

Received

THE UNITED STATES OF AMERICA,

CERTIFICATE }
No. 56

To all to whom these presents shall come, Greeting:

Whereas Jacob Brack of San Joaquin County California

has deposited in the GENERAL LAND OFFICE of the United States, a Certificate of the REGISTER OF THE LAND OFFICE at Sacramento whereby it appears that full payment has been made by the said

Jacob Brack

according to the provisions of the

Act of Congress of the 24th of April, 1820, entitled "An act making further provision for the sale of the Public Lands," for

the South half of the South East quarter of Section thirty four and the South half of the South West quarter of Section thirty five in Township Four North of Range Five East in the district of lands Subject to sale at Sacramento California containing one hundred and sixty acres.

according to the official plat of the Survey of the said Lands, returned to the General Land Office by the SURVEYOR GENERAL, which said tract has been purchased by the said *Jacob Brack*

NOW KNOW YE, That the

United States of America, in consideration of the premises, and in conformity with the several acts of Congress in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said *Jacob Brack*

and to his heirs, the said tract above described: To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, therunto belonging, unto the said *Jacob Brack*

and to his heirs and assigns forever.

In Testimony Whereof, J. W. Grant

PRESIDENT OF THE UNITED STATES OF AMERICA, has caused these Letters to be made PATENT, and the SEAL of the GENERAL LAND OFFICE to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the first day of July in the year of our Lord one thousand eight hundred and Sixty nine and of the Independence of the United States the Ninety third.

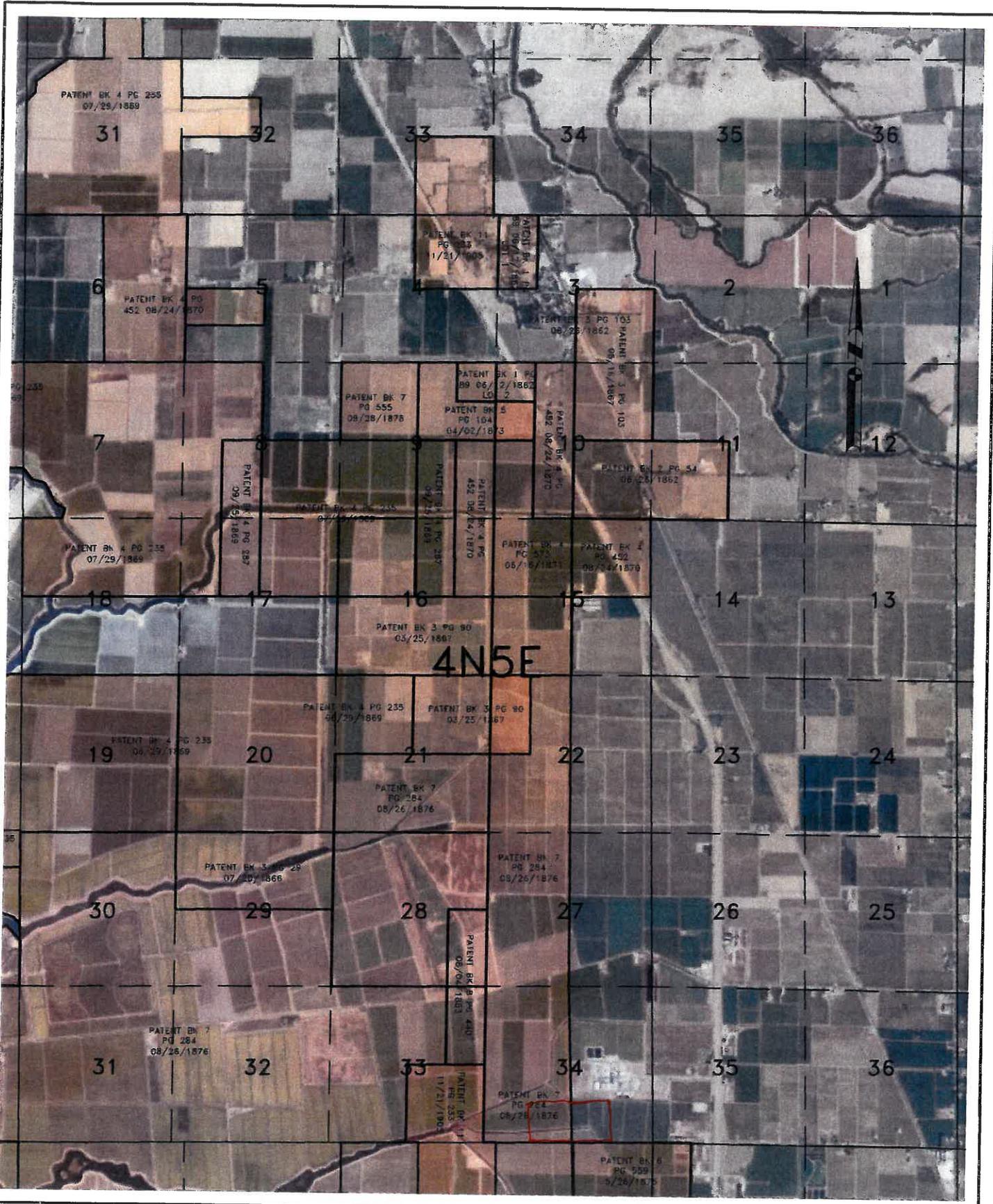
BY THE PRESIDENT:

