

1 IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
2 STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

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4 IN THE MATTER OF THE DETERMINATION OF)
5 THE RELATIVE RIGHTS IN AND TO THE WATERS)
6 OF BIG CANYON CREEK AND ITS TRIBUTARIES)
7 IN WASHOE COUNTY, STATE OF NEVADA)

No. 274054 #5
Date filed March 19, 1969
4:04 PM
By H. K. Brown, Clerk
E. M. Riegler, Deputy

8 FINDINGS OF FACT, CONCLUSIONS OF LAW

9 JUDGEMENT AND DECREE

10 This matter came on regularly for hearing on the 27th day
11 of June, 1968, before Honorable Emile J. Gezelin, District Judge
12 of the above-entitled court presiding, the entire stream system
13 being within Washoe County, State of Nevada, and he being the
14 Judge designated by NRS 533.165 to hear and having jurisdiction
15 to hear the above-entitled matter, upon the State Engineer's final
16 determination of the relative rights of the petitioner and claim-
17 ant to the use of the waters of the stream system of Big Canyon
18 Creek and its tributaries, which Order of Determination and all
19 related documentary evidence had been filed by the State Engineer.
20 There being no exceptions to the Order of Determination filed or
21 otherwise submitted to the Court at least 5 days prior to the date
22 set for hearing as provided for under NRS 533.170 by the claimants
23 or petitioner or any other person or persons, the matter was sub-
mitted to the Court for its decision.

24 William Paul, Esq., Deputy Attorney General of the State of
25 Nevada, Roland D. Westergard, Nevada State Engineer, Starr Hill, Jr.
26 Surface Water Engineer and L. Edward Parmenter, Adjudication Engi-
27 neer, appeared in the hearing and proceedings on behalf of the
28 State of Nevada and the Office of the State Engineer. Joe Capurro
29 appeared on behalf of himself as claimant.

30 The record disclosed that all claimants had received a

1 certified copy of the Court Order setting forth the Time and Place
2 for Hearing on the Order of Determination.

3 The Deputy Attorney General thereupon, at the hearing,
4 offered and there were received in evidence in support of the
5 rights of the claimants, as set forth in the Order of Determina-
6 tion, verified affidavits, files and records of the State Engi-
7 neer's Office respecting the rights of the claimants in and to the
8 above-named Stream System.

9 The Court, having duly considered the entire record, the
10 evidence introduced and received, directed that Findings of Fact,
11 Conclusions of Law, and Judgement and Decree be entered accordingly.

12 FINDINGS OF FACT

13 I.

14 That on November 8, 1965, Joe Capurro, a water user on Big
15 Canyon Creek and its tributaries, filed with the State Engineer
16 of the State of Nevada a petition requesting the determination of
17 the relative rights of petitioner and other claimants to the waters
18 of Big Canyon Creek and its tributaries, thereto, situate in Washoe
19 County, State of Nevada.

20 That the State Engineer thereupon and in accordance with the
21 provisions of NRS 533.000, made an investigation of the facts and
22 conditions of and concerning the above-named stream system and its
23 tributaries for the purpose of disclosing whether the determination
24 of such rights were justified, and filed his report thereon in the
25 Office of the State Engineer of the State of Nevada. The report of
26 the facts and conditions disclosed that a determination of the rela-
27 tive rights was justified, and the State Engineer made and entered
28 his order on February 21, 1966, granting the petition for the
29 determination of such relative rights in and to the waters of Big
30 Canyon Creek and its tributaries.

1 That as a result of the State Engineer's investigation
2 report, it was found that the waters of Big Canyon Creek and its
3 tributaries are being placed to beneficial use for irrigation,
4 stock watering and domestic purposes on the Big Canyon Ranch, as
5 affirmed by Proof of Appropriation 02545, filed in the Office of
6 the State Engineer. Evidence contained in the title documents
7 submitted by the claimant, relative to the land, indicates the
8 present claimant and appropriator, Joe Capurro, is the successor
9 in interest to vested rights initiated by his predecessors in
10 interest.

