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3 State of California  
Division of Water Resources  
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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

9

IN AND FOR THE COUNTY OF SISKIYOU

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...oOo...

11 IN THE MATTER OF THE DETERMINATION )  
12 OF THE RIGHTS OF THE VARIOUS CLAIMANTS )  
13 TO THE WATERS OF SHACKLEFORD CREEK AND )  
14 ITS TRIBUTARIES IN SISKIYOU COUNTY, )  
15 CALIFORNIA )

NO. 13775  
DECREE

16

...oOo...

17 The above entitled cause having come on regularly for hearing, trial  
18 and determination on the 19th day of January, 1950, before this Court sitting  
19 without a jury, Mark C. Nosler appearing as attorney for the Department of  
20 Public Works of the State of California, Division of Water Resources, acting  
21 through the State Engineer, hereinafter referred to as "Department"; Emmet J.  
22 Seawell, Assistant United States Attorney, Northern District of California,  
23 appearing specially for the United States of America pursuant to, and in  
24 accordance with that certain Stipulation for Order of Determination dated  
25 November 19, 1946, on file in the above entitled proceeding; C. J. Luttrell,  
26 appearing as attorney for Joseph Rivallier, Lena Butler, Edward Burton and  
27 Emma S. Burton, his wife, Burnell Burton and Rose A. Burton, his wife, John  
28 Heide and Lorene M. Heide, his wife, and Douglas Eastlick and Elma J. Eastlick,  
29 his wife; and George A. Tebbe appearing as Attorney for Cornelius J. Mulloy,  
30 L. Dennis Mulloy and F. L. Lathrop and Georgina C. Lathrop, his wife; all parties  
31 in interest in said proceeding having been duly and regularly notified of said



1 investigation of the flow of Shackelford Creek and its tributaries, and of  
2 the conduits diverting water, and of the lands irrigated or irrigable there-  
3 from, and proceeded to gather all other data and information essential to  
4 the proper determination of the rights in and to the use of the waters  
5 therefrom, and thereafter the Department reduced its observations, data,  
6 information and measurements to writing and executed surveys and prepared  
7 maps from the observations of such surveys in accordance with uniform  
8 rules and regulations duly and regularly adopted by the Department, which  
9 surveys and maps showed with substantial accuracy the course of the streams  
10 involved in said proceeding, the location of each conduit diverting water  
11 therefrom, land irrigated and capable of being irrigated by each conduit,  
12 and the kind of culture upon said irrigated lands. Said maps were pre-  
13 pared by the Department as the surveys and observations progressed, and  
14 when completed were duly and regularly filed and made of record in the  
15 office of the Department.

16           5. Upon the completion of the aforesaid measurements and maps  
17 and after filing of said observations, data, information and measurements,  
18 as aforesaid, the Department, by order duly given and made, gave notice  
19 by publication thereof, setting forth the date prior to which proofs of  
20 claims to be furnished by claimants, in and to the use of the waters involved  
21 in said proceeding, were required to be filed with the Department, and the  
22 Department gave like notice and enclosed therewith blank forms of proofs  
23 by registered mail, with postage fully prepaid thereon, to each claimant to  
24 rights in and to the use of the waters involved in this proceeding, insofar  
25 as such claimant could be reasonably ascertained at his last known place of  
26 address. Thereafter the time allowed within which proofs might be filed  
27 was extended by orders duly given and made by the Department, to and includ-  
28 ing August 15, 1945, and within said period as so extended claimants herein  
29 duly filed with the Department thirty-seven proofs of their respective  
30 rights in and to the use of the waters involved in said proceeding. Jesse  
31 Arnold Cason and Roy J. Helm neglected to make proof of their claim of

1 water right under Application 10350, Permit 6113, within the time allowed  
2 for filing such proof. The Department has determined herein the rights of  
3 said parties on such evidence as it has obtained and has on file in the way  
4 of maps, plats, surveys, transcripts and other data essential to a deter-  
5 mination of the water right involved.

6           6. After the filing of said proofs by claimants as aforesaid,  
7 and after the expiration of the time fixed by the Department for the  
8 filing of said proofs, the Department duly assembled all proofs which  
9 had been filed and prepared and duly certified an abstract of all said  
10 proofs entitled "Abstract of Proofs of Claims, January, 1946", and there-  
11 after by order duly given and made, prepared a notice fixing and setting a  
12 time and place convenient to the claimants when and where evidence taken by  
13 or filed with the Department would be open to inspection for a period of  
14 not less than ten days; and a copy of said notice together with a copy of  
15 said abstract of proofs was thereafter, and more than fifteen days prior  
16 to the first day prescribed in said order as the commencement of the period  
17 of such inspection, duly mailed by registered mail, with the postage fully  
18 prepaid thereon, to each claimant who had appeared and filed proofs, and  
19 thereafter and in accordance with said notice, all of the evidence taken by  
20 or filed with the Department was open for inspection at the times and in  
21 the place and for the period designated in said notice, and any and all  
22 persons during said period were permitted to inspect such evidence and  
23 proofs, and during all of said period of inspection, a representative of  
24 the Department was present.

25           7. Forty-one notices of contests of claims were filed with the  
26 Department within fifteen days after expiration of the time during which  
27 said evidence and proofs were opened to public inspection; within ten days  
28 after the receipt of the notice of each of said contests, the Department  
29 notified by registered mail the contestants and the claimants respectively  
30 involved in each of said contests of the respective time and place fixed for  
31 hearing the matter of said contests, each of said times being fixed not less

1 than fifteen nor more than sixty days from the respective time the Depart-  
2 ment mailed said notice of hearing; and the Department duly opened the hear-  
3 ings of contests at the respective times and places fixed by said notices  
4 of hearing; and at said times and places duly continued said hearings which  
5 were thereafter resumed from time to time after notice duly given by the  
6 Department until all contests filed in the proceeding had been disposed of  
7 by agreement. A transcript of all testimony taken at each of the aforesaid  
8 hearings was prepared and has been duly filed in this proceeding.

9           8. An agreement entitled "Stipulation for Order of Determination",  
10 is on file and of record in this proceeding. Said agreement was signed by  
11 all parties to the determination except Jesse Arnold Cason and Roy J. Helm,  
12 whose joint claim of right is based upon Application 10350, Permit 6113 be-  
13 fore the Department. Said agreement provides that all of claimants' rights  
14 and interests of whatsoever kind and character in and to the use of the  
15 waters of Shackelford Creek and its tributaries in Siskiyou County,  
16 California, are thereby finally settled and compromised as set forth in  
17 the agreement. Said agreement authorizes the Department to enter its order  
18 determining and establishing the several rights in and to the use of the  
19 waters of said Shackelford Creek and its tributaries, pursuant thereto.

20           9. Said Department duly made, on October 31, 1949, its order  
21 determining and establishing the several rights to the waters of Shackelford  
22 Creek and its Tributaries, in Siskiyou County, California, which said order  
23 was entered of record on said date in the office of said Department in  
24 Book 2, Orders of Determination, at page 75, which said order was duly  
25 certified by said Department. Thereafter said Department caused said Order  
26 of Determination so certified to be printed and a copy thereof to be sent  
27 by registered mail, with postage fully prepaid thereon, to each person who  
28 filed proof of claim, directed to the last known address.

29           10. At the time of submission of said proofs, said Department  
30 collected the fees due thereon, and after the time of mailing its Order of  
31 Determination as aforesaid, computed the entire expense incurred in perform-

1 ing the duties prescribed, in this proceeding, including salaries, wages,  
2 traveling expenses, and all costs of whatever character properly chargeable  
3 to the proceeding, and duly made an equitable apportionment against the  
4 parties, of said expense in excess of the total amount received by the  
5 Department from claimants with their submission of said proofs, and duly  
6 served, on November 30, 1949, a notice of statement and apportionment of  
7 said expense, by registered mail with the postage fully prepaid thereon,  
8 on each of the parties to this proceeding. No objections having been  
9 filed by any party to this proceeding to said statement and apportionment  
10 of expense within the period prescribed; said statement and apportionment  
11 of expense was duly approved by the Court on January 19, 1950; and said  
12 Court duly ordered that all apportionments of expense remaining unpaid  
13 at the time of entry of decree should be included therein.

