Docket Number: 5

ALEMEA CREEK [REVOKED]

Preliminary Docket Information

DOCKET INFORMATION FORM

Compiled by: Alexa Kreiling Date: 10/29/2024

Initial Docket Information Form ☒ Amendment # _____ (1,2,3 ...)

Includes Confidential Content ☐

Park Unit: PORE **Docket #:** 005 **Docket Title** Alemea Creek [Revoked]

Docket Type:

Select all applicable: ☐ PC/V (pre-code/vested) ☒ APP (appropriative) ☐ RIP (riparian)
☐ FRR (federal reserved right) ☐ PWR (public water reserve) ☐ ACQ (acquired)
☐ GW (groundwater) ☐ Own (ownership) ☐ Other _____

Region:

☐ NER & NCR ☐ IMR
☐ SER ☐ MWR
☐ IMR ☒ PWR
☐ AKR

Source:

☐ Groundwater ☐ Spring (When recognized by the State as separate from groundwater and surface water)
☒ Surface Water
☐ Direct Diversion ☐ Diversion to Storage ☐ Instream Flow
Name: _____

State: CA

County: Marin

Owner: US National Park Service (As listed by the State)

Application #: _____ **Date:** _____

Permit #: _____ **Date Issued:** _____

License / Certificate #: _____ **Priority Date:** _____

Ruling/Order/Decree #: _____ **Date Issued:** _____

Quantity: Rate: _____ Duty: _____

Units: ☐ cfs ☐ gpm ☐ afy ☐ other _____ Units: ☐ cfs ☐ gpm ☐ afy ☐ other _____

Use(s): ☒ Domestic ☒ Livestock ☒ Irrigation ☐ Municipal ☒ Industrial/Commercial ☐ Wildlife ☐ Instream ☒ other Recreation

POD Name / Location: _____ ☐ Multiple PODs (see water right)

Qtr: _____ Qtr: _____ Sec: _____ T: _____ R: _____ PM: _____

Latitude: _____ Longitude: _____

UTM _____ , _____ Datum: _____

POU Name / Location: _____ ☐ Multiple POUs (see water right)

Qtr: _____ Qtr: _____ Sec: _____ T: _____ R: _____ PM: _____

Latitude: _____ Longitude: _____

UTM _____ , _____ Datum: _____

Narrative / Remarks: Enter short narrative in the space below, attach additional page(s) as needed.

Revoked 4/21/1972.

☐ Additional Page(s) Attached

02 STATE

Point Reyes National Seashore

ALEMEA CREEK [REVOKED]

State Water Rights Documentation

04-21-1972: order revoking permit: permit no. 13839; application no. 20771

STATE OF CALIFORNIA—THE RESOURCES AGENCY

RONALD REAGAN, Governor

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 1015, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814

ORDER REVOKING PERMIT

PERMIT 13839 (APPLICATION 20771)

Permittee: U. S. Department of Interior

It is ordered that this permit be, and the same is, hereby revoked and canceled, without prejudice, upon the records of the State Water Resources Control Board for the reason indicated.

___ 1. A request has been received by, or on behalf of, Permittee that the permit be revoked.

_X_ 2. Permittee failed to commence, prosecute, or complete the work contemplated in the permit and to apply water to beneficial use as required by Section 1410 of the Water Code.

___ 3. Permittee failed to apply water to beneficial use as required by Section 1410 of the Water Code.

K. L. Woodward

K. L. Woodward, Chief
Division of Water Rights

Dated: APR 21 1972

Certified

03-30-1972: letter to nps from supervisor regarding project contemplated under permit no. 13839, application 20771, is no longer planned; will be revoked unless a written request for hearing is received within 15 days

STATE OF CALIFORNIA—THE RESOURCES AGENCY

RONALD REAGAN, Governor

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 1140, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814

MAR 30 1972

U. S. Department of Interior
National Park Service
Division Water Resources, SSC
450 Golden Gate Avenue
Box 36063
San Francisco, CA 94102

Gentlemen:

Permit 13839 (Application 20771)
Alemea Creek in Marin County

As stated in the enclosed notice, information shows that the project contemplated under the approved permit is no longer planned. The permit will, therefore, be revoked unless a written request for hearing is received within 15 days.

Sincerely,

D. W. Sabiston, Supervisor
Coastal Region

Certified

03-30-1972: notice of proposed revocation: permit 13839; application 20771

STATE OF CALIFORNIA—THE RESOURCES AGENCY

RONALD REAGAN, Governor

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 1140, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814

NOTICE OF PROPOSED REVOCATION

Permit 13839 (Application 20771)
Alemea Creek in Marin County

Permittee: U. S. National Park Service

In accordance with the provisions of Section 1410 of the California Water Code, notice is hereby given that revocation of Permit 13839 is proposed because of failure of permittee to complete the project and place the water to beneficial use within the time allowed by the permit.

The facts and information upon which the proposed revocation is based are the following:

1. The time to complete application of water to the proposed uses under this permit expired December 1, 1969.

2. Development of the subdivision project as contemplated in the permit has not started and is no longer planned since it would be contrary to the basic natural concept of the Point Reyes National Seashore.

3. The entire watershed of Alemea Creek is now within the National Seashore and an appropriative water right would be of no value for any use of Alemea Creek water within the National Seashore.

Unless a written request for a hearing before the State Water Resources Control Board, signed by or on behalf of permittee, is delivered or mailed to the Board within 15 days after receipt of this notice, the Board may act upon the proposed revocation of the permit without a hearing and without further notice.

K. L. Woodward

K. L. Woodward, Chief
Division of Water Rights

Dated: MAR 30 1972

08-03-1970: notification of existing water use

USFS sample

Forest Notification No. 03-56-5

State Stream Code No. 0-004-00-00-8

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

NOTIFICATION OF EXISTING WATER USE

TO THE STATE WATER RIGHTS BOARD OF THE STATE OF CALIFORNIA:

The UNITED STATES OF AMERICA, acting by and through the FOREST SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE, hereby notifies you of the following existing water use on reserved land in California within the So. Fork American River watershed of the Eldorado (National Forest) (~~National Grassland~~)* for National Forest System purposes:

(1) The source of the water used is Unnamed stream (stream, lake, spring, or well; if unnamed, so state), located in El Dorado County, California, which source is tributary to So. Fork American River.

(2) The point of diversion is: (bearing and distance or coordinate distances from section or quarter section corner), being within the SE 1/4 SW 1/4 (40-acre subdivision) of Section 30, Township 11N, Range 15E, MDM Base and Meridian.

(3) The amount of water used is as follows: (Complete only applicable items)

(a) For diversion and direct application to beneficial use: 600 Gal per day, the diversion commencing June 1

*Strike out inapplicable words.

R5-2500-7(Iss. 10/65)

and ending Nov. 1 of each year.

(b) For diversion, storage, and later application to beneficial use: ____ acre-feet per annum, to be collected between _____ and _____ of each year.

(4) The use(s) to which the water is put is(are) the following:

Domestic
(domestic, irrigation, power, recreation, stock water, fire control, or fish culture)

(5) The place where the water is used is Lots 20, 21, 22 of 30 Milestone Tract (commonly used name or local designation), in the SE 1/4 SW 1/4 (40-acre subdivision) of Section 30, Township 11N, Range 15E, MDM Base and Meridian, in El Dorado County, California.

(6) If said place of use of the water covered by this notification is also served by water covered by another notification or by a water right from the State:

(a) The number of the Forest Notification of the _____ National Forest is _____.

(b) The number of the State (permit) (license)* is _____ issued pursuant to application number _____.

(7) The water used covered by this notification commenced in the year Prior to 1940

(8) If the water use covered by this notification is by a person on entity occupying National Forest land under a special use permit:

(a) The permittee is named John La Mottee, James R. Lear/ Agnes E. Burnette

*Strike out inapplicable word.

R5-2500-7(Iss. 10/65)

08-03-1970: notification of existing water use

(b) The permit was issued for the purpose(s) of recreation residence

---

SAID PERMITTEE DOES NOT HAVE A WATER RIGHT UNDER CALIFORNIA LAW COVERING THIS USE.

The foregoing diversion and use are made pursuant to a withdrawal and reservation of the affected land and resources thereon for National Forest System purposes. The effective date of said withdrawal and reservation is March 2, 1909.

A map, if available, showing points of diversion and use is attached hereto.

The United States of America gives this notification to the State in the interest of comity, and does not concede that the State has power to regulate the rights of the United States to use of the water.

DATED this 3rd day of August, 1970.

UNITED STATES OF AMERICA

By C. A. Yates
Acting Regional Forester,
California Region, Forest Service

R5-2500-7 (Iss. 10/65)

02-27-1969: progress report by permittee for 1968: application no. 20771, permit no. 13839

STATE OF CALIFORNIA—THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

PROGRESS REPORT BY PERMITTEE FOR 1968

OWNER OF RECORD: APPLICATION 20771

2/27/1969

U S NATIONAL PARK SERVICE
SAN FRANCISCO PLANNING & SERVICE CENTER,
OFFICE OF LAND & WATER RIGHTS,
BOX 36063,
SAN FRANCISCO, CALIF 94102

If the owner or address shown above is wrong, please correct

SOURCE: ALEMEA CREEK

AMOUNT:

PURPOSE: IRRIGATION, DOMESTIC, INDUSTRIAL, RECREATIONAL & STOCKWATERING

PERMIT 13839 IRRIGATION OF: 400 ACRES

This report is important to you in establishing your water right. It should be filled out carefully and returned promptly to the State Water Resources Control Board, Division of Water Rights, Room 1140, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

Neither the filing of an application nor issuance of a permit in approval thereof constitutes a water right. A water right is established only by beneficial use of water in accordance with the terms and conditions of the permit. This report provides a record of the development of your project. If the project is diligently completed a license will be issued to confirm the right developed by beneficial use.

1. Has construction work commenced? NO
2. Has all construction work been completed? NO If not, give estimated date of completion _____
3. State approximate cost of construction work on this project during the past 12 months NONE
   Describe briefly the portions of the project upon which the above amount was spent _____
4. What construction work remains to be done to complete the project? UNKNOWN - UNTIL MASTER PLAN APPROVED
5. Has use of water commenced? _____ What was the maximum rate of diversion (if known)? _____
6. What quantity of water was used each month in 1968 under this permit in gallons or acre-feet? (If not known check months water was used.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual

7. Has use of water, both amount and season, been as great as you expect in any future year under this permit? NO
8. Has location of the intake or place of use been changed? NO
9. Did the source go dry? NO If so, during what months? _____
10. Did your reservoir spill this year? N/A If not, how many feet below spillway vertically was the water level at maximum storage? _____ Have you emptied the reservoir? _____ If not, how many feet below spillway vertically was it drawn down at end of season? _____
11. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.
    (a) ☐ Irrigation _____ (Total acres irrigated) _____ (Name crops served and acreage of each)
    (b) ☐ Stockwatering _____ (Number of animals)
    (c) ☐ Industrial _____ (Nature of use)
    (d) ☐ Domestic _____ (Number of persons, Area of garden, lawn, etc.)
    (e) ☐ Municipal _____ (Approximate population)
    (f) ☐ Mining _____ (Method of water use)
    (g) ☐ Recreational _____ (Nature of use)
    (h) ☐ Power _____ (Installed horsepower capacity)
    (i) ☐ Other _____
12. The project has been abandoned and I request revocation of this permit. ☐ Yes ☐ No

REMARKS USE WILL DEFINITELY BE MADE OF THIS WATER IN FUTURE, ONCE MASTER PLAN APPROVED AND DEVELOPMENTS MADE
(If more space is needed, use reverse side)

Date 2/27/69 Sign Here _____ (Permittee) Supv. Hydrologist

WRCB 15 (8-68) 1968 24115-983 8-68 5M ① OSP

02-27-1969: progress report by permittee for 1968: application no. 20771, permit no. 13839

REMARKS

06-20-1968: progress report by permittee for 1967: application no. 20771, permit no. 13839

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

PROGRESS REPORT BY PERMITTEE FOR 1967

OWNER OF RECORD: APPLICATION 20771

U S NATIONAL PARK SERVICE
SAN FRANCISCO PLANNING & SERVICE CENTER,
OFFICE OF LAND & WATER RIGHTS,
BOX 36063,
SAN FRANCISCO, CALIF 94102

If the owner or address shown above is wrong, please correct

SOURCE: (1) ALEMEA CREEK (2)
(3) (4)
(5) (6)
(7)

PERMIT 13839

Neither the filing of an application nor issuance of a permit in approval thereof constitutes a water right. A water right is established only by beneficial use of water in accordance with the terms and conditions of the permit. This report provides a record of the development of your project. If the project is diligently completed a license will be issued to confirm the right developed by beneficial use.