11 That on the 21st day of February, 1966, the State Engineer
12 did cause to be published a Notice of Order and Proceedings to
13 Determine Water Rights in and to the waters of Big Canyon Creek
14 and its tributaries in Washoe County, State of Nevada, and that
15 notice was duly given to all claimants as required by law. That
16 on the 25th day of March, 1966, there was filed in the Office of
17 the State Engineer an affidavit of the publisher of the Nevada
18 State Journal, exemplifying the Proof of Publication of Notice of
19 Order and Proceedings.

20 The State Engineer did cause to be published on the 9th
21 day of July, 1966, and once each week for four succeeding weeks,
22 a Notice of Order for Taking Proofs to Determine Water Rights, in
23 and to the waters of Big Canyon Creek and its tributaries in
24 Washoe County, State of Nevada, and that notice was duly given to
25 all claimants as required by law. That on the 8th day of August,
26 1966, there was filed in the Office of the State Engineer an
27 affidavit of the publisher of the Nevada State Journal, exemp-
28 lifying the Proof of Publication of Notice of Order for Taking
29 Proofs.

30 A Notice of Order for Taking Proofs to Determine Water

1 Rights was forwarded on July 7, 1966, to Raphael M. Glaser,
2 Bureau of Indian Affairs, Nevada Indian Agency, Stewart, Nevada.
3 In a letter of reply dated November 23, 1966, Area Director,
4 George W. Hedden of the Bureau of Indian Affairs, Phoenix,
5 Arizona, stated that the United States does not yield to the
6 jurisdiction of the Nevada State Engineer, and that the United
7 States claims rights earlier and superior to any other claims to
8 the waters of Big Canyon Creek. By a letter received in this
9 office on February 14, 1968, Mr. Hedden stated that the United
10 States does not yield to the jurisdiction of the Nevada State
11 Engineer. No claims of a vested right to the waters of Big
12 Canyon Creek and tributaries have been filed nor has evidence to
13 support such claims been submitted by the Bureau of Indian Affairs
14 as provided by Nevada State Water Law.

15 That the State Engineer, in accordance with NRS 533.140,
16 did enter and file in the records of his office, on the 8th day
17 of December, 1967, an Abstract of Claims, a Preliminary Order of
18 Determination and Notice and Order Fixing and Setting Time and
19 Place of Inspection, stating when and where the evidence taken
20 by or filed with him and the proofs of claims shall be open to
21 the inspection of all interested persons; and that notice thereof
22 was duly given to all claimants as required by law.

23 That the State Engineer, in accordance with NRS 533.160,
24 entered in the records of his office, on the 9th day of April,
25 1968, an Order of Determination defining the rights of the
26 claimant and appropriator to the waters of Big Canyon Creek and
27 its tributaries and that notice thereof was duly given to all
28 claimants as required by law.

29 That upon the filing of the certified copy of the Order
30 of Determination and original evidence with the Clerk of the

1 Court of Washoe County, State of Nevada, the Court, at the re-
2 quest of the State Engineer, made and entered an Order on the 16th
3 day of April, 1968, setting a time for the hearing of any excep-
4 tions to the Final Order of Determination, on Thursday, the 27th
5 day of June, 1968 at 2:00 o'clock in the afternoon, at the County
6 Court House at Reno, Nevada; and that the Clerk of said Court did
7 furnish the State Engineer with a certified copy thereof.

8 That the State Engineer, in accordance with NRS 533.165,
9 gave notice to the claimants, by service of a certified copy of
10 the Court Order Setting the Time for Hearing.

11 That on the 22nd day of May, 1968, and once each week for
12 four succeeding weeks, the State Engineer did cause to be pub-
13 lished, the Court Order Setting Time for Hearing, and that there-
14 after on the 20th day of June, 1968, there was filed in the Office
15 of the State Engineer an affidavit of the publisher of the Nevada
16 State Journal, exemplifying the Proof of Publication of the Court
17 Order Setting Time for Hearing.