By *U. S. Grant*

J. M. Bennett Secretary.

J. M. Granger Recorder of the General Land Office.

FILE SPEC: P:\1084_CDWA\1150_2015_Diversion_Reporting\04_Survey\300_Boundary\preliminary\Patent_Exhibits\Patent_Exhibit.dwg
 PLOT DATE: Feb. 19, 2015 - 7:44pm



K S N INC.
KJELDSSEN SINNOCK NEUDECK
 Civil Engineers and Land Surveyors

711 N Pershing Avenue
 Stockton, CA 95203
 209-946-0268

1355 Halyard Drive, Suite 100
 West Sacramento, CA 95691
 916-403-5900
 www.ksninc.com

Scale
 N.T.S.

Original Drawing Scale
 0 1/4" 1/2"

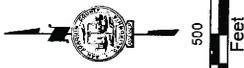
SJC PATENT INDEX EXHIBIT
TOWNSHIP 4 NORTH RANGE 5 EAST

EXHIBIT A

PAGE 1

025-11

THIS MAP IS FOR ASSESSMENT PURPOSES ONLY AND IS NOT FOR THE INTENT OF INTERPRETING LEGAL BOUNDARY RIGHTS, ZONING REGULATIONS AND/OR LEGALITY OF LAND DIVISIONS.



