



Whiskeytown National Recreation Area

Docket Number: 13

SPRING RESIDENCE 154

Preliminary Docket Information

DATE: July 20, 1979

DOCKET (FILE) TITLE _____

REGION Western AREA Whiskeytown-Shashta-Trinity National Recreation Area

SITE Residence 154

STATE California COUNTY Shashta DOCKET NO WR #13

LOCATION NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.12 T32N R7W

REGIONAL BASIN _____ LOCAL BASIN _____

ACQUIRED BY _____

AFFILIATION _____ PERMIT _____ CERTIFICATE _____

ACTION DUE _____ PRIORITY _____ RESERVATION _____

QUANTITY _____ USE _____

STATUS Inactive SOURCE Spring

REMARKS Hydrologic Unit #18020006

NARRATIVE:

In 1972 the U.S. purchased a tract of land from Jesse and Lee Funderberg for inclusion in Whiskeytown NRA. On the land was a house known as Residence 154. The water system to this house consisted of a culvert leading underneath the highway there to a spring. Water was captured at the spring and piped to the residence. The system is currently dry and in disrepair, though it is believed the system can be rehabilitated. An administrative decision on whether to keep the house is being awaited.

The spring was reserved by Olive and Jacob Camenisch in their deed to the State of California of the property the highway was eventually built on. The rights to the spring were transferred to the Funderbergs in 1960. It was the Funderbergs who constructed the system to supply the house. No filings with the state were ever made for this use of water.

Compiled by T. Kern

Approved by _____

P.

03 HISTORY

Whiskeytown National Recreation Area

SPRING RESIDENCE 154

Land History

1 DWAYNE KEYES
United States Attorney
2 RICHARD H. JENKINS
Assistant United States Attorney
3 RODNEY H. HAMBLIN
Special Assistant to the
United States Attorney
4 8536 Federal Building/U.S. Courthouse
650 Capitol Mall
5 Sacramento, California 95814
6 Attorneys for Plaintiff

ORIGINAL
FILED

MAY 12 1972

CLERK, U. S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY _____ DEPUTY CLERK

8 UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

CIVIL NO. S-1323

13 487.86 acres of land, more or less,
in Shasta County, California; LEE
14 FUNDERBURG, also known as LEE A.
FUNDERBURG, et al.,

15 Defendants.
16

17 FINAL JUDGMENT AS TO TRACTS 18 AND 18B

18
19 Pursuant to stipulation heretofore entered into between
20 the UNITED STATES OF AMERICA; plaintiff, and LEE FUNDERBURG, also
21 known as LEE A. FUNDERBURG; JESSIE FUNDERBURG, also known as
22 JESSIE C. FUNDERBURG and JESSE FUNDERBURG; EDWARD H. OCHINERO;
23 BEATRICE OCHINERO; DILLON LEWIS WOODFILL; and ALPHA MAE WOODFILL,
24 defendants, this date filed herein, the Court finds:

25 I

26 That the Complaint in this action was filed on August 19,
27 1969 to condemn a certain estate and interest in Tracts 18 and
28 18B of the lands subject of this action, as set forth in said
29 Complaint and more particularly hereinafter described; that a
30 Third Amendment to Complaint was filed herein on July 8, 1970,
31 for the purpose of amending among other things the description of
32 Parcel 2 of Tract 18B.

(See D. 194)

WHISKEYTOWN N.R.A. D. 197

II

That the use for which the property herein concerned is taken and condemned by the plaintiff is one authorized by law, and the said property and the taking thereof are necessary and suited to said use.

III

That all parties interested directly or indirectly in the property subject of this final judgment have been served with process, either personally or by publication, or have appeared in said action; that said property, together with all claimants and parties interested therein, is within the jurisdiction of this Court, which has the power and authority to enter this final judgment.

IV

That at the time of and immediately preceding the filing of the Complaint, and as of the filing of the stipulation, defendants LEE FUNDERBURG, also known as LEE A. FUNDERBURG; JESSIE FUNDERBURG, also known as JESSIE C. FUNDERBURG and JESSE FUNDERBURG; EDWARD H. OCHINERO; BEATRICE OCHINERO; DILLON LEWIS WOODFILL; and ALPHA MAE WOODFILL were the owners of the fee simple title to or persons having an interest in Tracts 18 and 18B, and the only persons, firms or corporations entitled to receive the compensation to be awarded for the taking of said tracts, except that said Tracts 18 and 18B may be subject to liens for property taxes.

V

That a Disclaimer has been filed by WILLIAM W. COSHOW and YVONNE L. COSHOW, whom the Court finds have no interest in Tracts 18 and 18B or in the compensation to be awarded for the taking thereof.

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VI

That plaintiff and defendants LEE FUNDERBURG, also known as LEE A. FUNDERBURG; JESSIE FUNDERBURG, also known as JESSIE C. FUNDERBURG and JESSE FUNDERBURG; EDWARD H. OCHINERO; BEATRICE OCHINERO; DILLON LEWIS WOODFILL; and ALPHA MAE WOODFILL have entered into a written stipulation, this day filed herein, wherein defendants have agreed as follows:

1. To accept the sum of TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$200,000.00), no interest being due, as, and the Court finds said sum to be, full, adequate and just compensation for the taking of the estate and interest condemned by the above entitled action in Tracts 18 and 18B, including all interests therein, all improvements thereon and all appurtenances thereto;

2. To surrender all right to possession and control of Tracts 18 and 18B upon entry of Final Judgment vesting title in said tracts in the United States of America, provided, however, that LEE FUNDERBURG, also known as LEE A. FUNDERBURG, and JESSIE FUNDERBURG, also known as JESSIE C. FUNDERBURG and JESSE FUNDERBURG, need not surrender possession and occupancy of the Funderburg homesite located on Tract 18 until six (6) months after the vesting of title in the United States of America, and that during said occupancy, said defendants LEE FUNDERBURG, also known as LEE A. FUNDERBURG, and JESSIE FUNDERBURG, also known as JESSIE C. FUNDERBURG and JESSE FUNDERBURG, may occupy the above mentioned homesite without compensation to the United States of America provided they maintain the premises; and

3. That in the event said sum of TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$200,000.00) is not paid into the registry of the Court within sixty (60) days after entry of final judgment, said defendants shall be entitled to interest at the rate of six percent (6%) per annum on said sum commencing on the sixty-first day after entry of judgment until said sum is paid into the registry of the

1 Court.

2 VII

3 That the estate which plaintiff seeks to take and condemn
4 in Tracts 18 and 18B, hereinafter described, is as follows:

5 The full fee simple interest, including all
6 and singular ~~the~~ water rights and other rights,
7 tenements, hereditaments, and appurtenances there-
8 unto belonging and in anywise appertaining, subject
9 to existing easements for rights-of-way for private
10 roads, telephone and power lines, and other public
11 utilities, if any.