14           11. After entry of the Order of Determination as aforesaid,  
15 and on November 23, 1949, a certified copy thereof, together with the  
16 original evidence and transcript of testimony filed with or taken before  
17 the Department, all duly certified by said Department, was filed with the  
18 clerk of the Superior Court of the State of California in and for the  
19 County of Siskiyou. Upon the filing of said certified copy of said order,  
20 evidence and transcript with the Clerk of said Court, and on November 23,  
21 1949, the Department procured an order from said Court setting January 19,  
22 1950, at ten o'clock in the morning of said day in the courtroom of said  
23 Court in the City of Yreka in said county and state, as the time and  
24 place for hearing on said Order of Determination. The Department there-  
25 upon procured from the Clerk of said Court a certified copy of said order of  
26 said Court setting the time and place for hearing as aforesaid, and forthwith the  
27 Department mailed a copy of such certified copy of said order by registered  
28 mail, with postage fully prepaid thereon, addressed to each known party in  
29 interest at his last known address, and duly caused said certified copy of  
30 said order to be published, and duly filed with the Clerk of said Court  
31 proof of such service by registered mail and publication.

1           12. No exceptions were filed with said Court within the pre-  
2 scribed time and manner, and said proceeding came on duly and regularly  
3 for hearing before the Court, on January 19, 1950, at which time said  
4 Court made an order affirming said Order of Determination.

5

6

DESCRIPTION OF AREA INVOLVED

7           13. Shackleford Creek rises on the northeasterly slope of the  
8 Salmon Mountains in the westerly portion of Siskiyou County, California.  
9 It follows a northeasterly course to the rim of Quartz Valley and thence  
10 east and north through said valley to its junction with Scott River at the  
11 lower end of Scott Valley. Mill Creek, the only important tributary, has  
12 its source some two miles east of the headwaters of Shackleford Creek,  
13 flows northeasterly and thence northerly to its junction with Shackleford  
14 Creek at the point where the latter stream turns north through Quartz  
15 Valley. Evans Creek, a small stream which drains the comparatively low  
16 mountains forming the southern rim of the basin, is tributary to Mill  
17 Creek from the south. The drainage area of these streams above the rim  
18 of Quartz Valley is about thirty-one square miles and ranges in elevation  
19 from about 3,000 to 7,500 feet. Quartz Valley embraces the entire  
20 agricultural area within the drainage basin. It is about two miles wide  
21 by about six miles long with the major axis and drainage from the south  
22 to north.

23           14. The waters of the stream system are used for irrigation,  
24 domestic and stock-watering purposes, with the two latter uses being  
25 largely incidental to irrigation. A total area of approximately 2,622  
26 acres of land is irrigated. The elevations on this area range from about  
27 3,100 feet at the south end of Quartz Valley to about 2,650 feet along  
28 Scott River. A portion of the irrigated land, situated in the Oro Fino  
29 Creek, Sniktaw Creek and Scott River drainages, lies outside the watershed  
30 of the stream system.

31           15. The climatic characteristics of the area, in common with

1 similar mountain valley areas in the north central portion of California,  
2 are deficient rainfall, wide range of temperature variations, low humidity  
3 and rapid evaporation during the growing season. The average growing season  
4 in the area is estimated to be about 140 days.

5           16. The principal crops grown on the irrigated lands are meadow  
6 hay, meadow pasturage, and grain. A small percentage of the irrigated area  
7 is cropped to alfalfa, corn and potatoes. The crops grown are well adapted  
8 to the gravelly loam soils of the area.

9           17. The successful production of crops within the area is de-  
10 pendent upon irrigation, and since the water supply of Shackleford Creek  
11 and its tributaries is inadequate for all agricultural needs throughout  
12 each irrigation season, it is essential that the rights in and to the use  
13 of said waters be determined in order that there may be an orderly distribu-  
14 tion thereof to the lawful owners.

15

16                           GENERAL DEFINITIONS, LIMITATIONS AND PROVISIONS

17           18. The term "proceeding" when used herein means "in the matter  
18 of the determination of the rights of the various claimants to the waters  
19 of Shackleford Creek and its tributaries in Siskiyou County, California";  
20 the term "Department" when used herein means the "Department of Public  
21 Works of the State of California, acting through the State Engineer"; the  
22 term "Water Code" when used herein means the Water Code of the State of  
23 California as amended; the term "stream system" when used herein means  
24 Shackleford Creek and its tributaries in Siskiyou County, California; the  
25 term "claimant" when used herein means a party claiming rights in and to  
26 the use of the waters of Shackleford Creek and its tributaries in Siskiyou  
27 County, California; the term "proof" when used herein means "Proof of  
28 Claim of Water Right".

29           19. Although all quantities of water hereinafter allotted to  
30 the several claimants for direct application to beneficial use are several-  
31 ly expressed in terms of continuous flow, nevertheless, nothing herein



1 contained shall be construed as limiting or restricting the rights of any  
2 such claimants to rotate in the use of water, or the right of any such  
3 claimant to divert for limited periods of time convenient irrigation heads  
4 and thus apply water to his lands at a greater rate than indicated by the  
5 quantity of continuous flow so allotted; provided, that such practice of  
6 rotation or use of irrigation heads shall not result in the use by any such  
7 claimant of a total quantity of water during any thirty-day period in ex-  
8 cess of the equivalent of such claimant's continuous flow allowance for  
9 thirty days, except as hereinafter otherwise expressly provided in paragraph  
10 30; and provided further, that such practice of rotation or such use of  
11 irrigation heads shall not impair or infringe the rights of any other  
12 claimant.

13           20. Nothing herein contained shall, or shall be construed to,  
14 prevent any of the claimants herein, who jointly use a ditch where there  
15 is a continuous flow allotment to said ditch, from employing by agreement  
16 of such joint users of said ditch a system of rotation in use as among  
17 themselves; or prevent any claimant herein who has allotments to two or  
18 more ditches, from using all or any portion of the aggregate of such  
19 allotments through each or any of said ditches on all or any portion of  
20 his lands; provided the total quantity of water diverted by said claimant  
21 at any time shall not exceed said aggregate of such allotments; and pro-  
22 vided further, such practice of rotation or such use of combined allot-  
23 ments shall not impair or infringe the rights of any other claimant.

24           21. The term "directly apply to beneficial use" means the  
25 direct conveyance and application of water diverted to beneficial use  
26 without intermediate storage, except such regulatory storage as may be  
27 practiced for the purpose of equalizing the flow of water diverted for a  
28 convenient irrigation head.

29           22. The term "natural flow" means such flow as will naturally  
30 occur at any given point in a stream from the runoff of the watershed  
31 which it drains, from springs which naturally contribute to the stream,

1 from seepage, and from waste and return flow from dams, conduits and  
2 irrigated lands, as distinguished from released stored water, and from  
3 foreign water directly conveyed to the stream from another watershed.

4           23. Nothing herein contained shall, or shall be construed to,  
5 allocate to any claimant a right to divert from the stream system, at any  
6 time, a quantity of water in excess of the amount reasonably necessary for,  
7 and actually applied to, reasonable beneficial use under and by reasonable  
8 methods of diversion and use by said claimant.

9           24. The "Division of Water Resources Map", hereinafter referred  
10 to as D.W.R. Map, is the map prepared by the Department from its surveys  
11 made in 1944, which map is entitled "Shackleford Creek Stream System  
12 Showing Diversions and Irrigated Lands, Siskiyou County, California", is  
13 dated 1944, and is on file in this proceeding.