1. Has construction work commenced? No
2. Has all construction work been completed? No If not, give estimated date of completion
3. State approximate cost of construction work on this project during the past 12 months None
   Describe briefly the portions of the project upon which the above amount was spent
4. What construction work remains to be done to complete the project?
5. Has use of water commenced? What was the maximum rate of diversion (if known)? N/A
6. What quantity of water was used each month in 1967 under this permit in gallons or acre-feet? (If not known check months water was used.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual

7. Has use of water, both amount and season, been as great as you expect in any future year under this permit?
8. Has location of the intake or place of use been changed? No
9. Did the source go dry? No If so, during what months?
10. Did your reservoir spill this year? If not, how many feet below spillway vertically was the water level at maximum storage? Have you emptied the reservoir? If not, how many feet below spillway vertically was it drawn down at end of season?
11. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.
    (a) ☐ Irrigation — Total acres irrigated — Name crops served and acreage of each
    (b) ☐ Stockwatering — Number of animals
    (c) ☐ Industrial — Nature of use
    (d) ☐ Domestic — Number of persons, Area of garden, lawn, etc.
    (e) ☐ Municipal — Approximate population
    (f) ☐ Mining — Method of water use
    (g) ☐ Recreational — Nature of use
    (h) ☐ Power — Installed horsepower capacity
    (i) ☐ Other
12. The project has been abandoned and I request revocation of this permit. ☐ Yes ☒ No

REMARKS This property was recently acquired and a development plan is in study.
(If more space is needed, use reverse side)

Date June 20, 1968 Sign Here Donald H. Cameron
Permittee

This report is of importance to you in establishing your water right as it will be used as a basis for action by the State Water Rights Board. It should be filled out carefully and returned promptly to the State Water Rights Board, Room 1140, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

1967

STATE OF CALIFORNIA—RESOURCES AGENCY

EDMUND G. BROWN, *Governor*

STATE WATER RIGHTS BOARD

RESOURCES BUILDING, ROOM 1140
NINTH AND O STREETS • SACRAMENTO 95814

KENT SILVERTHORNE, *Chairman*
RALPH J. McGILL, *Member*
W. A. ALEXANDER, *Member*

November 17, 1966

U. S. National Park Service
San Francisco Planning and Service Center
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
San Francisco, California 94102

Attention: Mr. Manuel Morris
Supervisory Hydraulic Engineer

Subject: Permit 13839, Application 20771, Alemea Creek in Marin County, Your File No. L54 LWSSC

Gentlemen:

Our records have been amended to show ownership of Permit 13839, Application 20771, in the name of U. S. National Park Service.

If we can be of service in the future, please feel free to contact us.

Sincerely,

L. K. Hill

L. K. Hill
Executive Officer

04-14-1966: letter to supervisory hydraulic engineer from executive officer regarding water rights within point reyes national seashore

...FORNIA—RESOURCES AGENCY

EDMUND G. BROWN, Governor

...WATER RIGHTS BOARD

...OOM 1134, RESOURCES BUILDING

...NTH STREET • SACRAMENTO 95814

...ENT SILVERTHORNE, Chairman
RALPH J. McGILL, Member
W. A. ALEXANDER, Member

April 14, 1966

Mr. Manuel Morris
Supervisory Hydraulic Engineer
U. S. National Park Service
Office of Land and Water Rights
Box 36063
San Francisco, California 94102

Subject: Water Rights within Point Reyes
National Seashore

Dear Mr. Morris:

This letter is to confirm the information given to you by Mr. Armstrong, an engineer of this office, by telephone on March 30, 1966.

There are no water right applications on a lake near Drake's Estero at Point Reyes National Seashore.

We are enclosing copies of maps entitled "Exhibit A" and "Exhibit B" that were filed with Application 20771. Also enclosed is a copy of the latest extension granted to Alemea Development, a corporation, on Application 20771. Please return the exhibits when you are finished with them.

If any further information is needed in regard to this matter, please feel free to contact us.

Sincerely,

L. K. Hill

L. K. Hill
Executive Officer

Enclosures

03-25-1966: letter to state water rights board from supervisory hydraulic engineer regarding copies of all filings, extensions, etc. along alamea creek and any other source in the vicinity of bolema palisadas

FO April 25

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

L54-PORE

AWR 5

March 25, 1966

~~HRS~~
~~Springer~~
Morris

Mr. L. K. Hill, Executive Officer
State Water Rights Board
Room 1140, Resources Building
1416 - Ninth Street
Sacramento, California 95814

Dear Mr. Hill:

Would you kindly send us copies of all filings, extensions, etc. along Alamea Creek and any other source in the vicinity of Bolema Palisades at Point Reyes National Seashore.

We are specifically interested in obtaining copies of "Exhibit A" to Application 20771 filed May 11, 1962, and the extension requested in February of this year. However, any other recent and available correspondence concerning water rights in this area is of interest to us.

Sincerely yours,

Manuel Morris
Supervisory Hydraulic Engineer

HSpringer:ms

03-09-1966: order approving a new development schedule: application 20771; permit 13939

STATE WATER RIGHTS BOAR

ORDER

APPLICATION 20771 PERMIT 13939 LICENSE

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

THE STATE WATER RIGHTS BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 13939; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL COMMENCE ON OR BEFORE	DECEMBER 1, 1966
CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE	DECEMBER 1, 1968
APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE	DECEMBER 1, 1969

WITNESS MY HAND AND THE SEAL OF THE STATE WATER RIGHTS BOARD THIS 9th day of March, 1966

L. K. Hill

L. K. HILL
EXECUTIVE OFFICER

04-16-1964: report on possessory rights certificate of inspection and possession: contract no. nps-pore-14-10-0434-1511

Area Point Reyes National Seashore

REPORT ON POSSESSORY RIGHTS CERTIFICATE OF INSPECTION AND POSSESSION

Owner Alonea Development Company Contract No. NPS-PORE-14-10-0434-1511

I, Sherman W. Swenson, an employee of the Department of the Interior, hereby certify that on the 16th day of April, 1964, I made a personal examination and inspection of that certain tract or parcel of land situated in the County of Marin State of California, designated as tract No. [illegible] and containing 14.7 acres, proposed to be acquired by the United States of America in connection with the Point Reyes National Seashore.

1. That I am fully informed as to the boundaries, lines, and corners of said tract; that I found no evidence of any work or labor having been performed or any materials having been furnished in connection with making of any repairs or improvements on said land; and that I made careful inquiry of the above-named vendors and of the occupants of said land and ascertained that nothing had been done on or about said premises within the past 6 months that would entitle any person to a lien upon said premises for work or labor performed or materials furnished.

2. That I also made inquiry of the above-named vendors and of all occupants of said land as to their rights of possession and the rights of possession of any person or persons known to them and neither found any evidence nor obtained any information showing or tending to show that any person had any rights of possession or other interest in said premises adverse to the rights of the above-named vendors or the United States of America.

3. That I was informed by the above-named vendors and by all other occupants that to the best of their knowledge and belief there is no outstanding unrecorded deed, mortgage, lease, contract, or other instrument adversely affecting the title to said premises.

4. That to the best of my knowledge and belief after actual and diligent inquiry and physical inspection of said premises there is no evidence whatever of any vested or accrued water rights for mining, agricultural, manufacturing, or other purposes nor any ditches or canals constructed by or being used thereon under authority of the United States, nor any exploration or operations whatever for the development of coal, oil, gas, or other minerals on said lands, and that there are no possessory rights now in existence owned or being actively exercised by any third party under any reservation contained in any patent or patents heretofore issued by the United States for said land.

5. That to the best of my knowledge and belief based upon actual and diligent inquiry made there is no outstanding right whatsoever in any person to the possession of said premises nor any outstanding right, title, interest, lien, or estate, existing or being asserted in or to said premises except such as are disclosed and evidenced by the public records.

6. That said premises are now wholly unoccupied and vacant except for the occupancy of none as tenants at will, from whom disclaimers of all right, title, and interest in and to said premises executed on the _____ day of _____, 19___ have been obtained.

Date April 16, 1964

Sherman W. Swenson, Legal Assistant

05-11-1962: application to appropriate unappropriated water; application no. 20771

FILE IN DUPLICATE

[For full information concerning the filling out of this form refer to Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 20771 Filed May 11, 1962, at 11:08 M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

AMENDED APPLICATION RECEIVED 7-9-62

I, Alemea Development Company, a corporation
Name of applicant or applicants

of 681 Market Street San Francisco, County of San Francisco
Address

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

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is Alemea Creek
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed

located in Marin County, tributary to Pacific Ocean

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to beneficial use (1) 0.75 c.f.s. (2) 2.25 c.f.s. Total 3.0 cubic feet per
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day

second, to be diverted from January 1 to December 31 of each year.
Beginning date Closing date

(b) For diversion to be stored and later applied to beneficial use (2) 75 acre-feet
1 acre-foot equals 325,851 gallons

per annum, to be collected between October 1 and July 1 of each season.
Beginning date Closing date

NOTE.—Answer *(a)* or *(b)* or both *(a)* and *(b)* as may be necessary. If amount under *(a)* is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is domestic, irrigation, industrial, recreational
Domestic, irrigation, power, municipal, mining, industrial, recreational

and stockwatering purposes.

4. The point of diversion is to be located See Supplement for both points (1) and (2)
State bearing and distance or coordinate distances from section or quarter section corner

(1) 650'N and 50'E of SW corner of projected Section 5, (2) 1120'W and 200'S of NE corner of projected Section 7,

being within the (1) SW¼ of SW¼ and (2) NE¼ of NE¼
State 40-acre subdivision of public land survey or projection thereof

of projected Section (1) 5, (2) 7, T. 1N, R. 8W, M. D. B. & M., in the County of Marin

5. The main conduit terminates in NE¼ of NE¼ of Sec. 7, T. 1N, R. 8W, M. D. B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

(a) Diversion will be made by pumping from sump for (1)
Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being feet in height (stream bed to level of overflow); feet long on top; and constructed of
Concrete, earth, brush, etc.

(c) The storage dam for (2) will be twenty feet in height (stream bed to spillway level); 100 feet long on top; have a freeboard of 5 feet, and be constructed of earth
Concrete, earth, etc.

7. Storage Reservoir Alemea
Name See Supplement and map Exhibit A

The storage reservoir will flood lands in NE¼ of NE¼ of projected Section 7 and SE¼ of SE¼ of project
Indicate section or sections, also 40-acre subdivisions unless shown upon map Section 6, T1N, R8W, MDB&M

It will have a surface area of 5-6 acres, and a capacity of 50 acre-feet.

☞ In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

FORM 1

If reservoir has a capacity of 25 acre-feet or more fill in the following: Diameter of outlet pipe 12 inches; length 80 feet; difference in elevation from spillway level to highest point of outlet pipe 15 feet; fall in pipe 3 feet.

8. Conduit System (describe main conduits only) See Supplement.

(a) Canal, ditch, flume: Width on top (at water line) _____ feet; width at bottom _____ feet; depth of water _____ feet; length _____ feet; grade _____ feet per 1,000 feet; materials of construction _____
Cross out two not used
Earth, rock, timber, etc.

(b) Pipe line: Diameter _____ inches; length _____ feet; grade _____ feet per 1,000 feet; total fall / lift from intake to outlet _____ feet; kind _____
Riveted steel, concrete, wood-stave, etc.

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. The estimated capacity of the diversion conduit or pumping plant proposed is _____
State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is _____
Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

As to (1) - is already completed.

10. Construction work will begin on or before As to (2) - within 60 days of permit date--

Construction work will be completed on or before for (2) - six months from permit date.

The water will be completely applied to the proposed use on or before five years from date.

Description of Proposed Use

11. Place of Use. See Supplement and map Exhibit A)
State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.

Do(es) applicant(s) own the land whereon use of water will be made? Not all of it (Yes or No) Jointly? _____ (Yes or No)
All joint owners should include their names as applicants and sign application at bottom of third page.

See Supplement
If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

12. Other Rights. Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

Nature of Right (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1. Riparian	unknown	small		
2.				
3.				
4.				

Attach supplement at top of page 3 if necessary.

13. Irrigation Use. The area to be irrigated is (net 400 acreage)(gross acreage 600) acres. in the maintenance of large areas of lawns, shrubbery and gardens and grazing areas for riding horses (beyond Domestic use under Rule 661)
State net acreage to be irrigated

orchard _____ acres; general crops _____ acres; pasture _____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about _____ and end about _____
Beginning date Closing date

14. Power Use. The total fall to be utilized is _____ feet.
Difference between nozzle or draft tube water level and first free water surface above

The maximum amount of water to be used through the penstock is _____ cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is _____ horsepower.
Second feet × fall ÷ 8.8

The use to which the power is to be applied is _____
For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is _____
Turbine, Pelton wheel, etc.

The size of the nozzle to be used is _____ inches.

The water will / will not be returned to _____ in _____ of
Name stream State 40-acre subdivision

Sec. _____, T. _____, R. _____, _____ B. & M.

05-11-1962: application to appropriate unappropriated water: application no. 20771

15. **Municipal Use.** This application is made for the purpose of serving _____
(Name city or cities, town or towns. Urban areas only)
_____ having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

_____

_____

_____

16. **Mining Use.** The name of the mining property to be served is _____
(Name of claim)
_____ and the nature of the mines is _____
(Gold placer, quartz, etc.)

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____
(Cubic feet per second, gallons per minute. State basis of estimate)

The water will / will not be polluted by chemicals or otherwise _____
(Explain nature of pollution, if any)

and it will / will not be returned to _____ (Name stream) in _____ (State 40-acre subdivision) of Sec. _____, T. _____, R. _____, _____ B. & M.

17. **Other Uses.** The nature of the use proposed is Domestic use for approximately 600 homes on
(Industrial, recreational, domestic, stockwatering, fish culture, etc.)
1 acre sites.

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ Industrial use in connection with a fish hatchery
(Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type industrial use, and unit requirements)

Stockwatering in connection with riding stable of recreational club.

