State of California, State Water Resources Control Board
Division of Water Rights
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400 Web: http://waterrights.ca.gov

S011420

2005, 2006, 2007

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:
DAVID BAXTER; JOHN E BAXTER; PHILIP E BAXTER

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2008

ewrims / BR 6/17/08

Primary Contact:
DAVID BAXTER
PO BOX 145
BIG PINE, CA 93513

Phone No. 760 ~~938-2548~~ 760 920 1925
Fax No.
E-mail Address:

Agent:
Address:

Phone No.
Fax No.
E-mail Address:

STATE WATER RESOURCES CONTROL BOARD
2009 JUN 17 PM 1:16
DIV OF WATER RIGHTS SACRAMENTO

Source Name: BIRCH CREEK
Tributary To:
County: Inyo
Diversion within: SE 1/4 of SE 1/4 Section 2, T 9 S, R 33 E, MDB&M

Year of First Use: 1892
Name of Diversion works:
Assessor Parcel Number of the Diversion site: BLM

A. **Water is Used Under:** Riparian claim X Pre-1914 claim X Court Decree No.: _____ Other (explain): _____

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) _____

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) X _____ Gallons per day (gpd) _____ Cubic feet per second (cfs) _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2005	0	0	200	200	200	200	200	200	200	200	100	0	142
2006	100	100	200	"	"	"	"	"	"	"	0	0	158
2007	0	0	100	"	"	"	"	"	"	"	0	0	133

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons _____ Million Gallons (MG) _____ Acre-feet (AF) _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2005	0	0	200	200	200	200	200	200	200	200	100	0	1700
2006	100	100	200	"	"	"	"	"	"	"	0	0	1900
2007	0	0	100	"	"	"	"	"	"	"	0	0	1100

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 100 +- acres; Stockwatering _____; Domestic _____;
Other (specify) _____

Parcel Number(s) of Place of Use: _____

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)
None

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ___ NO ___
Describe any water conservation efforts you have initiated: _____

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:
Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

Reduction in consumptive use:
Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

   a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ____ NO ____.

   b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

   Amount of reduced diversion:
   Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

   State the type of substitute water supply: _____

   Amount of substitute water supply used:
   Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)
   I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____.

3. Conjunctive use of surface water and groundwater

   a. Are you now using groundwater in lieu of surface water? YES _____ NO _____.

   b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:
   Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)
   I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6/12/08, 20____ at Big Pine, California

SIGNATURE: David P. Baxter

PRINTED NAME: David P. Baxter
(first name) (middle initial) (last name)

COMPANY NAME: Baxter Ranch

If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.

ITEM CONTINUATION

_____ _____

_____ _____

_____ _____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

State of California, State Water Resources Control Board
Division of Water Rights
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400 Web: http://waterrights.ca.gov

S011420%S%2004

2002, 2003, 2004

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

***If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

Owner of Record: PHILIP E BAXTER; JOHN E BAXTER; DAVID BAXTER;

STATEMENT NO.: S011420
CONTACT PHONE NO.: (760)938-2548
or 760 920 1925

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

DAVID BAXTER
PO BOX 145
BIG PINE, CA 93513

Source Name: BIRCH CREEK
Tributary To: TINEMAHA CREEK
County: Inyo
Diversion Within: SE1/4 of SE1/4 Section 19, T10S, R34E, MB&M

Year of First Use: 1892
Parcel Number:

A. **Water is Used Under:** Riparian claim X Pre-1914 right X Other (explain): _____

B. **Year of First Use:** (Please provide if missing above) _____

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons / min. Million Gallons (MG) _____ Acre-feet (AF) _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2002	200	200	200	200	200	200	200	200	200	200	200	200	2400
2003	"	"	"	"	"	"	"	"	"	"	"	"	"
2004	"	"	"	"	"	"	"	"	"	"	"	"	"

D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 100 + – acres; Stockwatering _____; Domestic _____;

Other (specify) _____

E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)
None

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water
   a. Are you now employing water conservation efforts? YES ___ NO ___
   Describe any water conservation efforts you have initiated: _____

   b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

   Reduction in Diversions:

   Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

   Reduction in consumptive use:

   Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

   I have data to support the above surface water use reductions due to conservation efforts. YES ____ NO ____

SJW
5/17/05

2. Water quality and wastewater reclamation

   a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ____ NO ____.

   b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

   Amount of reduced diversion:
   Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

   State the type of substitute water supply: _____

   Amount of substitute water supply used:
   Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

   I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____.

