06 cubic-feet/sec
Total Annual Direct Diversion from this POD : 0 ac-ft/annum
Diversion Storage from this POD : 0 ac-ft/annum

Water to be diverted from null - (Stream Code: null)

Maximum Direct Diversion from this source : 0
Maximum Storage from this source per year : 0 ac-ft/annum

Amount :

Maximum Application Direct Diversion : 0.06 cubic-feet/sec

Purpose of Use : Mining

Diversion Season : January 1 to December 1

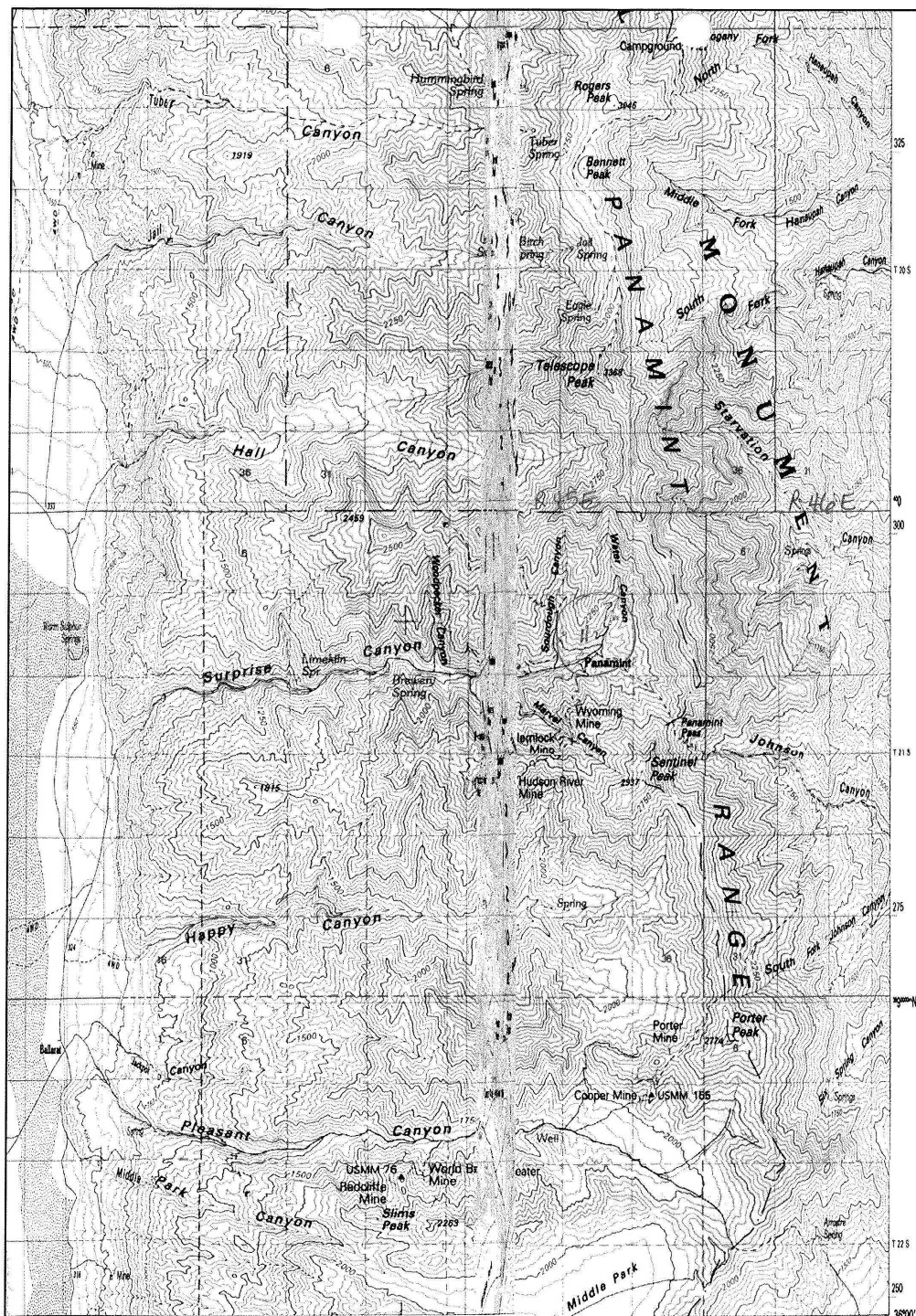
Purpose of Use : Domestic

Diversion Season : January 1 to December 1

License Image(s) :

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State Water Rights Documentation

REPORT OF LICENSEE

Page 1 of 4

[SUMMARY OF FINAL SUBMITTED VERSION]**REPORT OF LICENSEE FOR 2016**

Primary Owner: US National Park Service

Primary Contact: ERIC LORD

Date Submitted: 04/06/2017

Application Number: A003269

Permit Number: 003545

Source(s) of Water	POD Parcel Number	County
WATER CANYON		Inyo
WATER CANYON		Inyo

MAX Direct Diversion Rate: 0.06 CFS

MAX Collection to Storage: 0 AC-FT

Face Value: 43.4 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Mining	0	01/01 to 12/31	
Domestic	0	01/01 to 12/31	

1. Project Abandoned

The project has been abandoned and I request revocation of my water right license	No
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2. Compliance with License Terms and Conditions

I have currently reviewed my water right license and I am complying with all terms and conditions	No
Description of noncompliance with terms and conditions	Right is no longer used for licensed purposes. The beneficial use of the right is for the enhancement of aquatic ecosystems, riparian zones, wildlife habitat, and recreation.