12 VIII

13 That the property subject of this final judgment is situate
14 in the County of Shasta, State of California, and is more par-
15 ticularly described as follows:

16 TRACT NO. 18

17 Parcel No. 1

18 Township 32 North, Range 7 West, Mount Diablo Base and
19 Meridian

20 Section 1:

21 The Southwest Quarter of the Southwest Quarter
(SW 1/4 SW 1/4);

22 EXCEPTING THEREFROM the following:

23 1. That portion described in the deed from Lee
24 Funderburg and Jessie Funderburg, his wife, to the State
25 of California, recorded in Book 704, page 571, Official
Records of Shasta County, California;

26 2. That portion granted from Lee Funderburg and
27 Jessie Funderburg, his wife, to Dillon Lewis Woodfill
28 and Alpha Mae Woodfill, his wife, in deed recorded in
Book 740, page 343, Official Records of Shasta County,
California;

29 3. That portion granted to the United States of
30 America from J. Robert Pepetone and Myrlon Pepeton, his
31 wife, by deed dated July 15, 1968, recorded in Book 959,
page 134, Official Records of Shasta County, California.

32 // // // // //

1 4. That portion granted to United States of America
2 from William W. Coshaw et ux., by deed dated December 31,
3 1968, recorded in Book 977, page ~~469~~ ²⁸⁰, Official Records of
4 Shasta County, California;

5 5. That portion reserved to Nick M. Zagaris and
6 Dorothy Zagaris, his wife, by deed dated October 29,
7 1968, recorded in Book 971, page 383, Official Records
8 of Shasta County, California, and by Quitclaim Deed dated
9 December 17, 1968, recorded in Book ~~978~~ ⁹⁷⁵, page 93, Official
10 Records of Shasta County, California;

11 Parcel No. 2

12 Township 32 North, Range 7 West, Mount Diablo Base and
13 Meridian

14 Section 12:

15 All that portion of the Northwest Quarter of the
16 Northwest Quarter (NW 1/4 NW 1/4), lying northerly of
17 that certain 7.56 acre parcel conveyed to the State of
18 California by deed, recorded in Book 244, page 156,
19 Official Records of Shasta County, California;

20 EXCEPTING THEREFROM the following:

21 1. The East 208.71 feet thereof as described in
22 Grant Deed to the United States of America from Perry
23 P. Mercer by Guardian, dated October 13, 1967, recorded
24 in Book 932, page 612, Official Records of Shasta County,
25 California;

26 2. All that part described in Parcel 1 of the deed
27 to Dillon Lewis Woodfill et ux., dated April 9, 1963,
28 recorded in Book 740, page 343, Official Records of
29 Shasta County, California

30 3. That portion described in the deed from Lee
31 Funderburg et ux., to the State of California, dated
32 March 11, 1963, recorded in Book 745, page 33, Official
Records of Shasta County, California.

TOGETHER WITH all rights and appurtenances as
granted to Lee Funderburg et ux., by Quitclaim Deed from
the United States of America, recorded in Book 791, page
43, Official Records of Shasta County, California;

Containing, after said exceptions, 18.84 acres,
more or less;

SUBJECT TO the rights of John Henry McDermott and
Ruth McDermott, his wife, to that right-of-way easement
as described in a Deed of Easement, dated May 31, 1967,
recorded in Book 918, page 218, Official Records of
Shasta County, California.

///

TRACT NO. 18B

Parcel No. 1

Township 32 North, Range 7 West, Mount Diablo Base and Meridian

Section 12:

All that portion of the West 456.73 feet of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4), lying northerly of the existing boundary of Highway 299W, containing .10 of an acre, more or less.

Parcel No. 2

Section 1:

All that portion of the South half of the Southwest Quarter of the Southwest Quarter (S 1/2 SW 1/4 SW 1/4), lying westerly of the following described line:

Beginning at the Southwest corner of said Section 1; thence South 88° 52' 50" East along the South line of Section 1, 456.73 feet to the true point of beginning of said line; thence North 1° 52' 14" East to the North line of said South Half of the Southwest Quarter of the Southwest Quarter of Section 1 and the point of ending of said line;

EXCEPTING THEREFROM all that portion conveyed to Jewell Ellen Henderson, a married woman, by deed, dated October 26, 1968, recorded November 6, 1968, in Book 972, Page 83, Official Records, Shasta County, California; and

ALSO EXCEPTING THEREFROM all that portion conveyed to Nick M. Zagaris and Dorothy Zagaris, husband and wife, as Joint Tenants, dated October 19, 1969, recorded November 12, 1969, in Book 1010, Page 459, Official Records, Shasta County, California;

Containing, after said two exceptions, 2.13 acres, more or less.

Parcels 1 and 2 contain an aggregate of 2.23 acres, more or less.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the sum of TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$200,000.00) be, and it is hereby, awarded to defendants LEE FUNDERBURG, also known as LEE A. FUNDERBURG; JESSIE FUNDERBURG, also known as JESSIE C. FUNDERBURG and JESSE FUNDERBURG; EDWARD H. OCHINERO; BEATRICE OCHINERO; DILLON LEWIS WOODFILL; and ALPHA MAE WOODFILL as full and just compensation for the taking of the estate

6

1 condemned, as described in Paragraph VII above, in and to the
2 property described in Paragraph VIII above, including all interests
3 therein, all improvements thereon and all appurtenances thereto.

4 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the sum
5 of TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$200,000.00) shall be
6 subject to all liens, taxes, encumbrances, charges and interests,
7 if any, of whatsoever nature existing in and against the said
8 land and that all such liens, encumbrances, charges and interests,
9 if any, shall be payable and deductible from said sum.