Recreational use for boating, swimming, fishing, etc.

General

18. Are the maps as required by the Rules and Regulations filed with Application? Yes, subject to amendment if required. (Yes or No) If not, state specifically the time required for filing same _____

19. Does the applicant own the land at the proposed point of diversion? Yes. (Yes or No) If not, give name and address of owner and state what steps have been taken to secure right of access thereto _____

20. What is the name of the post office most used by those living near the proposed point of diversion?

Bolinas Post Office.

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? None

ALEMEA DEVELOPMENT CO.

[SIGNATURE OF APPLICANT] /s/ D. G. Hertz

Secretary

SUPPLEMENT TO APPLICATION OF ALEMEA DEVELOPMENT COMPANY

4. There are two points of diversion: (1) a pump in the sump stream/which pumps to a 10,000 gallon tank used for regulation and pressure purposes and (2) a dam in the stream bed. As the nearest existing corner of the public land survey is much more than two miles distant and the California Coordinate System has not been established in the area, the points of diversion are defined in accordance with the language of Rule 670, paragraph (d) (3) as follows:

> "Point of Diversion Number (1) (Pumpsite) -- located at the most Northerly corner of the boundary of the "Map of Alemea Palisades" recorded July 24, 1961, in Book 10 of Maps at page 117, Marin County records, Exhibit B hereto being a copy of the same.
>
> Point of Diversion Number (2) (Damsite) -- bears S 79° W 370 feet, more or less, from the most westerly corner of lot 5 as said lot is shown on the "Map of Alemea Palisades", being the same map above referred to.

7. With respect to the lands to be flooded, see attached map, Exhibit A, on which the proposed storage reservoir is shown.

8. For diversion point (1) there is a 4 inch pipe (asbestos-cement) of approximately 500 feet in length from the pump up to the 10,000 gallon regulatory storage tank--a lift of about 250 feet. The pipe presently installed from the diversion point through the Alemea Palisades subdivision is approximately 830 feet in length with a total drop from the diversion point of 60-70 feet. Approximately 680 feet is of 4 inch pipe and the balance of 2 1/2 inch pipe.

For diversion point (2) the projected course of the proposed conduit is set out in green on map Exhibit A.

Provision will also be made for the connecting and intermingling of the waters from points (1) and (2) for the more efficient service of the entire plan of use.

8(b). See below.

11. The proposed place of use, as shown on attached Exhibit A, comprises the area designated "Alemea Palisades" of approximately 14 acres, plus the area designated "Lands of Bolema Palisades, Inc." (Parcel 1, 193 acres; Parcel 2, 403 acres).

Applicant owns the lands designated as "Alemea Palisades" and outlined in red. The balance of the lands in the place of use are owned by Bolema Palisades, Inc., a corporation (address: 681 Market Street, San Francisco). These two companies are interlocking organizations and are both under common control. Pursuant to agreement between them, the waters from the two diversion points are to be intermingled for the most efficient service of the combined holdings.

8(b) From diversion point (2) there will be a 6" and 4" asbestos cement line running parallel with the shoreline to a point in the vicinity of the Bolema Club. An additional 6" asbestos cement line will connect the latter system, via ridge lines to the East, with a 4" line connecting to the diversion point (1) supply. The result will be a looped system being fed by two points of supply. The total system as described will entail approximately 13,100 feet of 6" pipe and 3,650 feet of 4" pipe. Since the differential elevation between the low and high points within the system is of the magnitude of 400 feet, it will be necessary to construct booster pump installations, with tank storage at appropriate points within the system. Such facilities will be subject to ultimate land use and terrain limitations and are a subject of future detailed design. This proposed conduit system, pipe sizes, and type of material are also shown upon maps, Exhibits A and B.

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 13839

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed 3.0 cubic feet per second by direct diversion to be diverted from January 1 to December 31 of each year and 75 acre-feet by storage to be collected from about October 1 of each year to about July 1 of the succeeding year; all as more explicitly set forth in Paragraph 2 of this approved application.

The equivalent of such continuous flow allowance for any thirty-day period may be diverted a shorter time if there be no interference with vested rights.

2. The maximum amount herein stated may be reduced in the license if investigation warrants.

3. Actual construction work shall begin on or before June 1, 1963, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.

4. Said construction work shall be completed on or before December 1, 1965.

5. Complete application of the water to the proposed use shall be made on or before December 1, 1966.

6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.

7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

8. Permittee shall allow representatives of the State Water Rights Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit.

9. This permit does not authorize collection of water to storage during the period from about July 2 to about September 30 of each season to offset evaporation and seepage losses, or for any other purpose.

10. Permittee shall install and maintain an outlet pipe of adequate capacity in his dam as near as practicable to the bottom of the natural stream channel, or provide other means satisfactory to the State Water Rights Board, in order that water entering the reservoir or collected in the reservoir during and after the current storage season may be released into the downstream channel to the extent necessary to satisfy downstream prior rights and/or to the extent that appropriation of said water is not authorized under this permit.

11. In accordance with the requirements of Water Code Section 1393, permittee shall clear the site of the proposed reservoir of all structures, trees, and other vegetation which would interfere with the use of the reservoir for water storage and recreational purposes.

12. If dam is to be of jurisdictional size, separate application for approval of plans and specifications for construction of the dam shall be filed with and approved by the Department of Water Resources prior to commencement of construction of the dam described under this approved water right application.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

13839

Dated: DEC 19 1962

STATE WATER RIGHTS BOARD

L. K. Hill

L. K. Hill
Executive Officer

62066 4-62 5M ⓓ BPC

9/29/1961

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DECLARATION OF RESTRICTIONS, CONDITIONS, COVENANTS AND AGREEMENTS AFFECTING REAL PROPERTY KNOWN AS ALEMEA PALISADES, MARIN COUNTY, CALIFORNIA

WHEREAS, ALEMEA DEVELOPMENT CO., a California corporation, owner of that certain real property situated in the County of Marin, State of California, as shown on that certain map entitled, "Map of Alemea Palisades", filed for record in the office of the Recorder of the County of Marin, Book of Maps, Volume 10, page 117; and

WHEREAS, ALEMEA IMPROVEMENT CORPORATION, is a non-profit corporation, duly authorized and existing under and by virtue of the laws of the State of California, for the principal purpose of administering the affairs in common of the owners of said subdivision; and

WHEREAS, the property shown on said map is to be sold and the undersigned desires to subject said property to restrictions, conditions, covenants, charges, assessments and agreements between it and the several purchasers of the said property and between the several purchasers of said property as amongst themselves and the ALEMEA IMPROVEMENT CORPORATION, a non-profit corporation, as hereinafter set forth, pursuant to a general plan of improvement;

NOW, THEREFORE, the undersigned declares that the property shown on said map and known as ALEMEA PALISADES is held and shall be sold, conveyed, owned, leased, occupied, resided upon, hypothecated and held subject to the following restrictions, conditions, covenants, charges, assessments and agreements between it and the several owners and purchasers of said property and between the several owners and purchasers of said property as amongst themselves and the ALEMEA IMPROVEMENT CORPORATION, and their respective heirs, successors and assigns, viz:

1. All said restrictions, covenants, conditions, charges, assessments and agreements are and shall be for the direct and mutual and reciprocal benefit of each and every lot shown on said recorded map and are intended to create and do create mutual and equitable servitudes upon each of the residential lots shown on said map in favor of each other residential lot shown on said map, and are intended to create and do create reciprocal rights and obligations between the respective owners of all of the lots shown on said map and are intended to and do create a privity of contract and estate among the grantees of said lots, their heirs, successors and assigns, and shall, as to the owner of each lot in said tract, his heirs, successors and assigns, operate as covenants running with the land for the benefit of all lots in said tract.

2. Each and all of said restrictions, conditions, covenants, charges, assessments and agreements shall continue in full force and effect and be binding until January 1, 1980, at which time they may be continued in force and effect by vote of the then record owners of a majority of the property covered hereby for an additional period of twenty years; provided, however, that at any time after January 1, 1975, these restrictions may be modified by the vote of the then record owners of a majority of the property covered hereby.

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3. The provisions contained in this Declaration shall bind and inure to the benefit of and be enforceable by ALEMEA IMPROVEMENT CORPORATION, by the owner or owners of any property in said tract, their heirs, legal representatives, successors and assigns and the failure by ALEMEA IMPROVEMENT CORPORATION or any property owner or their legal representatives, heirs, successors or assigns to enforce any of said restrictions, conditions, covenants, assessments, charges or agreements shall in no event be deemed a waiver of the right to do so thereafter.

4. That all roadways, drives, walks and lanes shown upon said map shall be subject to an easement of right of way in favor of and for the use and benefit of any and all owners of the building sites in said tract, and all said roads, drives, lanes and walks shall be subject to an easement for the installation and maintenance of public utility lines, water mains, sewer mains, drainage facilities and other public utilities. All said roadways and drives shall be at all times closed to the general public. In the event the majority of the owners of all the said building sites should at any time determine to offer to the County of Marin or any other municipal corporation to dedicate any of such roadways, drives, lanes and walkways for public use and maintenance, and request that it be accepted as a public road, it shall first be incumbent upon all owners of building sites in said tract to dedicate and to construct and surface and otherwise provide that such road shall conform and comply with all then existing standards of construction imposed by the proper authorities of the said County of Marin or other municipal corporation.

5. Easements for installation and maintenance of utilities and drainage facilities are reserved over each said building site.

6. Water for domestic purposes shall be supplied to the owners of lots designated in "ALEMEA PALISADES" by the ALEMEA IMPROVEMENT CORPORATION from sources to be provided by the undersigned declarant or agreed to by the ALEMEA IMPROVEMENT CORPORATION. The undersigned declarant reserves the right to change the source of supply from time to time. Any expense necessarily incurred in changing the source of supply shall be at the account of the declarant, its assigns or transferees, or successors in interest. Any change in the source of supply shall be without any unreasonable interruption of service.

Title to the water system consisting of the source facilities and the distribution system shall be transferred to ALEMEA IMPROVEMENT CORPORATION upon its creation; it shall administer, maintain, control and operate a water system in accordance with requirements of law so as to provide an adequate supply of water for domestic uses. The said ALEMEA IMPROVEMENT CORPORATION shall have the power to include within its annual assessment, as hereinafter provided, a sum reasonably calculated to effect the purposes of the water system. Such assessment shall constitute a lien against the property in the subdivision as hereinafter declared.

The responsibility of ALEMEA IMPROVEMENT CORPORATION as to the water distribution system shall cease at the property owners' line. ALEMEA IMPROVEMENT CORPORATION, however, shall have the right to inspect at reasonable times the consumer system upon the owners' property to determine whether cross-connection or other structural or sanitary hazards exist. No secondary source of water supply intended for human consumption shall be connected to the consumer system except on approval of ALEMEA IMPROVEMENT CORPORATION.

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7. The ownership of a building site shall automatically constitute such owner a member of ALEMEA IMPROVEMENT CORPORATION, and the owner or owners of record of a building site shall be entitled to participate in the affairs of said corporation, and shall be entitled to one vote per building site.

The Directors of said corporation shall each year during the month of January determine the estimated costs of maintenance, operation and repair of the roadways, drainage facilities, water system, drives, walks and lanes as shown on said map, for the ensuing fiscal year commencing July 1st. The owner of each building site or lot shall be obligated to pay to said corporation, an adequate share (to be computed on a basis of such building sites subject to these restrictions) of the total estimated cost, and notice of assessment thereof shall be given not later than the first day of March of any year. Each such obligation shall be due and payable on or before the 30th of June of each year and shall bear interest at the rate of ten per cent (10%) per annum from said date until paid. Each such annual assessment or charge shall be and is hereby made and declared to be a lien upon each building site or lot respectively, and if not paid within thirty (30) days after due date, said corporation may bring proceedings to collect the same by suit, and in that connection, foreclose the lien upon the respective building site or lot. Costs of suit and attorneys' fees in a reasonable amount shall be paid to said corporation by the building site owner involved and shall be a lien upon such building site or lot. The lien provided for herein shall be the sole security for the performance of the obligation imposed, and in its enforcement there shall be but one action. No deficiency judgment against an owner shall be had or secured in the event the security shall not be sufficient. Prior to the sale and conveyance of four (4) building sites or lots, such annual charge shall in no event exceed ONE HUNDRED FIFTY ($150) DOLLARS per building site or lot. The corporation, its successors in interest and assigns, may by writing, assign such charges and assessments in whole or in part and/or the right to sue for collecting the same, and any other rights of said corporation connected with such charges or assessments, or the collection or disbursement thereof.

Any determination to increase the services provided by said corporation specified above or to provide additional or new improvements, structures or uses on the lands of the corporation, and to make charges and assessments for the payment of such additional services or improvements, shall first be approved by the owners of not less than one-half of the building sites at the regular annual meeting of said owners or at a special meeting called by written notice setting forth the purposes thereof; and provided, further, that no such determination may be made until four (4) of the said building sites on said map have been sold and conveyed by declarant to individual owners; provided, further, however, that no assessment in excess of ONE HUNDRED FIFTY ($150) DOLLARS per year per building site or lot shall be imposed by the Board of Directors without first securing the approval of a majority of the outstanding membership certificate holders of this corporation.