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4. Purpose of Use

Recreational	National park visitation. Backpacking.
Fish and Wildlife Protection and/or Enhancement	Supports wildlife habitat.

Special Use Categories

C1. Are you using any water diverted under this right for the cultivation of cannabis?	No
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REPORT OF LICENSEE

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5. Maximum Rate of Diversion for each Month	
Month	Maximum Rate of Diversion (GPD)
January	0
February	0
March	0
April	0
May	0
June	0
July	0
August	0
September	0
October	0
November	0
December	0

6. Amount of Water Diverted and Used			
Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0	3.6790
February	0	0	3.4420
March	0	0	3.6790
April	0	0	3.5610
May	0	0	3.6790
June	0	0	3.5610
July	0	0	3.6790
August	0	0	3.6790
September	0	0	3.5610
October	0	0	3.6790
November	0	0	3.5610
December	0	0	3.6790
Total	0	0	43.4390
Type of Diversion	No Diversion		
Comments	There are no diversions for consumptive use. The beneficial use is for the enhancement of aquatic ecosystems, riparian zones, wildlife habitat, and recreation.		

Water Transfers	
6d. Water transferred	No
6e. Quantity transferred (Acre-Feet)	
6f. Dates which transfer occurred	/ to /
6g. Transfer approved by	

Water Supply Contracts	
6h. Water supply contract	No

REPORT OF LICENSEE

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6i. Contract with	
6j. Other provider	
6k. Contract number	
6l. Source from which contract water was diverted	
6m. Point of diversion same as identified water right	
6n. Amount (Acre-Feet) authorized to divert under this contract	
6o. Amount (Acre-Feet) authorized to be diverted in 2016	
6p. Amount (Acre-Feet) projected for 2017	
6q. Exchange or settlement of prior rights	
6r. All monthly reported diversion claimed under the prior rights	
6s. Amount (Acre-Feet) of reported diversion solely under contract	

7. Water Diversion Measurement

a. Required to measure as of the date this report is submitted	No
b. Is diversion measured?	No
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

8. Storage

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water

9. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
10. Amount of water conserved	

Water Quality and Wastewater Reclamation

11. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
12. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water

13. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license?	No
14. Amounts of groundwater used	

Additional Remarks

Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments

File Name	Description	Size

REPORT OF LICENSEE

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No Attachments

Contact Information of the Person Submitting the Form	
First Name	R
Last Name	Friese
Relation to Water Right	Other: NPS employee
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

REPORT OF LICENSEE

Page 1 of 4

[SUMMARY OF FINAL SUBMITTED VERSION]**REPORT OF LICENSEE FOR 2015**

Primary Owner: US National Park Service
 Primary Contact: ERIC LORD

Date Submitted: 08/11/2016

Application Number: A003269
 Permit Number: 003545

Source(s) of Water	POD Parcel Number	County
WATER CANYON		Inyo
WATER CANYON		Inyo

MAX Direct Diversion Rate: 0.06 CFS
 MAX Collection to Storage: 0 AC-FT
 Face Value: 43.4 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Domestic	0	01/01 to 12/31	
Mining	0	01/01 to 12/31	

1. Project Abandoned

The project has been abandoned and I request revocation of my water right license	No
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2. Compliance with License Terms and Conditions

I have currently reviewed my water right license and I am complying with all terms and conditions	No
Description of noncompliance with terms and conditions	No longer used in support of licensed purposes. Beneficial use is for the enhancement of wetland/riparian ecosystems, wildlife, and recreation. NPS considers state appropriative licenses to be federal property, and this change of type of use does not indicate an intent to abandon this license. NPS intends to determine whether a formal change in use is appropriate in the future.

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4. Purpose of Use

Recreational	visitation, aesthetics
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REPORT OF LICENSEE

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Fish and Wildlife Protection and/or Enhancement

wildlife

5. Amount of Water Diverted and Used

Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0	3.62
February	0	0	3.62
March	0	0	3.62
April	0	0	3.62
May	0	0	3.62
June	0	0	3.62
July	0	0	3.62
August	0	0	3.62
September	0	0	3.62
October	0	0	3.62
November	0	0	3.62
December	0	0	3.62
Total	0	0	43.44
Type of Diversion	No Diversion		
Comments	There are no diversions for consumptive use.		

Water Transfers

8e. Water transferred	No
8f. Quantity transferred (Acre-Feet)	
8g. Dates which transfer occurred	/ to /
8h. Transfer approved by	

Water Supply Contracts

8i. Water supply contract	No
8j. Contract with	
8k. Other provider	
8l. Contract number	
8m. Source from which contract water was diverted	
8n. Point of diversion same as identified water right	
8o. Amount (Acre-Feet) authorized to divert under this contract	
8p. Amount (Acre-Feet) authorized to be diverted in 2015	
8q. Amount (Acre-Feet) projected for 2016	
8r. Exchange or settlement of prior rights	
8s. All monthly reported diversion claimed under the prior rights	
8t. Amount (Acre-Feet) of reported diversion solely under contract	

6. Maximum Rate of Diversion for each Month

Month	Maximum Rate of Diversion ()
January	
February	

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March	
April	
May	
June	
July	
August	
September	
October	
November	
December	

7. Storage

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water

8. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
9. Amount of water conserved	

Water Quality and Wastewater Reclamation

10. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
11. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water

12. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license?	No
13. Amounts of groundwater used	

