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

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT NO. 15579

Application 21991 of Estate of William H. Moores; and Gertrude J. Moores

c/o Timothy W. O'Brien, P.O. Box 725, Ukiah, California 95482

filed on September 14, 1964, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Name of source(s):

Tributary to:

- | | |
|-------------------------|-------------------------------|
| (a) <u>Moores Creek</u> | (a) <u>Irish Gulch thence</u> |
| (b) _____ | (b) <u>Pacific Ocean</u> |
| (c) _____ | (c) _____ |
| (d) _____ | (d) _____ |
| (e) _____ | (e) _____ |

2. Location of point(s) of diversion:

Bearing and distance or coordinate distances from section corner or quarter-section corner.	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
(a) S 52°W, 1,950' from N $\frac{1}{2}$ corner of Section 6	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	6	13N	16W	MD
(b) _____	$\frac{1}{4}$ of $\frac{1}{4}$				
(c) _____	$\frac{1}{4}$ of $\frac{1}{4}$				
(d) _____	$\frac{1}{4}$ of $\frac{1}{4}$				
(e) _____	$\frac{1}{4}$ of $\frac{1}{4}$				

County of Mendocino

3. Place of use: Moores Reservoir in N $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 6, T13N, R16W, MDRM, as shown on map on file with the State Water Resources Control Board.

4. Purpose(s) of use: Fire protection and recreational

A

5. The water appropriated shall be limited to the quantity which can be beneficially used, and shall not exceed 0.1 cubic foot per second by direct diversion to be diverted from January 1 to December 31 of each year and 14.5 acre-feet per annum by storage to be collected from January 1 of each year to December 31 of each year.

6. The maximum quantity herein stated may be reduced in the license if investigation warrants.

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

7. Said construction work shall be completed on or before December 1, 1970

8. Complete application of the water to the proposed use shall be made on or before December 1, 1971

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

10. 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 Resources Control 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.

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

12. After the initial filling of the storage reservoir, permittee's right under this permit extends only to water necessary to keep the reservoir full by replacing water used for fire protection or lost by evaporation and seepage, and to refill if emptied for necessary maintenance or repair.

13. Water entering the reservoir or collected in the reservoir shall be released into the downstream channel to the extent necessary to satisfy downstream prior rights and/or to the extent that appropriation of water is not authorized under this permit.

14. 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 Resources Control Board to comply with the preceding paragraph.

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 appropriation 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 rates 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).

Dated: FEB 15 1968

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward
Chief, Division of Water Rights

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

In the Matter of Application 21901 of
Estate of William M. Moores and Gertrude
J. Moores and Application 21902 of Estate
of William M. Moores, Gertrude J. Moores,
and Jesse E. Nichols to Appropriate from
Moores Creek and Irish Gulch, Respectively,
in Mendocino County

Decision D 1288

1288

DECISION APPROVING APPLICATIONS

Applications 21901 and 21902 having been filed;
protests having been received; the applicants and protestants
having stipulated to proceedings in lieu of hearing as pro-
vided for by Title 23, California Administrative Code, Sec-
tion 737; an investigation having been made by the State Water
Rights Board pursuant to said stipulation; the Board, having
considered all available information and now being fully
advised in the premises, finds as follows:

1-(a) Application 21901 is for a permit to appro-
priate 0.1 cubic foot per second (cfs) by direct diversion
and 14.5 acre-feet per annum by storage year-round for fire
protection and recreational purposes from Moores Creek in
Mendocino County. The point of diversion is to be located
in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 6, T13N, R16W, MDB&M.

(b) Application 21902 is for a permit to appropriate 1.31 cfs by direct diversion year-round for domestic, municipal, and irrigation purposes from Irish Gulch in Mendocino County.

On May 12, 1967, the applicants filed a petition to amend Application 21902 to include in the place of use an additional 450 acres more or less in Section 1, T13N, R17W, and Section 6, T13N, R16W, MDB&M, more particularly described in exhibits to their petition. On the same date, the applicants filed a petition to amend Application 21902 to designate three variable points of diversion in the S $\frac{1}{2}$ of N $\frac{1}{2}$ of Section 6, T13N, R16W, MDB&M, more particularly described in their petition. The proposed changes will not operate to the injury of any legal user of the water involved and should be approved.

2. Irish Gulch heads at an elevation of approximately 1,600 feet and flows in a general westerly direction approximately three miles to the Pacific Ocean. Moores Creek heads at approximately the same elevation and flows in a general southwesterly direction to enter Irish Gulch approximately one-quarter mile from the ocean.

3. Water from Irish Gulch will be used for domestic purposes at a subdivision now under construction on the Moores' land and for irrigation within approximately 68 acres owned by them and approximately 450 acres owned by Nichols. The

water for domestic use is conveyed by gravity from a point on Nichols' land approximately one mile from the ocean through a 6-inch pipeline to a regulatory storage tank located 2,500 feet downstream. The tank has a capacity of approximately 210,000 gallons. Water from Moores Creek will be impounded in a reservoir which will be used for recreation and fire protection by home owners in the subdivision.

4. Arnold and Lorraine Linscheid, protestants to both applications, are located on Irish Gulch between State Highway No. 1 and the Pacific Ocean. They pump water from the gulch at a sump below the Moores Creek confluence approximately 300 feet from the ocean. The water is used at a home under apparent riparian right. They also hold Permit 14903 (Application 22080), which is junior to Applications 21901 and 21902, for 1,500 gallons per day to cover this use.

5. Irish Gulch flows all year at its mouth and is a gaining stream between the applicants' uppermost point of diversion and the protestants' sump. On July 31, 1967, its flow above the applicants' uppermost point of diversion was 0.21 cfs, 0.45 cfs at the lower limit of their moveable points of diversion, and 0.62 cfs at the protestants' point of diversion. The natural inflow downstream from the applicants' points of diversion is more than adequate to supply protestants' needs.

Moores Creek ceases flowing for all practical purposes during the driest part of the summer. However, sufficient

water occurs during the average year to fill the reservoir and to justify a full season for the diversions proposed by Application 21901.

6. Application 21902 was filed by William M. and Gertrude J. Moores. A protest was filed to the application by Nichols on the grounds of lack of access on the part of the Moores to the proposed point of diversion and alleged interference with Nichols' claimed riparian rights. Later, Nichols and the Moores entered into an agreement providing for the withdrawal of the protest and assignment to Nichols of a one-half interest in the application. Pursuant to this agreement, the applicants filed the aforementioned petitions to amend Application 21902 to include Nichols' land in the place of use and to add points of diversion.

The agreement provides that any permit issued pursuant to Application 21902 shall be expressly conditioned upon full and faithful performance of the agreement. The permit will contain a term stating that it is subject to and limited by the agreement but will further state that the Board does not assume jurisdiction to enforce the agreement.

7. Unappropriated water is available to supply the applicants, and, subject to suitable conditions, such water may be diverted and used in the manner proposed without causing substantial injury to any lawful user of water.

8. The intended use is beneficial.

9. The applicants claim the place of use designated by Application 21902 is entitled to the use of water by riparian right. The permit should contain a term stating that upon a judicial determination that the place of use under the permit, or a portion thereof, is entitled to use of water by riparian right, the right so determined and the right acquired under the permit shall not result in a combined right to the use of water in excess of that which could be claimed under the larger of the two rights.