8. No buildings or structures shall at any time be erected or placed, or suffered to be erected, placed or maintained upon each said lot or building site except a dwelling house or residence and accessory buildings designed and intended and used solely for the accommodation of a single family. The minimum floor area for any dwelling shall be not less than one thousand (1000) square feet, exclusive of porches and garages, and all dwellings shall be of a quality of workmanship and material substantially the same or better than other dwellings within the subdivision. Permitted accessory building shall be in conformance with the materials, architecture and color of the dwelling. No dwelling or other structure shall be erected until the plans and

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specifications, with the proposed site therefor, have been submitted to and approved by an architectural committee hereinafter provided for and a written permit issued therefor. The application for such a permit shall be accompanied by a check for FIFTY ($50) DOLLARS to defray the expense of the architectural committee. All structures for which permits have been so issued must be completed within a period of one (1) year from the date of the issuance of the permit. No structures which are intended to be inhabited shall be constructed without the supervision of a building contractor licensed by the State of California, who shall issue a certificate at the conclusion of construction stating that the applicable structure was built in conformity to local and State building ordinances, statutes and requirements. The owner of any building site herein who fails to complete any structure for which a building permit is required within one (1) year from the date of the issuance of the permit, agrees hereby to pay to ALEMEA IMPROVEMENT CORPORATION the sum of TEN ($10) DOLLARS per day until completion is achieved. Completion shall be evidenced by a certificate of occupancy issued by the Marin County Building Department, or its successor in interest.

9. No dwelling house or other structure shall be constructed on any of said lots nearer than thirty (30) feet from any designated front street line, or nearer than ten (10) feet to any and all side or rear boundary or property line.

There is hereby created an architectural committee, composed of three (3) persons whose duty shall be to obtain compliance with the restrictions herein provided. The following persons are appointed and shall act as the first and original committee, namely, DOUGLAS G. HERTZ, A. C. SWANSON and J. R. MacMAHON. Hereafter, the Board of Directors of Alemea Improvement Corporation shall have the exclusive power to appoint new members to fill vacancies on said committee, and to remove any member from said committee for good cause.

10. No fence, wall or hedge over four (4) feet in height shall be erected or grown at any place on said premises, provided, however, that the restrictions set forth in this paragraph may be waived or modified as to any parcel by the architectural supervising committee hereinbefore created. Lots in the subdivision shall be used for private residence purposes only, and no structure of any kind shall be moved from any other place onto said premises without the written permission of the architectural supervising committee herein created.

No buildings other than a single family dwelling house and appropriate outhouses, including stables, shall be erected, constructed or maintained on any of said lots, nor shall any house constructed on any of said lots be used for any purpose other than a dwelling house or appurtenant outhouses.

No rubbish shall be stored nor be allowed to accumulate on any lot. No excavation for stone, gravel or earth shall be made on said property, unless such excavation is made in connection with the erection of a building or structure or landscaping improvements thereon.

11. The undersigned, its successors and assigns, shall have the right at any time hereafter to assign to and vest in the ALEMEA IMPROVEMENT CORPORATION any and all rights hereinabove reserved to the undersigned, its successors or assigns and any and all of the rights, powers and privileges hereinabove retained by the undersigned for itself, its successors or assigns,

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with respect to all or any portion of the property subject to the foregoing restrictions, covenants, conditions, charges, assessments and agreements. Assignment to and the vesting thereof in the ALEMEA IMPROVEMENT CORPORATION shall be accomplished by the recordation of a written assignment executed and acknowledged by the undersigned, its successors or assigns, assigning to the ALEMEA IMPROVEMENT CORPORATION, or its successors, all such rights, powers and privileges.

12. The undersigned reserves the right for itself, its successors and assigns, by written declaration to be duly recorded hereafter, to extend and apply the restrictions, conditions, covenants, charges and assessments and agreements herein contained to adjacent undeveloped lands, and to each and every part and parcel thereof (i.e. including all that certain property commonly known as the Wildcat Ranch), with the same effect thereof as though said lands were contained in the same subdivision map, and as though said restrictions, conditions, covenants and agreements, charges and assessments were declared with respect to said lands by this Declaration.

Such extension of benefits and burdens shall be accomplished by the recordation of a declaration or declarations referring to this Declaration and the record thereof and stating, in substance, that the burdens and benefits of the restrictions, conditions, covenants and agreements hereof are extended and applied to the property described in said declaration or declarations. Such declaration or declarations shall be made by the person or persons to whom such right of extension is reserved as aforesaid and with the record owner of the property in those instances where the declarants have first parted with record title. Upon the recordation of any such declaration it shall have the same effect with regard to the property therein described and the property theretofore subject to the burden and benefit of the restrictions, conditions, covenants and agreements hereof, as though all such property were contained in the same subdivision map and as though said restrictions, conditions, covenants and charges, assessments and agreements were declared with respect to all such property by this Declaration. This reservation of right to the declarant, its successors and assigns in interest, is intended, without limitation, to include the right to extend it to future owners of property subdivided or otherwise sold by the declarant, its assigns, and successors in interest, and those subdividers with whom declarant may contract for such purpose, and also, the right and obligation of membership in ALEMEA IMPROVEMENT CORPORATION, a non-profit corporation.

13. All restrictions, covenants, conditions, charges, assessments and agreements and other provisions herein contained shall be deemed subject to and subordinate to all mortgages and/or deeds of trust now or hereafter executed covering real property subject hereto, and none of said restrictions, covenants, conditions, agreements or other provisions shall supersede or in any way reduce the security or affect the validity of any such mortgage or deed of trust; but it is distinctly understood and agreed that if any portion of said property is sold under a foreclosure of any mortgage or under the provisions of any deed of trust, any purchaser at such sale, his or its successors or assigns, shall hold any and all property so purchased subject to all the restrictions, covenants, conditions, agreements and other provisions of this Declaration, except delinquent charges or assessments, pursuant to the provisions herein provided.

For the purposes of this Declaration, no person shall be deemed a successor or assign of the undersigned for the purposes of exercising any rights

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reserved hereby to the undersigned, its successors and assigns, by virtue of any conveyance or contract of sale executed by the undersigned unless such conveyance or contract of sale shall expressly refer to such reserved rights and state that they are intended to be assigned thereby.

14. All purchasers of property shown on said map by the acceptance of a deed therefor, whether from declarants or subsequent owners of the property shown on said map, or the signing of contracts or agreements to purchase the same, shall thereby and by said act assent and agree to all of the provisions and covenants contained in this Declaration, and covenant and agree to be bound by and keep and perform the same, and shall thereby consent to the formation of the corporation hereinabove mentioned, and shall thereby agree to be and remain members of such corporation so long as they hold an interest in any building site shown on said map.

It is expressly understood and agreed by all purchasers of a building site or a lot subject to this Declaration of Restrictions, that before said purchaser may sell said building site or lot to a prospective buyer, he must first offer to sell it to ALEMEA DEVELOPMENT CO., which offer shall continue and be valid for a period of thirty (30) days; if ALEMEA DEVELOPMENT CO. does not exercise its option to purchase said building site or lot, then it may be sold on the same terms and conditions and at the same price to such prospective buyer.

15. It is expressly agreed that the covenants, conditions, restrictions, assessments, charges and agreements herein contained are severable and that if any one or more thereof shall be held invalid or void, such invalidity or voidness shall in no way affect any other covenant, condition, restriction, charge, assessment or agreement herein contained not depending thereon.

16. No animals shall be kept upon the premises except as herein specified. Owners may keep and maintain a limited number of horses, poultry, rabbits or other animals as pets, provided, however, that in all events the number of pets kept must not constitute a nuisance to the other lot owners.

IN WITNESS WHEREOF, we have hereunto set our hands this 28th day of September, 1961.

ALEMEA DEVELOPMENT CO.,
a California Corporation

By _____
President

By _____
Secretary

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RECORDED AT REQUEST OF
ALLEN, McCARTHY & BETTLER
AT 4 MIN. PAST 4 P.M.
SEP 29 1961
Official Records of Marin County, Calif
N. J. Giacomini
FEE $ 1.00 RECORDER

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03 HISTORY

Point Reyes National Seashore

ALEMEA CREEK [REVOKED]

Land History

04-15-1964: owners title insurance policy: application no. 66020

RECEIVED
National Park Service
Point Reyes National
APR 28

denied

4/15/1964

Application No. 66020

Total Fee for Title Search
Examination and Title Insurance 189.00

Amount $25,000.00

Policy No. 45067

OWNERS TITLE INSURANCE POLICY

CITY TITLE INSURANCE COMPANY

For valuable consideration, does hereby insure

THE UNITED STATE OF AMERICA

against all loss or damage which the party insured shall sustain by reason of defects in the title of said United States of America to the real estate or interest therein desc ribed in Schedule A or by reason of liens or encumbrances affecting the title at the date hereof, excepting only such defects, liens, encumbrances and other matters as are set forth in Schedule B below.

The total liability of this Company under this policy is limited to Twenty Five Thousand and no/100 Dollars- - - - - - - -

This policy is subject to the conditions hereinbelow set forth, which conditions, together with Schedules A and B, are made a part of this policy.

IN WITNESS WHEREOF, City Title Insurance Company has caused its corporate seal to be hereto affixedc and these presents to be signed by its President and attested by its Assistant Secretary this 15th day of April , 1964

(SEAL)

CITY TITLE INSURANCE COMPANY

By MARTIN M. MURPHY

President

E. J. CURRY

Attest

Assistant Secretary

Schedule A

HSH - WWG
33-5-2295-15

Contract No.: 14-10-0434-1511

Project: Point Reyer National Seashore located in Marin County, California.

Estate Acquired: Fee

Acreage: 14.7 acres

Consideration: $50,000.00

The deed to the United States of America was executed by Alemea Development Co., on April 13, 1964, filed for record on April 15, 1964, and recorded in Book 1803 at page 191.

The title insurance policy was prepared as of April 15, 1964, by City Title Insurance Company.

The title is subject to the following:

1. Rights of way for roadways, telephone lines and transmission lines, including the easements noted at items 1 and 2, Schedule B of the policy.

2. Restrictions, conditions, covenants and agreements referred to at item 3, Schedule B of the policy.

It is noted that the purchase price for the land has not been paid.

American Title Association
U. S. Policy Form

SCHEDULE A.

1. The title, estate or interest insured by this policy.

UNITED STATES OF AMERICA

2. Description of the real estate with respect to which this policy is issued.

- Per the attached sheet -

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

BEGINNING at a point on the Westerly boundary line of that portion of that certain parcel of land conveyed by Deed from Leonard W. David and wife, to William S. Tevis, Jr., dated December 6, 1939, recorded January 8, 1940 in Liber 392 of Official Records, at page 78, et seq., Marin County Records; said point of beginning being marked by a nail in the center of a wooden bridge over a creek, the centerline of which is coincident with said Westerly boundary line, and said point of beginning bearing South 35° 39' West 105 feet more or less from an angle point in said Westerly boundary line; thence along said Westerly boundary line and said creek centerline North 35° 39' East 105 feet more or less to said angle point in said Westerly boundary line; thence continuing along said Westerly boundary line North 53° 36' 30" East 131.10 feet, and North 47° 05' East 71 feet more or less; thence leaving said Westerly boundary line and creek centerline on the following courses and distances: South 9° 46' 30: West 1070 feet more or less to a Hub and Tack marked "A"; and South 54° 45' 30" West 133.05 feet to a Hub and Tack marked "B"; thence along a line parallel to and approximately 20 feet Northerly of the centerline of a dirt road on the following courses and distances: South 84° 06' West 199.41 feet to a Hub and Tack marked "C", North 83° 13' 30" West 172.79 feet to a Hub and Tack marked "D", South 65° 16' West 141.74 feet to a Hub and Tack marked "E", South 58° 01' West 188.97 feet to a Hub and Tack marked "F", South 51° 58' West 140.87 feet to a Hub and Tack marked "G", South 25° 21' 30" West 85.76 feet to a Hub and Tack marked "H", South 76° 26' 30" West 81.60 feet to a Hub and Tack marked "I", North 31° 00' West 87.35 feet to a Hub and Tack marked "J" North 57! 08' 30" West 99.19 feet to a Hub and Tack marked "K" North 2° 03' East 127.89 feet to a Hub and Tack marked "L" North 53° 06' West 94.70 feet to a Hub and Tack marked "M", North 68° 54' West 86.19 feet to a Hub and Tack marked "N", thence leaving said line parallel to said dirt road South 81° 54' 30" West 137.04 feet to a Hub and Tack marked "O", and North 72° 45' 30" West 83.94 feet, more or less, to a point on the top of a waterfall at the bluff on the shore of the Pacific Ocean, said point also being a point on the aforementioned Westerly boundary line; thence Northeasterly along said Westerly boundary line and said creek centerline on the following courses and distances; North 76° 13' East 98 feet, more or less, South 74° 38' East 84.12 feet, South 72° 48' East 120.25 feet, South 60° 26' East 159.40 feet, South 52° 33' East 63.80 feet, North 59° 54' East 61.04 feet, North 44° 48' 30" East 141.95 feet, North 57° 34' East 140.36 feet, North 37° 19' East 155.45 feet, North 48° 11' East 65.95 feet, North 13° 26' West 39.33 feet, North 46° 00' East 68.99 feet, North 33° 59' 30" East 77.07 feet, North 28° 12' East 118.20 feet, North 19° 15' East 51.03 feet, North 34° 36' East 54.49 feet, North 69° 54' East 185.69 feet, North 62° 08' East 263.33 feet, North 35° 39' East 48 feet more or less to the point of beginning and containing 14.7 acres of land more or less, together with all appurtenances thereunto belonging or in anywise appertaining.