18 The Court finds that all and singular, the Proceedings,
19 Orders and Notices required by Chapter 533 of NRS were duly had,
20 made and given as required by law, and that all and singular the
21 matters and things contained in the record were done, performed,
22 given and made in strict compliance with the statute, and that
23 this Court had and has jurisdiction to hear and determine this
24 matter.

25 II

26 The Court Further Finds: That Big Canyon Creek and its
27 tributaries are situated wholly within Washoe County, State of
28 Nevada.

29 III

30 The Court Further Finds: That the names of the claimants

1 and appropriators, the period of use, the duty, the diversion and
2 method of use, measurement, stock watering and domestic use,
3 change of place of use, and the rights of appropriation of the
4 water, all as set forth in the Order of Determination, are true,
5 proper and correct, and all and singular the same should be ap-
6 proved and confirmed.

7 I. PREFACE

8 That on November 8, 1965, Joe Capurro, a water user on
9 Big Canyon Creek and its tributaries, filed with the State Engi-
10 neer of the State of Nevada a petition requesting the determina-
11 tion of the relative rights of petitioner and other claimants to
12 the waters of Big Canyon Creek and its tributaries thereto, situate
13 in Washoe County, State of Nevada.

14 On December 20, 1965, John L. Cardinalli, Hydraulic Engi-
15 neer, conducted a field investigation of the source. He found
16 that facts and conditions justified the granting of the petition
17 and that proper arrangements should be initiated to proceed with
18 such determination.

19 On February 21, 1966, the State Engineer entered an Order
20 granting the petition and made proper arrangements to proceed with
21 the determination of the relative rights of the water users in
22 accordance with NRS 533.090.

23 The claimant and appropriator did not sign a waiver of
24 notices as permitted under NRS 533.215. On July 7, 1966, the
25 State Engineer entered a Notice of Order for Taking Proofs to
26 Determine Water Rights.

27 II. CLAIMANTS

28 Investigations disclosed that the waters of Big Canyon
29 Creek and its tributaries are being placed to beneficial use for
30 irrigation, stock watering and domestic purposes on the Big Canyon

1 Ranch, as affirmed by Proof of Appropriation 02545, filed in the
2 Office of the State Engineer. Evidence contained in the title
3 documents submitted by the claimant, relative to the land indicates
4 the present claimant and appropriator, Joe Capurro, is the suc-
5 cessor in interest to vested rights initiated by his predecessors
6 in interest.

7 III. SOURCE

8 Big Canyon Creek heads on the eastern slopes of the Virginia
9 Mountains approximately 45 miles north of Reno, and is fed by
10 melting snows and numerous springs. Typical of Nevada's mountain
11 streams, it has a relatively high spring runoff which recedes dur-
12 ing the summer months. At the time of the field investigation in
13 December 1965, the flow from the upper reaches of Big Canyon was
14 not sufficient to reach the uppermost point of diversion.

15 IV. PERIOD OF USE

16 The irrigation season shall begin on March 1st and end on
17 November 1st of each year.

18 V. DUTY OF WATER

19 The seasonal duty of water on lands irrigated from Big
20 Canyon Creek and its tributaries is herein fixed as follows:

21	Class A	Harvest Crop	5.0 ac.ft./ac./season
22	Class B	Meadow Pasture	3.0 ac.ft./ac./season

23 VI. DIVERSION OF WATER AND METHOD OF USE

24 The claimants shall have the right to divert 2½ cubic feet
25 per second of water per 100 acres of land irrigated, but not to
26 exceed the seasonal duty as established herein. The 2½ cubic feet
27 per second of water per 100 acres shall be the basis for the water
28 commissioner to set priorities of the stream system.

29 The claimant or his successors in interest will not be
30 required to take or use the amount of water allotted to them in

1 continuous flow, but may cumulate the same or any part thereof
2 in rotation or periodic turn within the seasonal limits, with the
3 approval of the water commissioner and subject to the control and
4 direction of the State Engineer.