10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant
11 to the stipulation heretofore filed that the sum of TWO HUNDRED
12 THOUSAND AND NO/100 DOLLARS (\$200,000.00), upon its deposit into
13 the registry of the Court, shall be payable to NORTH VALLEY TITLE
14 & ESCROW CO., 1600 West Street, Redding, California, said title
15 company to act as agent for defendants, without cost to defendants,
16 which company is authorized to disburse any funds necessary to
17 discharge any taxes, liens, encumbrances, charges or interests
18 affecting title to said Tracts 18 and 18B or to obtain disclaimers,
19 if any, and to pay the balance remaining to the order of defend-
20 ants LEE FUNDERBURG, also known as LEE A. FUNDERBURG; JESSIE
21 FUNDERBURG, also known as JESSIE C. FUNDERBURG and JESSE
22 FUNDERBURG; EDWARD H. OCHINERO; BEATRICE OCHINERO; DILLON LEWIS
23 WOODFILL; and ALPHA MAE WOODFILL, and to record this judgment in
24 the Official Records of Shasta County, California.

25 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that defendants
26 LEE FUNDERBURG, also known as LEE A. FUNDERBURG; JESSIE FUNDERBURG
27 also known as JESSIE C. FUNDERBURG and JESSE FUNDERBURG, EDWARD
28 H. OCHINERO; BEATRICE OCHINERO; DILLON LEWIS WOODFILL, and ALPHA
29 MAE WOODFILL shall surrender all right to possession and control
30 of Tracts 18 and 18B upon entry of this final judgment, vesting
31 title in said tracts in the United States of America,
32

////////

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that defendants
2 LEE FUNDERBURG, also known as LEE A. FUNDERBURG, and JESSIE
3 FUNDERBURG, also known as JESSIE C. FUNDERBURG and JESSE
4 FUNDERBURG, need not surrender possession and occupancy of the
5 Funderburg homesite located on Tract 18 until six (6) months after
6 the vesting of title in the United States of America, and that
7 during said occupancy, said defendants may occupy the above
8 mentioned homesite without compensation to the United States of
9 America provided they maintain the premises.

10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that title to
11 the estate and interest, as set forth in Paragraph VII above, in
12 and to the property described in Paragraph VIII above, shall
13 vest in the United States of America, free and discharged of all
14 claims and liens of any kind whatsoever, upon the recordation of
15 this judgment.

16 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon
17 recordation of this judgment, plaintiff shall have the right to
18 possession of said Tracts 18 and 18B.

19 Dated: MAY 12 1972

20
21 THOMAS J. MACBRIDE

22
23 Judge, United States District Court
24 Eastern District of California
25
26
27
28
29
30
31
32

NOTED
MAY 12 1972
U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Handwritten signature
MAY 12 1972

1 DWAYNE KEYES
United States Attorney
2 RICHARD H. JENKINS
Assistant U. S. Attorney
3 8536 Federal Building/U. S. Courthouse
650 Capitol Mall
4 Sacramento, California 95814
5 Attorneys for Plaintiff

7 UNITED STATES DISTRICT COURT FOR THE
8 EASTERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

CIVIL NO. S-1323

12 487.86 Acres of Land, More or Less,
13 in Shasta County, California; LEE
14 FUNDERBURG, et al., and UNKNOWN
OWNERS, et al.,

15 Defendants.
16

17
18 CERTIFICATE OF CLERK

19 I, WILLIAM C. ROBB, Clerk of the United States District
20 Court for the Eastern District of California, do hereby certify
21 that on this day I received from the United States of America,
22 plaintiff herein, and deposited in the registry of the Court, the
23 sum of TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$200,000.00) in
24 satisfaction of the judgment entered as to Tracts 18 and 18B in
25 the above entitled action on May 12, 1972.

26 Dated: June 16, 1972

27
28 WILLIAM C. ROBB, Clerk

29 By [Signature]

30 Deputy Clerk

31 (SEAL)
32

RHH:jmp

red

September 22, 1972

ACL:SSC
33-5-2508-131

Honorable Rogers C. B. Morton
Secretary of the Interior
Washington, D. C.

My dear Mr. Secretary:

Re: File No.: 33-5-2508-131
Tract No.: 18 and 18B
Civil No.: 8-1323
District: Eastern State: California

An examination has been made of the title evidence and the transcript of record in the condemnation proceeding identified in Schedule A attached hereto as it pertains to the property and estates more particularly described therein. This Schedule also sets out the date of the final judgment, the award and the estate acquired.

The proceeding is regular, the judgment is satisfied and valid title to the estate in the land referred to in Schedule A is vested in the United States of America.

A certified copy of the final judgment and related papers are enclosed.

Sincerely yours,

Attorney General

Enclosures

SCHEDULE "A"

File No.: 33-5-2508-131

Civil No.: 8-1323

Style of Case: United States v. 487.86 acres of land in
Shasta County, California, Lee Funderburg,
et al.

Project: Whiskeytown-Shasta-Trinity National Recreation Area

Tracts: 18 and 128

Acres: 21.07

Final Judgment Filed: May 12, 1972

Award: \$200,000.00, plus the right in the defendants to occupy
the house on Tract No. 18 without compensation for
6 months provided they maintain the premises.

Deficiency Deposit: \$200,000.00 on June 16, 1972

Estate Acquired: The fee simple interest, including all and
singular the water rights and other rights,
tenements, hereditaments and appurtenances
thereunto belonging and in anywise appertain-
ing, subject to existing easements for rights-
of-way for private roads, for telephone and
power lines, and other public utilities, if
any.

Affix I.R.S. \$ None In this space

[449

Joint Tenancy Deed

JACOB CAMENISCH and OLIVE CAMENISCH, his wife

RECORDED AT REQUEST OF
NORTH VALLEY TITLE & ESCROW CO.
AT 55 MIN. PAST 2 P.M.
OFFICIAL RECORDS SHASTA COUNTY, CALIF.

Grant to

LEE FUNDERBURG and JESSIE FUNDERBURG, his wife

JAN 10 1962
Volume 692 Page 204
Michael [Signature]
RECORDED FEB 2 1962

as Joint Tenants

the real property situated in the

County

of

Shasta

, State of California, described as follows:

PARCEL 1:

All that portion of the Northwest quarter of Northwest quarter, Section 12 Township 32 North, Range 7 West, M.D.M. lying Northerly of that certain 7.56 aced parcel conveyed to the State of California by Deed recorded June 22, 1948 in Book 244, Official Records, Page 156, Shasta County Records.

EXCEPTING THEREFROM the East 208.71 feet.