American Title Association
U. S. Policy Form

SCHEDULE B

Showing defects, liens, encumbraces and other matters excepted from this policy and against which this Company does not insure:

1. An easement granted to Pacific Gas and Electric Company, for a pole line recorded June 6, 1961 in Liber 1467 of Official Records, at page 622.

2. Easements as shown upon the recorded map.

3. Declaration of Restrictions, Conditions, Covenants and Agreements executed by Alemea Development Co., a California corporation, et al, and recorded September 29, 1961 in Liber 1502 of Official Records, at page 18, Marin County Records.

SCHEDULE B *(continued)*

SPECIAL EXCEPTIONS

(Here the Company is to insert general exceptions peculiar to the locality and special exceptions relating solely to property covered in this policy.)

- None_

GENERAL EXCEPTIONS

Governmental Powers

1. Because of limitations imposed by law on ownership and use of property, or which arise from governmental powers, this policy does not insure against:

(a) consequences of the future exercise or enforcement or attempted exercise or enforcement of police power, bankruptcy power, or power of eminent domain, under any existing or future law or governmental regulation; (b) consequences of any law, ordinance or governmental regulation, now or hereafter in force, (including building and zoning ordinances) limiting or regulating the use or enjoyment of the property, estate or interest described in Schedule A, or the character, size, use or location of any improvement now or hereafter erected on said property.

Matters Not of Record

2. The following matters which are not of record at the date of this policy are not insured against:

(a) rights or claims of parties in possession not shown of record and questions of survey; (b) mechanics' liens where no notice thereof appears of record; (3) defects, liens or encumbrances created subsequent to the date hereof.

Refusal to Purchase

3. This policy does not insure against loss or damage by reason of the refusal of any person to purchase, lease or lend money on the property, estate or interest described in Schedule A.

00-00-0000: indorsement: attached to policy no. 45067

INDORSEMENT

Attached to Policy No. 45067

Issued By

CITY TITLE INSURANCE COMPANY

Paragraph numbered "2" of the General Exceptions is hereby deleted in its entirety and a new paragraph substituted therefor, as follows:

This policy does not insure against loss or damage by reason of the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

2. Any facts, rights, interests or claims which are not shown by the public records, but which could be ascertained by an inspection of said real estate or by making inquiry of persons in possession thereof.

3. Easements, claims of easements or encumbrances which are not shown by the public records.

4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.

There is added hereby a paragraph numbered 7 to the "Conditions" as follows:

7. Definition of "public records": those records which impart constructive notice of matters relating to said real estate.

This indorsement is made a part of said policy and is subject to the schedules and conditions thereof, except as modified by the provisions hereof.

CITY TITLE INSURANCE COMPANY

By MARTIN M. MURPHY
President

(SEAL)

By E. J. CURRY
Assistant Secretary

00-00-0000: indorsement: attached to policy no. 45067

CONDITIONS

NOTICE OF ACTIONS

1. If any action or proceeding shall be begun or defense asserted which may result in an adverse judgment or decree resulting in a loss for which this Company is liable under this policy, notice in writing of such action or proceeding or defense shall be given by the Attorney General to this Company within 60 days after notice of such action or proceeding or defense has been received by the Attorney General; and upon failure to give such notice then all liability of this Company with respect to the defect, claim, lien or encumbrance asserted or enforced in such action or proceeding shall terminate. Failure to give notice, however, shall not prejudice the rights of the party insured, (1) if the party insured shall not be a party to such action or proceeding, or (2) if such party, being a party of such action or proceeding be neither served with summons therein or have actual notice of such action or proceeding, or (3) if this Company shall not be prejudiced by failure of the Attorney General to give such notice.

NOTICE OF WRITS

2. In case knowledge shall come to the Attorney General of the issuance or service of any writ of execution, attachment or other process to enforce any judgment, order or decree adversely affecting the title, estate or interest insured said party shall notify this Company thereof in writing within 60 days from the date of such knowledge; and upon a failure to do so, then all liability of this Company in consequence of such judgment, order or decree or matter thereby adjudicated shall terminate unless this Company shall not be prejudiced by reason of such failure to notify.

DEFENSE OF CLAIMS

3. This company agrees, but only at the election and request of the Attorney General of the United States, to defend at its own cost and expense the title, estate or interest hereby insured in all actions or other proceedings which are founded upon or in which it is asserted by way of defense, a defect, claim, lien or encumbrance against which this policy insures, provided, however, that the request to defend is given within sufficient time to permit the company to answer or otherwise participate in the proceeding. If any action or proceeding shall be begun or defense be asserted in any action or proceeding affecting or relating to the title, estate or interest hereby insured and the Attorney General elects to defend at the Government's expense, the Company shall upon request, cooperate and render all reasonable assistance in the prosecution or defense of such proceeding and in prosecuting appeals.

If the Attorney General shall fail to request and permit the Company to defend, then all liability of the Company with respect to the defect, claim, lien or encumbrance asserted in such action or proceeding shall terminate; provided, however, that if the Attorney General shall give the Company timely notice of all proceedings and an opportunity to suggest such defenses and actions as it shall conceive should be taken and the Attorney General shall present the defenses and take the actions of which the Company shall advise him in writing, then the liability of the Company shall continue; but in any event the Company shall permit the Attorney General without cost or expense to use the information and facilities of the Company for all purposes which he thinks necessary or incidental to the defending of any such action or proceeding or any claim asserted by way of defense therein and to the prosecuting of an appeal.

COMPROMISE OF ADVERSE CLAIMS

4. Any compromise, settlement or discharge by the United States or its duly authorized representative of an adverse claim, without the consent of this Company shall bar any claim against the Company hereunder. Provided, however, that the Attorney General may at his election submit to the issuing company for approval or disapproval any proposed compromise, settlement or discharge of any adverse claim and in the event of the consent of the issuing company to the proposed compromise, settlement or discharge it shall be liable for the payment of the full amount paid.

STATEMENT OF LOSS

5. A statement in writing of any loss or damage sustained by the party insured, and for which it is claimed this Company is liable under this policy, shall be furnished by the Attorney General to this Company within 60 days after said party has notice of such loss or damage and no right of action shall accrue under this policy under 30 days after such statement shall have been furnished. No recovery shall be had under this policy unless suit be brought thereon within one year after said period of 30 days. Failure to furnish such statement of loss or to bring such suit within the times specified shall not affect the Company's liability under this policy unless this Company has been prejudiced by reason of such failure to furnish a statement of loss or to bring such suit.

POLICY REDUCED BY PAYMENTS OF LOSS

6. All payments of loss under this policy shall reduce the amount of this policy pro tanto.

15189

GRANT DEED

THIS INDENTURE made the 13th day of April, 1964, in the year 1964, between the Alemoa Development Co., domiciled in and incorporated under the laws of the State of California, the party of the first part, and the United States of America, the party of the second part.

WITNESSETH

THAT the said party of the first part, for and in consideration of the sum of fifty thousand dollars ($50,000), lawful money of the United States of America, to them in hand paid, by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, convey and confirm unto the said party of the second part and its assigns forever,

ALL of that tract of land situate and lying in the County of Marin, State of California, containing 14.7 acres, more or less, described as follows:

BEGINNING at a point on the Westerly boundary line of that portion of that certain parcel of land conveyed by Deed from Leonard W. David and wife to William S. Tevis, Jr., dated December 6, 1939, recorded January 8, 1940 in Volume 392 of Official Records at Page 78, et seq., Marin County, California; said point of beginning being marked by a nail in the center of a wooden bridge over a creek, the centerline of which is coincident with said Westerly boundary line, and said point of beginning bearing South 35° 39' West 105 feet more or less from an angle point in said Westerly boundary line; thence along said Westerly boundary line and said creek centerline North 35° 39' East 105 feet more or less to said angle point in said Westerly boundary line; thence continuing along said Westerly boundary line North 53° 36' 30" East 131.10 feet, and North 47° 05' East 71 feet more or less; thence leaving said Westerly boundary line and creek centerline on the following courses and distances: South 9° 46' 30" West 1070 feet; more or less to a Hub and Tack marked "A"; and South 54° 45' 30" West 133.05 feet to a Hub and Tack marked "B", thence along a line parallel to and approximately 20 feet Northerly of the centerline of a dirt road on the following

courses and distances: South 84° 06' West 199.41 feet to a Hub and Tack marked "C", North 83° 13' 30" West 172.79 feet to a Hub and Tack marked "D", South 65° 16' West 141.74 feet to a Hub and Tack marked "E", South 58° 01' West 188.97 feet to a Hub and Tack marked "F", South 51° 58' West 140.87 feet to a Hub and Tack marked "G", South 25° 21' 30" West 85.76 feet to a Hub and Tack marked "H", South 76° 26' 30" West 81.60 feet to a Hub and Tack marked "I", North 31° 00' West 87.35 feet to a Hub and Tack marked "J", North 57° 08' 30" West 99.19 feet to a Hub and Tack marked "K", North 2° 03' East 127.89 feet to a Hub and Tack marked "L", North 53° 06' West 94.70 feet to a Hub and Tack marked "M", North 68° 54' West 86.19 feet to a Hub and Tack marked "N", thence leaving said line parallel to said dirt road South 81° 54' 30" West 137.04 feet to a Hub and Tack marked "O", and North 72° 45' 30" West 83.94 feet, more or less, to a point at the top of a waterfall at the bluff on the shore of the Pacific Ocean, said point also being a point on the aforementioned Westerly boundary line; thence Northeasterly along said Westerly boundary line and said creek centerline on the following courses and distances; North 76° 13' East 98 feet, more or less, South 74° 38' East 84.12 feet, South 72° 48' East 120.25 feet, South 60° 26' East 159.40 feet, South 52° 33' East 63.80 feet, North 59° 54' East 61.04 feet, North 44° 48' 30" East 141.95 feet, North 57° 34' East 140.36 feet, North 37° 19' East 155.45 feet, North 48° 11' East 65.95 feet, North 13° 26' West 39.33 feet, North 46° 00' East 68.99 feet, North 33° 59' 30" East 77.07 feet, North 28° 12' East 118.20 feet, North 19° 15' East 51.03 feet, North 34° 36' East 54.49 feet, North 69° 54' East 185.69 feet, North 62° 08' East 263.33 feet, North 35° 39' East 48 feet more or less to the poing of beginning, and containing 14.7 acres of land more or less, together with all appurtenances thereunto belonging or in anywise appertaining.

To HAVE and to HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, and to its assigns forever.

15189

BOOK 1803 PAGE 191

RECORDED AT REQUEST OF
MARIN TITLE GUARANTY CO.
AT 20 MIN. PAST 3 P M.
APR 15 1964
Official Records of Marin County, Calif.
N. J. Giacomini
FEE $ 2.00 RECORDER

2

BOOK 1803 PAGE 192

07 OTHER

Point Reyes National Seashore

ALEMEA CREEK [REVOKED]

Other Supporting Information

05-24-1972: memorandum to superintendent, pore from office of the regional chief scientist regarding wr permit 13334, wr permit 13839

WITUCKI

L54(WR)ASW
PORE/WR DOCKET #2
PORE/WR DOCKET #5

May 24, 1972

Memorandum

To: Superintendent, Point Reyes National Seashore, California

From: Chief, Water Resources, Office of the Regional Chief Scientist, Western Region

Subject: WR Permit 13334 (Application 20014) Arroyo Honda, Marin County
WR Permit 13839 (Application 20771) Alema Creek, Marin County

As implied in the California Division of Water Rights letter of March 30, the State could issue the orders to revoke subject permits. This was discussed with Field Solicitor Mihan; hence, our resultant reply of April 12 was sent to the State.

We have now received the orders revoking these permits which are enclosed for your information and files. These were anticipated and discussed with Field Solicitor Mihan, however, this action should not interfere with Park water usage or conflict with Service's water rights policy.

No further action is presently contemplated regarding these permits. The order revoking permits should be filed in the proper docket files.

(SGD) GERARD S. WITUCKI

Gerard S. Witucki

Enclosures

cc:
PH(WASO) w/cys of encls
Field Solicitor Mihan w/cys of encls (Rm 14126)
(WR)AS(Mr. Wallis)

(WR)FNP:GSWitucki:mpm 5/24/72

04-12-1972: letter to state water resources control board from director, western region regarding permit 13839, permit 13334

WITUCKI
~~WALLIS~~
Mihan
~~MIHAN~~
~~CHAPMAN~~

11(2)

APR 12 1972

L54(WR)
FORE/WTR DOCKET #2
FORE/WTR DOCKET #5

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

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

Dear Mr. Woodward:

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

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

Sincerely yours,

(Sgd) Howard H. Chapman

Howard H. Chapman
Director, Western Region

cc:
PN-WASO
Supt., Point Reyes NS
Field Solicitor's Office, Mr. Mihan
(WR)AS Regional Chief Scientist(Mr. Wallis)
(WR) ASW (Water Resources File(2 cys)
(WR) Chron File

(WR)FNP:RMihan:GSWitucki:mpm 4/11/72

04-04-1972: memorandum to office of the solicitor from office of the regional chief scientist regarding water rights permit 13839, permit 13334

WITUCKI

ADAMS

~~L~~54 (WR)
PORE/WTR DOCKET #2
PORE/WTR Docket #5

April 4, 1972

Memorandum

To: Office of the Solicitor, Department of the Interior, San Francisco, California

From: Chief, Water Resources, Office of the Regional Chief Scientist, Western Region

Subject: Water Rights, Point Reyes National Seashore Permit 13839 (Application 20771) Alemea Creek in Marin County and Permit 13334 (Application 20014) Arroyo Honda in Marin County

In accordance with our conversations in late 1971, and this date, enclosed are two notices of proposed revocation with cover letters regarding above subject for your review and appropriate action.