Additional Remarks

Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments

File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form

First Name	Genne
Last Name	Nelson
Relation to Water Right	Other: Employee of the primary owner of record
	Yes

REPORT OF LICENSEE

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Has read the form and agrees the information in the report is true to
the best of his/her knowledge and belief



State Water Resources Control Board



NOTICE TO WATER RIGHT LICENSEE

February 19, 2016

Designated Contact or Agent:

ERIC LORD
1201 OAK RIDGE DRIVE STE 250
FORT COLLINS, CO 80525

Primary Owner: US NATIONAL PARK SERVICE

Application ID: A003269 **License No.** 002095

First three Sources listed:	Counties:
WATER CANYON	Inyo
WATER CANYON	Inyo

Direct Diversion Rate: 0.060 Cubic Feet per Second **Collection to Storage Amount:** 0.000 AC-FT

LICENSEE REPORTING FOR 2015

As indicated in the California Code of Regulations title 23, section 847, the State Water Resources Control Board (State Water Board) requires annual reporting of water diversion and use under licenses. California Water Code chapter 2.7 section 348 authorizes the State Water Board to require online reporting of water diversions. Consistent with these requirements, the State Water Board, Division of Water Rights (Division) developed a new online Report Management System (RMS) as a component of the enhanced Water Right Information Management System (eWRIMS). RMS allows electronic submittal of water diversion and use reports, saving both paper and resources. **All reports must be completed online through RMS; paper copies are not available.** To report online, go to www.waterboards.ca.gov/rms and login with your User ID and Password. The information required to login and access your online Report of Licensee is:

User ID (Water Right ID): **A003269**
Password (Reporting Identifier): **022138**

*****IMPORTANT: PLEASE NOTE BELOW*****

Effective immediately the Division of Water Rights will **NO LONGER** notify you via mail in the future when reporting is due. If you would like to be notified when reporting is due and other reporting related material, please subscribe to our Lyris list (Water Rights Reporting Notification) at:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml.

FABRICA MALDONADO, CHAIR : THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 : Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 : www.waterboards.ca.gov



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You are required to complete the online report for 2015 no later than **June 30, 2016**. If you do not have a computer or internet access, you should use a friend's computer, a computer in a public library, or a Division computer to fill out the form. Unfortunately, Division staff cannot fill the form out on your behalf. However, if you wish to seek assistance with the form, you may contact the Division to request a listing of attorneys and consulting firms with water rights experience. You can also review the listing on the Division's Business Information Contacts webpage at: www.waterboards.ca.gov/waterrights/board_info/contacts.shtml.

If you have multiple water rights, please be aware you must report water use separately for each right. Do not list total combined diversions under multiple rights on the form. To document compliance with the conditions of your water right(s), you may use RMS to submit photos (such as staff gages, measuring devices, etc.), documents (California Department of Fish and Wildlife agreements, other agency approvals, etc.), graphs, and spreadsheets.

REQUIRED NOTIFICATION OF CHANGE IN OWNERSHIP

You are required to notify the Division directly of any water right ownership change. Your county assessor's office or title company does not notify the Division of ownership changes. Failure to notify the Division of an ownership change prior to assessment of annual water right fees will result in your liability to pay the annual water right fee even if you transferred the property associated with the water right. Notification to the Division should be made using the Change of Name/Address or Ownership form by clicking on the Water Rights Forms link located at www.waterboards.ca.gov/waterrights/publications_forms/forms/index.shtml.

CHANGES FOR REPORTING AND MEASUREMENT OF DIVERSIONS MADE IN 2016, AND THEREAFTER

- See attached "Fact Sheet" for updates.

CONTACT INFORMATION

Frequently asked questions pertaining to filling out online reports are posted at the RMS website and we encourage you to read these first. However, if you still have any questions or need assistance completing the report, please contact the Division of Water Rights at (916) 323-9393 or send an email to: ewrims@waterboards.ca.gov.

Sincerely,



Amanda Montgomery, Manager
Permitting and Licensing Section
Division of Water Rights

REPORT OF LICENSEE

[SUMMARY OF FINAL SUBMITTED VERSION]**REPORT OF LICENSEE FOR 2014**

Primary Owner: US National Park Service
Primary Contact: Eric Lord

Date Submitted: 2015-07-01

Application Number: A003269
License Number: 002095

Source(s) of Water	POD Parcel Number	County
WATER CANYON		Inyo
WATER CANYON		Inyo

MAX Direct Diversion Rate: 0.06 CFS
MAX Collection to Storage: 0.0 AC-FT
Face Value: 43.4 AC-FT

Licensed Use(s)	Acres	Direct Diversion Season	Storage Season
Domestic	0.0	01/01 to 12/31	
Mining	0.0	01/01 to 12/31	

1. Project Abandoned

The project has been abandoned and I request revocation of my water right license	No
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2. Compliance with License Terms and Conditions

I have currently reviewed my water right license and I am complying with all terms and conditions	No
Description of noncompliance with terms and conditions	The water is no longer used for mining and domestic purposes. The beneficial use of the spring flow is for the enhancement of aquatic and riparian ecosystems, wildlife habitat, and recreation.

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4. Purpose of Use

Recreational	Drinking water for backpackers, aesthetics, wildlife viewing
Fish and Wildlife Protection and/or Enhancement	Aquatic and riparian habitat

5. Amount of Water Diverted and Used

Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
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January	0	0	3.62
February	0	0	3.62
March	0	0	3.62
April	0	0	3.62
May	0	0	3.62
June	0	0	3.62
July	0	0	3.62
August	0	0	3.62
September	0	0	3.62
October	0	0	3.62
November	0	0	3.62
December	0	0	3.62
Total	0	0	43.44
Comments	There are no diversions for consumptive use. The beneficial use is for the enhancement of aquatic and riparian ecosystems, wildlife habitat, and recreation.		