3. Conjunctive use of surface water and groundwater

   a. Are you now using groundwater in lieu of surface water? YES _____ NO _____.

   b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

   Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

   I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: _____, 20_____ at _____, California

SIGNATURE: _____

PRINTED NAME: _____
(first name) (middle initial) (last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

State of California, State Water Resources Control Board
Division of Water Rights, P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

S011420%S%2001

1999, 2000, 2001

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by July 1, 2002.
***If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

Owner of Record: DAVID BAXTER

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:
DAVID BAXTER
PO BOX 145
BIG PINE, CA 93513

STATEMENT NO.: S011420
CONTACT PHONE NO.: (760)938-2548

FOR ONLINE REPORTING AT
www.waterrights.ca.gov

USER NAME: S011420
PASSWORD: C27536

Source Name: BIRCH CREEK
Tributary To: TINEMAHA CREEK
County: Inyo
Diversion Within: SE1/4 of SE1/4 Section 19, T10S, R34E, MB&M

Year of First Use: 1917
Parcel Number:

A. Water is used under: Riparian claim X Pre 1914 right _____ Other (explain); _____

B. Year of first use (Please provide if missing above) 1892 S-11420 8" pipe

C. Amount of Use – Enter the amount (or the approximate amount) of water used each month.

Amounts below are: Gallons 200/min Acre-feet _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1999	200 /min	200	200	200	200	200	200	200	200	200	200	200	2400
2000	"	"	"	"	"	"	"	"	"	"	"	"	"
2001	"	"	"	"	"	"	"	"	"	"	"	"	"

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 4 – 100 acres; Stockwatering _____; Domestic _____;

Other (specify) _____

E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)
None

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water
   a. Are you now employing water conservation efforts? YES ___ NO ___
   Describe any water conservation efforts you have initiated: _____

   b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

   Reductions in Diversions:

   yr_____ _____ (af/mg) yr_____ _____ (af/mg) yr_____ _____ (af/mg)

   Reductions in consumptive use:

   yr_____ _____ (af/mg) yr_____ _____ (af/mg) yr_____ _____ (af/mg)

   I have data to support the above surface water use reductions due to conservation efforts. YES ___ NO ___

2. Water quality and wastewater reclamation

   a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO X.

   b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

   yr_____ _____ (af/mg) yr_____ _____ (af/mg) yr_____ _____ (af/mg)
   I have data to support the above surface water use reductions due to wastewater reclamation. YES ___ NO ___

3. Conjunctive use of surface water and groundwater

   a. Are you now using groundwater in lieu of surface water? YES ___ NO X.

   b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

   yr_____ _____ (af/mg) yr_____ _____ (af/mg) yr_____ _____ (af/mg)
   I have data to support the above surface water use reductions due to conjunctive use efforts. YES ___ NO ___

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6/2, 2002 at Big Pine, California

SIGNATURE: David P Baxter

PRINTED NAME: David P Baxter
(first name) (middle init.) (last name)

COMPANY NAME: Baxter Ranch

If there is insufficient space for your answers, please use the space provided below.

ITEM – CONTINUATION

_____ _____

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GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at http://www.swrcb.ca.gov"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

STATE WATER RESOURCES CONTROL BOARD

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

99 APR 12 PM 3:56

DIV. OF WATER RIGHTS
SACRAMENTO

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999

OWNER OF RECORD: PHILIP E BAXTER, JOHN E BAXTER + David P. Baxter

PHILIP E BAXTER
PO BOX 295
INDEPENDENCE, CA 93526

David Baxter
P.O. Box 145
Big Pine Ca. 93513
Please use This add.

STATEMENT NO: S011420

SOURCE: BIRCH CREEK
TRIBUTARY TO: TINEMAHA CREEK
COUNTY: INYO
DIVERSION WITHIN: SE¼ OF SE¼ SECTION 19, T10S, R34E, MB&M.