PARCEL 2:

DEED IS BEING RECORDED TO CORRECT THE DESCRIPTION CONTAINED IN THE DEED RECORDED JULY 1961. All that portion of the Northwest Quarter of Northwest Quarter of Section 12, Township 32 North, Range 7 West of Mount Diablo Base and Meridian, described as follows: Beginning at a point being radially opposite Engineer's Station 279+45.26 of the California State Department of Public Work's survey between Tower House and Schilling, Road II-Sha-20-A, said point being also distant South 66° 19' East 520.0 feet from the northwest corner of said Section 12, said corner being marked by a brass cap, set by the Bureau of Land Management in 1957; thence from said point of beginning and running along said southerly boundary on a curve to the right (tangent to the curve at said point bears South 86° 53' 10" East, South 87° 13' 10" E., according to said Public Work's survey) with a radius of 1400 feet, for an arc distance of 300 feet to a point that is distant South 80° 44' 50" E., (South 81° 04' 50" East according to said Public Work's survey) 299.2 feet from the point of beginning of said curve; thence, continuing along said southerly boundary South 74° 36' 30" East (South 74° 56' 30" East according to said Public Work's survey) 454.74 feet; thence S. 15° 23' 30" W. (South 15° 03' 30" West according to said Public Work's survey) 50.0 feet; thence leaving said southerly boundary South 15° 08' West 454.5 feet; thence West 100.0 feet; thence North 16° 52' West 344.8 feet; thence North 78° 41' West 255.0 feet thence North 28° 49' West 314.7 feet to the point of beginning.

TOGETHER with a right of way for a road 20 feet in width in Parcel Three described in deed recorded December 20, 1960 in Book 653 Official Records, at Page 143, Shasta County Records, for access to that certain 4.87 acre, more or less, parcel of land herein described, said road right of way to begin at a point in the southerly boundary of that certain 7.56 acre, more or less, parcel of land conveyed to the State of California referred to in said deed, and that is opposite Engineer Station 287+00, and thence to proceed across said Parcel Three along the route of an existing dirt road to a point on the easterly boundary of said certain 4.87 acre, more or less, parcel of land that is distant therealong South 15° 8' East 250 feet from the point of beginning of a course on said easterly boundary called "South 15° 8' West 454.5 feet."

ALSO the right to develop and use two springs in said Parcel Three described in the deed recorded December 20, 1960 in Book 653 Official Records, at Page 143, Shasta County Records, and to construct, repair and use a pipeline across said Parcel Three leading from said springs to said 4.87 acre parcel herein described, together with the right of access to said springs and said pipeline on a route having the prior approval of the officer of the United State in charge of the Trinity River Project.

Said rights of way shall be exercised in such a manner as not to interfere with or endanger the facilities of the United States on said land, and any roads or pipeline constructed on said rights of way shall be built at no expense to the United States, all as reserved and set forth in the deed from Jacob Camenisch and Olive Camenisch, his wife, to United States of America, dated October 19, 1960, recorded December 20, 1960 in Book 653 Official Records, at Page 143, Shasta County Records.

BOOK 692 PAGE 204

THIS DEED IS BEING RECORDED TO CORRECT THE DESCRIPTION CONTAINED IN THE DEED RECORDED JULY 7, 1961 IN BOOK 674, OFFICIAL RECORDS, PAGE 28.

Dated: July 14, 1961

STATE OF CALIFORNIA
COUNTY OF Shasta } ss.

On July 18, 1961 before me, the undersigned, a Notary Public in and for said County and State, personally appeared Jacob Camenisch
Olive Camenisch

_____, known to me to be the person S whose name S subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

(Seal)

Emilie Reed
Notary Public in and for said County and State

If executed by a Corporation the Corporation Form of Acknowledgment must be used.

Jacob Camenisch
Olive Camenisch

Title Order No. _____

Escrow No. 6872-A

BOOK 674 PAGE 28
RECORDING REQUESTED BY

8846

RECORDED AT REQUEST OF
NORTH VALLEY TITLE ESCROW CO.
AT 10:00 AM, JUL 21, 1961
OFFICIAL RECORDER SHASTA COUNTY, CALIF.

JUL 21 1961
Volume 674, Page 28
Michael Montgomery
RECORDER FEE \$2.00

WHEN RECORDED MAIL TO

Lee Funderburg
Box "F"
Weaverville, California

(6872-A

SPACE ABOVE THIS LINE FOR RECORDER'S USE



50 in this space

Joint Tenancy Deed

JACOB CAMENISCH AND OLIVE CAMENISCH, his wife

Grant to

LEE FUNDERBURG AND JESSIE FUNDERBURG, his wife

as Joint Tenants

the real property situated in the

County

of Shasta

, State of California, described as follows:

(See attached sheet)

Dated: July 14, 1961

STATE OF CALIFORNIA }
COUNTY OF Shasta } ss.

On July 18, 1961 before me, the under-
signed, a Notary Public in and for said County and State,
personally appeared Jacob Camenisch and
Olive Camenisch

known to me
to be the persons whose names are subscribed to the
within instrument and acknowledged that they executed
the same.

WITNESS my hand and official seal.

(Seal) Emilie Reedy
Notary Public in and for said County and State
Emilie Reedy

If executed by a Corporation the Corporation Form of Acknowledgment
must be used

Jacob Camenisch
Olive Camenisch

Title Order No.

Escrow No.

6872-A

All that portion of the Northwest Quarter of Northwest Quarter of Section 12, Township 32 North, Range 7 West of Mount Diablo Base and Meridian, described as follows:

Beginning at a point being radially opposite Engineer's Station 279+45.26 of the California State Department of Public Work's survey between Tower House and Schilling, Road II-Sha-20-A, said point being also distant South 66° 19' East 520.0 feet from the northwest corner of said Section 12, said corner being marked by a brass cap, set by the Bureau of Land Management in 1957; thence from said point of beginning and running along said southerly boundary on a curve to the right (tangent to the curve at said point bears South 86° 53' 10" East, South 87° 13' 10" E according to said Public Work's survey) with a radius of 1400 feet, for an arc distance of 300 feet to a point that is distant South 80° 44' 50" E., (South 81° 04' 50" East according to said Public Work's survey) 299.2 feet from the point of beginning of said curve; thence continuing along said southerly boundary South 74° 36' 30" East (South 74° 56' 30" East according to said Public Work's survey) 454.74 feet; thence S. 15° 23' 30" W (South 15° 03' 30" West according to said Public Work's survey) 50.0 feet; thence leaving said southerly boundary South 15° 08' West 454.5 feet; thence West 100.0 feet; thence North 16° 52' West 344.8 feet; thence North 78° 41' West 255.0 feet; thence North 28° 49' West 314.7 feet to the point of beginning.