Water Transfers	
8e. Water transferred	No
8f. Quantity transferred (Acre-Feet)	
8g. Dates which transfer occurred	/ to /
8h. Transfer approved by	

Water Supply Contracts	
8i. Water supply contract	No
8j. Contract with	
8k. Other provider	
8l. Contract number	
8m. Source from which contract water was diverted	
8n. Point of diversion same as identified water right	No
8o. Amount (Acre-Feet) authorized to divert under this contract	
8p. Amount (Acre-Feet) authorized to be diverted in 2014	
8q. Amount (Acre-Feet) projected for 2015	
8r. Exchange or settlement of prior rights	No
8s. All monthly reported diversion claimed under the prior rights	No
8t. Amount (Acre-Feet) of reported diversion solely under contract	

6. Maximum Rate of Diversion for each Month	
Month	Maximum Rate of Diversion (CFS)
January	0
February	0
March	0
April	0
May	0
June	0
July	0
August	0
September	0

REPORT OF LICENSEE

October	0
November	0
December	0

7. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water	
8. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
9. Amount of water conserved	

Water Quality and Wastewater Reclamation	
10. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
11. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water	
12. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license?	No
13. Amounts of groundwater used	

Additional Remarks
Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments		
File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	R.
Last Name	Friese
Relation to Water Right	Other: NPS employee
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes



State Water Resources Control Board



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

NOTICE TO WATER RIGHT LICENSEE

January 30, 2015

Designated Contact or Agent:

Eric Lord
1201 Oak Ridge Drive Ste 250
Fort Collins, CO 80525

Primary Owner: Us National Park Service

Application ID: A003269 **License No.** 002095

First three Sources listed:	Counties:
WATER CANYON	Inyo
WATER CANYON	Inyo

Direct Diversion Rate: 0.060 Cubic Feet per Second **Collection to Storage Amount:** 0.000 AC-FT

LICENSEE REPORTING FOR 2014

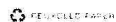
As indicated in the California Code of Regulations title 23, section 847, the State Water Resources Control Board (State Water Board) requires annual reporting of water diversion and use under licenses. California Water Code chapter 2.7 section 348 authorizes the State Water Board to require online reporting of water diversions. Consistent with these requirements, the State Water Board, Division of Water Rights (Division) developed a new online Report Management System (RMS) as a component of the enhanced Water Right Information Management System (eWRIMS). RMS allows electronic submittal of water diversion and use reports, saving both paper and resources. **All reports must be completed online through RMS; paper copies are not available.** To report online, go to www.waterboards.ca.gov/rms and login with your User ID and Password. The information required to login and access your online Report of Licensee is:

User ID (Water Right ID): **A003269**
Password (Reporting Identifier): **022138**

You are required to complete the online report for 2014 no later than **June 30, 2015**. If you do not have a computer or internet access, you should use a friend's computer, a computer in a public library, or a Division computer to fill out the form. Unfortunately, Division staff cannot fill the form out on your behalf. However, if you wish to seek assistance with the form, you may contact the Division to request a listing of attorneys and consulting firms with water rights experience. You can also review the listing on the Division's Business Information Contacts webpage at: www.waterboards.ca.gov/waterrights/board_info/contacts.shtml.

FRANK M. BROWN, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov



- 2 -

If you have multiple water rights, please be aware you must report water use separately for each right. Do not list total combined diversions under multiple rights on the form. To document compliance with the conditions of your water right(s), you may use RMS to submit photos (such as staff gages, measuring devices, etc.), documents (California Department of Fish and Wildlife agreements, other agency approvals, etc.), graphs, and spreadsheets.

SPECIAL REPORTING FEATURES:

- It is possible to create one account on the RMS site to report all of your water rights. It is not necessary to create an account if you would like to report your water rights individually. Please see the RMS login page for more information and instructions.
- RMS includes the capability to amend current and past reports. Amendments to credits previously claimed pursuant to Water Code sections 1010, 1011, and 1011.5 are subject to review and may not be accepted.
- Licensees can list all of their reservoirs associated with this license in their report.
- RMS includes new on screen help tools and instructions.

REQUIRED NOTIFICATION OF CHANGE IN OWNERSHIP

You are required to notify the Division directly of any water right ownership change. Your county assessor's office or title company does not notify the Division of ownership changes. Failure to notify the Division of an ownership change prior to assessment of annual water right fees will result in your liability to pay the annual water right fee even if you transferred the property associated with the water right. Notification to the Division should be made using the Change of Name/Address or Ownership form by clicking on the Water Rights Forms link located at www.waterboards.ca.gov/waterrights/publications_forms/forms/index.shtml.

CONTACT INFORMATION

Frequently asked questions pertaining to filling out online reports are posted at the RMS website and we encourage you to read these first. However, if you still have any questions or need assistance completing the report, please contact the Division of Water Rights at (916) 323-9393 or send an email to: ewrims@waterboards.ca.gov.