(SGD) GERARD S. WITUCKI

Gerard S. Witucki

Enclosures

cc:
PN, WASO, w/encls
(WR) AS, Regional Chief Scientist(Wallis)
(WR) ASW(Water Resources File(green cy)
(WR) Chron File

(WR)FNP:GSWitucki:mpm 4/4/72

12-23-1971: memorandum to director, western region from chief, division of water resources regarding water rights

United States Department of the Interior

NATIONAL PARK SERVICE
WASHINGTON, D.C. 20240

IN REPLY REFER TO:

L54

DEC 23 1971

Memorandum

To: Director, Western Region
Attention: Mr. Witucki

From: Chief, Division of Water Resources

Subject: Water Rights, Point Reyes

Please refer to Mr. Witucki's letter of December 10 to the State Water Resources Control Board and enclosure concerning water rights at Point Reyes National Seashore.

We note that a copy was sent to the Field Solicitor and will be interested in his opinion concerning the State's request for revocation of Permits 13334 and 13839. It has been our understanding that water rights, being property rights, cannot be given up by the Federal Government without Congressional authority of some form. It may be argued that a permit differs from a license in that no permanent right is granted but the permit does set a priority which has some value.

The information given in Mr. Witucki's letter and the enclosure should be filed in the proper dockets.

C W Reed for
Manuel Morris

RECEIVED
WATER RESOURCES SECTION
DEC 29 1971

ACT.	INFO.		INITIALS	DATE
		WITUCKI, O.	fw	
		BARRETT, [illegible]		
		Aughenbaugh		
	✓	CHAVEZ, D.		
		KENNEDY, M.		
		GOLD, S.		
	✓	FILE		

REMARKS In the Docket Files

12-10-1971: letter to state water resources control board from water resources regarding permit no. 13334 and 13839

(WR)AS Water Resources December 10, 1971
PORE/GRN

State Water Resources Control Board
Division of Water Rights
Room 1140, Resources Building
1416 Ninth Street
Sacramento, California 95814

Attn: D.W. Sabiston, Supervisor, Coastal Region

Gentlemen:

This is to acknowledge your letter of November 23, 1971, concerning Permits 13334 and 13839 (Applications 20014 and 20771), Arroyo Hondo and Alemea Creek in Point Reyes National Seashore.

We appreciate your suggestions as to the reporting of our water usage and as agreed in the meeting of January 26, 1971, with the State Water Resources Control Board (reference our letter of February 17, 1971, to the Board, L54(WSC)LMW - PORE) we will submit records of water use as appropriate.

Sincerely yours,

(SGD) GERARD S. WITUCKI

Gerard S. Witucki
Water Resources

cc:
CS-WASO, w/encl
Supt., Point Reyes National Seashore, w/encl
Field Solicitor, Mr. Mihan, Room 9408(Interior) w/encl

(WR)P(Programming and Budget)
(WR)AS Water Resources
(WR) Central Files
(WR)AS, Chief, Scientist

FNP:WR:DChavez:GSWitucki:mpm 12/10/71

11-23-1971: letter to u.s. department of interior from coastal region regarding permits 13334 and 138939

STATE OF CALIFORNIA—THE RESOURCES AGENC

RONALD REAGAN, Governor

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 1140, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814

David copy

November 23, 1971

U. S. Department of Interior
National Park Service
Division Water Resources, SSC
450 Golden Gate Avenue
Box 36025
San Francisco, California 94102

Gentlemen:

Permits 13334 and 13839 (Applications 20014 and 20771), Arroyo Honda and Alemea Creek in Point Reyes National Seashore

We note in reviewing the files on these two permits now held by the National Park Service that the time within which to complete use of water expired in 1968 and in 1969, respectively. Permit 13334 was issued in 1962 to the Golden Rule Church Association for irrigation of 150 acres and for domestic use of 150 people at the church property. Permit 13839 issued in 1962 authorize use of water in a 600 home subdivision proposed at that time by Alemea Development Company.

It is our understanding that construction has not started on either of the projects, and in fact development as proposed in the permits is no longer planned since this would be contrary to the basic purpose for which this land was purchased by the Park Service.

In the normal case, permits such as this would be revoked either voluntarily by request of the permittees or after a hearing before our Board.

It is our understanding that you now hold title to the entire watersheds of Arroyo Honda and Alemea Creek, and thus any use of water on these streams will not affect others. In such circumstances an appropriative water right is of no real value

11-23-1971. letter to u.s. department of interior from coastal region regarding permits 13334 and 138939

and we can see no advantage in carrying Permits 13334 and 13839 active in our files. We, therefore, ask that you sign and return the enclosed requests for revocation. If the requests are not received within 30 days, we will schedule a hearing at which you could show cause why the permits should not be revoked.

However, we should have a record of your use of water and the enclosed Statements of Water Diversion and Use are designed for this purpose. You may either file them or, if you prefer, the notice of water use which some other federal agencies, including the National Forests, have used and which are also enclosed. This system of reporting is also suitable where water is diverted and use on reserved federal lands, but is not a substitute for applying for a water right permit if the land involved was formerly in private ownership and your use is not riparian in nature.

Sincerely,

D. W. Sabiston, Supervisor
Coastal Region

Enclosures

State Water Resources Control Board
Division of Water Rights
1416 Ninth Street, Room 1140
Sacramento, California 95814

Gentlemen:

The undersigned hereby requests revocation of License_____, Permit 13839, issued on water right Application 20771.

_____
(Signature)

_____
(Signature)

Dated:

WRCB
26 (7-69)

03-24-1969: message memo

FILE CODE 154 LWSC
~~Water Rights~~ POE Withdrawal No. 1 & No. 5
~~Flows~~
~~Prior Rights~~

MESSAGE MEMO

Date 3/24/69
Time 3:00 PM
Phone Number Used 866
Phone Number Called

___	CHIEF	___	
___	ASST. CHIEF	___	
___	STAFF ASSISTANT	___	
___	CHIEF APPRAISER	___	
___	CADASTRAL	___	
___	ACQUISITION	___	
___	SPECIAL PROJECT	___	
___	EXCHANGE	___	
✓	HYDR. ENGINEER	✓	
✓	FILE	___	
___	OTHER	___	

✓ INFORMATION
___ TAKE ACTION
___ PREPARE REPLY
___ PLEASE PHONE

PHONE (✓) VISIT ( ) CORRESPONDENCE ( )

FROM: Cal. Water Resources Board, Sac. Cal. TO: James Roberts, LWSC

SUBJECT: Inspection of Water Right Permits

Arroyo Hondo permit should be inspected this year & Alamos Creek next year. They are going to reschedule Arroyo Hondo & do them both next year at the same time. I told them it was fine with me.

RECOMMENDED ACTION:

BY: James N. Roberts

03-19-1969: letter to state water resources control board from chief, office of land and water rights regarding progress reports by permittee for 1968, permit 13334, 13839

ROBERTS

WITUCKI

GRAY

RITCHIE

L54 LWSSC
PORE WR Docket No. 1
Docket No. 5

19 MAR 1969

State Water Resources Control Board
Division of Water Rights
Resources Building, Room 1140
1416 Ninth Street
Sacramento, California 95814

Gentlemen:

Enclosed are Progress Reports by Permittee for 1968, under Application 20014, Permit 13334; Application 20771, Permit 13839 for Arroyo Hondo and Alemea Creek, respectively. Both sources are located within Point Reyes National Seashore, California.

Sincerely yours,

(Sgd) JOHN E. RITCHIE

John E. Ritchie
Chief, Office of Land
and Water Rights

Enclosures

cc:
Chief, OLWW, WASO w/enc
Regional Director, Western
Superintendent, Point Reyes w/enc

JROBERTS:MLKENNEDY:mlk 3/18/69

03-06-1969: memorandum to jim roberts from jim liles regarding water rights

OPTIONAL FORM NO. 10
5010-103

UNITED STATES GOVERNMENT

Memorandum

TO : JIM ROBERTS LWSSC DATE: 3/6/69

FROM : JIM LILES - PORE

SUBJECT: Water Rights

Guess I goofed in not filling attached progress reports out in pencil. I don't really know why we continue to maintain permit 13839 (obtained by former private owner of a proposed sub-division NPS bought out) — as it doesn't look like NPS will need any of that water for years. Was Alien Water Right Docket #5 ever prepared for Alamo Creek? Back in 67, Morris wrote that we'd get it soon - but never did.

Jim Liles

Copy of W.R. Docket #5 sent 3/24/69 gwR.

04-29-1968: memorandum to superintendent from assistant to the regional director regarding progress report, water rights

L+W

RECEIVED
San Francisco Planning and Service Center
Office of Land and Water Rights
NATIONAL PARK SERVICE
APR 30 1968

ACT.	INFO.		INITIALS	DATE
	✓	CHIEF		
	✓	ASS'T. CHIEF		
		STAFF ASST.		
		SUPV. A. PR.		
		PRE-ACQ'N.		
		TITLE		
		EXCHANGE		
	✓	Supv. Hyd. Eng.	WSR	
		Roberts		5/3
	✓	DOCKET	PORE #5	
		FILE		

L54
(WR)P

Water Docket #5

PORE

April 29, 1968

Memorandum

To: Superintendent, Point Reyes

From: Assistant to the Regional Director, Program Coordination

Subject: Progress Report, Water Rights

Mr. Roberts of the Office of Land and Water Rights, SSC, would like information about the use of water under permit 13839.

We are enclosing a copy of a progress report and will appreciate your completing and returning direct to the Office of Land and Water Rights, SSC.

(SIGNED)

John L. Sansing

Enclosure

cc:
Chief, LWSSC

08-28-1968: letter to state water rights board from chief, office of land and water rights regarding progress reports by permittee for 1967, permit no's 13348,14544, 13839

JWR
~~ROBERTS~~

GRAY

KORNELIS

L54 LWSSC

AUG 2 8 1968

WHIS - Water Docket
PORE - Water Docket #5

State of California Resources Agency
State Water Rights Board
Resources Building, Room 1140
1416 Ninth Street
Sacramento, California 95814

Gentlemen:

Enclosed are the Progress Reports by Permittee for 1967, under Application Nos. 20001, 21408 and 20771, Permit Nos. 13348, 14544 and 13839. The sources are Brandy Creek, Unamed Spring and Alemea Creek, the first two within Whiskeytown National Recreation Area, California, and the last within Point Reyes National Seashore, California.

Sincerely yours,

(Sgd) THOMAS KORNELIS

Thomas Kornelis
Chief, Office of Land
and Water Rights

Enclosure

cc:
Chief, Branch of Water Resources, WASO w/encl.
Superintendent, Whiskeytown w/encl.
Superintendent, Point Reyes w/encl.

JWRoberts:sfb 8/28/68

12-01-1967: memorandum to superintendent from acting supervisory hydraulic engineer regarding progress report by permittee for 1967, permit 13839

Weaver

Roberts

Witucki

Shubert

L54 LWSSC December 1, 1967

PORE -- Docket No. 5

Memorandum

To: Superintendent, Point Reyes

From: Acting Supervisory Hydraulic Engineer, SSC

Subject: PROGRESS REPORT BY PERMITTEE FOR 1967, Application 20771, Permit 13839 -- Water Rights Docket No. 5

Enclosed is a State of California Progress Report by Permittee for 1967. Please complete these as much as is possible and return to our office. with your signature.

A white copy is included for your use as a working copy. If you feel that more information is needed to be filled in by us, complete working copy and sign pinks and we will carry out the completion and distribution.

Gerard Witucki

cc: Chief, Branch of Water Resources-WASO

RWeaver/vb/12/1/67

12-15-1966: memorandum to assistant director, special services from supervisory hydraulic engineer regarding water right dockets

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

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

NATIONAL PARK SERVICE 1916 1966 50TH ANNIVERSARY

IN REPLY REFER TO:

L54-LWSSC

December 15, 1966

Memorandum

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

From: Supervisory Hydraulic Engineer, LWSSC

Subject: Water Right Dockets, Point Reyes

Enclosed are new water right dockets for Point Reyes, as follows:

Water Rights No. 3, Spring on 150 X 150' plot
Water Rights No. 4, Hall-Drakes Beach Lagoon
Water Rights No. 5, Alemea Creek
Water Rights No. 6, Glen Ranch
Alien Water Right No. 3, Spring lot Gray-Vrable-Boyle
Alien Water Right No. 4, Haggerty Gulch Entrance Road
Alien Water Right No. 6, Bear Creek - Olema Water System
Alien Water Right No. 7, Olema Creek - Smoot

As you will note, Alien Water Right docket 5 is not included. It should be completed within the next 30 days.