5 VII. MEASUREMENT OF WATER

6 All measurements of amounts of water diverted are to be
7 made at the point where the main ditch enters or becomes adjacent
8 to the land to be irrigated or as near thereto as is practicable;
9 the location, if not selected by the State Engineer, to be ap-
10 proved by him. Each water user shall install and maintain at
11 his own expense, substantial and easily operated regulating head-
12 gates and measuring devices in his ditch or ditches. Due allow-
13 ance for losses in ditches will be made by the State Engineer in
14 case it becomes necessary.

15 Priorities are fixed by years and where the years are the
16 same the priorities are equal.

17 VIII. STOCK WATERING AND DOMESTIC

18 The right to the diversion and use of the water for stock
19 and domestic purposes shall be continued by the claimant at any
20 time during the year. The amount of water diverted for irrigation
21 purposes shall not be increased by any amount to be used for stock
22 and domestic purposes but the quantity allowed and diverted for
23 irrigation during the irrigation season includes the water for
24 stock and domestic purposes.

25 IX. CHANGE OF PLACE OF USE

26 All water herein allotted shall be appurtenant to the
27 place of use or places of use designated herein. Any water user
28 desiring to change the point of diversion, manner of use or place
29 of use of the water allotted herein must make application to the
30 State Engineer for permission to make the change pursuant to

1 NRS 533.345.

2 X. RIGHTS OF APPROPRIATION

3 From the Order of Determination and the evidence, both
4 oral and documentary, submitted in support thereof, the Court
5 finds that the name of the claimant and appropriator of the
6 waters of Big Canyon Creek and its tributaries, the source of
7 the water supply, the means of diversion, the points of diversion
8 for beneficial use, the year of priority, the cultural acreages
9 and places of use, the legal subdivisions, sections, townships,
10 ranges and the duty of water, are as listed, stated and set forth.

11 CONCLUSIONS OF LAW

12 From the evidence presented and received in this matter,
13 and from the foregoing FINDINGS OF FACT, the Court makes the
14 following Conclusions of Law:

15 I.

16 That the State Engineer had the right, authority and
17 jurisdiction pursuant to Chapter 533 of NRS to make the investi-
18 gations made by him, conduct the hearings had by him, receive
19 the proofs and maps, hear the evidence presented to him, and
20 prepare, make, enter and file in his office the original Order
21 of Determination and file a certified copy thereof in this Court,
22 and to determine the relative rights of claimants and appropria-
23 tors in and to the waters of Big Canyon Creek and its tributaries
24 in Washoe County, State of Nevada; that the State Engineer duly
25 made all orders necessary and proper in connection therewith and
26 entered the same in his office as required by Chapter 533 of NRS;
27 that each and every notice required by law be given herein to
28 the claimants and appropriators duly served by the State
29 Engineer in the manner and within the time required by statute,
30 and that the notices contained all of the statements required by

1 law, and that the claimants and appropriators of the waters of
2 the above-named stream system and its tributaries duly received
3 the information and notices herein, as required by law.

4 II.

5 That the Second Judicial District Court of the State of
6 Nevada, in and for the County of Washoe, had and has jurisdiction
7 to hear and try this matter, and has jurisdiction to find, make
8 and enter the foregoing Findings of Fact and these Conclusions of
9 Law, and enter its Decree herein.

10 III.

11 That Joe Capurro is the claimant and the only claimant
12 who was and is now an appropriator and user of the waters of Big
13 Canyon Creek and its tributaries on the date of the Order of Deter-
14 mination was filed with the Clerk of this Court, and on the date
15 of the trial and hearing of this matter.

16 IV.

17 That the irrigation season shall begin on March 1st and
18 end on November 1st of each year.

19 V.

20 That the seasonal duty of water on lands irrigated from
21 Big Canyon Creek and its tributaries is herein fixed as follows:

22	Class A	Harvest Crop	5.0 ac.ft./ac./season
23	Class B	Meadow Pasture	3.0 ac.ft./ac./season

24 VI.

25 That the claimant shall have the right to divert $2\frac{1}{2}$ cubic
26 feet per second of water per 100 acres of land irrigated, but not
27 to exceed the seasonal duty as established herein. That $2\frac{1}{2}$ cubic
28 feet per second of water per 100 acres shall be the basis for the
29 water commissioner to set priorities of the stream system.