Sincerely,



Amanda Montgomery, Manager
Permitting and Licensing Section
Division of Water Rights

[SUMMARY OF FINAL SUBMITTED VERSION]**REPORT OF LICENSEE FOR 2013**

Primary Owner: US National Park Service
Primary Contact: Eric Lord

Date Submitted: 2014-07-09

Application Number: A003269
License Number: 002095

Source(s) of Water	POD Parcel Number	County
WATER CANYON		Inyo
WATER CANYON		Inyo

MAX Direct Diversion Rate: 0.06 CFS
MAX Collection to Storage: 0.0 AC-FT
Face Value: 43.4 AC-FT

Licensed Use(s)	Acres	Direct Diversion Season	Storage Season
Domestic	0.0	01/01 to 12/31	
Mining	0.0	01/01 to 12/31	

1. Project Abandoned

The project has been abandoned and I request revocation of my water right license	No
---	----

2. Compliance with License Terms and Conditions

I have currently reviewed my water right license and I am complying with all terms and conditions	No
Description of noncompliance with terms and conditions	Right is no longer used for mining and domestic purposes. The beneficial use of the right is for the enhancement of wetland/riparian ecosystems, wildlife, and recreation.

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4. Purpose of Use

Recreational	Backpacking, aesthetics.
Fish and Wildlife Protection and/or Enhancement	Wildlife

5. Amount of Water Diverted and Used

Month	Amount used (Acre-Feet)

	Amount directly diverted or collected to storage (Acre-Feet)	
January	0	3.62
February	0	3.62
March	0	3.62
April	0	3.62
May	0	3.62
June	0	3.62
July	0	3.62
August	0	3.62
September	0	3.62
October	0	3.62
November	0	3.62
December	0	3.62
Total	0	43.44
Comments	There are no diversions for consumptive use. The beneficial use is for the enhancement of wetland/riparian ecosystems, wildlife, and recreation.	

6. Maximum Rate of Diversion for each Month	
Month	Maximum Rate of Diversion (GPD)
January	0
February	0
March	0
April	0
May	0
June	0
July	0
August	0
September	0
October	0
November	0
December	0

7. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water	
8. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
9. Amount of water conserved	

Water Quality and Wastewater Reclamation	
	No

10. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	
11. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water

12. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license?	No
13. Amounts of groundwater used	

Additional Remarks

The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State's desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments

File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form

First Name	Richard
Last Name	Friese
Relation to Water Right	Other: NPS employee
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

REPORT OF LICENSEE

Page 1 of 3

[SUMMARY OF FINAL SUBMITTED VERSION]**REPORT OF LICENSEE FOR 2012**

Primary Owner: US National Park Service - Point Reyes National Seashore
 Primary Contact: Eric Lord

Date Submitted: 2013-06-13

Application Number: A003269
 License Number: 002095

Source(s) of Water	POD Parcel Number	County
WATER CANYON		Inyo
WATER CANYON		Inyo

MAX Direct Diversion Rate: 0.06 CFS
 MAX Collection to Storage: 0.0 AC-FT
 Face Value: 43.4 AC-FT

Licensed Use(s)	Acres	Direct Diversion Season	Storage Season
Domestic	0.0	01/01 to 12/31	
Mining	0.0	01/01 to 12/31	

1. Project Abandoned

The project has been abandoned and I request revocation of my water right license	No
---	----

2. Compliance with License Terms and Conditions

I have currently reviewed my water right license and I am complying with all terms and conditions	No
Description of noncompliance with terms and conditions	Water is no longer being used for domestic and mining purposes.

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	Yes
Description of type of use changes	Water is now being used for recreational purposes and in support of wildlife.
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4. Purpose of Use

Recreational	Camping, backpacking & sightseeing.
Fish and Wildlife Protection and/or Enhancement	Fish & wildlife enhancement.

5. Amount of Water Diverted and Used

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REPORT OF LICENSEE

Page 2 of 3

Month	Amount directly diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	3.69	3.69
February	3.33	3.33
March	3.69	3.69
April	3.57	3.57
May	3.69	3.69
June	3.57	3.57
July	3.69	3.69
August	3.69	3.69
September	3.57	3.57
October	3.69	3.69
November	3.57	3.57
December	3.69	3.69
Total	43.44	43.44
Comments		

6. Maximum Rate of Diversion for each Month	
Month	Maximum Rate of Diversion (CFS)
January	0.06
February	0.06
March	0.06
April	0.06
May	0.06
June	0.06
July	0.06
August	0.06
September	0.06
October	0.06
November	0.06
December	0.06

7. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water	
8. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
9. Amount of water conserved	

Water Quality and Wastewater Reclamation	
10. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No

REPORT OF LICENSEE

Page 3 of 3

11. Amount of reclaimed, desalinated, or polluted water used	
--	--

Conjunctive Use of Groundwater and Surface Water	
---	--

12. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license?	No
--	----

13. Amounts of groundwater used	
---------------------------------	--

Additional Remarks

Declaration: The United States gives this information to the state in the interest of comity, and does not concede that the state has the power to regulate the rights of the United States to the use of water.
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Attachments		
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File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
--	--

First Name	Marc
Last Name	Yalom
Relation to Water Right	Other
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

REPORT OF LICENSEE

http://ciwqs.waterboards.ca.gov/ciwqs/ewrms_online_reporting/lice...**[FINAL SUBMITTED VERSION]****REPORT OF LICENSEE FOR 2011**

Primary Owner: US National Park Service - Point Reyes National Seashore

Application Number: A003269

License Number: 002095

Date Submitted: 2012-07-03

1. Project Abandoned

The project has been abandoned and I request revocation of my water right license	No
---	----

2. Compliance with License Terms and Conditions

I have currently reviewed my water right license and I am complying with all terms and conditions	No
Description of noncompliance with terms and conditions	Water is no longer being used for mining purposes.