TOGETHER with a right of way for a road 20 feet in width in Parcel Three described in deed recorded December 20, 1960 in Book 653 Official Records, at Page 143, Shasta County Records, for access to that certain 4.87 acre, more or less, parcel of land herein described, said road right of way to begin at a point in the southerly boundary of that certain 7.56 acre, more or less, parcel of land conveyed to the State of California referred to in said deed, and that is opposite Engineer Station 287+00, and thence to proceed across said Parcel Three along the route of an existing dirt road to a point on the easterly boundary of said certain 4.87 acre, more or less, parcel of land that is distant therealong South 15° 8' East 250 feet from the point of beginning of a course on said easterly boundary called "South 15° 8' West 454.5 feet."

ALSO the right to develop and use two springs in said Parcel Three described in the deed recorded December 20, 1960 in Book 653 Official Records, at Page 143, Shasta County Records, and to construct, repair and use a pipeline across said Parcel Three leading from said springs to said 4.87 acre parcel herein described, together with the right of access to said springs and said pipeline on a route having the prior approval of the officer of the United States in charge of the Trinity River Project.

Said rights of way shall be exercised in such a manner as not to interfere with or endanger the facilities of the United States on said land, and any roads or pipeline constructed on said rights of way shall be built at no expense to the United States, all as reserved and set forth in the deed from Jacob Camenisch and Olive Camenisch, his wife, to United States of America, dated October 19, 1960, recorded December 20, 1960 in Book 653 Official Records, at Page 143, Shasta County Records.



BOOK 653 PAGE 143

Whiskeytown
Unit No. WR-37

13878

GRANT DEED

RECORDED AT REQUEST OF
SHASTA COUNTY TITLE CO.
AT 15 MIN. PAST 9 A.M.
OFFICIAL RECORDS SHASTA COUNTY, CALIF.

DEC 20 1960
Volume 653, Page 143
Mildred Montgomery
RECORDER FEE \$5.20

We, JACOB CAMENISCH and OLIVE CAMENISCH, his wife,

hereinafter styled Grantor, for and in consideration of the sum of TWENTY-SEVEN THOUSAND SEVENTY-FIVE AND NO/100 DOLLARS (\$27,075.00), lawful money of the United States to us in hand paid by THE UNITED STATES OF AMERICA, in pursuance of the provisions of the Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary or applicable thereto, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey unto THE UNITED STATES OF AMERICA and its assigns, all that certain real property situate in the County of Shasta, State of California, described as follows:

Three parcels of land in Sections Eleven (11) and Twelve (12) in Township Thirty-two (32) North of Range Seven (7) West of the Mount Diablo Meridian, having a combined area of 99.50 acres, more or less, and being separately described as follows:

PARCEL ONE: A parcel of land in said Section 11, being all that portion of the northeast quarter ($NE\frac{1}{4}$) of said Section 11 that is more particularly described as follows:

The north half of the northeast quarter ($N\frac{1}{2}$ of $NE\frac{1}{4}$) of said Section 11, BUT EXCEPTING THEREFROM all that portion thereof lying within the limits of that certain 7.10-acre, more or less, parcel of land described in the deed from Jacob and Olive Camenisch to the State of California, dated February 6, 1948, recorded March 12, 1948, in Volume 244 of Official Records, page 122, Records of Shasta County, as follows:

That portion of the north half of the northeast quarter ($N\frac{1}{2}$ of $NE\frac{1}{4}$) of Section 11, Township Thirty-two (32) North, Range Seven (7) West, Mount Diablo Meridian, described as follows:

A strip of land 250 feet wide, lying 100 feet northwesterly and 150 feet southeasterly of a baseline beginning at a point in the easterly line of said Section 11, at Engineer's Station 274+33.25 of the Department of Public Works' survey between Tower House and Schilling, Road II-Sha-20-A from which point the northeast corner of said Section 11, bears North $0^{\circ} 18' 30''$ East 161.69 feet; thence, from said point of beginning, South $75^{\circ} 19'$ West, 310.62 feet; thence, along a curve to the right, with a radius of 1000 feet, through an angle of $35^{\circ} 40' 27''$, a distance of 662.63 feet to Engineer's Station 265+00 of said survey; thence, said strip of land to be: 200 feet wide, lying 100 feet each side of said baseline, continued from a tangent which bears North $69^{\circ} 00' 33''$ West, along said curve to the right, with a radius of 1000 feet, through an angle of $21^{\circ} 04' 12''$ a distance of 367.74 feet to Engineer's Station 261+32.26 of said survey, being a point in said northerly line of said Section 11, distant thereon, South $89^{\circ} 16' 27''$ West, 1224.83 feet from the northeast corner thereof. The side lines of said strip of land to be

Checked as to Engineering data
Dec 20 1960

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prolonged or shortened so as to begin and end respectively in the east and north lines of said north half of the northeast quarter ($N\frac{1}{2}$ of $NE\frac{1}{4}$) of Section 11,

AND ALSO EXCEPTING THEREFROM, all that portion thereof lying northerly of that certain 7.10-acre, more or less, strip or parcel of land described in the deed to the State of California, hereinabove described,

said parcel of land, containing, after making such exceptions, an area of 69.7 acres, more or less.

PARCEL TWO: A parcel of land in said Section 11, being all that portion of the northeast quarter ($NE\frac{1}{4}$) of said Section 11 that is more particularly described as follows:

The north half of the northeast quarter ($N\frac{1}{2}$ of $NE\frac{1}{4}$) of said Section 11, BUT EXCEPTING THEREFROM all that portion thereof lying southerly of the northerly right of way line of that certain 7.10-acre, more or less, strip or parcel of land, described in the deed to the State of California, hereinabove referred to in Parcel One,

said parcel of land, containing, after making such exception, an area of 3.2 acres, more or less.