Manuel Morris

Enclosures

cc:
Superintendent, Point Reyes w/dockets
Regional Director WR, w/o encls.

11-17-1966: letter to office of land and water rights from executive officer regarding permit 13839

STATE OF CALIFORNIA—RESOURCES AGENCY

EDMUND G. BROWN, Governor

STATE WATER RIGHTS BOARD
RESOURCES BUILDING, ROOM 1140
NINTH AND O STREETS • SACRAMENTO 95814

KENT SILVERTHORNE, *Chairman*
RALPH J. McGILL, *Member*
W. A. ALEXANDER, *Member*

November 17, 1966

U. S. National Park Service
San Francisco Planning and Service Center
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
San Francisco, California 94102

Attention: Mr. Manuel Morris
Supervisory Hydraulic Engineer

Subject: Permit 13839, Application 20771, Alemea Creek in Marin County, Your File No. L54 LWSSC

Gentlemen:

Our records have been amended to show ownership of Permit 13839, Application 20771, in the name of U. S. National Park Service.

If we can be of service in the future, please feel free to contact us.

Sincerely,

L. K. Hill

L. K. Hill
Executive Officer

11-07-1966: letter to state water rights board from supervisory hydraulic engineer regarding correction of records indicating the united states as owner of the property to which permit 13839 applies

Morris

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

L54 LWSSC

November 7, 1966

(PORE-WR 5)

Mr. L. K. Hill, Executive Officer
State Water Rights Board
Resources Building, Room 1140
Ninth and O Streets
Sacramento, California 95814

Dear Mr. Hill

This will acknowledge receipt of your letter of October 28, 1966 which has reference to Application 20771, Permit 13839, Alemea Creek, Marin County, at Point Reyes National Seashore. Your records should be corrected to now indicate the United States as owner of the property to which the application and permit are appurtenant.

As this is a very recent acquisition and as our plans for development at Point Reyes are still within formulative stages, we are at this time unable to determine our precise needs at the Alemea Creek area, and therefore, we are reluctant to request revocation. By the time we are required to submit the Report by Permittee for the Year 1967, we should be in a better position.

Sincerely,

(Sgd) MANUEL MORRIS

Manuel Morris
Supervisory Hydraulic Engineer

cc: Supt., PORE
Chief, D&C
Chief, SSC, RPSSC
Reg. Dir., WRO
Chief, Branch of Water Resources, WASO

MMorris/bb 11-7-66

10-28-1966: letter to office of land and water rights from executive officer regarding property involving permit 13839 had been conveyed to the united states of america

STATE OF CALIFORNIA—RESOURCES AGENCY

EDMUND G. BROWN, Governor

STATE WATER RIGHTS BOARD
RESOURCES BUILDING, ROOM 1140
NINTH AND O STREETS • SACRAMENTO 95814

KENT SILVERTHORNE, *Chairman*
RALPH J. McGILL, *Member*
W. A. ALEXANDER, *Member*

October 28, 1966

U. S. Department of the Interior
National Park Service
San Francisco Planning and Service Center
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
San Francisco, California 94102

Attention: Mr. Manuel Morris
Supervisory Hydraulic Engineer

Subject: Permit 13839, Application 20771,
Alemea Creek in Marin County

Gentlemen:

We were informed by a letter dated October 12 from Mr. Edward G. Chandler, of the law offices of Athearn, Chandler & Hoffman, that the property to which Permit 13839, Application 20771, is an appurtenance, had been conveyed to the United States of America.

Please inform us regarding your future plans for use of water under this permit. If you have no further use for the permit, please complete the enclosed revocation form and return it to us for further action.

Sincerely,

L. K. Hill

L. K. Hill
Executive Officer

Enclosure

cc: Athearn, Chandler & Hoffman
Attorneys at Law
593 Market Street
San Francisco, California
Attention: Mr. Edward G. Chandler

00-00-1966: request of revocation of permit 13839

? 1966

Application 20771

State Water Rights Board
Resources Building, Room 1140
9th and O Streets
Sacramento, California 95814

Gentlemen:

The undersigned hereby requests revocation of License_____, Permit 13839, issued on water right Application 20771.

_____
(Signature)

_____
(Signature)

Dated:_____

SWRB
26 (4-65)

10-24-1966: acquired land by the united states: application no. 20771, permit no. 13839

POINT REYES NATIONAL SEASHORE

WATER RIGHTS NO.5

Appliciation 20771 Permit 13839

The property was acquired by fee purchase by the United States from the Alemea Development Company by deed April 13, 1964, purporting to convey to the United States the entire property together with all appurtenaces.

Alemea had, previous to this transfer to the U.S., obtained a permit for appropriation of water by two diversions on adjoining Alemea Creek. The appropiated water was to be used in the Alemea Palisades, as well as in Bolema Palisades, another tract owned by the Bolema Palisades Inc. which wholly owned and controlled Alemea. In addition, the water was to be used for specific purposes on land outside these properties. No record of covenants or agreements appear to bind the U.S. to continue supplying any water to areas outside of the properties acquired.

The U.S. acquired the Bolema properties through condemnation and is awaiting Congressional appropriation for payment. The U.S. will have acquired all the outstanding water rights in the properties. Alemea, subsequent to transfer to the U.S., obtained an extension of the appropriation permit, and should now notify the State Board of the change in ownership.

By: William Cruzen
LW SSC
October 24,1966

11/22/66--A letter dated November 17, 1966 from the State Water Rights Board states that their records have been amended to show ownership of Permit 13839, Application 20771, in the name of the U. S. National Park Service.

DBM

04-14-1966: letter to supervisory hydraulic engineer from executive officer regarding water right applications on a lake near drake's estero

STATE OF CALIFORNIA—RESOURCES AGENCY

EDMUND G. BROWN, Governor

STATE WATER RIGHTS BOARD
ROOM 740, RESOURCES BUILDING
916 NINTH STREET • SACRAMENTO 95814

KENT SILVERTHORNE, *Chairman*
RALPH J. McGILL, *Member*
W. A. ALEXANDER, *Member*

April 14, 1966

Mr. Manuel Morris
Supervisory Hydraulic Engineer
U. S. National Park Service
Office of Land and Water Rights
Box 36063
San Francisco, California 94102

Subject: Water Rights within Point Reyes
National Seashore

Dear Mr. Morris:

This letter is to confirm the information given to you by Mr. Armstrong, an engineer of this office, by telephone on March 30, 1966.

There are no water right applications on a lake near Drake's Estero at Point Reyes National Seashore.

We are enclosing copies of maps entitled "Exhibit A" and "Exhibit B" that were filed with Application 20771. Also enclosed is a copy of the latest extension granted to Alemea Development, a corporation, on Application 20771. Please return the exhibits when you are finished with them.

If any further information is needed in regard to this matter, please feel free to contact us.

Sincerely,

L. K. Hill

L. K. Hill
Executive Officer

Enclosures

03-25-1966: letter to state water rights board from supervisory hydraulic engineer regarding copies of filings, extensions

FU April 25

SAN FRANCISCO PLANNING AND SERVICE CENTER
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
L54-PORE San Francisco, California 94102

March 25, 1966

AWR 5

~~HRS~~
~~Springer~~
Morris

Mr. L. K. Hill, Executive Officer
State Water Rights Board
Room 1140, Resources Building
1416 - Ninth Street
Sacramento, California 95814

Dear Mr. Hill:

Would you kindly send us copies of all filings, extensions, etc. along Alamos Creek and any other source in the vicinity of Bolema Palisades at Point Reyes National Seashore.

We are specifically interested in obtaining copies of "Exhibit A" to Application 20771 filed May 11, 1962, and the extension requested in February of this year. However, any other recent and available correspondence concerning water rights in this area is of interest to us.

Sincerely yours,

Manuel Morris
Supervisory Hydraulic Engineer

HSpringer:ms

10-05-1964: memorandum to director from regional director, western region regarding acceptance of deed covering a parcel of 14.7 acres of land

October 5, 1964

RECEIVED
National Park Service
Point Reyes National Seashore
OCT 6 - 1964
SUPT.
ADM. ASST
REALTY OFCR
ENGINEER
CHF RGR
CHF NAT

L1425-SLW

Memorandum

To: Director

From: Regional Director, Western Region

Subject: Acceptance of Deed covering a parcel of 14.7 acres of land, Alamea Development Co., Point Reyes

Pursuant to a delegation of authority granted to the Regional Directors for the acquisition of lands and water rights, published in the Federal Register of November 20, 1964 (F.R. 12288), I have today accepted as of April 15, 1964, the deed conveying the subject property to the United States.

We now enclose for the preparation of a deed assembly and Form NPS-L-1 the deed; the original of the Attorney General's preliminary title opinion of April 4, 1964; the original and one copy of the Attorney General's final title opinion of September 23, 1964; title insurance policy; one copy of each type of possessory rights report; certificate re taxes; copy of payment voucher; and progress file card.

You already have an approved copy of the option-contract and of the Regional Director's memorandum of February 18, 1964 approving same. Numerous individual Point Reyes lots are covered in separate appraisal reports prepared by Contract Appraiser Willmette and Staff Appraiser Kermickel. The appraisals covering the subject lot are included in these appraisal reports.

(SGD) EDWARD A. HUMMEL

Edward A. Hummel

Enclosures (10)

cc:
Realty Officer, Point Reyes
w/copy of final opinion of
Sept. 23, 1964

09-23-1964: letter to secretary of the interior from acting attorney general regarding examination of title evidence and related papers

HSH - WWG
33-5-2295-15

jfk

September 23, 1964

Honorable Stewart L. Udall
Secretary of the Interior
Washington, D. C.

My dear Mr. Secretary:

Re: File No. 33-5-2295-15
Contract ~~Tract~~ No. 14-10-0434-1511
County Marin State California

An examination has been made of the title evidence and related papers pertaining to certain land in which interests have been acquired under authority of existing legislation. The land and estate acquired by the United States are more particularly described in the enclosed deed.

The title evidence and accompanying data disclose valid title to be vested in the United States of America subject to the rights and easements noted in Schedule A attached hereto which your Department has advised will not interfere with the proposed use of the land.

The title evidence and related papers are enclosed.

Sincerely yours,

Acting Attorney General

Enclosures

09-23-1964: memorandum to director from regional director regarding acceptance of permit covering a parcel of 14.7 acres of land

RECEIVED
National Park Service
Point Reyes National Seashore
OCT 6 - 1964
SUPT.
ADM. ASST
REALTY OFF.
ENGINEER
CHF. RGR.
CHF. MAT.

October 5, 1964

L1425-SLW

Memorandum

To: Director

From: Regional Director, Western Region

Subject: Acceptance of Deed covering a parcel of 14.7 acres of land, Alaman Development Co., Point Reyes

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You already have an approved copy of the option-contract and of the Regional Director's memorandum of February 18, 1964 approving same. Numerous individual Point Reyes lots are covered in separate appraisal reports prepared by Contract Appraiser Willmette and Staff Appraiser Kermickel. The appraisals covering the subject lot are included in these appraisal reports.

(SGD) EDWARD A. HUMMEL

Edward A. Hummel

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Realty Officer, Point Reyes
w/copy of final opinion of
Sept. 23, 1964

09-23-1964: letter to secretary of the interior from acting attorney general regarding examination of title evidence and related papers

HSH - WWG
33-5-2295-15

jfk

September 23, 1964

Honorable Stewart L. Udall
Secretary of the Interior
Washington, D. C.

My dear Mr. Secretary:

Re: File No. 33-5-2295-15
Contract Tract No. 14-10-0434-1511
County Marin State California

An examination has been made of the title evidence and related papers pertaining to certain land in which interests have been acquired under authority of existing legislation. The land and estate acquired by the United States are more particularly described in the enclosed deed.

The title evidence and accompanying data disclose valid title to be vested in the United States of America subject to the rights and easements noted in Schedule A attached hereto which your Department has advised will not interfere with the proposed use of the land.

The title evidence and related papers are enclosed.

Sincerely yours,

Acting Attorney General

Enclosures

04-14-1964: letter to marin title guaranty company from realty office regarding check from united states to alemea development co.

Shown [illegible]
Pet

FILE:

POINT REYES NATIONAL SEASHORE
Point Reyes, California 94956

L1425
Alemea

April 14, 1964

Marin Title Guaranty Company
1300 Fourth Street
San Rafael, California

Gentlemen:

There is transmitted to you herewith the sum of $50,000 in the form of a check of the Treasurer of the United States payable to the Alemea Development Co.

The proceeds of the check shall not be disbursed until the following conditions have been met:

1. Items Nos. 1 and 5 of your preliminary report No. 66020 dated May 14, 1963, have been eliminated,

2. Printed exceptions Nos. 1 and 4 of the preliminary report have been eliminated. The elimination of these printed exceptions is in accordance with our contract with you, and

3. The recordation of a grant deed with revenue stamps properly affixed covering the property described in preliminary report No. 66020 which deed will vest title in the United States of America.

Please acknowledge, on the enclosed copy of this letter, receipt of the check in the sum of $50,000.