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	Yes
Description of type of use changes	Water is now being used for recreational purposes and in support of wildlife.
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4. Purpose of Use

Recreational	Camping, backpacking
Fish and Wildlife Protection and/or Enhancement	Please see remarks.

5. Amount of Water Diverted and Used

Month	Amount directly diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0.1	0.1
February	0.1	0.1
March	0.1	0.1
April	0.1	0.1
May	0.1	0.1
June	0.1	0.1
July	0.1	0.1
August	0.1	0.1
September	0.1	0.1

REPORT OF LICENSEE

http://ciwqs.waterboards.ca.gov/ciwqs/ewrims_online_reporting/lice...

October	0.1	0.1
November	0.1	0.1
December	0.1	0.1
Total	1.2	1.2

6. Maximum Rate of Diversion for each Month

Month	Maximum Rate of Diversion (GPD)
January	1100.0
February	1100.0
March	1100.0
April	1100.0
May	1100.0
June	1100.0
July	1100.0
August	1100.0
September	1100.0
October	1100.0
November	1100.0
December	1100.0

7. Storage

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water

8. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
9. Amount of water conserved	

Water Quality and Wastewater Reclamation

10. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
11. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water

12. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license?	No
13. Amounts of groundwater used	

Additional Remarks

Amounts of water used are estimates. Declaration: The United States gives this information to the State in the interest of comity, and does not concede that the State has the power to regulate the rights of the United States to the use of water.

REPORT OF LICENSEE

http://ciwqs.waterboards.ca.gov/ciwqs/ewrims_online_reporting/lice...

Attachments		
File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Eric
Last Name	Lord
Relation to Water Right	Agent
I read the above and agree	Yes

[FINAL SUBMITTED VERSION]**REPORT OF LICENSEE FOR 2010**

Primary Owner: US National Park Service - Point Reyes National Seashore

Application Number: A003269

License Number: 002095

Date Submitted: 2012-07-03

1. Project Abandoned

The project has been abandoned and I request revocation of my water right license	No
---	----

2. Compliance with License Terms and Conditions

I have currently reviewed my water right license and I am complying with all terms and conditions	No
Description of noncompliance with terms and conditions	Change in use.

3. Changes to the Project

Intake location has been changed	
Description of intake location changes	
Type of use has changed	Yes
Description of type of use changes	Right now used in support of recreation and wildlife.
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4. Purpose of Use

Recreational	Backpacking, camping
Fish and Wildlife Protection and/or Enhancement	Wildlife use

5. Amount of Water Diverted and Used

Month	Amount directly diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0.1	0.1
February	0.1	0.1
March	0.1	0.1
April	0.1	0.1
May	0.1	0.1
June	0.1	0.1
July	0.1	0.1
August	0.1	0.1
September	0.1	0.1
October	0.1	0.1
November	0.1	0.1

REPORT OF LICENSEE

http://ciwqs.waterboards.ca.gov/ciwqs/ewrims_online_reporting/lice...

December	0.1	0.1
Total	1.2	1.2

6. Maximum Rate of Diversion for each Month	
Month	Maximum Rate of Diversion (GPD)
January	1100.0
February	1100.0
March	1100.0
April	1100.0
May	1100.0
June	1100.0
July	1100.0
August	1100.0
September	1100.0
October	1100.0
November	1100.0
December	1100.0

7. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water	
8. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
9. Amount of water conserved	

Water Quality and Wastewater Reclamation	
10. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
11. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water	
12. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license?	No
13. Amounts of groundwater used	

Additional Remarks
Amounts reported are estimates. License now used in support of recreational and wildlife uses. NPS is considering changing petitions to realign right with use. Declaration: The United States gives this information to the State in the interest of comity, and does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments

REPORT OF LICENSEE

http://ciwqs.waterboards.ca.gov/ciwqs/ewrims_online_reporting/lice...

File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Eric
Last Name	Lord
Relation to Water Right	Agent
I read the above and agree	Yes

REPORT OF LICENSEE

Page 1 of 2

[FINAL SUBMITTED VERSION]**REPORT OF LICENSEE FOR 2009**

Application Number: A003269
License Number: 002095

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	Yes
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	Please see remarks.
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	

Purpose of Use	
Recreational	Camping, backpacking.
Fish and Wildlife Protection and/or Enhancement	Please see remarks.

Month	Amount directly diverted or collected to storage (Gallons)	Amount beneficially used (Gallons)
January	3000.0	3000.0
February	3000.0	3000.0
March	3000.0	3000.0
April	3000.0	3000.0
May	3000.0	3000.0
June	3000.0	3000.0
July	3000.0	3000.0
August	3000.0	3000.0
September	3000.0	3000.0
October	3000.0	3000.0
November	3000.0	3000.0
December	3000.0	3000.0
Total	36000	36000

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water	
Are you now employing water conservation efforts?	
Description of water conservation efforts	
Amount of water conserved	

REPORT OF LICENSEE

Page 2 of 2

Water Quality and Wastewater Reclamation

During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?

Amount of reclaimed, desalinated, or polluted water used

Conjunctive Use of Groundwater and Surface Water

During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?

Amounts of groundwater used

Additional Remarks

This right is no longer used in support of mining, but is presently used by campers, backpackers, and wildlife. NPS intends to determine whether a formal change in use is appropriate in the future. The exact amount of wildlife use is not known; the amount stated for camping or backpacking is an estimate. The United States gives this information in the interest of comity, and does not concede that the State has the power to regulate the rights of the United States to the use of water.