PARCEL THREE: A parcel of land in said Section 12, being all that portion of the northwest quarter ($NW\frac{1}{4}$) of said Section 12, that is more particularly described as follows:

The northwest quarter of the northwest quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of said Section 12, BUT EXCEPTING THEREFROM all that portion thereof lying within the limits of that certain 7.56-acre parcel of land described in a deed from Jacob Camenisch, et ux., to the State of California, dated May 13, 1948, recorded June 22, 1948, in Volume 244 of Official Records, page 156, Records of Shasta County, as follows:

All that portion of the northwest quarter of the northwest quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section 12, T. 32 N., R. 7 W., M.D.B.M., described as follows:

A strip of land 200 feet wide, lying 100 feet each side of a baseline beginning at a point in the westerly line of said Section 12, at Engineer's Station 274+33.25 of the Department of Public Works' survey between Tower House and Schilling, Road II-Sha-20-A, from which point the northwest corner of said Section 12, bears North $00^{\circ} 18' 30''$ East, 161.69 feet; thence, from said point of beginning, North $75^{\circ} 19'$ East 33.37 feet; thence, along a curve to the right, with a radius of 1500 feet, through an angle of $29^{\circ} 44' 30''$, a distance of 778.64 feet; thence, South $74^{\circ} 56' 30''$ East, 454.74 feet to Engineer's Station 287+00 of said survey; thence said strip of land to be 250 feet, lying 100 feet northeasterly and 150 feet southwesterly of said baseline, continued South $74^{\circ} 56' 30''$ East 295.05 feet to Engineer's Station 289+95.05 of said survey, being a point in the easterly boundary line of said northwest quarter of the northwest quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section 12, distant thereon, South 348.90 feet from the northeast corner thereof; the side lines of said strip of land to be prolonged or shortened so as to begin and end respectively in the east and west lines of said northwest quarter of the northwest quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section 12,

AND ALSO EXCEPTING THEREFROM all that portion thereof lying within the limits of that certain 5.17-acre, more or less, parcel of land described in the deed from Jacob Camenisch, et ux., to Mary E. Mercer, dated August 11, 1948, recorded November 8, 1948, in Book 300 of Official Records at page 334, Records of Shasta County, as follows: The east 208.71 feet as measured along the side lines of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, T. 32 N., R. 7 W., M.D.M., less a strip of land, 250 feet in width, conveyed to the State Highway Commission, AND ALSO EXCEPTING THEREFROM all that portion thereof lying northerly of that certain 7.56-acre, more or less, parcel of land conveyed to the State of California, hereinabove referred to, AND ALSO EXCEPTING THEREFROM all that portion thereof lying within the limits of a 4.87-acre, more or less, parcel of land that is described as follows: Beginning at a point on the southerly boundary of that certain 7.56-acre, more or less, parcel of land, hereinabove described, said point being radially opposite Engineer's Station 279+45.26 of the California State Department of Public Work's survey between Tower House and Schilling, Road II-Sha-20-A, said point being also distant South 66° 19' East 520.0 feet from the northwest corner of said Section 12, said corner being marked by a brass cap, set by the Bureau of Land Management in 1957; thence from said point of beginning and running along said southerly boundary on a curve to the right (tangent to the curve at said point bears South 86° 53' 10" East, South 87° 13' 10" East according to said Public Work's survey) with a radius of 1400 feet, for an arc distance of 300 feet to a point that is distant South 80° 44' 50" East (South 81° 04' 50" East according to said Public Work's survey) 299.2 feet from the point of beginning of said curve; thence continuing along said southerly boundary South 74° 36' 30" East (South 74° 56' 30" East according to said Public Work's survey) 454.74 feet; thence South 15° 23' 30" West (South 15° 03' 30" West according to said Public Work's survey) 50.0 feet; thence leaving said southerly boundary South 15° 08' West 454.5 feet; thence West 100.0 feet; thence North 16° 52' West 344.8 feet; thence North 78° 41' West 255.0 feet; thence North 28° 49' West 314.7 feet to the point of beginning,

said parcel of land, containing, after making such exceptions, an area of 26.60 acres, more or less.

SUBJECT to existing rights of way in favor of the public or third parties for highways, roads, railroads, telegraph, telephone and electrical transmission lines and canals, laterals, ditches, flumes, siphons and pipelines on, over and across said premises; and

SUBJECT to the effect of reservations and leases, if any, of oil, gas and minerals in or under said land; and

EXCEPTING THEREFROM all buildings and other improvements located thereon, provided said buildings and improvements are removed from said land by September 1, 1961. If not so removed, said buildings and improvements shall be and become the property of the United States; and

RESERVING to Grantor, their heirs, executors, administrators and assigns, a right of way for a road 20 feet in width in said Parcel Three, for access to that certain 4.87-acre, more or less, parcel of land hereinabove excepted from said Parcel Three, said road right of way to begin at a point in the southerly boundary of that certain 7.56-acre, more or less, parcel of land conveyed to the State of

BOOK 653 PAGE 146

California hereinabove referred to and that is opposite Engineer Station 287+00, and thence to proceed across said Parcel Three along the route of an existing dirt road to a point on the easterly boundary of said certain 4.87-acre, more or less, parcel of land that is distant therealong South 15° 8' East 250 feet from the point of beginning of a course on said easterly boundary called "South 15° 8' West 454.5 feet"; and

RESERVING to Grantor, their heirs, executors, administrators and assigns, the right to develop and use two springs in said Parcel Three and to construct, repair and use a pipeline across said Parcel Three leading from said springs to said 4.87-acre parcel hereinbefore excepted from said Parcel Three, together with the right of access to said springs and said pipeline on a route having the prior approval of the officer of the United States in charge of the Trinity River Project.

Said reserved rights of way shall be exercised in such a manner as not to interfere with or endanger the facilities of the United States on said land, and any roads or pipeline constructed on said reserved rights of way shall be built at no expense to the United States.

TO HAVE AND TO HOLD, the above granted and described premises, with all of its appurtenances, unto THE UNITED STATES OF AMERICA and its assigns, forever.

IN WITNESS WHEREOF, We have hereunto executed this instrument this 19th day of October, 1960.

Jacob Camenisch
John Gordon Witness Oline Camenisch

STATE OF CALIFORNIA)
) ss.
County of Sacramento)

On this 21st day of October, 1960, before me
MARY R. MULCAHY, a Notary Public in and for the County of Sacramento, State
of California, residing therein, duly commissioned and sworn, personally
appeared JOHN JORDAN known to me to be the person
whose name is subscribed to the within instrument as a witness thereto, who,
being by me duly sworn, deposed and said: that he resides in the County of
Trinity, State of California; that he was present and saw

JACOB CAMENISCH and OLIVE CAMENISCH, his wife,

personally known to him to be the persons described in, and who executed
the within instrument as Grantors thereto, sign, seal, and deliver
the same; that the said

JACOB CAMENISCH and OLIVE CAMENISCH, his wife,

duly acknowledged in the presence of said affiant, that they executed
the same, and that he, the said affiant, thereupon, and at the request of
said Grantors subscribed his name as witness thereto.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official
seal in the County of Sacramento the day and year in this certificate first
above written.