From the foregoing findings, the Board concludes that Applications 21901 and 21902 should be approved and that permits should be issued to the applicants subject to the limitations and conditions set forth in the following order.

The records, documents, and other data relied upon in determining the matter are: Applications 21901 and 21902 and all relevant information on file therewith, particularly the report of the field investigations made August 30, 1966, and July 31, 1967.

ORDER

IT IS HEREBY ORDERED that the petitions to amend Application 21902 by adding additional points of diversion and enlarging the place of use by approximately 450 acres be, and they are, granted.

IT IS FURTHER ORDERED that Applications 21901 and 21902 be, and they are, approved, and that permits be issued to the applicants subject to vested rights and to the following limitations and conditions:

1-(a) The water appropriated under permit issued pursuant to Application 21901 shall be limited to the quantity which can be beneficially used and shall not exceed 0.1 cubic foot per second (cfs) by direct diversion to be diverted year-round, and 14.5 acre-feet per annum by storage to be collected year-round.

(b) The water appropriated under permit issued pursuant to Application 21902 shall be limited to the quantity which can be beneficially used and shall not exceed 1.31 cfs by direct diversion to be diverted year-round. The equivalent of such continuous flow allowance under permit issued pursuant to Application 21902 for any 30-day period may be diverted in a shorter time if there be no interference with vested rights.

2. After the initial filling of the storage reservoir, permittee's right under permit issued pursuant to Application 21901 extends only to water necessary to keep the reservoir full by replacing water used for fire protection or lost by evaporation or seepage, and to refill if emptied for necessary maintenance or repair.

3. The maximum quantity herein stated may be reduced in the license if investigation warrants.

4. Construction work shall be completed on or before December 1, 1970.

5. Complete application of the water to the proposed use shall be made on or before December 1, 1971.

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. Water entering the reservoir or collected in the reservoir under permit issued pursuant to Application 21901 shall be released into the downstream channel to the extent necessary to satisfy downstream prior rights and to the extent that appropriation of water is not authorized

under permit. 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 to comply with this paragraph.

10. Upon a judicial determination that the place of use under permit issued pursuant to Application 21902, or a portion thereof, is entitled to the use of water by riparian right, the right so determined and the right acquired under this permit shall not result in a combined right to the use of water in excess of that which could be claimed under the larger of the two rights.

11. The permit issued pursuant to Application 21902 and all rights acquired or to be acquired thereunder shall be subject to and limited by the agreement entered into between Jesse E. Nichols and William M. Moores and Gertrude J. Moores, a copy of which is on file with the State Water Rights Board. The State Water Rights Board does not assume jurisdiction to enforce said agreement.

Adopted as the decision and order of the State Water Rights Board at a meeting duly called and held at Sacramento, California.

Dated: **NOV 30 1967**

/s/ George B. Maul
George B. Maul, Chairman

/s/ Ralph J. McGill
Ralph J. McGill, Member

/s/ W. A. Alexander
W. A. Alexander, Member

IN THE LOCAL AGENCY FORMATION COMMISSION
County of Mendocino, State of California

8 day February, 19 67

PRESENT: Commissioners Avila, Norgard, Vaughn, Rockefeller and Chairman Mayfield

ABSENT : None

RESOLUTION NO. 67-2

RESOLUTION APPROVING/~~DEFINING~~ FORMATION OF

Water District

Designated as, Irish Beach Water District

The following resolution is now offered and read:

WHEREAS, a petition for formation of a special district to be known as Irish Beach ~~Water District~~ was duly filed with the Mendocino County Local Agency Formation Commission, together with supporting documents required by the rules of said Commission on December 12, 1966 ;
and

WHEREAS, said petition has been processed pursuant to the provisions of Chapter 6.6 of Part 1, Division 2, Title 5 of the Government Code of the State of California; and

WHEREAS, at the times and in the form and manner provided by law, said Executive Officer has given notice of public hearing by this Commission upon said petition; and

WHEREAS, said Executive Officer has reviewed said petition and prepared a report, including his recommendations thereon, said petition and report having been presented to and considered by this Commission; and

WHEREAS, the public hearing by this Commission was held upon the date and at the time and place specified in said Notice of Public hearing and in any subsequent hearings; and

WHEREAS, at such hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said petition and report.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the formation of a special district be known as Irish Beach ~~Water District~~ being identified in

the files of the Mendocino County Local Agency Formation Commission as
File No. 66-7, designated as Irish Beach Water District,
be and the same is hereby approved by the Mendocino
(approved/denied)
County Local Agency Formation Commission, subject to the following
conditions and terms:

Legal description should read -----to a 3/4 inch pipe; thence
North 89° 56' East a distance of 959 feet to the center of
Irish Gulch;

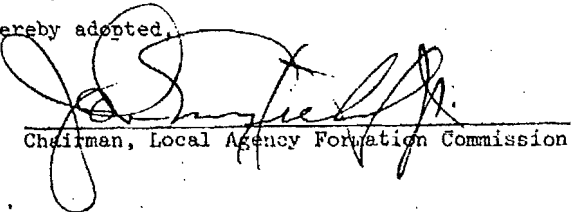
rather than 80°

BE IT FURTHER RESOLVED AND ORDERED that the Executive Officer of
said Commission is hereby authorized and directed to mail certified copies
of this resolution in the manner as provided by law.

On motion of Commissioner Vaughn, seconded by Commissioner
Rockefeller, and on the following roll call vote to-wit:

AYES : Commissioners. Vaughn, Rockefeller, Avila and Chairman Mayfield
NOES : Commissioner Norgard
ABSENT : None
ABSTAINING: None

the following resolution is hereby adopted.


Chairman, Local Agency Formation Commission


Executive Officer

STATE OF CALIFORNIA)
County of Mendocino)ss.

I, Albert P. Beltrami, Executive Officer of the Local Agency
Formation Commission in and for the County of Mendocino, State of California,
do hereby certify the foregoing to be a full, true and correct copy of an

order made by the Local Agency Formation Commission, as the same appears spread upon their minute book.

Albert P. Beltrami
Executive Officer, Local Agency Formation Commission

The foregoing instrument is a
correct copy of the original
on file in this office

ATTEST: Wanda M. ...