14

15

#### DEFINITION OF WATER RIGHTS

16           25. The rights in and to the waters, and in and to the use  
17 thereof, from said stream system are divided into four groups designated  
18 as Upper Shackleford Creek Group, Lower Shackleford Creek Group, Upper  
19 Mill Creek Group, and Lower Mill Creek Group, and one incomplete right  
20 of Jesse Arnold Cason and Roy J. Helm. All rights in each of the groups  
21 are independent of all rights in the remaining three groups, and are  
22 superior in priority and in right to the incomplete right.

23           26. The various claimants in the proceeding are entitled to  
24 use of the waters of said stream system upon the places of use hereinafter  
25 described under their respective names in Schedule 1, and are entitled to  
26 divert said waters at the respective points of diversion from said stream  
27 system as hereinafter named, numbered and described in Schedule 2. The  
28 respective points of measurement of the quantities of water hereinafter  
29 allotted to the several claimants are at or near said respective points  
30 of diversion from said stream system.

31           27. The various claimants in the proceeding are entitled to

1 "interrelated", "winter class", and "surplus class" water rights and one  
2 incomplete right. All allocations of "interrelated" water rights in each  
3 of said groups in said stream system, as hereinbefore designated in  
4 paragraph 25, occur in various priority classes and are hereinafter set  
5 forth in Schedules 3, 4, 5 and 6; each of the Upper Shackelford Creek,  
6 Lower Shackelford Creek and Upper Mill Creek groups, contains rights in  
7 "winter class" as hereinafter set forth in paragraphs 31, 35 and 38, which  
8 rights are independent of all "interrelated" rights in the group in which  
9 said "winter class" rights occur. The Upper Shackelford Creek Group  
10 contains one right in "surplus class" as hereinafter set forth in paragraph  
11 32, in addition to the water right allocations set forth in said Schedule  
12 3 and paragraph 31, which right is subject and inferior to all other rights  
13 in said Upper Shackelford Creek Group. The incomplete right is herein-  
14 after set forth in paragraph 41, and is subject and inferior to all other  
15 rights in the stream system.

16           28. The allotments set forth in various priority classes in  
17 Schedules 3, 4, 5, and 6 shall be for use during the seasons hereinafter  
18 stated in paragraphs 30, 34, 37 and 40 and the allotments to all other  
19 rights shall be for use during the seasons hereinafter stated in the  
20 various paragraphs defining said rights.

21

22 Definition of Water Rights in Upper Shackelford Creek Group

23           29. The Upper Shackelford Creek Group, as hereinbefore designated  
24 in paragraph 25, comprises all rights in and to the waters, and in and to  
25 the use thereof in Shackelford Creek above the junction of Shackelford  
26 Creek and Mill Creek except the incomplete right hereinafter set forth in  
27 paragraph 41. Said group contains "interrelated" rights in seven priority  
28 classes, as set forth in Schedule 3 hereof and hereinafter defined in  
29 paragraph 30; "winter class" rights in two priority classes, as herein-  
30 after set forth and defined in paragraph 31; and one right in "surplus  
31 class", as hereinafter set forth and defined in paragraph 32.

1           30. The various claimants enumerated in Schedule 3 hereof are  
2 entitled to "interrelated" rights in priority class "1st", priority class  
3 "2nd", priority class "3rd", priority class "4th", priority class "5th",  
4 priority class "6th", and priority class "7th" in and to the use of the  
5 natural flow of Shackleford Creek, during the season from April 1 to  
6 October 31, both dates inclusive, of each year, for domestic, stockwatering  
7 and irrigation purposes upon their respective lands as shown on said D.W.R.  
8 Map and as described under their respective names in Schedule 1 hereof, in  
9 accordance with the acreages to be supplied, priorities and quantities of  
10 water allotted, and through the diversions numbered as set forth in said  
11 Schedule 3. Said rights in priority class "1st" are equal in priority and  
12 correlative in right, but are superior in priority and in right to all other  
13 rights in said Schedule 3, and to said right hereinafter defined in "surplus  
14 class", and at all times when the available water supply is inadequate to  
15 supply all of said rights in priority class "1st", then during the con-  
16 tinuance of such shortage, the owners of such rights shall prorate the  
17 available water supply in accordance with their respective allotments in  
18 said priority class "1st" as set forth in said Schedule 3. Said right in  
19 priority class "2nd" is subject and inferior to said rights in priority  
20 class "1st", but is superior in priority and in right to all other rights  
21 in said Schedule 3, and to said right hereinafter defined in "surplus class".  
22 Said right in priority class "3rd" is subject and inferior to said rights  
23 in priority classes "1st" and "2nd", but is superior in priority and in  
24 right to all other rights in said Schedule 3, and to said right hereinafter  
25 defined in "surplus class". Said rights in priority class "4th" are equal  
26 in priority and correlative in right, are subject and inferior to said  
27 rights in priority classes "1st" to "3rd", inclusive, but are superior  
28 in priority and in right to all other rights in said Schedule 3, and to  
29 said right hereinafter defined in "surplus class", and at all times when  
30 the available water supply is inadequate to supply all of said rights in  
31 priority class "4th", then during the continuance of such shortage, the

1 owners of such rights shall prorate the available water supply, if any,  
2 in excess of the quantity required to supply all prior rights, in accord-  
3 ance with their respective allotments in said priority class "4th" as  
4 set forth in said Schedule 3. Said right in priority class "5th" is  
5 subject and inferior to said rights in priority classes "1st" to "4th",  
6 inclusive, but is superior in priority and in right to all other rights in  
7 said Schedule 3, and to said right hereinafter defined in "surplus class".  
8 Said right in priority class "6th" is subject and inferior to said rights  
9 in priority classes "1st" to "5th", inclusive, but is superior in priority  
10 and in right to all other rights in said Schedule 3, and to said right  
11 hereinafter defined in "surplus class". Said rights in priority class  
12 "7th" are equal in priority and correlative in right, are subject and  
13 inferior to said rights in priority classes "1st" to "6th", inclusive, but  
14 are superior in priority and in right to said right hereinafter defined in  
15 "surplus class", and at all times when the available water supply is  
16 inadequate to supply all of said rights in priority class "7th", then during  
17 the continuance of such shortage, the owners of such rights shall prorate  
18 the available water supply, if any, in excess of the quantity required to  
19 supply said prior rights, in accordance with their respective allotments  
20 in said priority class "7th" as set forth in said Schedule 3, provided,  
21 however, that whenever the flow available for diversion from Shackelford  
22 Creek under the rights set forth in said Schedule 3 is in excess of 28.93  
23 cubic feet per second, water may be diverted from such excess flow under  
24 right in said priority class "6th" and all rights in said priority class  
25 "7th" at three times the average rate of diversion respectively set forth  
26 therefor in said Schedule 3.

27           31. The various claimants hereinafter enumerated in this  
28 paragraph are entitled to "winter class" rights in priority class "1st"  
29 and priority class "2nd" in and to the use of the natural flow of  
30 Shackelford Creek, during the season from November 1 of each year to and  
31 including March 31 of the succeeding year, for domestic and stock-watering

1 purposes upon their respective lands as shown on said D.W.R. Map and as  
 2 described under their respective names in Schedule 1 hereof, in accordance  
 3 with the quantities of water and priorities allotted and through the  
 4 diversions numbered as set forth opposite their respective names, to wit:

5

6	Name of Claimant	Diversion No. as per D.W.R. Map	Allotment in Cubic Feet Per Second	Priority Class
7	_____			
8				
9	United States of America	6	1.00	1st
10	L. Dennis Mulloy	8	0.03	1st
11	John H. Heide & Lorene M. Heide	3	1.00	2nd
12	Cecil Graham and	4	2.00	2nd
13	Camille Zwanziger			
14			_____	
15				
16		Total	4.03	
17				

18 Said rights in priority class "1st" are equal in priority and correlative  
 19 in right, but are superior in priority and in right to said rights in  
 20 priority class "2nd", and to said right hereinafter defined in "surplus  
 21 class", and at all times when the available water supply is inadequate  
 22 to supply all of said rights in priority class "1st", then during the  
 23 continuance of such shortage, the owners of such rights shall prorate the  
 24 available water supply in accordance with their respective allotments in  
 25 said priority class "1st" as set forth in this paragraph. Said rights  
 26 in priority class "2nd" are equal in priority and correlative in right,  
 27 are subject and inferior to said rights in priority class "1st", but are  
 28 superior in priority and in right to said right hereinafter defined in  
 29 "surplus class", and at all times when the available water supply is  
 30 inadequate to supply all of said rights in priority class "2nd", then  
 31 during the continuance of such shortage, the owners of such rights shall

1 prorate the available water supply, if any, in excess of the quantity  
2 required to supply said prior rights, in accordance with their respective  
3 allotments in said priority class "2nd" as set forth in this paragraph.