TELEPHONE NUMBER: (619) 878-2145 760 938-2548
YEAR OF FIRST USE: 1917
PARCEL NO:

A. Water is used under: Riparian claim X Pre 1914 right X Other (explain); _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use – Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons X GPM Acre-feet _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1996	X	X	X	X	X	X	X				X		
1997				X	X	X	X	X	X			X	
1998										X			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 100 acres; Stockwatering X; Domestic X;

Other (specify) _____

E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

new pipeline

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water
   a. Describe any water conservation efforts you may have started: up grade Irrigation System
   b. _____
   c. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

   19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

2. Water quality and wastewater reclamation
   a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ____ NO X.

JUN 16 2000

SUP-STATE (12-98)

b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES ____ NO no.

b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 4/6, 19 99 at Big Pine Ca., California

SIGNATURE: David P. Baxter

PRINTED NAME: David (first name) P. (middle init.) Baxter (last name)

COMPANY NAME: Baxter Ranch

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and per 1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

S-11420

STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS
P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-2170

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATE WATER RESOURCES CONTROL BOARD
96 MAY 21 AM 11:52
DIV OF WATER RIGHTS SACRAMENTO

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: PHILIP E BAXTER, JOHN E BAXTER

JOHN E BAXTER

STATEMENT NO: S011420

SOURCE: BIRCH CREEK
TRIBUTARY TO: TINEMAHA CREEK
COUNTY: INYO
DIVERSION
WITHIN: SE¼ OF SE¼ SECTION 19, T10S, R34E, MB&M.

TELEPHONE NUMBER: ( ) -
YEAR OF FIRST USE: 1917
PARCEL NO:

A. Water is used under: Riparian claim _____; Pre 1914 right _____; Other (explain) _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ❑ Gallons ❑ Acre-feet ❑ (other) _____

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993													
1994													
1995													

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____acres; Stockwatering _____; Domestic _____
Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

_____

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

_____

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: _____, 19 _____, at _____, California

SIGNATURE: _____

PRINTED NAME: _____ _____ _____
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: _____

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

WR40-1 (4/96)

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California, riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on their riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available, including the following:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD: STATEMENT NO: 011420

PHILIP E BAXTER ET AL
BAXTER RANCH
P O BOX 295
INDEPENDENCE, CA 93526

TELEPHONE NUMBER:
(619) 878-2145

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: BIRCH CREEK

TRIBUTARY TO: TINEMAHA CREEK

COUNTY: ~~MONO~~ → INYO YEAR OF FIRST USE: 1917

DIVERSION WITHIN: ~~NE~~ SE 1/4 OF ~~NW~~ SE 1/4 SECTION 19, T10S, R34E, MDB&M

STATE WATER RESOURCES CONTROL BOARD
1994 JUN -1 PM 3:08
DIV. OF WATER RIGHTS SACRAMENTO

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

A. Water is used under: Riparian claim ✓; Pre 1914 right ✓; Other (explain) _____

B. Year of first use (Please provide if missing above) 1892, ESTIMATED

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☑ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991	.14	.18	.21	.20	1.15	1.11	1.15	1.15	.75	.21	.20	.15	6.60
1992	ø	.19	.21	.20	.21	.20	.21	.21	.20	.21	.20	.21	2.25
1993	.21	.18	.21	.20	.65	1.11	1.15	1.15	.51	.21	.20	.21	5.99

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation 60 acres; Stockwatering CATTLE; Domestic ✓
Other (specify) MINING, AND POWER

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NO CHANGE

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

ALL NEW WATER, (SNOW & GLACIER MELT)

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: JUNE 28TH, 19 94, at INDEPENDENCE, California

Signature: John E Baxter

WR 40-I (1/94)
FOR0127R2

0113

1995

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

S-11 420

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

12/26/95

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATE WATER RESOURCES CONTROL BOARD
1995 MAY 23 AM 6:40
DIV. OF WATER RIGHTS
SACRAMENTO

STATEMENT NO: S011420
OWNER OF RECORD: ~~PHILIP~~ John E BAXTER
~~PHILIP~~ John E BAXTER
P O BOX 295
INDEPENDENCE, CA 93526

SOURCE: BIRCH CREEK
TRIBUTARY TO: TINEMAHA CREEK
COUNTY: INYO
DIVERSION
WITHIN: ~~SE¼~~ NE¼ OF ~~SE¼~~ NW¼ SECTION 19, T10S, R34E, MDB&M.