County Clerk and ex-officio Clerk of the
Board of Supervisors of the County of
Mendocino, State of California

By: Wanda M. ...
Deputy

March 10, 1975

MINUTE ORDER FROM THE

BOARD OF SUPERVISORS

-0-0-

Date: June 20, 1967

PRESENT: Supervisors John Mayfield, J. Harvey Sawyers, August J. Avila
Ernest F. Banker

ABSENT: Supervisors Jos. Scaramella

100. 2-2-67

RE FORMATION OF IRISH BEACH WATER DISTRICT:

Upon motion of Supervisor Sawyers, seconded by Supervisor Avila, and carried, IT IS ORDERED that after reviewing the official canvass of the official tally of votes by the Clerk, the Board finds and declares that the Irish Beach Water District was duly formed by the vote of electors in the district, and that the following persons were elected as Directors and officer of the District:

Directors: John Acquistapace
Anthony P. Giannini
David Nunes
C. Robert Shore
Gertrude J. Moores

Assessor, Tax Collector and Treasurer (Cons.):

Beatrice Acquistapace

Irish Beach Water District is bounded as follows:

*800
870*

PARCEL ONE:

Beginning at a 3/4 inch pipe set to mark the North 1/4 corner of section 6, Township 13 North, Range 16 West, Mount Diablo Meridian; thence South 0° 12' East, along a fence 1303.26 feet to a 3/4 inch pipe; thence North 89° 56' East a distance of 959 feet to the center of Irish Gulch; thence downstream along the center of Irish Gulch to the high water mark of the Pacific Ocean; thence Northerly along the high water mark of the Pacific Ocean to a point from which a 3/4 inch pipe bears South 89° 55' East 510 feet, more or less, said pipe being North 70° 51' 20" West 4011.66 feet from the 1/4 corner between Section 31, Township 14 North, Range 16 West, and Section 6, Township 13 North, Range 16 West, Mount Diablo Meridian; thence from said point South 89° 55' East, 510 feet, more or less to the said pipe; thence continuing South 89° 55' East, along a fence 2200 feet to a 3/4 inch pipe; thence South 0° 12' East along a fence 1244.02 feet to a 3/4 inch pipe; thence continuing South 0° 12' East along the said fence 70.25 feet to a 3/4 inch pipe; thence North 89° 56' East along a fence 1585.15 feet to the point of beginning.

PARCEL TWO:

Beginning at a 3/4 inch pipe, set to mark the NE corner of the SW 1/4 of the NE 1/4 of Section 6, Township 13 North, Range 16 West, from which the North 1/4 corner of Section 6 bears North 45° 29' 57" West, 1,857.16 feet; thence South 0° 12' East, 65 feet to the center of Irish Gulch; thence down stream along the center of Irish Gulch to a point which bears South 89° 56' West and is 325 feet distant from the point of beginning; thence North 89° 56' East 325 feet to the point of beginning and containing 0.6 acres, more or less.

5821

RECORDED AT REQUEST OF

Co. Clerk
BOOK 742 PAGE 491

JUN 23 12 54 PM '67

OFFICIAL RECORDS
MENDOCINO COUNTY, CALIF.

Notar
RECORDER

INDEXED

5821 PARTIAL

BOOK 742 PAGE 491

DATE: December 5, 1966

IRISH BEACH
WATER DISTRICT
NAME OF PROPOSAL

FILE NO. 66-7

MENDOCINO COUNTY LOCAL AGENCY FORMATION COMMISSION
APPLICATION AND JUSTIFICATION OF PROPOSAL
* * * * *

(Answer each question completely. Use additional pages as required.)

A. General

1. Type and designation of proposal. To form a water district pursuant to "California Water District Law" Division 13, Water Code.
2. Statutory provisions governing proceedings
Division 13, Water Code of California, Section 34000 and following
3. Principal City or district. Irish Beach Water District, Mendocino Coast Subdivision, Mendocino County.
4. Names of all other districts or cities which will be affected by this proposal.

a.		d.
b.	NONE	e.
c.		f.

B. Physical Features

1. Land area: square miles _____; acres 220.
2. State general description of topography: Developed Subdivision property on Pacific Ocean

C. Population and Related Matters

1. Population in subject area: Permanent residents are 10 or less with a population projected of 1200 or more.
2. Population density (i.e. per square miles; per acre): 6 people per subdivided acre.
3. Number of registered voters:
Two
4. Number of dwelling units: 4 Units with many projected in 1967 - Over 50 lots have been sold from a projected 335 or more.
5. Proximity to other populated areas: 4 miles north of Manchester.
6. Likelihood of significant increase in population in next 10 years: Increase to 1200 anticipated.
7. Likelihood of significant increase in adjacent areas in next 10 years:

a.	In unincorporated areas:	Good
b.	In incorporated areas:	not applicable

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D. Economic Factors

1. Zoning and related matters:

- a. Describe the existing land use in the area which is subject of this proposal. Subdivision and recreational
- b. Describe proposed land use in the area which is subject of this proposal. Subdivision and recreation.
- c. Detail existing zoning. Agricultural
- d. Describe proposed new zoning or changes in zoning, if any:
Not requested

2. Assessed value in area.

- a. Lane: Present is over \$100,000.00 with increase anticipated as subdivided land is sold and developed.
- b. Improvements: unknown

Total \$100,000.00

- c. Amount of publicly owned land in area:
None

E. Governmental Service in area: (Describe in such detail as is appropriate to the area the existing governmental services and controls in the area including, for example, police protection, fire protection, health services, garbage and trash collection, libraries, parks and playgrounds, sewers, streets, street lighting etc.) There are no existing special districts. The property is rural and within the Manchester Grammer School District and the Arena Union High School District.

F. Need for Additional Governmental Services or Controls:

- 1. Describe those governmental services or controls which should be provided which are not now provided or which should be provided in increased amount in the area. The water system has been constructed by the subdivider and the district would operate the system. It would be transferred to the district without charge. There are no bonds.

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XERO COPY

XERO COPY

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- 2. Estimate probable future need for new or increased governmental services or controls in the area. This district is the only immediate need.

- 3. Describe how your proposal meets the need which you have described in paragraphs F, 1 and 2 above. This proposed district would own and operate the water system.

- 4. What alternative courses of action exist for meeting the need described above: Describe and evaluate:
 The only alternatives would be a mutual water company or private ownership. Private ownership presents no remedy and this district is superior to a mutual company.

- G. What revenue will your proposal require for the accomplishment of its goals and what are the prospective sources of such revenue?
 Charges will be made by the district for available water connections and for water use.

- H. Estimate to the best of your ability the effect of the proposal on:
 - 1. Cost of governmental services and controls. None
 - 2. Adequacy of governmental services and controls. Improved
 - 3. Mutual social and economic interests. Improved.
 - 4. Local governmental structure of the County. Improved.

- I. Has survey of the sentiment of property owners within the subject area been conducted? Yes
 If so, what are the results?
 All desire this form of district to operate, manage and maintain the water system.

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XERO COPY

XERO COPY

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J. Has survey or the sentiment of adjacent property owners been conducted?

If so, what are the results?

Contact with Jess Nichols, owner of the South, indicated he supports the plan.

K. Has the principal local agency (such as city, district, etc.) been notified of this filing?

Principal agency is County of Mendocino

L. Any other comments or justifications you wish to make:

This district is necessary to allow the orderly management of the water facility now developed and expansion of same as may be necessary.

Copies of the legal description and map (5 copies of each) must be attached to this application for forwarding to various departments involved in processing the application, showing the exterior boundaries of the territory to be annexed, created, etc. Also, the images must indicate boundaries of existing cities or districts.

Designate a maximum of three (3) officers or persons who will receive a copy of the Executive Officers report and recommendation and mailed notice of hearing.