LEGEND:
 (00) Assessor's Parcel Numbers
 0000000000 Book Page Parcel Number

A-P.M. BK. 25 Pg. 164

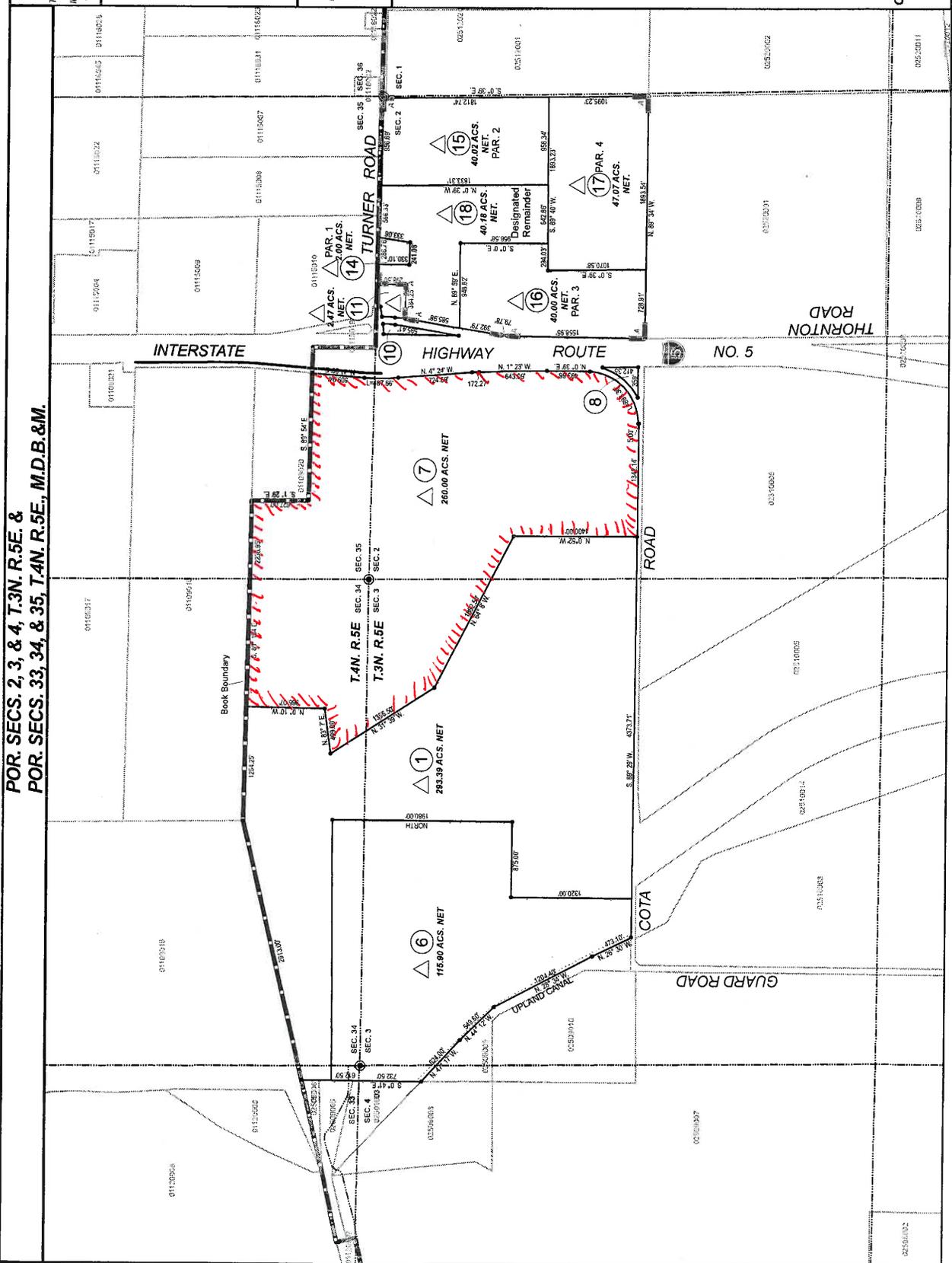
△ Williamson Act Parcel

REQUEST TYPE	USED
PAR. #	PAR. #
11-11	11
12-13	13
15-16	16

BK. 025 PG. 11
 County of San Joaquin
 All Rights Reserved
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 Assessor MappingGIS 2014

POR. SECS. 2, 3, & 4, T.3N. R.5E. & POR. SECS. 33, 34, & 35, T.4N. R.5E., M.D.B. & M.

THIS MAP IS FOR ASSESSMENT PURPOSES ONLY



EXPLANATORY ATTACHMENT
to the SWRCB's Online Form Entitled:
“Informational Order Supporting Data”
(Due March 6, 2015)

Use of Water: If multiple Statement Numbers (i.e., “Points of Diversions”) are used to irrigate the same field or parcel, the acreage of that field or parcel is divided evenly among those Statement Numbers and each Statement Number is reported as serving its fractional share.

Riparian Rights: The riparian patent date is the date of the patent from the United States to the State or from the United States to a private party as derived from the referenced Bureau of Land Management records website provided in the online form. If available, the patent date from the State to the private party is used in lieu of the patent date provided by that site. The date of priority for riparian lands is expected to relate back to the time of settlement prior to patent.

The online form has been marked “no” as to severance of riparian rights. The question on the form is compound but in any event the term “severance” reflects a legal conclusion which must be determined in a court adjudication.

Pre-1914 Rights: The Pre-1914 priority date and year that water was first used are based on the estimated time of settlement and use of water on the land where the Point of Diversion is located and/or where the Place of Use served by that Point of Diversion is located. Where available, Certificates of Purchase dates are used to support the estimates. The reporting party reserves the right to support an even earlier date as more historical evidence is located.

The claim of continuous use is made until such time as a court adjudication has determined that such use was not continuous.

Monthly Diversions: The “Direct Diversion” amounts for 2014 are calculated from the Excel spreadsheets posted at sjwater.org and are based on consumptive use estimates multiplied by a multiple to account for additional water that is diverted but not consumed or evaporated. Additional water is also added to the foregoing to account for field flooding, if any. The consumptive use estimates are based on the following:

Central and South Delta, Zone 12: Used ITRC REPORT 03-001 ETc Table for Irrigation Scheduling and Design, Zone 12 for Surface Irrigation, Typical year adjusted for the reporting year using CIMIS monthly ETo for Manteca. For crops not covered by the ITRC report ETc was determined using ratios to alfalfa from Table A-5, DWR Bulletin 168, October 1978.

North or West Delta, Zone 14: Used ITRC REPORT 03-001 ETc Table for Irrigation Scheduling and Design, Zone 14 for Surface Irrigation, Typical year adjusted for the reporting year using CIMIS monthly ETo for Lodi West. For crops not covered by the ITRC report ETc was determined using ratios to alfalfa from Table A-5, DWR Bulletin 168, October 1978.

The “Projected Direct Diversion” amounts for 2015 are derived in the same manner, and based on the same 2014 Excel Spreadsheets, as the amounts for 2014 except that the amounts for 2015 take into consideration any anticipated changes in acreage or crops compared to 2014.

Because the online form instructs: “Do Not report the same value for Riparian and Pre-1914,” the amounts directly diverted are entered into the Pre-1914 boxes and the number one is inserted into the Riparian boxes. Until the Pre-1914 and Riparian rights are adjudicated they are overlapping rights that cannot be legally separated. Moreover, the claim of right for this Statement Number also includes overlying rights, statutory rights and rights derived from use for more than 120 years which can likewise overlap in various respects. (Note: these rights also overlap with any *post*-1914 and contract rights that may be applicable to the places of use at issue herein.)

Maximum Rates of Diversion: The maximum rates of diversion are determined by estimating head conditions and using the siphon and pump capacity graphs posted at sjwater.org. Fluctuation of water levels due to changes in river flows, tides and numerous other factors renders determination of maximum diversion rates somewhat inexact. The relevance of such a maximum rate determination is questionable in that in many cases the maximum rate is not used or only used for a limited period. To avoid double counting, the maximum rates are only entered into the Pre-1914 rights boxes (even though those rates likewise apply to the overlapping Riparian rights).