

INFORMATION REGARDING WATER RIGHTS

The deed by which the property was acquired by the State of California contained the following, which is noted on the Legal Description page of the Preliminary Title Report No. 08-504517-TV issued by Fidelity National Title Company:

Also with the property conveyed herein, Thomas Elliot, grantor, hereby conveys with the right to use water in amount sufficient to fill a one and a half inch diameter pipe, when said pipe is placed parallel with and at the edge of the flow, and on grade with the bottom of the ditch of the Boole Ditch Company, the grantor hereby conveying the amount of water from his share of twelve miners inches in the Boole Ditch Company, said water to be taken from the diversion box belonging to grantor so that when not being drawn, the water will remain in grantor's ditch.

Also an easement for a water pipeline and space for a water storage tank between the grantor's diversion box on the Boole Ditch and the property herein conveyed.

Fidelity Title has indicated they do not insure such water rights.

The Boole Ditch Water Users Association provided the following explanation and information:

The former fire station property was granted water rights from the ditch maintained by the Boole Ditch Water Users Association in 1949. The right is to 1.5 miners inches of water from the ditch, nominally 13.5 gallons per minute. This right is qualified as follows:

1. Rights in the Boole Ditch are proportional, in that the actual amount of water represented by a given water right depends upon the flow in the creek at the point of diversion. When the creek flows at a higher rate than the nominal flow at the point of diversion (12 CFS), the water represented by a given right may be higher than the nominal amount; when the creek flows at a rate lower than the nominal flow, the water represented by a given right may be lower than the nominal amount. The amount diverted by the Association also fluctuates with user demand and maintenance requirements.
2. Rights in the Boole Ditch are also subject to losses between the point of diversion at the creek and the point at which the water is taken from the Boole Ditch. Typically the amount delivered to a water user is less than the nominal amount.

3. The language of the water right in question further complicates the matter, as it provides that any water not used by the grantee is to be left in a certain ditch for the benefit of the grantor.
4. There are assessments by the Boole Ditch Water Users Association owing against the property. The exact amounts (estimated to be less than \$200) due will be determined and paid through the sale escrow.

The State of California makes no warranties and/or representation regarding the accuracy of the above information. Any unpaid assessment of the Boole Ditch Water Users Association must be paid by the Buyer.

The Boole Ditch Water Users Association may be contacted at the address below:

Boole Ditch Water Users Association
31695 Forward Road, Manton, CA 96059
Attn: Karen Lee, Secretary
(530) 474-3966
klee@lassen.com