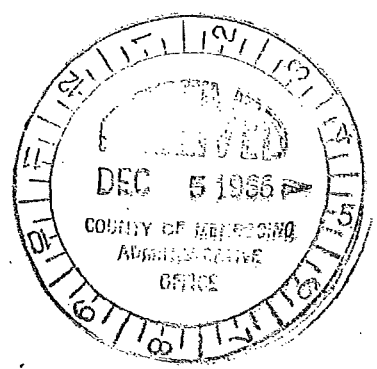
1. WM. Moores, 690 South Highland Drive, Ukiah, California
2. Timothy W. O'Brien, P.O. Box 725, Ukiah, California
3. John Acquistapace, Manchester, California

We, the undersigned, own more than 70% of the land to be included in the district.

Gertrude J. Moores
GERTRUDE J. MOORES

W. M. Moores
W. M. Moores - W. M. Moores
Name of applicant
W. M. MOORES

Title



STATE WATER RIGHTS BOARD

REPORT OF FIELD INVESTIGATION
APPLICATIONS 21901 AND 21902
Moore's Creek and Irish Gulch in Mendocino County

Substance of the Applications

Application 21901 was filed September 14, 1964, by William M. and Gertrude J. Moores for year-round diversion of 0.1 cubic foot per second and 14.5 acre-feet per annum for fire protection and recreational uses from Moore's Creek. The point of diversion listed is in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 6, T13N, R16W*, and the place of use is in the N $\frac{1}{2}$ of said Section 6.

Mr. and Mrs. Moores also filed Application 21902 on September 14, 1964, for year-round direct diversion of 1.31 cubic feet per second for domestic, municipal and irrigation uses from Irish Gulch. The point of diversion is stated to be in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 6, T13N, R16W; the place of use consists of 63 acres irrigation and domestic and municipal uses within 205 acres of subdivision located in Section 1, T13N, R17W; Section 6, T13N, R16W; Section 31, T14N, R16W; and Section 36, T14N, R17W.

Protests and Investigation

Application 21901 was protested by Arnold and Lorraine Linscheid. Application 21902 was protested by Jesse E. Nichols as well as the Linscheids. The relative location of properties owned by the applicants, the protestants and others involved are shown on an attached map.

All parties concerned stipulated to proceedings in lieu of hearing and an investigation of the project was conducted on August 30, 1966, by Ralph J. McGill, Board member, assisted by C. M. Harris, staff engineer.

Applicants were present and were represented by their counsel, Mr. Timothy O'Brien. Also present were protestants Arnold and Lorraine Linscheid and Mr. Jessie E. Nichols. Keijo and Arlene Hardy, nearby property owners, participated as interested persons; and Mr. John Acquistopace, operation manager for Mr. Moores, accompanied the group as a guide.

Water Supply

Moore's Creek enters the Pacific Ocean about four miles north of Manchester and originates in the coastal hills about two miles east of the coast at an

*All references to township and range are from Mount Diablo Base and Meridian (MDR&M).

elevation of 1,600 feet. Moores Creek joins Irish Gulch approximately one-quarter mile from the ocean, is about three miles long and also heads at an elevation of 1,600 feet.

With the exception of some elevated bench land along the coast, the watersheds of both streams are heavily forested and contain considerable underbrush. Rainfall is adequate to keep Irish Gulch flowing all year at its mouth, but Moores Gulch ceases flowing for all practical purposes during the driest part of the summer.

About 200 feet above applicants' reservoir on Moores Creek bedrock forces the flow to the surface and the flow at this point was estimated to be 4 gallons per minute. There was no flow below the dam.

At applicants' point of direct diversion on Irish Gulch, the flow was estimated to be 25 gallons per minute. The streambed along this part of the creek is filled with gravel and slide material from the steep hillsides bordering the gulch. Water appears on the surface of the channel and disappears repeatedly, depending on whether the bedrock is close to the surface or not.

At Linscheids' point of diversion near the ocean, the water was flowing on top of loose sand and gravel. At this point, the water was measured and the quantity was found to be 110 gallons per minute.

Applicants' Project

Mr. Moores owns approximately 4,000 feet of frontage on the Pacific Ocean north of Irish Gulch. At its greatest width, the property extends from the ocean eastward along the north side of Irish Gulch for one mile. Moores Creek flows through his property and joins Irish Gulch from the north.

Applicants are in the process of subdividing the ocean frontage and a substantial portion of the rest of the property. Streets are surveyed and paved, lots have been surveyed and some have been sold, and a few homes have been built or are under construction. The reservoir on Moores Creek has already been constructed and is situated so that it contributes esthetically to much of the subdivision. The dam appears to be well built with an 8-inch gated outlet pipe at the bottom and a side spillway excavated in bedrock. There was no visible leakage. Impounded water will be used for recreation and fire protection.

Application 21902, if approved, will provide water for domestic use in the subdivision and irrigation of 68 acres not subdivided. The point of direct diversion is on Irish Gulch a little over one mile from the ocean on property owned by protestant Jesse Nichols (see map). Water is conveyed by a gravity pipeline from the point of diversion to a storage tank located on the right bank about 2,500 feet downstream and 100 feet above the bed of the stream. The

pipe is 6 inches in diameter. The cylindrical steel tank is about 30 feet high and has a capacity of 210,000 gallons. A 4-inch valved outlet pipe allows water to be returned from the tank to Irish Gulch. At the time of the visit, there was very little demand and almost the entire inflow was being returned from the tank to the gulch. Therefore, the return flow offered a rough check on the amount being diverted at that time. It was measured at 20 gallons per minute.

Since the tank is situated well above the subdivision, water can be delivered under pressure to any part thereof.

Protestants and Their Use

Protestant Jesse E. Nichols owns 400 acres of land south of Irish Gulch and east of State Highway 1. He also owns an adjoining piece of 40 acres fronting on the ocean west of the highway. Irish Gulch forms the northern boundary of his property for almost one mile and the point of diversion proposed under Application 21902 is located in the northeast corner of his property (see map).

Mr. Nichols' property is relatively undeveloped. He stated, however, that he considered the Moores subdivision to be an enhancement of property values in the area and he did not want to obstruct implementation of the Moores' project.

Mr. O'Brien, counsel for applicants, said that plans were being actively pursued to form a water district or similar organization in which Mr. Nichols would be entitled to participate. If such an agreement were consummated, Mr. Nichols indicated that his protest could be dismissed.

Considering the willingness of both Messrs. Nichols and Moores to negotiate, a request for an initial extension of 30 days for this purpose was granted at the conclusion of the investigation by Mr. McGill.

Arnold and Lorraine Linscheid own land between State Highway 1 and the ocean situated south of and adjoining Irish Gulch. Water is diverted for their domestic use from a small sump in the gulch and is elevated to their house located nearby on a bluff overlooking the ocean.

The Linscheid pump forms the lowermost diversion from Irish Gulch, being approximately 300 feet from the ocean. It is a reciprocating type operated by a 1½ H.P. electric motor which Mr. Linscheid said would lift 3 to 5 gallons per minute to a storage tank by his house. The lift is 280 feet.

Mr. and Mrs. Linscheid did not claim a riparian right to Irish Gulch water in either their own application or their protest to Application 21902, although their property appears to abut upon the stream.