4 32. Subject to all rights hereinbefore defined,

5 CECIL GRAHAM AND CAMILLE ZWANZIGER, collectively, are entitled  
6 as a right in "surplus class" to impound the waters of the South Fork of  
7 Shackleford Creek in Cliff Lake and Campbell Lake at points designated  
8 on said D.W.R. Map as Diversions 1 and 2, respectively, and described in  
9 Schedule 2 hereof, as follows:

10 150 acre-feet per annum in Cliff Lake, and

11 350 acre-feet per annum in Campbell Lake,

12 or as much thereof as they thereafter apply to beneficial use for stock-  
13 watering purposes and for the irrigation of 310.4 acres of their lands  
14 as hereinafter described under their names in Schedule 1 hereof. Said  
15 quantities of water shall be collected in said lakes during the period  
16 from November 1 of each year to and including June 30 of the succeeding  
17 year, and thereafter withdrawn from storage during the period from April  
18 1 to October 31, both dates inclusive, of each year, re-diverted from  
19 Shackleford Creek through the Shackleford Ditch at a point designated on  
20 said D.W.R. Map as Diversion 4 and described in Schedule 2 hereof, and  
21 applied to beneficial use for the aforesaid purposes.

22

23 Definition of Water Rights in Lower Shackleford Creek Group

24 33. The Lower Shackleford Creek Group, as hereinbefore designated  
25 in paragraph 25, comprises all rights in and to the waters, and in and to  
26 the use thereof in Shackleford Creek below the junction of Shackleford and  
27 Mill Creeks. Said group contains "interrelated" rights in seven priority  
28 classes, as set forth in Schedule 4 hereof and hereinafter defined in  
29 paragraph 34; and "winter class" rights equal in priority and correlative  
30 in right, as hereinafter set forth and defined in paragraph 35.

31

1           34. The various claimants enumerated in Schedule 4 hereof are  
2 entitled to "interrelated" rights in priority class "1st", priority class  
3 "2nd", priority class "3rd", priority class "4th", priority class "5th",  
4 priority class "6th" and priority class "7th" in and to the use of the  
5 natural flow of Shackelford Creek, during the season from April 1 to  
6 October 31, both dates inclusive, of each year, for domestic, stock-water-  
7 ing and irrigation purposes upon their respective lands as shown on said  
8 D.W.R. Map and as described under their respective names in Schedule 1  
9 hereof, in accordance with the acreages to be supplied, priorities and  
10 quantities of water allotted, and through the diversions numbered as set  
11 forth in said Schedule 4. Said rights in priority class "1st" are equal  
12 in priority and correlative in right, but are superior in priority and  
13 in right to all other rights in said Schedule 4, and at all times when  
14 the available water supply is inadequate to supply all of said rights in  
15 priority class "1st", then during the continuance of such shortage, the  
16 owners of such rights shall prorate the available water supply in accord-  
17 ance with their respective allotments in said priority class "1st" as set  
18 forth in said Schedule 4. Said rights in priority class "2nd" are equal in  
19 priority and correlative in right, are subject and inferior to said rights  
20 in priority class "1st", but are superior in priority and in right to all  
21 other rights in said Schedule 4, and at all times when the available  
22 water supply is inadequate to supply all of said rights in priority class  
23 "2nd", then during the continuance of such shortage, the owners of such  
24 rights shall prorate the available water supply, if any, in excess of the  
25 quantity required to supply all prior rights, in accordance with their  
26 respective allotments in said priority class "2nd" as set forth in said  
27 Schedule 4. Said rights in priority class "3rd" are equal in priority  
28 and correlative in right, are subject and inferior to said rights in  
29 priority classes "1st" and "2nd", but are superior in priority and in  
30 right to all other rights in said Schedule 4, and at all times when the  
31 available water supply is inadequate to supply all of said rights in



1 priority class "3rd", then during the continuance of such shortage, the  
2 owners of such rights shall prorate the available water supply, if any,  
3 in excess of the quantity required to supply all prior rights, in  
4 accordance with the respective allotments in said priority class "3rd"  
5 as set forth in said Schedule 4. Said right in priority class "4th" is  
6 subject and inferior to said rights in priority classes "1st" to "3rd",  
7 inclusive, but is superior in priority and in right to all other rights  
8 in said Schedule 4. Said rights in priority class "5th" are equal in  
9 priority and correlative in right, are subject and inferior to said  
10 rights in priority classes "1st" to "4th", inclusive, but are superior in  
11 priority and in right to all other rights in said Schedule 4, and at all  
12 times when the available water supply is inadequate to supply all of said  
13 rights in priority class "5th", then during the continuance of such  
14 shortage, the owners of such rights shall prorate the available water  
15 supply, if any, in excess of the quantity required to supply all prior  
16 rights, in accordance with their respective allotments in said priority  
17 class "5th" as set forth in said Schedule 4. Said rights in priority  
18 class "6th" are equal in priority and correlative in right, are subject  
19 and inferior to said rights in priority classes "1st" to "5th", inclusive,  
20 but are superior in priority and in right to all other rights in said  
21 Schedule 4, and at all times when the available water supply is inadequate  
22 to supply all of said rights in priority class "6th", then during the  
23 continuance of such shortage, the owners of such rights shall prorate  
24 the available water supply, if any, in excess of the quantity required  
25 to supply all prior rights, in accordance with their respective allot-  
26 ments in said priority class "6th" as set forth in said Schedule 4. Said  
27 rights in priority class "7th" are equal in priority and correlative in  
28 right, are subject and inferior to said rights in priority classes  
29 "1st" to "6th", inclusive, and at all times when the available water  
30 supply is inadequate to supply all of said rights in priority class  
31 "7th", then during the continuance of such shortage, the owners of such

1 rights shall prorate the available water supply, if any, in excess of  
2 the quantity required to supply all prior rights, in accordance with  
3 their respective allotments in said priority class "7th" as set forth in  
4 said Schedule 4.

5           35. The various claimants hereinafter enumerated in this  
6 paragraph are entitled to "winter class" rights in and to the use of the  
7 natural flow of Shackelford Creek, during the season from November 1 of  
8 each year to and including March 31 of the succeeding year, for domestic  
9 and stock-watering purposes upon their respective lands as shown on said  
10 D.W.R. Map and as described under their respective names in Schedule 1  
11 hereof, in accordance with the quantities of water allotted and through  
12 the diversions numbered as set forth opposite their respective names, to wit:

13	Name of Claimant	Diversion No. as per <u>D.W.R. Map</u>	Allotment in cubic feet <u>per second</u>
14	_____		
15			
16	Burnell M. Burton	20	0.25
	and Rose A. Burton	22	0.20
17	Edward Burton & Emma S. Burton	17	0.25
18	C. B. Camblin and		
19	Jeanne Camblin	19	1.00
20	Henry F. Chester	18	0.25
21	Donald L. Miller	21	0.10
22	Joseph Rivallier	19	0.30
		21	0.60
23			_____
24	Total		2.95

25  
26 Said rights are equal in priority and correlative in right, and at all  
27 times when the available water supply is inadequate to supply all of said  
28 rights set forth in this paragraph, then during the continuance of such  
29 shortage, the owners of such rights shall prorate the available water  
30 supply in accordance with their respective allotments as set forth in this  
31 paragraph.