Mary R. Mulcahy
Notary Public in and for the
County of Sacramento, State
of California.

My commission expires:
June 4, 1963

" END OF RECORDED DOCUMENT "

R 4056
No Fee

Book 244 O.R. Page 156
T. R. #22089

5-12-48
DISTRICT II COUNTY Sha
Parcel #681

ROUTE 20

SECTION A

GRANT DEED
(INDIVIDUAL)

We, JACOB CAMENISCH and OLIVE CAMENISCH, husband and wife, GRANT to the STATE OF CALIFORNIA all that real property in the County of Shasta, State of California, described as:

All that portion of the N.W.1/4 of the N.W.1/4 of Section 12, T. 32 N., R. 7 W., M. D. B. & M., described as follows:

A strip of land 200 feet wide, lying 100 feet each side of a base line beginning at a point in the westerly line of said Section 12, at Engineer's Station 274/33.25 of the Department of Public Works' survey between Tower House and Schilling, Road 11-Sha-20-A, from which point the northwest corner of said Section 12 bears N. 00°18'30" E., 161.69 feet;

thence, from said point of beginning, N. 75°19' E., 33.37 feet;

thence, along a curve to the right, with a radius of 1500 feet, through an angle of 29°44'30", a distance of 778.64 feet;

thence, S. 74°56'30" E., 454.74 feet to Engineer's Station 287/00 of said survey;

thence, said strip of land to be: 250 feet wide, lying 100 feet north-easterly and 150 feet southwesterly of said base line, continued S. 74°56'30" E., 295.05 feet to Engineer's Station 289/95.05 of said survey, being a point in the easterly boundary line of said N.W.1/4 of the N.W.1/4 of Section 12, distant thereon, South, 348.90 feet from the northeast corner thereof.

The side lines of said strip of land to be prolonged or shortened so as to begin and end respectively in the west and east lines of said N.W.1/4 of the N.W.1/4 of Section 12.

Containing 7.56 acres.

Excepting and reserving to the grantors herein, their successors and assigns, all water, water rights, minerals and mineral rights, by whatsoever name known, that may be within or under the parcel of land hereinabove described, without, however, the right ever to drill, dig or mine through the surface of said land therefor, or otherwise in such manner as to endanger the safety of any highway that may be constructed on the lands hereby conveyed.

The grantor further understands that the present intention of the grantee is to construct and maintain a public highway on the lands hereby conveyed in fee and the grantor, for himself, his successors and assigns, hereby waives any claims for any and all damages to grantors remaining property contiguous to the property hereby conveyed by reason of the location, construction, landscaping or maintenance of said highway.

(As used above, the term "grantor" shall include the plural as well as the singular number and the words "himself" and "his" shall include the feminine gender as the case may be.)

Dated this 13th day of May 1948.

Signed and delivered in the presence of

Robert N. Hargis

Jacob Camenisch

Olive Camenisch

ACKNOWLEDGMENT OF SUBSCRIBING WITNESS

STATE OF CALIFORNIA,)
) ss.
County of Shasta)

On this 13th day of May, in the year one thousand nine hundred and forty-eight, before me, Geo. Schroeder, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Robert N. Hargis, known to me to be the person whose name is subscribed to the within instrument as a subscribing witness thereto, who, being by me duly sworn, deposed and said: that he resides in the County of Shasta, State of California; that he was present and saw Jacob Camenisch and Olive Camenisch, personally known to him to be the persons described in, and who executed the said within instrument as parties thereto, sign and execute the same; that he, the affiant, then and there, at the request of said persons, subscribed his name as a witness thereto.

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

(Notarial Seal)

Geo. Schroeder
Notary Public in and for the
County of Shasta, State of
California.

My commission expires November 30,

(CERTIFICATE OF ACCEPTANCE, CIVIL CODE, SEC. 1158)

This Is To Certify, That the State of California, grantee herein, acting by and through the Department of Public Works, Division of Highways, hereby accepts for public purposes the real property, or interest therein, conveyed by the within deed and consents to the recordation thereof.

In Witness Whereof, I have hereunto set my hand this 13th day of May, 1948.

C. H. MURCELL, Principal
Director of Public Works

By C. G. Piper
C. G. Piper
District Right of Way Agent and
Attorney in Fact.

RECORDED AT REQUEST OF SHASTA COUNTY TITLE CO. on Jun 22, 1948 at 49 min. past 9 o'clock A. M.

Wm. J. ...
Recorder

07 OTHER

Whiskeytown National Recreation Area

SPRING RESIDENCE 154

Other Supporting Information

Witucki
Kilgore
Davis
Chapman

L54

WHIS/GEN

WHIS/WR #13

(WR)RW

January 8, 1978

Memorandum

To: Regional Director, Western Region *1/19*

Through: Chief, Division of Water Resources, Western Region *gw 1/12*
Associate Regional Director, Resource Management & Planning *BK 1/12*

From: Hydrologist, Division of Water Resources, Western Region

Subject: Field Trip to Wiskeytown National Recreation Area, 12/13-14/78

Purpose of the Trip: In response to 10-238 submitted by the park, and during discussion of package #151 with representatives of the Denver Service Center who are doing the study, it was decided that the Region should investigate the feasibility of drilling a well as the water source for residence 154.

Accomplishments and/or observations: A geologic/hydrologic investigation of the area (within reasonable proximity to residence #154) was made to select a favorable drilling site for a water well. I utilized the U.S. Geological Survey's Open-File Report on Wiskeytown NRA. A possible drilling site was selected - the 1st bend in the dirt road, which is about 100 yards north of the upper storage tank. However, based on the geology and well production data of the USGS report, the probable yield is anticipated to be low, i.e., less than 7 gallons per minute. See the attachment to this report for technical data.

The present water supply for the residence, and the spring under the highway, was also inspected. Additionally, I contacted the previous owner of the property who built the residence and learned that the springflow was adequate during his ownership and further that he did have a legal right to the springflow. His right was verified by a legal search in the courthouse, title is now held by NPS. The 18" diameter culvert which extends under the highway and is connected to the water supply pipeline now carries only 1 gallon per minute. The larger culvert, 4-1/2 diameter, has 6 gallons per minute flow which is entering the culvert under the highway. It seems reasonable that all of this flow is from the spring. Over the years the openings of the small culvert have apparently become plugged and thus flow of the spring now enters the large culvert and is lost to the water system.

