

M e m o r a n d u m

To: Charlton H. Bonham, Director
Department of Fish and Wildlife

Date: JUN 08 2017

From: **Wildlife Conservation Board,**
Mailing address: 1416 9th Street, Room 1266, Sacramento, CA 95814
(916) 445-8448 Fax (916) 323-0280

Subject: LAND ACQUISITION – CLOSING PACKAGE

Project: Heenan Lake Water and Storage Rights, Expansion 4
County: Alpine
WCB Project ID: 2015065

Attached are the following items concerning the above water and storage rights which are now in State ownership and available for management by the Department.

<input checked="" type="checkbox"/> Water Rights Deed (copy)	<input type="checkbox"/> Title Policy (copy)
<input type="checkbox"/> Easement Deed (copy)	<input checked="" type="checkbox"/> Plat or Map

The pertinent information regarding this property is as follows:

WCB Approval Date: November 16, 2016

Parcel Size: 624± acre feet

Purchase Price: \$2,184,000.00

Water Value: \$2,184,000.00

Escrow Closing Date: March 24, 2017

Improvements & Value: None

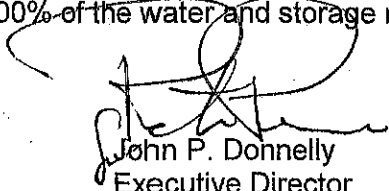
Funding: Proposition 50, Water Section 79565

Annual Real Estate Taxes at
Time of Acquisition: N/A

Assessor's Parcel Number: N/A

General Location and Property Address: Heenan Lake in northeastern Alpine County, approximately seven miles east of Markleeville.

Project Purpose: Provide additional protection for the CDFW Lahonton cutthroat fishery and egg taking operation at this lake. The CDFW now owns 100% of the water and storage rights in this lake.


John P. Donnelly
Executive Director

Attachments

cc: Tina Bartlett, Regional Manager, North Central Region (w/all attachments)

Sharon Taylor, Lands Inventory Manager
WFD, Wildlife Branch, Lands Program (w/all attachments)

Mike Boll, Business Management Branch (w/Improvement Value itemization, if applicable)
Budget Officer, WCB (not needed for mitigation project)

Date: 3/24/2017 03:27P

Recording Requested By:

CA ST DEPT OF FISH & WILDLIFE

Filed & Recorded in Official Records

of ALPINE COUNTY

DONALD O'CONNOR

COUNTY ASSESSOR / RECORDER

Fee: \$0.00

Recording requested by:

State of California
Department of Fish and Wildlife
Wildlife Conservation Board
1416 9th Street, Room 1266
Sacramento, CA 95814

When recorded, mail to, and mail tax statements to:

State of California
Department of Fish and Wildlife
Wildlife Conservation Board
1416 9th Street, Room 1266
Sacramento, CA 95814

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

DOCUMENTARY TRANSFER TAX IS \$ 0.00

EXEMPTION (R&T CODE) 11922

EXPLANATION This document is exempt from any transfer tax because the State of California is acquiring title.

Signature of Declarant or Agent determining tax

WATER RIGHTS DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, PARK RANCH HOLDINGS, LLC, a Nevada limited liability company, (hereinafter "GRANTOR"), hereby grants to THE STATE OF CALIFORNIA, acting by and through the Wildlife Conservation Board on behalf of the California Department of Fish and Wildlife, (hereinafter "GRANTEE") and to its successors and assigns forever, all of Grantor's right, title, and interest in and to six hundred twenty-four (624) acre-feet of those certain water and storage rights located in Alpine County, State of California, representing an undivided interest of approximately twenty one and seventeen hundredths percent (21.17%) of:

- (1) those certain water and storage rights in Heenan Lake Reservoir designated as Claim Number 808 in the Final Decree of the United States District Court for the District of Nevada in that certain action titled United States v. Alpine Land & Reservoir Company, et al., Civil No. D-183-BRT, dated October 28, 1980, as modified by the the Court in its Order, Civil No. D-183-LDG, dated May 11, 1999, being a portion of the water and reservoir rights in Heenan Lake, East Fork of the Carson River, Heenan Lake Creek, Township 9 North, Range 21 East,

M.D.B.&M., which rights are more particularly described in Exhibit A, attached hereto and incorporated herein by this reference;

- (2) the rights documented under California state law as License for Diversion and Use of Water, No. 2020 (Permit No. 1679, Application No. 3611) issued by the State of California, State Water Resources Control Board; and
- (3) all dams, ditches, diversions, licenses, easements, structures, measuring devices, headgates, culverts, ponds, reservoirs, canals, and pipelines and all other means, methods, and systems of using the water rights described above, and all easements, rights-of-way, and licenses used for the repair, cleaning, and maintenance of such facilities.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or appertaining, and all reversions, remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantee, and unto its successors and assigns, forever.

This Water Rights Deed is tax exempt pursuant to Revenue and Taxation Code Section 11922.