1 Definition of Water Rights in Upper Mill Creek Group

2           36. The Upper Mill Creek Group, as hereinbefore designated in  
3 paragraph 25, comprises all rights in and to the waters, and in and to  
4 the use thereof in Mill Creek above the point where the Shackelford Ditch  
5 crosses said Mill Creek. Said group contains "interrelated" rights in  
6 three priority classes, as set forth in Schedule 5 hereof and hereinafter  
7 defined in paragraph 37; and "winter class" rights equal in priority and  
8 correlative in right, as hereinafter set forth and defined in paragraph 38.

9           37. The various claimants enumerated in Schedule 5 hereof are  
10 entitled to "interrelated" rights in priority class "1st", priority class  
11 "2nd", and priority class "3rd" in and to the use of the natural flow of  
12 Mill Creek, during the season from April 1 to October 31, both dates  
13 inclusive, of each year, for domestic, stock-watering and irrigation  
14 purposes upon their respective lands as shown on said D.W.R. Map and as  
15 described under their respective names in Schedule 1 hereof, in accord-  
16 ance with the acreages to be supplied, priorities and quantities of water  
17 allotted, and through the diversions numbered as set forth in said  
18 Schedule 5. Said right in priority class "1st" is superior in priority  
19 and in right to said rights in priority classes "2nd" and "3rd". Said  
20 rights in priority class "2nd" are equal in priority and correlative in  
21 right, are subject and inferior to said right in priority class "1st",  
22 but are superior in priority and in right to said right in priority class  
23 "3rd", and at all times when the available water supply is inadequate to  
24 supply all of said rights in priority class "2nd", then during the  
25 continuance of such shortage, the owners of such rights shall prorate  
26 the available water supply, if any, in excess of the quantity required  
27 to supply all prior rights, in accordance with their respective allotments  
28 in said priority class "2nd" as set forth in said Schedule 5; provided  
29 however, at all times when the flow available for said rights in priority  
30 class "2nd" is equal to or less than 0.50 cubic foot per second, then  
31 during such times the available flow shall be divided equally among the

1 three owners of said rights in priority class "2nd" in accordance with  
 2 the provisions of that certain agreement dated July 31, 1943, recorded  
 3 on June 14, 1945, in Book 171, Official Records, Siskiyou County,  
 4 California, a copy of which said agreement is on file in this proceeding.  
 5 Said right in priority class "3rd" is subject and inferior to said rights  
 6 in priority classes "1st" and "2nd".

7           38. The various claimants hereinafter enumerated in this  
 8 paragraph are entitled to "winter class" rights in and to the use of the  
 9 natural flow of Mill Creek, during the season from November 1 of each  
 10 year to and including March 31 of the succeeding year, for domestic and  
 11 stock-watering purposes upon their respective lands as shown on said  
 12 D.W.R. Map and as described under their respective names in Schedule 1  
 13 hereof, in accordance with the quantities of water allotted and through  
 14 the diversions numbered as set forth opposite their respective names,  
 15 to wit:

16	Name of Claimant	Diversion	Allotment
17		No. as per	in Cubic
18	_____	<u>D.W.R. Map</u>	<u>Feet per Second</u>
19	Robert L. Couch	11	0.01
20		12	0.10
21	Robert P. Davis and Margaret W. Davis	11	0.17
22			
23	G. Douglas Eastlick and Elma J. Eastlick	11	0.17
24			
25	Lena Butler	11	0.17
26			—
27		Total	0.62
28			

29 Said rights are equal in priority and correlative in right, and at all  
 30 times when the available water supply is inadequate to supply all of said  
 31 rights set forth in this paragraph, then during the continuance of such

1 shortage, the owners of such rights shall prorate the available water  
2 supply in accordance with their respective allotments as set forth in  
3 this paragraph.

4

5 Definition of Water Rights in Lower Mill Creek Group

6           39. The Lower Mill Creek Group, as hereinbefore designated in  
7 paragraph 25, comprises all rights in and to the waters, and in and to the  
8 use thereof in Mill Creek between the point where the Shackelford Ditch  
9 crosses said Mill Creek and the point where said Mill Creek joins  
10 Shackelford Creek. Said group contains "interrelated" rights in two pri-  
11 ority classes, as set forth in Schedule 6 hereof and hereinafter defined  
12 in paragraph 40.

13           40. The various claimants enumerated in Schedule 6 hereof are  
14 entitled to "interrelated" rights in priority class "1st" and priority  
15 class "2nd" in and to the use of the natural flow of Mill Creek for  
16 domestic, stock-watering and irrigation purposes upon their respective  
17 lands as shown on said D.W.R. Map and as described under their respective  
18 names in Schedule 1 hereof, in accordance with the acreages to be supplied,  
19 priorities and quantities of water allotted, and through the diversions  
20 numbered as set forth in said Schedule 6. Said rights in priority class  
21 "1st" are for continuous usage without regard to season, are equal in  
22 priority and correlative in right, but are superior in priority and in  
23 right to said rights in priority class "2nd", and at all times when the  
24 available water supply is inadequate to supply all of said rights in  
25 priority class "1st", then during the continuance of such shortage, the  
26 owners of such rights shall prorate the available water supply in accord-  
27 ance with their respective allotments as set forth in said Schedule 6.  
28 Said rights in priority class "2nd" are for continuous usage during the  
29 season from April 1 to October 31, both dates inclusive, of each year, are  
30 equal in priority and correlative in right, but are subject and inferior  
31 to said rights in priority class "1st", and at all times when the available

1 water supply is inadequate to supply all of said rights in priority class  
2 "2nd", then during the continuance of such shortage, the owners of such  
3 rights shall prorate the available water supply, if any, in excess of the  
4 quantity required to supply all prior rights, in accordance with their  
5 respective allotments as set forth in said Schedule 6.

6

7 Definition of Incomplete Right of Jesse Arnold Cason and Roy J. Helm

8 41. Subject to all rights hereinbefore defined,  
9 JESSE ARNOLD CASON AND ROY J. HELM, collectively, are entitled  
10 to divert from the natural flow of Shackelford Creek at a point within  
11 the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 9, T. 43 N., R. 10 W., M.D.B.&M.

12 1.00 cubic foot per second,  
13 from about March 15 to July 1 of each season for domestic and irrigation  
14 purposes and such amount of water as is required from about October 1 of  
15 each year to about March 15 of the succeeding year for domestic purposes  
16 only; said water to be used for the aforesaid purposes upon the following  
17 described lands all in accordance with Application 10350 filed December  
18 31, 1941, with the Department:

19

20 5.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 10, T. 43 N., R. 10 W., M.D.B.&M.  
21 12.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 10, T. 43 N., R. 10 W., M.D.B.&M.  
22 6.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 10, T. 43 N., R. 10 W., M.D.B.&M.  
23 13.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 10, T. 43 N., R. 10 W., M.D.B.&M.  
36.0 acres - Total

24 provided, that prior to December 1, 1950, or such further time as may be  
25 hereafter granted by the court herein, Jesse Arnold Cason and Roy J. Helm  
26 shall have completed said appropriation from Shackelford Creek and applied  
27 said water to beneficial use in accordance with the terms of Permit 6113,  
28 issued on said Application 10350, and shall have submitted evidence of  
29 such completed appropriation and use to the Superior Court of California  
30 in and for the County of Siskiyou, and subject to the provisions of such

1 supplemental decree as the court herein may hereafter enter.