Contact Information of the Person Submitting the Form

First Name	Eric
Last Name	Lord
Relation to Water Right	Other
I read the above and agree	Yes

REPORT OF LICENSEE

Page 1 of 2

[FINAL SUBMITTED VERSION]**REPORT OF LICENSEE FOR 2008**

Application Number: A003269
License Number: 002095

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	Yes
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	Please see remarks.
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	

Purpose of Use	
Recreational	Please see remarks.
Fish and Wildlife Protection and/or Enhancement	Please see remarks.

Month	Amount directly diverted or collected to storage (Gallons)	Amount beneficially used (Gallons)
January	3000.0	3000.0
February	3000.0	3000.0
March	3000.0	3000.0
April	3000.0	3000.0
May	3000.0	3000.0
June	3000.0	3000.0
July	3000.0	3000.0
August	3000.0	3000.0
September	3000.0	3000.0
October	3000.0	3000.0
November	3000.0	3000.0
December	3000.0	3000.0
Total	36000	36000

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water	
Are you now employing water conservation efforts?	
Description of water conservation efforts	
Amount of water conserved	

REPORT OF LICENSEE

Page 2 of 2

Water Quality and Wastewater Reclamation

During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?

Amount of reclaimed, desalinated, or polluted water used

Conjunctive Use of Groundwater and Surface Water

During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?

Amounts of groundwater used

Additional Remarks

This right is no longer used in support of mining, but is presently used by campers, backpackers, and wildlife. NPS intends to determine whether a formal change in use is appropriate in the future. The exact amount of wildlife use is not known; the amount stated for camping or backpacking is an estimate. The United States gives this information in the interest of comity, and does not concede that the State has the power to regulate the rights of the United States to the use of water.

Contact Information of the Person Submitting the Form

First Name	Eric
Last Name	Lord
Relation to Water Right	Other
I read the above and agree	Yes

REPORT OF LICENSEE

Page 1 of 2

[FINAL SUBMITTED VERSION]**REPORT OF LICENSEE FOR 2007**

Application Number: A003269
License Number: 002095

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	Yes
I am complying with all terms and conditions	No
Description of noncompliance with terms and conditions	Please see remarks.
Intake location has been changed	
Description of intake location changes	
Type of use has changed	Yes
Description of type of use changes	Please see remarks.
Place of use has changed	
Description of place of use changes	

Purpose of Use	
Recreational	Please see remarks.
Fish and Wildlife Protection and/or Enhancement	Please see remarks.

Month	Amount directly diverted or collected to storage (Gallons)	Amount beneficially used (Gallons)
January	3000.0	3000.0
February	3000.0	3000.0
March	3000.0	3000.0
April	3000.0	3000.0
May	3000.0	3000.0
June	3000.0	3000.0
July	3000.0	3000.0
August	3000.0	3000.0
September	3000.0	3000.0
October	3000.0	3000.0
November	3000.0	3000.0
December	3000.0	3000.0
Total	36000	36000

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water	
Are you now employing water conservation efforts?	
Description of water conservation efforts	
Amount of water conserved	

Water Quality and Wastewater Reclamation

During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?

Amount of reclaimed, desalinated, or polluted water used

Conjunctive Use of Groundwater and Surface Water

During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?

Amounts of groundwater used

Additional Remarks

This right is no longer used in support of mining, but is presently used by campers, backpackers, and wildlife. NPS intends to determine whether a formal change in use is appropriate in the future. The exact amount of wildlife use is not known; the amount stated for camping or backpacking is an estimate. The United States gives this information in the interest of comity, and does not concede that the State has the power to regulate the rights of the United States to the use of water.

Contact Information of the Person Submitting the Form

First Name Eric

Last Name Lord

Relation to Water Right Other

I read the above and agree Yes



Greg Gress

02/15/2005 10:56 AM
PST

To: Ernesto O Sanchez/OAKLAND/NPS@NPS
cc: Eric Lord/Partner/NPS@NPS
Subject: DEVA Boundary Issue

Ernie,

Can you confirm for us if:

SE 1/4 of NE 1/4, Projected Sec. 11, T. 21S., R.45E., MDB&M.

is or isn't within the boundary of DEVA. Our maps are apparently in conflict with some of BLM's on this issue.

Thanks,

Greg

Gregory F. Gress
Supervisory Realty Specialist
National Park Service, PWR-LP
1111 Jackson St., Ste. 700
Oakland, CA 94607
510/817-1414 tel.
510/817-1482 fax.
greg_gress@nps.gov



Alan C. Lloyd, Ph.D.
Agency Secretary

State Water Resources Control Board

Division of Water Rights
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
Mailing Address: P.O. Box 2000 ♦ Sacramento, California 95812-2000
FAX: 916.341.5400 ♦ www.waterrights.ca.gov



Arnold Schwarzenegger
Governor

JAN 4 2005

In Reply Refer to:
363:KE:A003269

U.S. National Park Service
1201 Oak Ridge Dr., Ste 250
Fort Collins, CO 80525-5596