Discussion

Investigation of the project was undertaken at a time of the year when approximate low-flow conditions prevail in the streams under consideration. At that

time there was more than adequate water remaining in the stream to satisfy protestant's requirements at his point of diversion.

The character of the stream in Irish Gulch is important. It is not a losing stream, but instead it accumulates water and the quantity of flow increases as the stream proceeds toward the ocean. This was verified by walking down the bed of the stream from applicants' point of diversion. Numerous small springs and seeps issue from the sides of the mountains along the channel. Thus, while the channel immediately below applicants' proposed point of diversion was dry, there was a flow of 110 gallons per minute at the Linscheid point of diversion further downstream.

During low-flow conditions it is apparent that the bulk of the stream flow is generated below applicants' point of diversion and it would be impossible for protestant Linscheid to be injured under the conditions existing at the time of the investigation.

Mr. Linscheid owns Permit 14903 (Application 22080) for 1,500 gallons per day and, according to him, his pump can handle a maximum of 3 to 5 gallons per minute (4,320 to 7,200 gallons per day). This application is junior to Applicants' 21901 and 21902, but it appeared to the staff engineer of the Board that the Linscheid property is riparian to Irish Gulch.

Conclusions and Recommendations

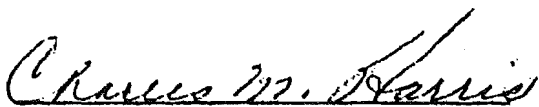
It is concluded that the amounts applied for at the point of diversion specified in Application 21902 cannot cause injury to protestant Linscheid.

With respect to the Nichol's protest, there appears to be a genuine desire to arrive at a mutually beneficial agreement with applicants and it is recommended that a reasonable length of time be allowed for negotiation.

Any action on Application 21902 should be delayed pending results of the negotiation mentioned above and, if an agreement is successfully concluded, its effect on protestant Linscheid should be re-examined.

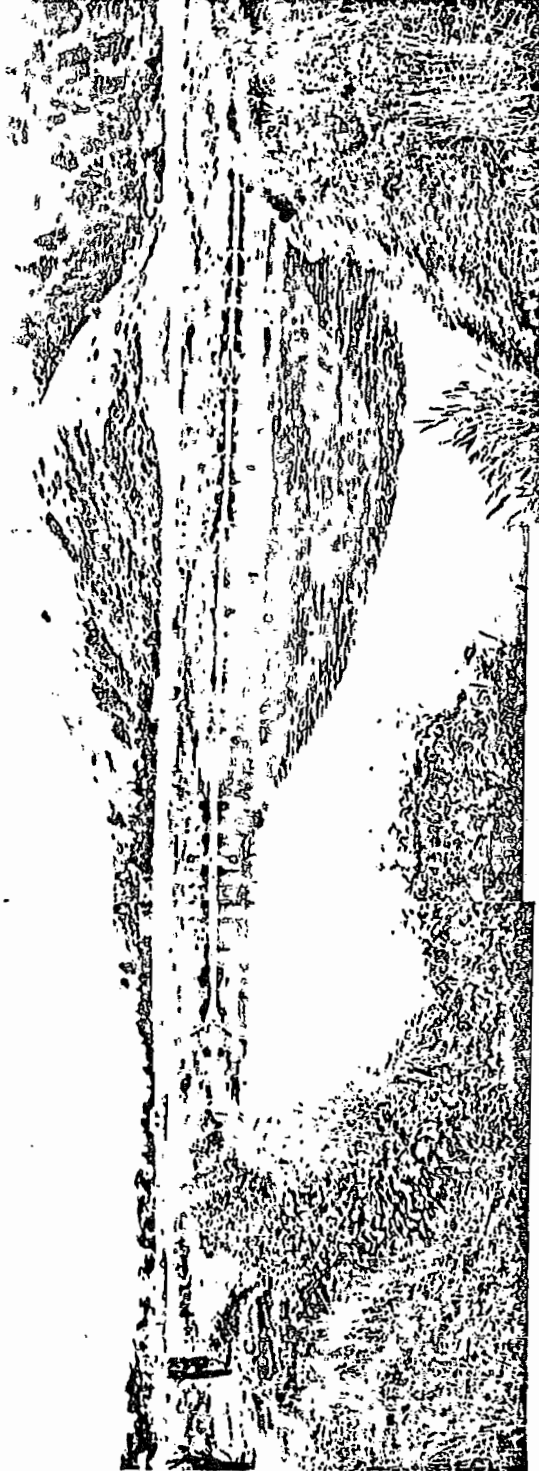
Application 21901 should be approved for the full amount and season requested subject to inclusion of the following permit terms:

1. Permittee shall install and maintain an outlet pipe of adequate capacity in his dam as near as practicable to the natural stream channel or provide other means of releasing water satisfactory to the State Water Rights Board.
2. After the initial filling of the storage reservoir, permittee's right under this permit extends only to water necessary to keep the reservoir full by replacing water beneficially used or lost by evaporation and seepage, and to refill if emptied for necessary maintenance or repair.