IN WITNESS WHEREOF, Grantor has executed this instrument this 24 day of January, 20167

PARK RANCH HOLDINGS, LLC,
a Nevada limited liability company

By:

David W. Park
David W. Park

Its:

Owner and Manager

By:

Jon Park
Jon Park

Its:

Owner and Manager

ACKNOWLEDGMENT

NOTICE: A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of the document.

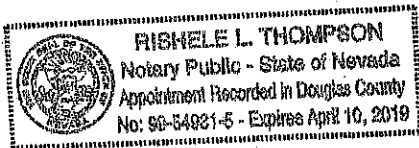
State of Nevada)
)ss.
County of Douglas)

On 1/24/17, before me, Rishele L Thompson,
Notary Public, personally appeared **DAVID W. PARK**, who proved to me on the basis of
satisfactory evidence to be the person whose name is subscribed to the within instrument and
acknowledged to me that he executed the same in his authorized capacity, and that by his
signature on the instrument, the person, or the entity upon behalf of which the person acted,
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Nevada that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Ron
Notary Public



ACKNOWLEDGMENT

NOTICE: A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of the document.

State of Nevada)
)
County of ~~Douglas~~ ^{Washoe})ss.
)

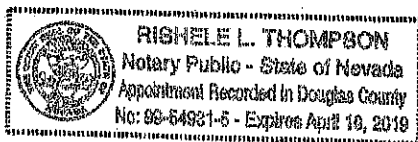
On 1/26/17, before me, Rishele L. Thompson,
Notary Public, personally appeared JON PARK, who proved to me on the basis of
satisfactory evidence to be the person whose name is subscribed to the within instrument and
acknowledged to me that he executed the same in his authorized capacity, and that by his
signature on the instrument, the person, or the entity upon behalf of which the person acted,
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Nevada that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Rishele L. Thompson

Notary Public



**EXHIBIT A
TO WATER RIGHTS DEED**

Claim No.	Reservoir	Priority	Capacity Acre Feet	Location	Town. Range	
					North	East
808	Heenan Lake	1923	2948	East Fork Carson River, Heenan Lake Creek	9	21

This Water Rights Deed transfers and conveys to Grantee six hundred twenty-four (624) acre-feet of water and storage rights in Heenan Lake Reservoir ("WATER AND STORAGE RIGHTS"), located in Alpine County, California, at the headwaters of Heenan Lake Creek, a tributary of the East Fork of the Carson River, in Township 9 North, Range 21 East, M.D.B.&M., representing an undivided interest of approximately 21.17% in and to the total amount of the water and storage rights in Heenan Lake, designated as Claim Number 808.

The Water and Storage Rights are more particularly set forth in the Final Decree of the United States District Court for the District of Nevada in that certain action entitled United States v. Alpine Land & Reservoir Company, et al., Civil No. D-183-BRT, dated October 28, 1980, as modified by the Court in its Order, Civil No. D-183-LDG, dated May 11, 1999, changing the place and manner of use of those water and storage rights in Heenan Lake that have been transferred and conveyed to Grantee.

The Water and Storage Rights in Heenan Lake that Grantor is granting to Grantee by this Water Rights Deed, together with 2,324 acre-feet of water and storage rights in Heenan Lake previously transferred and conveyed to Grantee by those five (5) documents listed below, totaling 2,948 acre-feet, represent an undivided interest of one-hundred percent (100%) in and to the total amount of the water and storage rights in Heenan Lake.

- (1) 440 acre-feet of water and storage rights in Heenan Lake granted from Dangberg Holdings Nevada, LLC, to Grantee, pursuant to that certain Water Rights Deed, dated October 21, 1998, recorded in the Official Records of Alpine County, California, as Document No. 000521, Book 88, Page 1677, on June 8, 1999;
- (2) 500 acre-feet of water and storage rights in Heenan Lake granted by Dangberg Holdings Nevada, LLC, to Grantee, pursuant to that certain Gift Water Rights Deed, dated June 30, 1999, recorded in the Official Records of Alpine County, California, as Document No. 001057, Book 88, Page 3369, on November 5, 1999;

- (3) 360 acre-feet of water and storage rights in Heenan Lake granted by Dangberg Holdings Nevada, LLC, to Grantee, pursuant to that certain Water Rights Deed, dated June 30, 1999, recorded in the Official Records of Alpine County, California, as Document No. 001058, Book 88, Page 3374, on November 5, 1999;
- (4) 400 acre-feet of water and storage rights in Heenan Lake granted by Dangberg Holdings Nevada, LLC, to Grantee, pursuant to that certain Water Rights Deed, dated June 23, 2000, recorded in the Official Records of Alpine County, California, as Document No. 000782, Book 89, Page 2334, on September 5, 2000; and
- (5) 624 acre-feet of water and storage rights in Heenan Lake granted by Bently Family Limited Partnership, to Grantee, pursuant to that certain Water Rights Deed, dated June 25, 2002, and recorded in the Official Records of Alpine County, California, as Document No. 01442, Book 91, Page 6109, on December 11, 2002.