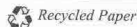
LICENSE 2095 (APPLICATION 3269) WATER CANYON IN INYO COUNTY

According to records of the California State Water Resources Control Board (SWRCB), Division of Water Rights (Division), License 2095 is currently owned by Ruth V. Snell (aka La Grande Oro Mining Company) and authorizes the year-round diversion of up to 0.06 cubic foot per second (cfs) of water for mining and domestic purposes. The subject land is described as Curran Mine and Mill located within the NE¼ of SE¼ of projected Section 11, T21S, R45E, MDB&M. Mail sent to the owner of record is returned by the post office. According to Inyo County Assessor's records, this land is owned by the U.S. Bureau of Land Management (BLM), however discussions with BLM have revealed that this property is now within the Death Valley National Park and therefore owned by the U.S. National Park Service (NPS). Division staff has contacted the NPS but has been unable to determine if mining operations and the use of water are occurring on the property. In accordance with Section 833, Title 23, California Code of Regulations we will assume that ownership of the water right passed with the transfer of the land it serves. Therefore, unless notified otherwise within 30 days, our records will be changed to show ownership of License 2095 in the name of the U.S. National Park Service. If the water has not been used for a period of five years or longer or the annual fee bills are unpaid after five years, the Division may propose revocation of the water right at that time. As owner of the water right, the NPS may fill out the enclosed Request for Revocation form and submit it to the Division if the use of water covered by License 2095 has ceased. If you have any questions regarding the ownership change, please write or telephone me at (916) 341-5317.

Please note that California Law requires the State Water Resources Control Board's (SWRCB) water right program be supported by fees. Consequently, as a new owner of the above-mentioned water right(s), you, or your designated representative, are responsible to pay annual fees associated with the water right(s).

You should also note that the California Code of Regulations requires you to immediately inform the SWRCB of any change in address. The SWRCB will mail any notice(s), including fee notice(s), to the most recent address supplied. The regulations also require a water right holder to immediately file a statement informing the SWRCB of any change in ownership of the application, permit, or license. The statement shall refer to the number of the water right, and identify the name and address of the new owner. This is important because the failure to supply this information could result in your liability to pay water right fee(s), including penalty and interest for late payment, even after you have sold the property served by the right(s). If you have any questions regarding the fee, please contact the Division of Water Rights at (916) 341-5431.

California Environmental Protection Agency



U.S. National Park Service

- 2 -

Sincerely,

Ken Emanuel

Ken Emanuel
Environmental Scientist
Compliance and Enforcement Unit

Enclosures

cc: Ruth V. Snell (previous owner)
11031 First Ave.
Hesperia, CA 92345

U.S. National Park Service
222 East Main St.
Barstow, CA 92311

FORM 64



STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

License for Diversion and Use of Water

LICENSE 2095PERMIT 3545APPLICATION 3269

THIS IS TO CERTIFY, That **Ballarad Mining Corporation**
Trona, California

Notice of Change (Over)

has made proof to the satisfaction of the Division
of Water Resources of California of a right to the use of the waters of **North Branch of Surprise Canyon**
or **Water Canyon in Inyo County**

tributary of **Surprise Canyon**

for the purpose of **mining and domestic purposes**

under Permit **3545** of the Division of Water Resources and that said right to the use of said waters has
been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Resources
and the terms of the said permit; that the priority of the right herein confirmed dates from

February 24, 1923;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed **Six hundredths (0.06)**
cubic foot per second from **January 1st to December 31st** of each season.

The points of diversion of such water are located **(1) North thirty-five hundred (3500)**
feet and East twenty-two hundred eighty (2280) feet; (2) North twenty-nine
hundred sixty (2960) feet and East twenty-one hundred twenty (2120) feet, from
chimney monument (old Wyoming mill) and being within (1 & 2) the SW $\frac{1}{4}$ of NE $\frac{1}{4}$
of Projected Section 11, T 21 S, R 45 E, M.D.B. & M.

A description of the lands or the place where such water is put to beneficial use is as follows:

Curran Mine and Mill within NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Projected Section 11, T 21 S, R 45 E,
M.D.B. & M.

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 Division of Water Resources in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from
time to time by the Division of Water Resources.

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of
diversion herein specified and to the lands or place of use herein described.

This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions set forth in Section 20 of Chapter 586, Statutes of 1913, as amended, which is as follows:

Sec. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permit and license shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this chapter expressed. *Provided*, that 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 said license and the works built or constructed for the enjoyment of the right granted under said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee, or licensee, or the heirs, successors, or assigns, of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors, or assigns of said permittee or licensee, has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors, or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. The findings and declaration of said commission shall be deemed to be prima facie evidence until modified or set aside by a court of competent jurisdiction; *provided*, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors, or assigns. And every licensee or permittee under the provisions of this act if he accepts such permit or license shall accept the same under the conditions precedent that no value whatever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any right granted or acquired under the provisions of this act, in respect to the regulation by any competent public authority of the service or the price of the service to be rendered by any permittee or licensee, his heirs, successors, or assigns, or by the holder of any right granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any right granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; *provided*, however, that such application for a permit or the granting thereof for domestic purposes to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; and *provided*, further, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; and *provided*, further, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal use of the entire appropriation permitted; and *provided*, further, that when such municipality shall desire to use the additional water granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valuable for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.

Witness my hand and the seal of the Department of Public
Works of the State of California, this 19th
day of September, 1940

EDWARD HYATT

State Engineer

By

Harold Conkling

Deputy



RECEIVED NOTICE OF ASSIGNMENT TO

5/5/77 assign to R. V. Snell

LICENSE 2095

STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES

LICENSE

TO APPROPRIATE WATER

ISSUED TO BALLARAT MINING CORPORATION

DATED SEPTEMBER 19, 1940

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