TELEPHONE NUMBER: (619) 878-2145
YEAR OF FIRST USE: 1917
TAX PARCEL NO: 18-350-03

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.

A. Water is used under: Riparian claim ✓; Pre 1914 right ✓; Other (explain) _____

B. Year of first use (Please provide if missing above) 1892 EST.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☑ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC	TOTAL ANNUAL
1992	ø	.19	.21	.20	.21	.20	.21	.21	.20	.21	.20	.21	2.25
1993	.21	.18	.21	.20	.65	1.11	1.15	1.15	.51	.21	.20	.21	5.99
1994	.10	.15	.25	.25	1.40	2.00	4.75	5.00	1.10	.15	.15	.10	15.40

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation 60 acres; Stockwatering CATTLE; Domestic ✓
Other (specify) MINING, AND POWER.

*** CONTINUE ON BACK PAGE ***

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

8" PORTABLE PIPE WAS LAID FROM THE DIVERSION INTO THE BAXTER RANCH DURING THE SUMMER OF 1994. THE SYSTEM IS GRAVITY FLOW.

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

ALL NEW WATER, (SNOW & GLACIER MELT)

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: MAY 15TH, 1995, at INDEPENDENCE, California

SIGNATURE: John E Baxter

PRINTED NAME: JOHN (FIRST NAME) EARHEART (M. NAME) BAXTER (LAST NAME)

COMPANY NAME: BAXTER RANCH

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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"Appropriation of Water in California"

WR 40-1 (1/95)
FOR0127R3

BAXTER RANCH RECORD → 747# 3- 8

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503
(916) 324-5676

STATE WATER RESOURCES CONTROL BOARD
1991 MAR -5 PM 1:33
DIV. OF WATER RIGHTS SACRAMENTO

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD: STATEMENT NO: 011420

PHILIP E BAXTER ET AL → BAXTER RANCH
P O BOX 295
INDEPENDENCE, CA 93526

TELEPHONE NUMBER:
(619) 878-2145

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: BIRCH CREEK

TRIBUTARY TO: TINEMAHA CREEK

COUNTY:

DIVERSION
WITHIN: NE1/4 OF NW1/4 SECTION 19, T10S, R34E, MDB&M.

INSTRUCTIONS: Please complete Items A. B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☑ Acre-feet ☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988	0.40	2.94	3.15	3.05	3.15	3.05	3.15	3.15	3.05	3.15	3.05	1.11	32.40
1989	ϕ	ϕ	2.54	3.05	3.15	3.05	3.15	3.15	3.05	3.15	3.05	2.23	29.57
1990	2.16	0.50	3.15	0.97	2.23	ϕ	1.01	3.15	3.05	2.54	ϕ	ϕ	18.80

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation: 10 ACRES OF CROPS, 135 ACRES OF PASTURE

Stockwatering: 45 CATTLE

Domestic: 5 PERSONS

Other (specify): MILLING ORE

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

BEGINING JANUARY 1987, THE CONDUIT WAS LIMITED TO A 4" PIPE WITH A CAPACITY OF 23 GAL. PER MINUTE. ZERO FLOW INDICATES A FULL MONTH OF FROZEN PIPE.

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

NONE, SOME NATURAL CREEK POLUTION EXISTS, HOWEVER THE WATER HAS ALWAYS BEEN POTABLE DURING 1988, 1989, AND 1990.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: FEB. 28TH, 1991, at INDEPENDENCE, California

Signature: John E Baxter

WR 40-I (2/90)

0119

1990

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 011420

PHILIP E BAXTER ET AL
P O BOX 295
INDEPENDENCE, CA 93526

TELEPHONE NUMBER:
(619) 878-2145

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: BIRCH CREEK

TRIBUTARY TO: TINEMAHA CREEK

COUNTY:

DIVERSION
WITHIN: NE1/4 OF NW1/4 SECTION 19, T10S, R34E, MDB&M.