Charles N. Harris
Senior Engineer

Dated: September 6, 1966
Sacramento, California

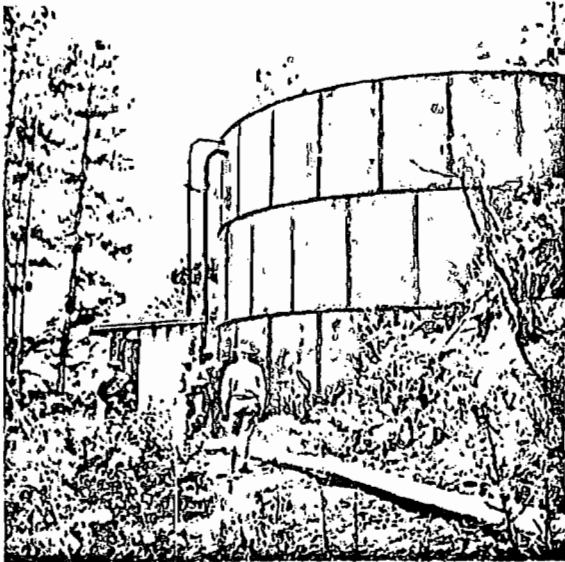
Application 21901



Reservoir on Moores Tract
Part of Area of Use in Background

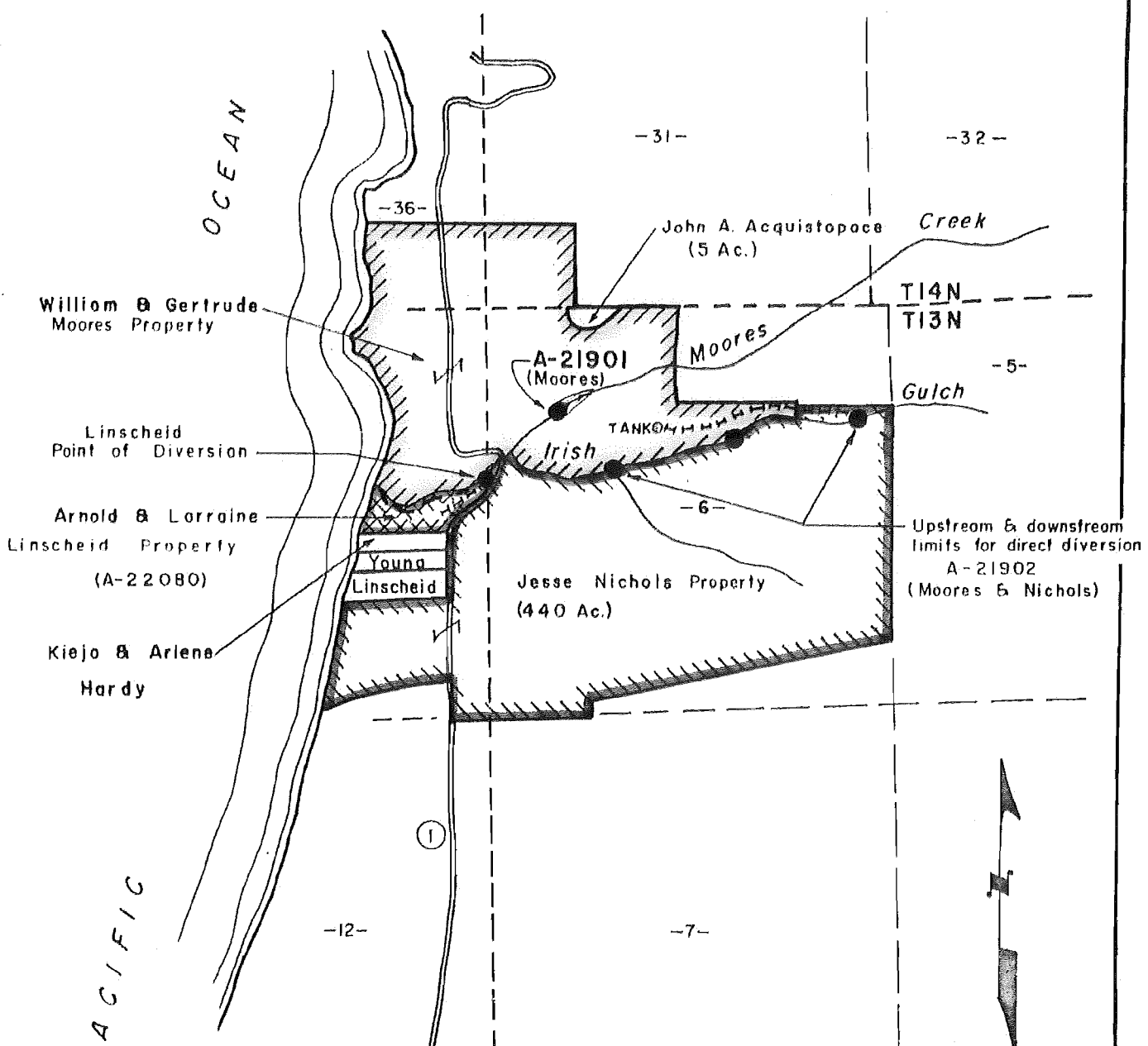
Application 21902

Point of diversion:
Pipe intake in
recess in concrete
diversion dam.



Steel tank used for
regulation and
distribution of water
diverted at point
shown above.

BM



MANCHESTER 2.1 MI.

R17W R16W

Mendocino Co.

M. D. B. & M.

STATE OF CALIFORNIA
 STATE WATER RIGHTS BOARD
 APPLICATION
 21902
 21901

SCALE

1000 0 1000 2000

DATE: 9-7-66	DRAWN: C D H	CHECKED: C M H	DWG. 2711
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AGREEMENT
FOR THE OPERATION AND MANAGEMENT
OF A COMMON FACILITY
FOR THE DISTRIBUTION OF WATER IN
MENDOCINO COAST SUBDIVISION UNIT NO. II

THIS AGREEMENT is made this _____ day of _____, 1966, by and between Wm. M. Moores and Gertrude J. Moores, husband and wife, hereinafter referred to jointly and individually as "Subdivider"; and the undersigned purchasers of lots within said Unit NO. II, Mendocino Coast Subdivision.

This agreement is made considering that the legal description of the exterior boundaries of Unit No. II is as follows and is now entirely owned in fee by Wm. M. Moores and Gertrude J. Moores, Subdivider.

D E S C R I P T I O N

All that real property situated in Mendocino County, State of California, more particularly described as follows:

BEGINNING at a 1/2 inch pipe from which the North quarter corner to Section 6, township 13 North, Range 16 West, Mount Diablo Meridian bears South 89° 15' 32" East, 2,513.11 feet; thence South 05° 53' 46" East, 394.18 feet; thence South 72° 35' 41" West, 363.66 feet; thence South 17° 39' 40" East, 795.42 feet; thence North 70° 09' 52" East, 1,073.93 feet; thence on a curve to the right with a radius of 530.00 feet, a central angle of 09° 43' 54" and an arc length of 90.02 feet; thence North 79° 53' 46" East, 200.00 feet; thence on a curve to the right with a radius of 398.25 feet, a central angle of 13° 29' 23" and an arc length of 93.76 feet; thence on a curve to the left with a radius of 338.25 feet, a central angle of 11° 23' 09" and an arc length of 67.22 feet; thence North 82° 00' 00" East, 240.00 feet; thence on a curve to the left with a radius of 770.00 feet, a central angle of 05° 00' 00" and an arc length of 67.20 feet; thence North 77° 00' 00" East, 245.00 feet; thence on a curve to the right with a radius of 90.00 feet, a central angle of 89° 47' 46" and an arc length of 141.05 feet; thence on a curve to the left with a radius of 10.00 feet a central angle of 70° 20' 50" and an arc length of 12.28 feet; thence South 83° 33' 04" East, 291.45 feet; thence on a curve to the left with a radius of 75.00 feet, a central angle of 25° 25' 04" and an arc length of 33.27; feet; thence North 71° 01' 52" East, 153.30 feet; thence South 00° 12' 00" East, 230.00 feet; thence North 89° 48' 00" West, 280.00 feet; thence North 79° 00' 00" West, 183.99 feet; thence North 64° 17' 38" WEST, 59.10 feet; thence North 06° 30' 00" West, 134.53 feet; thence on a curve to the left with a radius of 34.98 feet, a central angle of 96° 30' 00" and an arc length of 58.92 feet; thence South 77° 00' 00" West, 244.44 feet; thence on a curve to the