Recommendations: It is recommended that a test well be given consideration. Although the anticipated yield is small, if sufficient water can be found this source would be most desirable because of public health standards; additionally, maintenance and future replacement costs for the lower storage tank and some 1/2 mile of pipeline will be eliminated.

If the test well cannot produce the necessary quantity of water, it is recommended that an effort to rehabilitate the 18" culvert be made in order to allow for the capture of the total springflow.

Should the above two efforts prove unsuccessful, or if water needs are in excess of 6-7 gallons per minute, water may be pumped directly from the lake.

Conclusions: Even though the anticipated yield is low, it is recommended that the drilling of a test well be considered for the water source of the residence. Next to be considered is the rehabilitation and continued use of the spring, which has been adequate in the past. If both of these sources are not adequate, water may be pumped directly from the lake.

WILLIAM WERRELL
W. Werrell

I concur

(Sgd) Bruce M. Kilgore

JAN 12 1979

Associate Regional Director, Resource
Management and Planning, Western Region

Date

Approved:

(Sgd) HOWARD H. CHAPMAN
Regional Director, Western Region

JAN 19 1979

Date

Enclosure

cc:

Superintendent, Whiskeytown NRA, w/encl

WASO (497) w/encl

Manager, Denver Service Ctr, Attn: Ass't Mgr, Pacific NW/Western Team, w/encl

(WR)RW:Werrell:mpm 1/5/78

TECHNICAL DATA ATTACHMENT

Geology/Test Well Drilling Site

The geology of the area was examined using the following report as reference: Page, R.W., 1969, Water-Resources Reconnaissance of Whiskeytown National Recreation Area, California, U.S. Geological Survey Open-File Report. The geologic map of the report indicates that the area in question is composed entirely of Copley Greenstone. The report lists three wells drilled in the Copley which have yields of 9, 2-1/2 and 1 gallons per minute. While some variation of the Copley can be seen along the roadcuts to the upper storage tank, it is fairly uniform in its composition and texture. These altered igneous rocks are impermeable, but are highly fractured. Water yield must, therefore, be obtained from water contained within these fractures - or from water movement along fault planes. During the field work it was noted that the bearing of the channel upstream of the road fill is N 18 W for a distance of approximately 1/4 mile. This bearing also intersects (twice) the switch-back road to the upper storage tank where a small tributary course is present. The bearing coincides within 2° or 3° of the faults shown on the U.S. Geological Survey's (USGS) geologic map which are located west of the area approximately one mile and two miles. These switch-back road cuts were examined for fault planes, however, none were found. About 100 yards down the road from the upper storage tank, at the bend in the road, a zone of larger blocks is found. This zone may be the remnants of a dike. This material weathers more readily as is evidenced by the small drainage channel which coincides with this material. This material, and the corresponding channel, are again evidenced in the switch-back roadcut downgradient.

Considering the location of the house, the accessibility of a drilling site, and the geology present in the area, the most favorable site for the drilling of a well is believed to be at either of the above roadcuts where the more erodible material is present. It is speculated that drilling to a depth of at least 100 feet would be required to achieve a well. Drilling to a depth of 430 feet (elevation of lake high water mark) may be required to fully test the site. Production from the well would not be expected to be greater than five gallons per minute.

Investigation of Spring Site

The natural geologic setting of the spring is obscured by the extensive highway fill. Actually, highway construction involved not one, but two, fill extensions across the wash - these being joined by additional fill. This results in an intersection to the highway. Construction was apparently made directly over the spring opening, which was located in the bottom of a wash. A culvert approximately 4-1/2 feet in diameter was placed in the fill to provide for the passage of water, down the wash, under the roadway. This culvert was apparently placed over the spring opening. Construction also included an 18" culvert which was placed below and to

ENCLOSURE

the side of the larger culvert. This smaller culvert is seen only at the downstream invert, it extends upgradient an unknown distance. It seems reasonable to assume that the smaller culvert was designed to collect and convey the spring water - a pipeline leads from this culvert to the metal storage tank which is located several hundred feet to the South.

The present situation/condition is as follows: No flow is now in the wash and thus the upstream invert of the culvert is dry. About 100 feet down the culvert (208 feet, measured by steel tape, above the downstream invert) water enters the culvert through the joints/seams of the corrugated sections. Additional water enters the culvert 128 feet above the downstream invert. At this point water is entering from the culvert joint/seams and is under pressure - two small holes produce fountains similar to common drinking water fountains. Still more water enters the culvert 107 feet above the downstream invert. A volumetric measurement was made of the total large culvert flow at the downstream invert. The flow was 6 gallons per minute. The specific conductance of the water was 220 micromhos @ 13° C (55° F). Using a factor of 0.65, this indicates approximately 140 parts per million dissolved solids. The pipeline to the small culvert was removed and the flow was volumetrically measured at 1 gallon per minute. The field specific conductance of the water is the same as above. The field specific conductance of the lake water was 100 micromhos @ 8° C (46° F), which indicates approximately 65 parts per million dissolved solids, using 0.65 as the factor.

Water Rights

I visited Mr. Funderburg in Redding, CA. He owned several tracts of land which were acquired by the Service upon creation of Whiskeytown NRA. Mr. Funderburg built the house (residence #154) as his home and had developed the water system. He informed me that the spring had been adequate for his water supply. Regarding the location of the spring, he said that even though it was located under the highway, he had held title to it and that this was in the chain of title to the property.

I went to the courthouse and determined that the spring was recognized by the State of California when the highway right-of-way was purchased from Mr. Camendisch. (Funderburg's predecessor) in 1948, i.e., the deed contains the following verbage: "Excepting and reserving to the grantors herein, their successors and assigns, all water, water rights, minerals and mineral rights, by whatsoever name known, that may be withon or under the parcel of land hereinabove described, without, however, the right ever to drill, dig or mine through the surface of said land therefor, or otherwise in such manner as to endanger the safety or any highway that may be constructed on the lands hereby conveyed."

Docket Information

Number of Documents in Docket : 28

Documents Dated from : 05-13-1948 to 10-28-2024

Docket Compiled: 11/14/2024