INSTRUCTIONS: Please complete Items A. B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1988. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1985	2	2	2	2	2	2	2	2	2	2	2	2	996
1986	2	2	2	2	2	2	2	2	2	2	2	2	996
1987	2	2	2	2	2	2	2	2	2	2	2	2	996

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 35 ACRES of CROPS, 120 ACRES PASTURE

Stockwatering 40 HEAD of Stock

Domestic 5 PEOPLE

Other (specify) Domestic power, AND FILTERATION RANCH ONLY

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NO

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

NO

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6-27-88, 19 ____, at INDEPENDENCE, California

Signature: Philip E. Baxter

WR 40-I (11/85)
0114

1987

JUL 14 1988 KSN

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"Appropriation of Water in California"

Philip E. Baxter
P. O. Box 362
Independence, Calif. 93526

BAXTER RANCH

John E. Baxter
P. O. Box 295
Independence, Calif. 93526
Phone: 619-878-2145

DATE: Mar. 1st, 1991

SUBJECT: Your File 322 LKF.,
and Supplemental Statement of Water Diversion, and Use

TO: Lowell Fields
Division of Water Rights
Sacramento, California

DEAR MR. FIELDS:

Enclosed is our Supplemental Statement of Water Diversion, and use. for the past 3 years. Unfortunatly we have had to curtail our diverted water use due to a right of way problem, thus causing a hardship for the Baxter Ranch. It is hoped that we will soon have the problem cleared up, so that we can return to our normal diverted flows.

A few months ago we received a print out as per the attached copy of (File 360). Presumedly this is suppose to indicate monthly flows diverted during 1985, 1986, and 1987. It is so abbreviated that we can not understand it. It is thought that we filed this data in 1988 without retaining a copy as we can not locate one.

We would like your office to supply us with the monthly totals for the flows diverted during 1985, to 1987, if available for our records.

Yours truly

John E Baxter

ATTACHMENTS: COPY OF

RECORD 360

(data we need)

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept	Oct.	Nov.	Dec.	Total
1985													
1986													
1987													

Sent copy Microfiche for S. 11420 (film is very poor) LWR 3/6/91

STATE WATER RESOURCES
CONTROL BOARD

1991 MAR -5 PM 1:33

DIV. OF WATER RIGHTS
SACRAMENTO

S-11420 KF

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

S11420

STATEMENT OF WATER DIVERSION AND USE

(This is not a Water Right)

This statement should be typewritten or legibly written in ink.

1985 JAN 17 AM 11:54

A. Name of person diverting water PHILIP E. AND JOHN E. BAXTER (BAXTER RANCH)

Address P.O. 295 INDEPENDENCE, CA 93526 Telephone: (619) 878-2145

B. Name of body of water at point of diversion BIRCH CREEK

Tributary to TINEMAHA CREEK, trib to Owens River

C. Place of diversion NE ¼ NW ¼ Section 19, Township 10S, Range 34E, MD B&M, INYO County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works UNNAMED

E. Capacity of diversion works 2 CFS (900 GPM) cubic feet per second / gallons per minute

Capacity of storage reservoir NONE gallons / acre-feet

State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1984	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	996AF

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

6 PEOPLE, 35 ACRES OF CROPS 120 ACRES PASTURE, 47 HEAD OF STOCK

Maximum annual water use in recent years 1448AF gallons / acre-feet

Minimum annual water use in recent years 543AF gallons / acre-feet

Type of diversion facility: gravity ✓, pump ____

Method of measurement: weir ____, flume ____, electric power meter ____, water meter ____, estimate ✓

F. Purpose of use (what water is being used for) DOMESTIC, CROP IRRIGATION, STOCK WATERING, DOMESTIC POWER (RANCH ONLY) AND FILTRATION

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)

BAXTER RANCH, SECTION 19, T10S, R34E, MDB&M, INYO COUNTY

H. Year of first use as nearly as known PRIOR TO 1917

I. Name of person filing statement PHILIP E. BAXTER

Position CO-OWER Organization BAXTER RANCH

Address P.O. Box 295, INDEPENDENCE, CA. 93526 Telephone: (619) 878-2145

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

DATED: Jan. 12, 19 85, at INDEPENDENCE, California.

Signature: Philip E. Baxter

See Instructions on Reverse Side

WR 40 (7-71)

6-009-24-01-0