BEGINNING at a 1/2 inch pipe from which the North quarter corner to Section 6, township 13 North, Range 16 West, Mount Diablo Meridian bears South 89° 15' 32" East, 2,513.11 feet; thence South 05° 53' 46" East, 394.18 feet; thence South 72° 35' 41" West, 363.66 feet; thence South 17° 39' 40" East, 795.42 feet; thence North 70° 09' 52" East, 1,073.93 feet; thence on a curve to the right with a radius of 530.00 feet, a central angle of 09° 43' 54" and an arc length of 90.02 feet; thence North 79° 53' 46" East, 200.00 feet; thence on a curve to the right with a radius of 398.25 feet, a central angle of 13° 29' 23" and an arc length of 93.76 feet; thence on a curve to the left with a radius of 338.25 feet, a central angle of 11° 23' 09" and an arc length of 67.22 feet; thence North 82° 00' 00" East, 240.00 feet; thence on a curve to the left with a radius of 770.00 feet, a central angle of 05° 00' 00" and an arc length of 67.20 feet; thence North 77° 00' 00" East, 245.00 feet; thence on a curve to the right with a radius of 90.00 feet, a central angle of 89° 47' 46" and an arc length of 141.05 feet; thence on a curve to the left with a radius of 10.00 feet a central angle of 70° 20' 50" and an arc length of 12.28 feet; thence South 83° 33' 04" East, 291.45 feet; thence on a curve to the left with a radius of 75.00 feet, a central angle of 25° 25' 04" and an arc length of 33.27 feet; thence North 71° 01' 52" East, 153.30 feet; thence South 00° 12' 00" East, 230.00 feet; thence North 89° 48' 00" West, 280.00 feet; thence North 79° 00' 00" West, 183.99 feet; thence North 64° 17' 38" WEST, 59.10 feet; thence North 06° 30' 00" West, 134.53 feet; thence on a curve to the left with a radius of 34.98 feet, a central angle of 96° 30' 00" and an arc length of 58.92 feet; thence South 77° 00' 00" West, 244.44 feet; thence on a curve to the right with a radius of 830.00 feet, a central angle of 05° 00' 00" and an arc length of 72.43 feet; thence South 82° 00' 00" West, 240.00 feet; thence along a curve to the right with a radius of 398.25 feet, a central angle of 11° 23' 09" and an arc length of 79.14 feet; thence along a

curve to the left with a radius of 338.25 feet, a central angle of $13^{\circ} 29' 23''$ and an arc length of 79.64 feet; thence South $79^{\circ} 53' 46''$ West, 200.00 feet; thence along a curve to the left with a radius of 470.00 a central angle of $09^{\circ} 43' 54''$ and an arc length of 79.83 feet; thence South $70^{\circ} 09' 52''$ West, 160.13 feet; thence South $05^{\circ} 00' 00''$ East, 160.18 feet; thence South $56^{\circ} 44' 13''$ West, 95.89 feet; thence South $49^{\circ} 37' 13''$ West, 119.60 feet; thence South $42^{\circ} 27' 48''$ West, 83.20 feet; thence South $59^{\circ} 36' 30''$ West, 407.74 feet; thence South $46^{\circ} 49' 49''$ West, 245.67 feet; thence South $24^{\circ} 06' 21''$ West, 86.69 feet; thence South $88^{\circ} 18' 52''$ West, 297.46 feet; thence South $49^{\circ} 41' 43''$ West, 109.54 feet; thence along a curve to the right with a radius of 360.00 feet, a central angel of $16^{\circ} 56' 32''$ and an arc length of 106.45 feet; thence South $01^{\circ} 56' 46''$ East, 16.47 feet; thence along a curve to the right with a radius of 290.28 feet, a central angle of $20^{\circ} 12' 13''$ and an arc length of 102.36 feet; thence North $75^{\circ} 00' 00''$ West, 60.00 feet; thence along a curve to the right with a radius of 135.00 feet, a central angle of $67^{\circ} 18' 10''$ and an arc length of 158.58 feet; thence along a curve to the right with a radius of 780.00 feet, a central angle of $04^{\circ} 17' 50''$ and an arc length of 58.50 feet; thence North $03^{\circ} 24' 00''$ West, 270.61 feet; thence on a curve to the left with a radius of 1,020.00 feet, a central angle of $01^{\circ} 01' 00''$ and an arc length of 18.10 feet; thence North $04^{\circ} 25' 00''$ West, 270.61 feet; thence on a curve to the right with a radius of 580.00 feet, a central angle of $20^{\circ} 35' 29''$, and an arc length of 208.45 feet; thence on a curve to the left with a radius of 780.00 feet, a central angel of $18^{\circ} 05' 26''$ and an arc length of 246.28 feet; thence on a curve to the left with a radius of 5,020.00 feet, a central angle of $02^{\circ} 09' 16''$ and an arc length of 188.76 feet; thence North $04^{\circ} 04' 13''$ West, 312.85 feet; thence North $73^{\circ} 04' 51''$ East, 765.14 feet to the point of beginning, and containing 37.0 acres, more or less.

2. Subdivider agrees that the existing common facilities shall be used to supply water service to Unit No. II. These facilities include all the facilities necessary to conduct water from Irish Gulch Stream to the storage reservoir and then through the existing distribution system. It is understood that the existing facilities may also be used by the subdivider to supply units not yet developed. As to this arrangement, every owner of a lot shall have the right to participate in the government of the common water facility in accord with the terms and conditions of this agreement and subdivider agrees that the owner shall have this right.

(a) There shall be an annul meeting on the first Monday of May of each year, commencing on the first Monday of May, 1967.

(b) Notice of such annual meeting and any other special meetings shall be given in writing addressed to the last known address of the owner at least seven (7) days before each meeting.

(c) This notice shall specify the time and place

52" West, 297.46 feet; thence South 49° 41' 43" West, 109.54 feet; thence along a curve to the right with a radius of 360.00 feet, a central angle of 16° 56' 32" and an arc length of 106.45 feet; thence South 01° 56' 46" East, 16.47 feet; thence along a curve to the right with a radius of 290.28 feet, a central angle of 20° 12' 13" and an arc length of 102.36 feet; thence North 75° 00' 00" West, 60.00 feet; thence along a curve to the right with a radius of 135.00 feet, a central angle of 67° 18' 10" and an arc length of 158.58 feet; thence along a curve to the right with a radius of 780.00 feet, a central angle of 04° 17' 50" and an arc length of 58.50 feet; thence North 03° 24' 00" West, 270.61 feet; thence on a curve to the left with a radius of 1,020.00 feet, a central angle of 01° 01' 00" and an arc length of 18.10 feet; thence North 04° 25' 00" West, 270.61 feet; thence on a curve to the right with a radius of 580.00 feet, a central angle of 20° 35' 29", and an arc length of 208.45 feet; thence on a curve to the left with a radius of 780.00 feet, a central angle of 18° 05' 26" and an arc length of 246.28 feet; thence on a curve to the left with a radius of 5,020.00 feet, a central angle of 02° 09' 16" and an arc length of 188.76 feet; thence North 04° 04' 13" West, 312.85 feet; thence North 73° 04' 51" East, 765.14 feet to the point of beginning, and containing 37.0 acres, more or less.

2. Subdivider agrees that the existing common facilities shall be used to supply water service to Unit No. II. These facilities include all the facilities necessary to conduct water from Irish Gulch Stream to the storage reservoir and then through the existing distribution system. It is understood that the existing facilities may also be used by the subdivider to supply units not yet developed. As to this arrangement, every owner of a lot shall have the right to participate in the government of the common water facility in accord with the terms and conditions of this agreement and subdivider agrees that the owner shall have this right.

(a) There shall be an annual meeting on the first Monday of May of each year, commencing on the first Monday of May, 1967.

(b) Notice of such annual meeting and any other special meetings shall be given in writing addressed to the last known address of the owner at least seven (7) days before each meeting.