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SCHEDULE 1

DESCRIPTION OF AREAS IRRIGATED AND  
PLACES OF USE OF WATER ALLOTTED  
FROM SHACKLEFORD CREEK AND ITS TRIBUTARIES

Robert E. Brown and Walter A. Graves

9.7 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, T. 44 N., R. 10 W., M.D.B. & M.  
9.7 acres - Total

Burnell M. Burton and Rose A. Burton

5.1 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 26, T. 44 N., R. 10 W., M.D.B. & M.  
12.1 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
17.2 acres - Total (Burton East Side Ditch)

1.2 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 26, T. 44 N., R. 10 W., M.D.B. & M.  
34.7 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, T. 44 N., R. 10 W., M.D.B. & M.  
35.9 acres - Total (Burton West Side Ditch)

25.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
4.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
29.0 acres - Total (Burton-Meamber Ditch)

Edward Burton and Emma S. Burton

24.1 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
32.3 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
32.6 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
89.0 acres - Total (Burton-Meamber Ditch)

14.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 34, T. 44 N., R. 10 W., M.D.B. & M.  
29.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 34, T. 44 N., R. 10 W., M.D.B. & M.  
7.1 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
4.4 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
54.5 acres - Total (Freitas Ditch)

Lena Butler

10.7 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 26, T. 43 N., R. 10 W., M.D.B. & M.  
35.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 26, T. 43 N., R. 10 W., M.D.B. & M.  
3.9 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 27, T. 43 N., R. 10 W., M.D.B. & M.  
49.6 acres - Total

C. B. Camblin and Jeanne Camblin

37.1 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 31, T. 44 N., R. 9 W., M.D.B. & M.  
27.1 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 31, T. 44 N., R. 9 W., M.D.B. & M.  
38.7 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 31, T. 44 N., R. 9 W., M.D.B. & M.  
37.9 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 31, T. 44 N., R. 9 W., M.D.B. & M.  
140.8 acres - Total



1 SCHEDULE 1 (Cont'd.)

2  
3 Henry F. Chester

4 21.2 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
5 1.8 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
23.0 acres - Total (Chester Ditch)

6 6.9 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
7 6.9 acres - Total (Hammond-Crawford-Lewis Ditch)

8 Robert L. Couch

9 9.7 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 22, T. 43 N., R. 10 W., M.D.B. & M.  
10 1.9 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 22, T. 43 N., R. 10 W., M.D.B. & M.  
8.2 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 22, T. 43 N., R. 10 W., M.D.B. & M.  
11 0.8 acre in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 22, T. 43 N., R. 10 W., M.D.B. & M.  
1.4 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 22, T. 43 N., R. 10 W., M.D.B. & M.  
22.0 acres - Total

12  
13 Joseph Sinz

14 13.3 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 15, T. 43 N., R. 10 W., M.D.B. & M.  
15 13.3 acres - Total

16 Jacob Dangel

17 12.2 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
3.6 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
18 15.8 acres - Total (Dangel Mill Creek Ditch)

19 9.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 2, T. 43 N., R. 10 W., M.D.B. & M.  
20 26.8 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 2, T. 43 N., R. 10 W., M.D.B. & M.  
16.6 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 2, T. 43 N., R. 10 W., M.D.B. & M.  
12.5 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
21 10.3 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
75.2 acres - Total (Dangel Shackelford Creek Ditch)

22 3.2 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 2, T. 43 N., R. 10 W., M.D.B. & M.  
23 0.3 acre in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 2, T. 43 N., R. 10 W., M.D.B. & M.  
3.5 acres - Total (Denny Bar Ditch)

24 Power purposes  
25 in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
(Dangel Mill Creek Ditch)

1 SCHEDULE 1 (Cont'd.)

2  
3 Robert P. Davis and Margaret W. Davis

4 18.4 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
5 19.3 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
6 22.5 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
7 40.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
8 40.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
9 17.1 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
10 12.2 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 26, T. 43 N., R. 10 W., M.D.B. & M.  
11 30.9 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 26, T. 43 N., R. 10 W., M.D.B. & M.  
12 200.4 acres - Total

13 G. Douglas Eastlick and Elma J. Eastlick

14 8.4 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 13, T. 43 N., R. 10 W., M.D.B. & M.  
15 16.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 13, T. 43 N., R. 10 W., M.D.B. & M.  
16 0.1 acre in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
17 8.8 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
18 3.6 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
19 1.5 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 24, T. 43 N., R. 10 W., M.D.B. & M.  
20 29.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 24, T. 43 N., R. 10 W., M.D.B. & M.  
21 39.8 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 24, T. 43 N., R. 10 W., M.D.B. & M.  
22 4.7 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 24, T. 43 N., R. 10 W., M.D.B. & M.  
23 24.8 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 24, T. 43 N., R. 10 W., M.D.B. & M.  
24 35.7 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 24, T. 43 N., R. 10 W., M.D.B. & M.  
25 172.4 acres - Total

26 Robert A. English

27 1.5 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 15, T. 43 N., R. 10 W., M.D.B. & M.  
28 5.8 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 15, T. 43 N., R. 10 W., M.D.B. & M.  
29 7.3 acres - Total

30 Cecil Graham and Camille Zwanziger

31 28.8 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 19, T. 43 N., R. 9 W., M.D.B. & M.  
32 19.3 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 19, T. 43 N., R. 9 W., M.D.B. & M.  
33 28.2 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 19, T. 43 N., R. 9 W., M.D.B. & M.  
34 29.5 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 19, T. 43 N., R. 9 W., M.D.B. & M.  
35 105.8 acres - Total (Oro Fino Ranch)

36 15.2 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 13, T. 43 N., R. 10 W., M.D.B. & M.  
37 5.6 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 13, T. 43 N., R. 10 W., M.D.B. & M.  
38 7.9 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
39 21.6 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
40 39.3 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
41 29.3 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
42 37.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
43 17.3 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
44 5.2 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
45 7.6 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
46 16.2 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 23, T. 43 N., R. 10 W., M.D.B. & M.  
47 2.4 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 24, T. 43 N., R. 10 W., M.D.B. & M.  
48 204.6 acres - Total (Quartz Valley Ranch)

SCHEDULE 1 (Cont'd.)

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John H. Heide and Lorene M. Heide

2.3 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
 3.6 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
 40.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
 16.5 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
 6.4 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
 23.2 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
 21.7 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
 24.2 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
 0.3 acre in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
 0.3 acre in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
 9.2 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
147.7 acres - Total

F. L. Lathrop and Georgina C. Lathrop

20.9 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, T. 44 N., R. 10 W., M.D.B. & M.  
 35.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, T. 44 N., R. 10 W., M.D.B. & M.  
 37.9 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27, T. 44 N., R. 10 W., M.D.B. & M.  
 6.6 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27, T. 44 N., R. 10 W., M.D.B. & M.  
 1.5 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27, T. 44 N., R. 10 W., M.D.B. & M.  
 24.9 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27, T. 44 N., R. 10 W., M.D.B. & M.  
 2.3 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 27, T. 44 N., R. 10 W., M.D.B. & M.  
 129.1 acres - Total (Burton-Meamber Ditch)

11.1 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, T. 44 N., R. 10 W., M.D.B. & M.  
 9.0 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27, T. 44 N., R. 10 W., M.D.B. & M.  
 1.8 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27, T. 44 N., R. 10 W., M.D.B. & M.  
 21.9 acres - Total (Freitas Ditch)

Donald L. Miller

5.1 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
 5.5 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
 10.6 acres - Total (Goodale Ditch)

11.9 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
 11.9 acres - Total (Hammond-Crawford-Lewis Ditch)

Cornelius J. Mulloy and L. Dennis Mulloy

28.4 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
 7.7 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
 40.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
 26.8 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
 26.4 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
 18.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
 22.4 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
 169.7 acres - Total (Howard-Jones Ditch)

1 SCHEDULE 1 (Cont'd.)

2  
3 Cornelius J. Mulloy and L. Dennis Mulloy (Cont'd.)

4 5.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
3.2 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
5 13.2 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
6 21.4 acres - Total (Mulloy Spring Ditch)

7 L. Dennis Mulloy

8 3.2 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
16.7 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
9 14.7 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
9.4 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
10 11.4 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
11 55.4 acres - Total (Hobart Ditch)

12 6.7 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
11.4 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
10.5 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
13 22.1 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
50.7 acres - Total (Hobart West Spring)

14 9.7 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
15 11.9 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
6.1 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
16 27.7 acres - Total (Hobart East Spring)

17 Domestic and stock-watering purposes in  
18 SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
(Hobart Domestic Ditch)

19 Drury M. Parks

20 3.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
20 3.0 acres - Total

22 Julio Pereira

23 0.4 acre in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
25.9 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
24 1.9 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 11, T. 43 N., R. 10 W., M.D.B. & M.  
17.1 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
25 3.9 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
2.9 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
26 52.1 acres - Total

27 Joseph Rivallier

28 8.4 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 26, T. 44 N., R. 10 W., M.D.B. & M.  
29 16.6 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 26, T. 44 N., R. 10 W., M.D.B. & M.  
33.2 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
30 11.4 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
18.3 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
31 87.9 acres - Total (Goodale Ditch)

SCHEDULE 1 (Cont'd.)