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the interest in water and storage rights conveyed by the Water Rights Deed, dated January 24, 2017 from Park Ranch Holdings, LLC, a Nevada limited liability company to the STATE OF CALIFORNIA, acting by and through the Wildlife Conservation Board on behalf of the California Department of Fish and Wildlife, is hereby accepted by the undersigned officer on behalf of the State of California, pursuant to authority conferred by authorization of the Wildlife Conservation Board, Department of Fish and Wildlife, Natural Resources Agency, State of California, adopted on November 16, 2016, and the grantee consents to the recordation thereof by its duly authorized officer.

APPROVED
STATE OF CALIFORNIA
DEPARTMENT OF GENERAL SERVICES

By: 

Dated: 3/15/2017

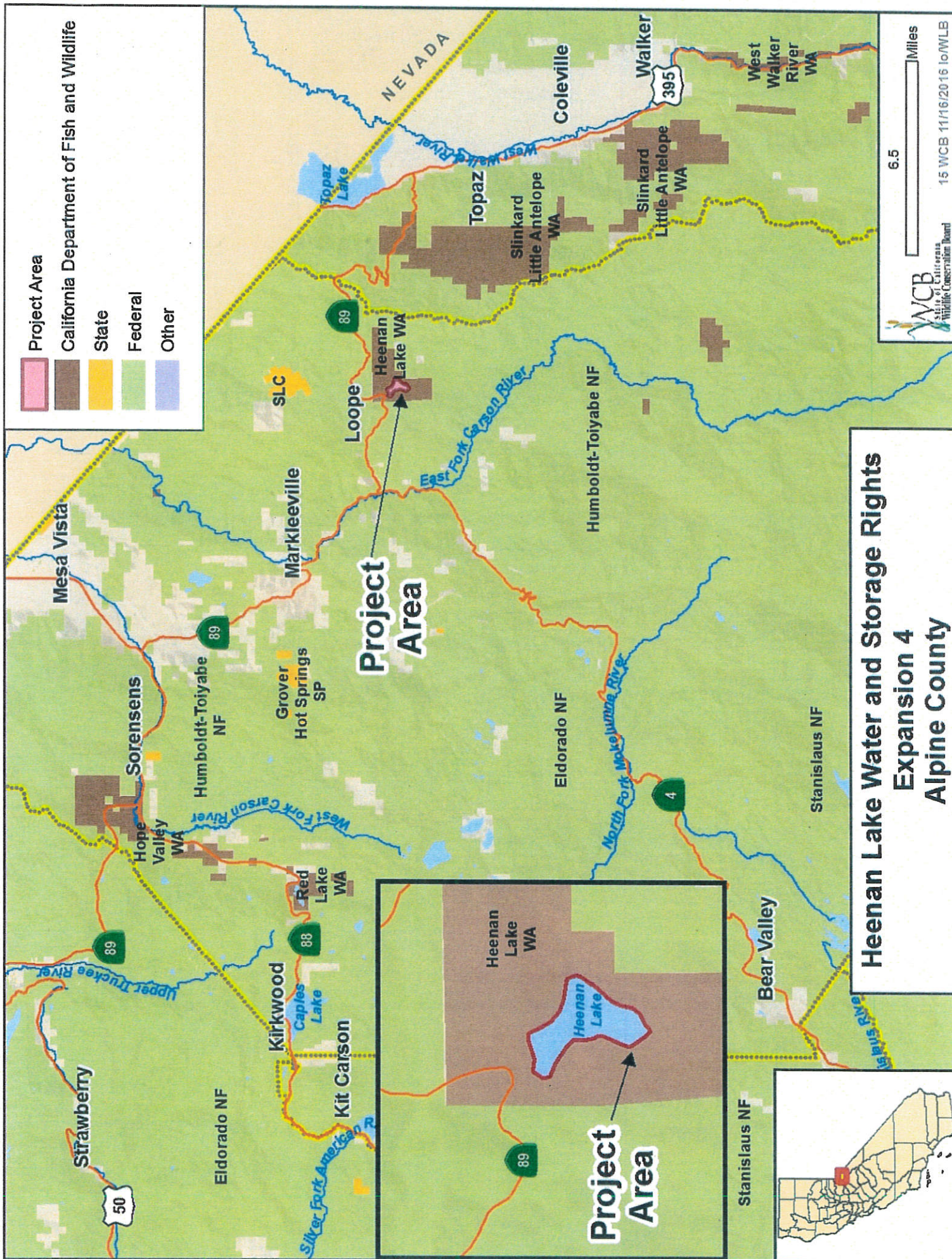
MICHAEL P. BUTLER, CHIEF
REAL PROPERTY SERVICES SECTION

STATE OF CALIFORNIA
Natural Resources Agency
Department of Fish and Wildlife

By: 

John P. Donnelly
Executive Director
Wildlife Conservation Board

Date: 2/10/17



Heenan Lake Water and Storage Rights Expansion 4 Alpine County

**Project
Area**

**Project
Area**

- Project Area
- California Department of Fish and Wildlife
- State
- Federal
- Other

6.5 Miles

15 WCB 11/16/2015 10:01:15