(c) This notice shall specify the time and place of the meeting and, in event of a special meeting, shall describe generally the nature of the business to be transacted.

3. Each owner shall have the right to vote and each owner shall have one vote for each \$100 in assessed valuation upon his

land within the subdivision. In the event there is more than one ownership of a lot, the voting power may be divided among the owners of said lot as they may desire.

4. In matters governing the operation of the facility, a majority vote of the owners shall prevail. Voting by proxy is allowed and a quorum for any annual or special meeting shall be at least fifty percent (50%) of the voting power either present or represented by proxy.

5. The owners at the annual meeting shall elect a Board of three owners who shall govern the affairs of the common facility for the year or until their successors have been elected and qualified.

6. From this board, of three, a chairman will be selected and the board shall have the right to appoint a salaried manager to operate the water facility, collect the charges, and who shall without further authorization of the board, have the right to incur obligations for maintenance, upkeep, and repair not to exceed \$100.00 per month. The compensation of the manager shall be set by the board.

7. In addition to the employment of the manager, who shall serve at the discretion of the board, the board shall have the right to:

- (a) Enforce the agreement and/or by-laws;
- (b) Contract for and pay maintenance materials and supplies necessary for the system, and all costs of operating the system;
- (c) Reconstruction and /or replacement of any portion of the system when necessary;
- (d) Right of entry into or upon any unit, lot or parcel for the purpose of inspection, maintenance or construction for which management is responsible.
- (e) Determine rates and charges for water service covering all costs of operation, considering the following:
 - (1) Setting rates or charges for the water service in an amount sufficient to cover all costs of operation and/or;
 - (2) Assessments to meet authorized expenditures and to provide adequate reserves for replacements and for a reasonable method of assessing each unit owner for the pro rata share thereof;
 - (3) Subjecting subdivider to the same charges, rates, and assessments as any other unit, lot or parcel owner on unsold portions.

8. It is further agreed by the subdivider and the owners that this agreement may be changed, modified, altered or amended upon a vote at an annual or special meeting or with the written consent of at least 75% of the voting power. At the annual or special meeting the change, modification, alteration or amendment must be by vote of at least 75% of the voting power.

9. As part of this agreement, subdivider agrees to obtain a report from the Health Department as to the potability of the water.

10. By this agreement, subdivider further agrees with owners that subdivider will pay all the cost of the construction and installation of the system and keep said system free of encumbrances.

11. Subdivider further agrees to file for necessary water rights from the State Water Rights Board and to supply adequate engineering reports.

12. Subdivider and owners each agree that the system may be transferred to a water district formed under the California Water Districts Act and that the system and all parts thereof located within Unit No. II will be transferred without charge to a District so formed.

13. If the system is sold at a profit to any mutual water company or private operator, then the profit, above the cost of constructing the system, shall be divided among the owners. Cost means the subdivider's actual cost of construction of the system and all parts thereof.

DATED: This 28 day of July, 1966.

WM. M. MOORES
WM. M. MOORES, Subdivider

Gertrude J. Moores
GERTRUDE J. MOORES, Subdivider

We agree to this agreement and join therein:

NAME

ADDRESS

LOT NO.

[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

SEP 14 2 57 PM '64

Application No. 21901 Filed September 14, 1964 (Applicant must not fill in the above blank)

STATE WATER RIGHTS BOARD SACRAMENTO at 2:57 P. M.

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

Estate of William M. Moores and Gertrude J. Moores

LDJ 1-9-69 name of 8-10-67

I, WILLIAM M. MOORES and GERTRUDE MOORES Name of applicant or applicants

of e/o T. W. O'Brien, P.O. Box 725, Ukiah County of Mendocino 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 Moores Creek located in Mendocino County, tributary to Irish Gulch TH 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 0.1 cubic feet per second, to be diverted from January 1 to December 31 of each year.

(b) For diversion to be stored and later applied to beneficial use 14.5 acre-feet per annum, to be collected between January 1 and December 31 of each season.

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.

3. The use to which the water is to be applied is fire protection, and recreation purposes.

4. The point of diversion is to be located S. 52° W., 1950 feet from North 1/4 section corner, Sec. 6

being within the NW 1/4 NW 1/4 of Section 6, T. 13 N., R. 16 W., M. D. B. & M., in the County of Mendocino

5. The main conduit terminates in NW 1/4 NW 1/4 of Sec. 6, T. 13 N., R. 16 W., M. D. B. & M.

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

(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

(c) The storage dam will be 40 feet in height (stream bed to spillway level); 310 feet long on top; have a freeboard of 5 feet, and be constructed of rolled earth

7. Storage Reservoir Moores Dam

The storage reservoir will flood lands in NW 1/4 of NW 1/4 of Sec. 6, T. 13 N., R. 16 W., MDBM

It will have a surface area of 3 acres, and a capacity of 14.5 acre-feet. If reservoir has a capacity of 25 acre-feet or more fill in the following: Diameter of outlet pipe inches; length feet; difference in elevation from spillway level to highest point of outlet pipe feet; fall in pipe feet.

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

3/55

8. Conduit System (describe main conduits only)

(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 _____
Earth, rock, timber, etc.

(b) Pipe line: Diameter _____ inches; length _____ feet; grade _____ feet per 1,000 feet; total fall 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

10. Construction work will begin on or before June 1, 1964

Construction work will be completed on or before Sept 1, 1964

The water will be completely applied to the proposed use on or before Sept 1, 1965

Description of Proposed Use

11. Place of Use: within the NW¹/₄ of NW¹/₄ and NE¹/₄ of NW¹/₄, Sec. 6,
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 general way and show detail upon map.
T. 13 N., R. 16 W., M. D. M.

Do(es) applicant(s) own the land whereon use of water will be made? Yes Jointly? Yes
Yes or No Yes or No

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	1850	stock water	all year	Irish Gulch
2.				
3.				
4.				

Attach supplement at top of page 3 if necessary.

13. Irrigation Use. The area to be irrigated is none acres.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa _____ acres; 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 None feet.
Difference between mouth 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 X 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 be returned to _____ in _____ of _____
Name stream State 40-acre subdivision

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

15. Municipal Use. This application is made for the purpose of serving None
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 None
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 be polluted by chemicals or otherwise _____
will not Explain nature of pollution, if any

and it will be returned to _____ in _____ of _____
will not Name stream State 40-acre subdivision

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

17. Other Uses. The nature of the use proposed is recreational, fire protection and fish culture.
Industrial, recreational, domestic, stockwatering, fish culture, etc.

State basis of determination of amount needed. Recreational need of purchasers in surrounding 250 lot subdivision. Supplemental fire protection for forestry pumpers and other agencies for additional water supply.
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type industrial use, and sale requirements

Reservoir will be stocked with game fish for recreational fishing.

General

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

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

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

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

[SIGNATURE OF APPLICANT]

Timothy W. Quinn

PERMIT No. _____

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
2. The maximum amount herein stated may be reduced in the license if investigation warrants.
3. Actual construction work shall begin on or before _____ 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 _____
5. Complete application of the water to the proposed use shall be made on or before _____
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.

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

Section 1190. 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 1191. 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 1192. 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).

Dated: _____

STATE WATER RIGHTS BOARD