Sincerely yours,

(SGD) THOMAS KORNELIS

Thomas Kornelis
Realty Officer

Enclosure

FILE COPY

08 MAPMISC

Point Reyes National Seashore

ALEMEA CREEK [REVOKED]

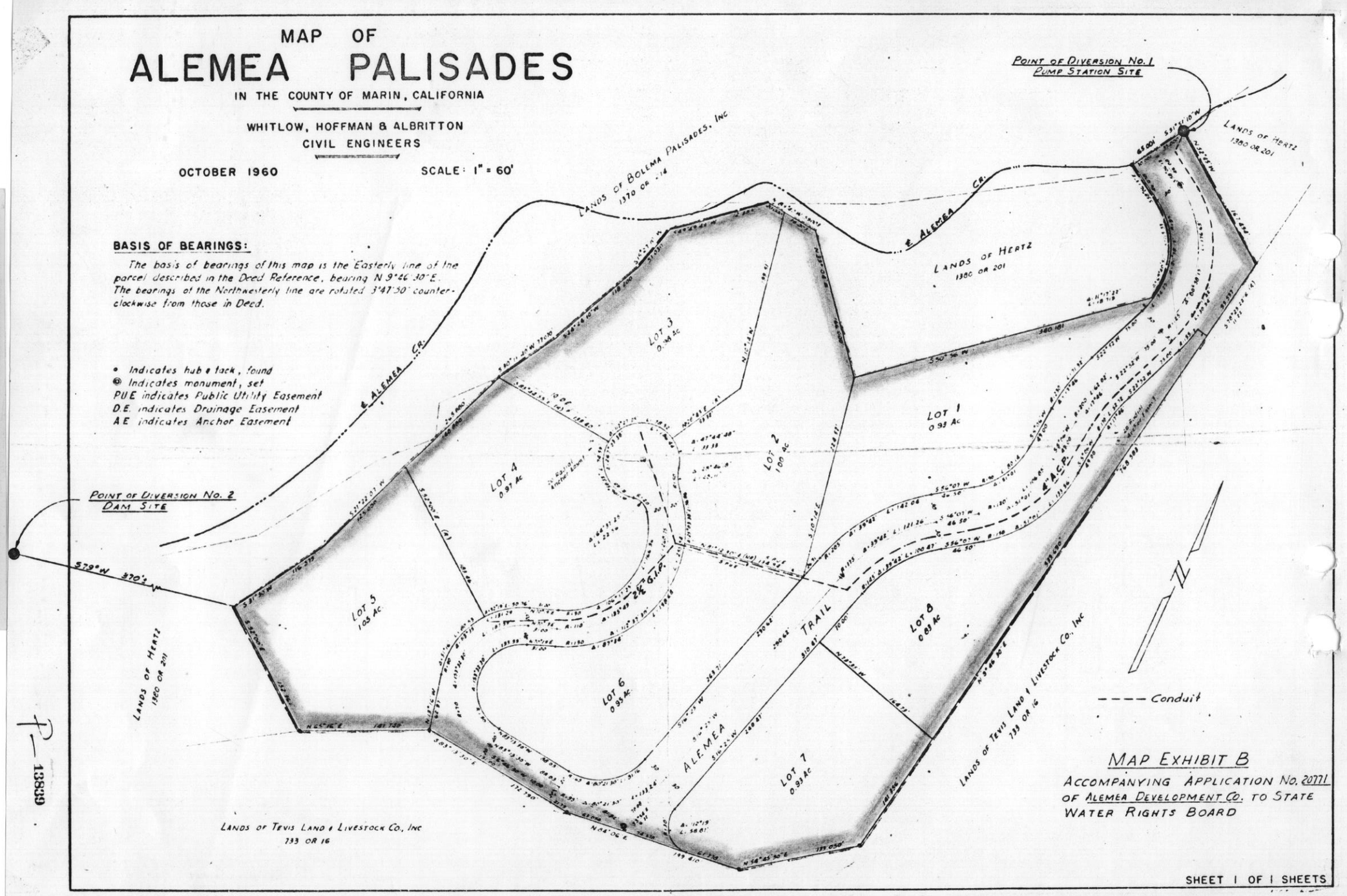
Maps and Miscellaneous Information

MAP OF
ALEMEA PALISADES

IN THE COUNTY OF MARIN, CALIFORNIA

WHITLOW, HOFFMAN & ALBRITTON
CIVIL ENGINEERS

OCTOBER 1960 SCALE: 1" = 60'



BASIS OF BEARINGS:

The basis of bearings of this map is the Easterly line of the parcel described in the Deed Reference, bearing N 9°46'30"E. The bearings of the Northwesterly line are rotated 3°47'30" counter-clockwise from those in Deed.

- Indicates hub & tack, found
- ◎ Indicates monument, set

PUE indicates Public Utility Easement
D.E. indicates Drainage Easement
A.E. indicates Anchor Easement

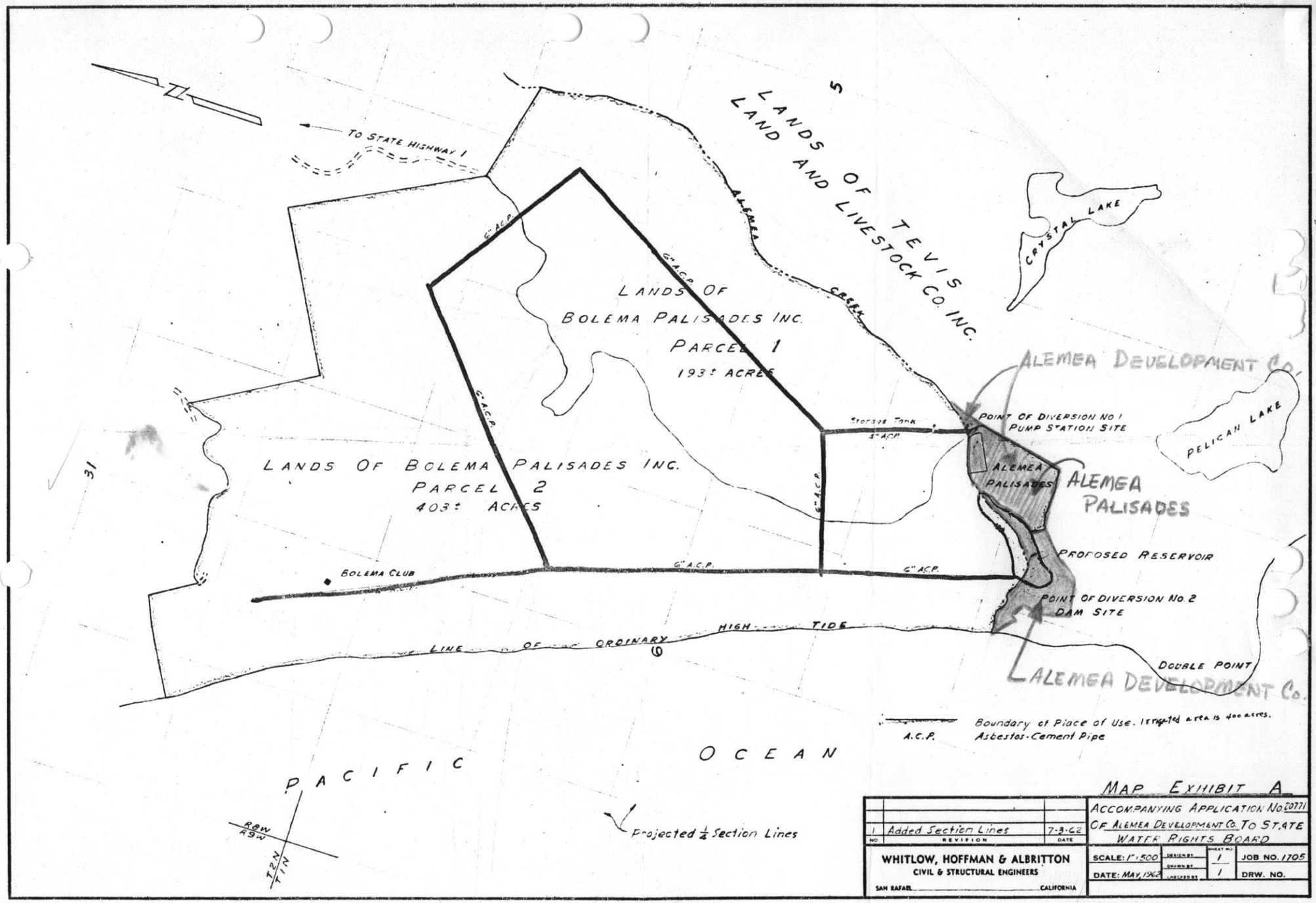
MAP EXHIBIT B

ACCOMPANYING APPLICATION NO. 20771 OF ALEMEA DEVELOPMENT CO. TO STATE WATER RIGHTS BOARD

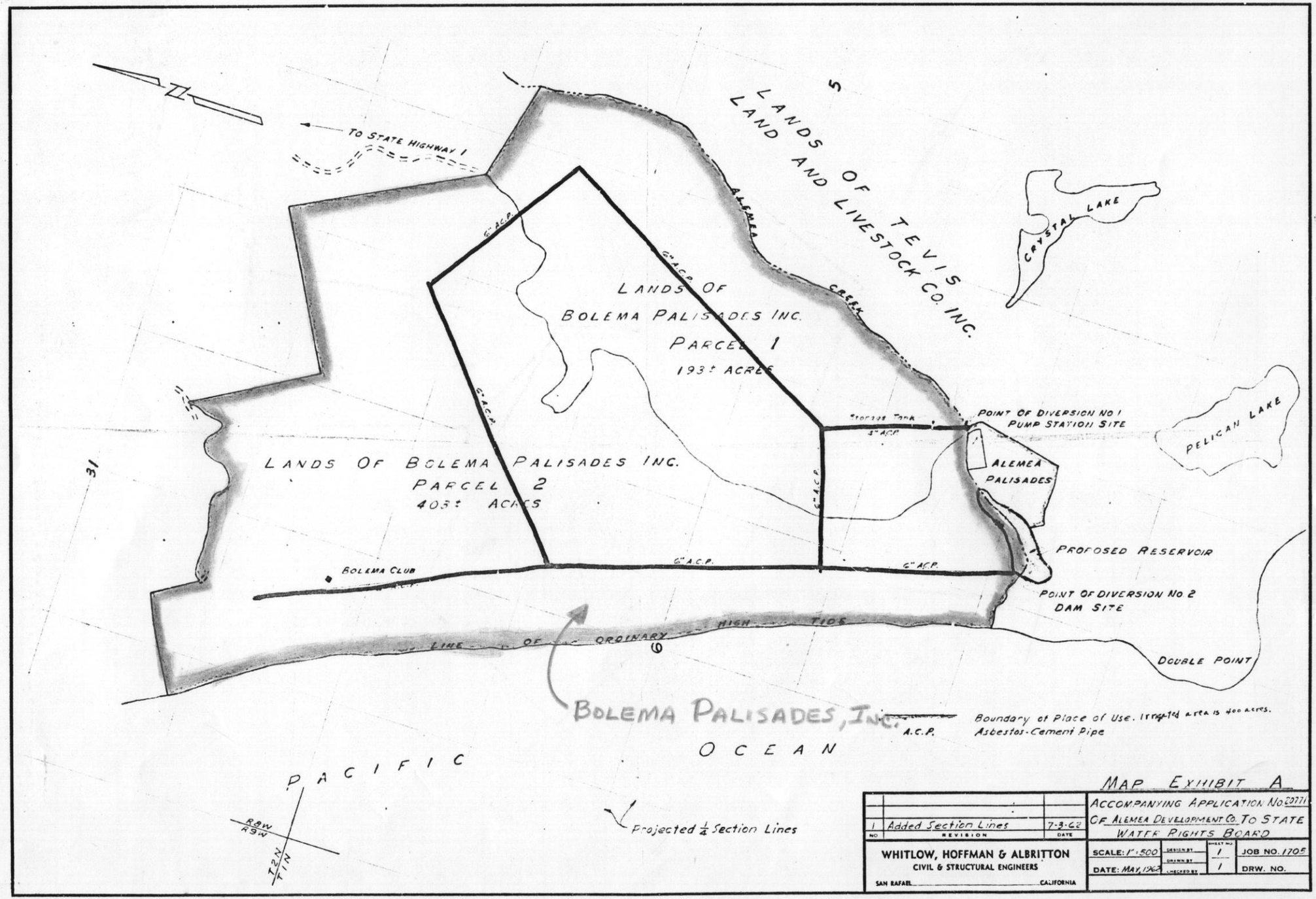
SHEET 1 OF 1 SHEETS

P— 13839

10-00-1960: map of alemea palisades



05-00-1962: map exhibit a: accompanying application no. 20771 of alemea development co. to state water rights board



MAP EXHIBIT A

ACCOMPANYING APPLICATION No. 20771 OF ALEMEA DEVELOPMENT CO. TO STATE WATER RIGHTS BOARD

NO	REVISION	DATE
1	Added Section Lines	7-3-62

WHITLOW, HOFFMAN & ALBRITTON
CIVIL & STRUCTURAL ENGINEERS
SAN RAFAEL CALIFORNIA

SCALE: 1" = 500 | DESIGN BY | DRAWN BY | CHECKED BY | SHEET NO. 1 | 1 | JOB NO. 1705 | DRW. NO.

DATE: MAY, 1962

05-00-1962: map exhibit a: accompanying application no. 20771 of alemea development co. to state water rights board

Docket Information

Number of Documents in Docket : 67

Documents Dated from : 10-00-1960 to 10-29-2024

Docket Compiled: 11/13/2024