Joseph Rivallier (Cont'd.)

0.5 acre in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
3.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
17.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 36, T. 44 N., R. 10 W., M.D.B. & M.  
23.7 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 36, T. 44 N., R. 10 W., M.D.B. & M.  
29.5 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 36, T. 44 N., R. 10 W., M.D.B. & M.  
2.1 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 36, T. 44 N., R. 10 W., M.D.B. & M.  
25.1 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 36, T. 44 N., R. 10 W., M.D.B. & M.  
21.5 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 36, T. 44 N., R. 10 W., M.D.B. & M.  
2.7 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 36, T. 44 N., R. 10 W., M.D.B. & M.  
125.1 acres - Total (Hammond-Crawford-Lewis Ditch)

Jack E. Schulz

3.5 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 2, T. 43 N., R. 10 W., M.D.B. & M.  
36.2 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 2, T. 43 N., R. 10 W., M.D.B. & M.  
39.7 acres - Total (Whipple Ditch)  
2.3 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 2, T. 43 N., R. 10 W., M.D.B. & M.  
2.3 acres - Total (Below Freitas Ditch)

Arthur L. Soderquist and Mildred J. Soderquist

10.8 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 14, T. 43 N., R. 10 W., M.D.B. & M.  
10.8 acres - Total

United States of America, in trust

11.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 34, T. 44 N., R. 10 W., M.D.B. & M.  
8.6 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 34, T. 44 N., R. 10 W., M.D.B. & M.  
16.6 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
26.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
40.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
40.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 35, T. 44 N., R. 10 W., M.D.B. & M.  
40.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 2, T. 43 N., R. 10 W., M.D.B. & M.  
40.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 2, T. 43 N., R. 10 W., M.D.B. & M.  
40.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 2, T. 43 N., R. 10 W., M.D.B. & M.  
40.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 2, T. 43 N., R. 10 W., M.D.B. & M.  
9.7 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 2, T. 43 N., R. 10 W., M.D.B. & M.  
4.5 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
7.7 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
27.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
3.7 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3, T. 43 N., R. 10 W., M.D.B. & M.  
354.8 acres - Total

SCHEDULE 2

POINTS OF DIVERSION FROM SHACKLEFORD CREEK  
AND ITS TRIBUTARIES

Number	Name of Diversion System	Water Resources	Approximate Location of Point of Diversion		Reference corner for distance and bearing	Bearing from reference corner	Distance in feet from reference corner
			Legal Sub-Division in which diversion occurs	Map			
1	Cliff Lake		SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33	M, D, B. & M.	SE Cor. Sec. 33	N 85° W	1150
2	Campbell Lake		SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34	M, D, B. & M.	NW Cor. Sec. 34	S 20° E	2700
3	Ralph Eastlick Ditch		SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9	M, D, B. & M.	S $\frac{1}{2}$ Cor. Sec. 9	N 4° W	1220
4	Shackleford Ditch		NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9	M, D, B. & M.	E $\frac{1}{2}$ Cor. Sec. 9	S 75° W	1900
5	Howard-Jones Ditch		SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9	M, D, B. & M.	E $\frac{1}{2}$ Cor. Sec. 9	N 66° W	570
6	Camp Ditch		SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10	M, D, B. & M.	W $\frac{1}{2}$ Cor. Sec. 10	N 65° E	800
7	Whipple Ditch		SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10	M, D, B. & M.	W $\frac{1}{2}$ Cor. Sec. 10	N 76° E	2050
8	Hobart Domes-tic Ditch		SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10	M, D, B. & M.	W $\frac{1}{2}$ Cor. Sec. 10	N 79° E	2380
9	Hobart Ditch		NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10	M, D, B. & M.	E $\frac{1}{2}$ Cor. Sec. 10	S 83° W	600
10	Dangel Shackleford Creek Ditch		SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11	M, D, B. & M.	W $\frac{1}{2}$ Cor. Sec. 11	N 45° E	1560
11	Eastlick Ditch (Mill Creek)		SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22	M, D, B. & M.	SW Cor. Sec. 22	N 46° E	1600
12	Couch Ditch		NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22	M, D, B. & M.	S $\frac{1}{2}$ Cor. Sec. 22	N 13° W	1650
13	Mulloy Spring Ditch		SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14	M, D, B. & M.	S $\frac{1}{2}$ Cor. Sec. 14	N 55° E	1580
14	China Ditch		NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14	M, D, B. & M.	S $\frac{1}{2}$ Cor. Sec. 14	N 45° E	2080
15	Dangel Mill Creek Ditch		NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14	M, D, B. & M.	N $\frac{1}{2}$ Cor. Sec. 14	S 75° E	1150

SCHEDULE 2 (Cont'd.)

Number	Name of Diversion System	Water Resources	Approximate Location of Point of Diversion				Distance in feet from reference corner
			Legal Sub-Division in which diversion occurs	Reference corner for distance and bearing	Bearing from reference corner	Distance from reference corner	
Map			M.D.B. & M.	M.D.B. & M.			
16	Denny Bar Ditch		SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11 T 43 N, R 10 W	S $\frac{1}{4}$ Cor. Sec. 11 T 43 N, R 10 W	N 9° E	2800	
17	Freitas Ditch		SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2 T 43 N, R 10 W	S $\frac{1}{4}$ Cor. Sec. 2 T 43 N, R 10 W	N 48° E	1530	
18	Chester Ditch		NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2 T 43 N, R 10 W	S $\frac{1}{4}$ Cor. Sec. 2 T 43 N, R 10 W	N 15° E	2130	
19	Hammond-Crawford-Lewis Ditch		SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35 T 44 N, R 10 W	S $\frac{1}{4}$ Cor. Sec. 35 T 44 N, R 10 W	N 18° W	930	
20	Burton-Meamber Ditch		SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35 T 44 N, R 10 W	S $\frac{1}{4}$ Cor. Sec. 35 T 44 N, R 10 W	N 27° W	1300	
21	Goodale Ditch		SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35 T 44 N, R 10 W	W $\frac{1}{4}$ Cor. Sec. 35 T 44 N, R 10 W	N 86° E	2430	
22	Burton West Side Ditch		NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35 T 44 N, R 10 W	N $\frac{1}{4}$ Cor. Sec. 35 T 44 N, R 10 W	S 4° W	1340	
23	Burton East Side Ditch		NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35 T 44 N, R 10 W	N $\frac{1}{4}$ Cor. Sec. 35 T 44 N, R 10 W	S 2° W	1090	
26	Hobart East Spring		SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11 T 43 N, R 10 W	S $\frac{1}{4}$ Cor. Sec. 11 T 43 N, R 10 W	N 33° W	1060	
27	Hobart West Spring		NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11 T 43 N, R 10 W	S $\frac{1}{4}$ Cor. Sec. 11 T 43 N, R 10 W	N 26° W	1460	
28	Macaulay West Ditch		SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 T 44 N, R 10 W	SE Cor. Sec. 26 T 44 N, R 10 W	N 66° W	2350	
29	Macaulay East Ditch		SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 T 44 N, R 10 W	SE Cor. Sec. 26 T 44 N, R 10 W	N 60° W	2400	

SCHEDULE 3

ALLOCATIONS TO VARIOUS CLAIMANTS FROM SHACKLEFORD CREEK  
IN UPPER SHACKLEFORD CREEK GROUP

No.	Name of Claimant	Acreage to be Supplied	Diver- sion No. as per D.W.R. Map	Allotments in Cubic Feet per Second							Total		
				Priority Class	1st	2nd	3rd	4th	5th	6th		7th	
4	John H. Heide & Lorene M. Heide	147.7	3					3.50					3.50
9	Cecil Graham and Camille Zwanziger	310.4	4		7.00			4.00					11.00
11	Robert A. English	7.3	5					0.30					0.30
12	Joseph Sinz	13.3	5					0.30					0.30
14	Arthur L. Soderquist and Mildred J. Soderquist	10.8	5					0.30					0.30
15	Drury M. Parks	3.0	5					0.30					0.30
17	Cornelius J. Mulloy and L. Dennis Mulloy	169.7	5					4.00					4.00
19	United States of America, in trust	212.6	6	2.00		3.00							5.00
21	Jack E. Schulz	39.7	7						1.20				1.20
22	L. Dennis Mulloy-Domestic		8	0.03									0.03
23	L. Dennis Mulloy	55.4	9							1.30			1.30
24	Jacob Dangel	75.2	10							1.70			1.70
25	Totals	1045.1		2.03	7.00	3.00	8.70	4.00	1.20	3.00			28.93

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SCHEDULE 4

ALLOCATIONS TO VARIOUS CLAIMANTS FROM SHACKLEFORD CREEK  
IN LOWER SHACKLEFORD CREEK GROUP

No.	Name of Claimant	Acre- age	Diver- sion No. as per Sup- plied	D.W.R. Map	Allotments in Cubic Feet per Second							Total
					1st	2nd	3rd	4th	5th	6th	7th	
4	Jack E. Schulz	2.3	17	0.10								0.10
5	United States of America, in trust	142.2	17		1.20					2.05		3.25
6	Edward Burton & Emma S. Burton	93.5	17							2.10		2.10
7	F. L. Lathrop & Georgina C. Lathrop	21.9	17							1.15		1.15
8	Henry F. Chester	23.0	18	0.70								0.70
9	Henry F. Chester	6.9	19	0.20								0.20
10	Donald L. Miller	11.9	19					0.30				0.30
11	Joseph Rivallier	125.1	19					1.30		2.00		3.30
12	C. B. Camblin & Jeanne Camblin	140.8	19					1.80		3.00		4.80
13	Edward Burton & Emma S. Burton	50.0	20	1.20								1.20
14	Burnell M. Burton & Rose A. Burton	48.4	20	1.10								1.10
15	F. L. Lathrop & Georgina C. Lathrop	129.1	20	3.50								3.50
16	Donald L. Miller	10.6	21	0.40								0.40
17	Joseph Rivallier	87.9	21					2.00				2.00
18	Burnell M. Burton & Rose A. Burton	40.0	22&23	1.20								1.20
19	Robert E. Brown and Walter A. Graves	9.7	28&29	0.20								0.20
20	<b>Total</b>	<b>943.3</b>		<b>1.50</b>	<b>1.30</b>	<b>7.00</b>	<b>2.00</b>	<b>3.40</b>	<b>5.30</b>	<b>5.00</b>		<b>25.50</b>

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SCHEDULE 5

ALLOCATIONS TO VARIOUS CLAIMANTS FROM MILL CREEK  
IN UPPER MILL CREEK GROUP

Name of Claimant	Acreage to be Supplied	Diver- sion No. as per D.W.R. Map	Allotments in Cubic Feet per Second			Total
			Priority Class	1st	2nd	
Robert L. Couch	22.0	11 & 12	0.01		0.61	0.62
Lena Butler	49.6	11		1.00		1.00
Robert P. Davis and Margaret W. Davis	200.4	11		4.50		4.50
G. Douglas Eastlick and Elma J. Eastlick	172.4	11		4.50		4.50
<b>Total</b>	<b>444.4</b>		<b>0.01</b>	<b>10.00</b>	<b>0.61</b>	<b>10.62</b>

SCHEDULE 6

ALLOCATIONS TO VARIOUS CLAIMANTS FROM MILL CREEK  
IN LOWER MILL CREEK GROUP

Name of Claimant	Acreage to be Supplied	Diver- sion No. as per D.W.R. Map	Allotments in Cubic Feet per Second			Total
			Priority Class	1st	2nd	
Cornelius J. Mulloy and L. Dennis Mulloy	21.4	13	0.10	0.40		0.50
Julio Pereira	52.1	14	0.25	1.15		1.40
Jacob Dangel	15.8	15	0.25	0.25		0.50
Jacob Dangel	3.5	16		0.50		0.50
L. Dennis Mulloy	78.4	26 & 27		1.60		1.60
<b>Total</b>	<b>171.2</b>		<b>0.60</b>	<b>3.90</b>		<b>4.50</b>

1           IT IS FURTHER ORDERED, ADJUDGED AND DECREED as follows:

2           42. That the court retains continuing jurisdiction of the parties  
3 to this proceeding, and of the subject matter thereof, and upon application  
4 of any party hereto, or successor in interest thereof, or upon its own  
5 motion, to review this decree and to change and modify the same as the inter-  
6 ests of justice may require.

7           43. That each and every party to this action, his or her  
8 agents, successors, grantees and assigns, be and hereby are estopped to  
9 object to or interfere with the respective rights of others which are de-  
10 creed herein.

11           44. That each and every party to this action, his or her agents,  
12 successors, grantees and assigns, be and are hereby perpetually enjoined and  
13 restrained from doing anything in violation of the terms or provisions of  
14 this judgment and decree, and from diverting any water from said Shackelford  
15 Creek and its tributaries at any time in excess of a quantity reasonably  
16 necessary for, and actually applied to, reasonable beneficial use, under  
17 and by reasonable methods of diversion and use, and from doing anything,  
18 directly or indirectly, that will obstruct or interfere with any right of  
19 another adjudged and decreed herein.

20           45. The Department having computed the entire expense incurred  
21 in performing the duties prescribed, in this proceeding, and having  
22 equitably apportioned against the parties to this proceeding the amount by  
23 which said entire expense exceeded the total amount received from claimants  
24 on account of fees paid at the time of submission of proofs of claim, and  
25 having given notice thereof to the parties to this proceeding; no objection  
26 having been made to said expense or apportionment thereof; said appoint-  
27 ments having become due and payable to said Department by the respective  
28 parties; and all parties having heretofore paid their respective apporportion-  
29 ments excepting those parties against whom decree in favor of said  
30 Department is rendered as follows:

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Department  
 2 of Public Works, Division of Water Resources, acting through the State  
 3 Engineer, do have and recover of and from the respective parties to this  
 4 proceeding the amounts of money as respectively hereinafter set forth  
 5 after their respective names together with interest thereon from date here-  
 6 of until paid at the rate provided by law:

7

8	<u>Name of Party</u>	<u>Amount of Apportionment</u>
9	C. B. Camblin and Jeanne Camblin	\$ 178.08
10	Robert L. Couch	32.69
11	Joseph Sinz	21.56

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14 Done this 3rd day of April 1950.

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s/ JAMES M. ALLEN  
 Judge of the Superior Court

18

19 STATE OF CALIFORNIA )  
 20 COUNTY OF SISKIYOU ) ss.

21 I, WALDO J. SMITH, County Clerk and ex-officio Clerk of the  
 22 Superior Court of the State of California, in and for the County of Siskiyou,  
 23 do hereby certify the foregoing to be a full, true and correct copy of the  
 24 original DECREE (IN THE MATTER OF THE DETERMINATION OF THE RIGHTS OF THE  
 25 VARIOUS CLAIMANTS TO THE WATERS OF SHACKLEFORD CREEK AND ITS TRIBUTARIES  
 26 IN SISKIYOU COUNTY, CALIFORNIA) on file in my office in the above entitled  
 27 matter No. 13775.

28 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the  
 29 seal of said court this 10th day of April, 1950.

30

(SEAL)

WALDO J. SMITH, County Clerk

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By s/ Ora Jackson  
 Deputy