30 That the claimant or his successors in interest will not be

1 required to take or use the amount of water allotted to them in
2 continuous flow, but may cumulate the same or any part thereof
3 in rotation or periodic turn within the seasonal limits with the
4 approval of the water commissioner and subject to the control
5 and direction of the State Engineer.

6 VII.

7 That all measurements of amounts of water diverted are to
8 be made at the point where the main ditch enters or becomes
9 adjacent to the land to be irrigated or as near thereto as is
10 practicable; the location, if not selected by the State Engineer,
11 to be approved by him. That each water user shall install and
12 maintain at his own expense, substantial and easily operated
13 regulating headgates and measuring devices in his ditch or ditches.
14 That due allowance for losses in ditches will be made by the State
15 Engineer in case it becomes necessary.

16 That priorities are fixed by years and where the years are
17 the same the priorities are equal.

18 VIII.

19 That the right to the diversion and use of the water for
20 stock and domestic purposes shall be continued by claimants at
21 any time during the year, and diversions shall be according to
22 the date of priorities of claimants. That the amount of water
23 diverted for irrigation purposes shall not be increased by any
24 amount to be used for stock and domestic purposes but the quan-
25 tity allowed and diverted for irrigation during the irrigation
26 season includes the water for stock and domestic purposes.

27 IX.

28 That all water allotted in the Decree be appurtenant to
29 the place of use or places of use designated herein. That any
30 water user desiring to change the point of diversion, manner of

1 use or place of use of the water allotted herein must make appli-
2 cation to the State Engineer for permission to make the change
3 pursuant to NRS 533.345.

4 X.

5 That from the Order of Determination and the evidence, both
6 oral and documentary, submitted in support thereof, the Court finds
7 that the name of the claimant and appropriator of the waters of
8 Big Canyon Creek and its tributaries, the source of water supply,
9 the means of diversion, the points of diversion for beneficial use,
10 the year of priority, the cultural acreages and places of use, the
11 legal subdivisions, sections, townships, ranges and the duty of
12 water, are as listed, stated and set forth.

13 XI.

14 That the Order of Determination made filed and caused to
15 be entered of record in this matter by the State Engineer, should
16 be affirmed.

17 JUDGEMENT AND DECREE

18 THEREFORE, BY REASON OF THE FINDINGS OF FACT AND CONCLU-
19 SIONS OF LAW HEREIN BEFORE SET FORTH, IT IS ORDERED, ADJUDGED AND
20 DECREED BY THE COURT AS FOLLOWS:

21 I.

22 That the State Engineer made all necessary and proper
23 orders herein as required by law, and that each and every notice
24 required by law was duly given to the claimants and appropriators;
25 that the claimants, including the Bureau of Indian Affairs and
26 appropriators had full opportunity to appear and be heard in ob-
27 jection to and file exceptions to the Order of Determination here-
28 in; that the claimant and appropriator is the only claimant and
29 appropriator of the waters of Big Canyon Creek and its tributaries,
30 and this Decree determines the limit and extent of all vested water

1 rights on the source.

2 That the Court has full and complete jurisdiction to hear,
3 try and determine this matter and to make and enter herein this
4 Decree.

5 II.

6 That the flow of water from Big Canyon Creek and its
7 tributaries is being placed to beneficial use by Joe Capurro on
8 Big Canyon Ranch for irrigation, stock watering and domestic pur-
9 poses.

10 III.

11 That the irrigation season shall begin on March 1st and
12 end on November 1st of each year.

13 IV.

14 That the seasonal duty of water on lands irrigated from
15 Big Canyon Creek and its tributaries is herein fixed as follows:

16	Class A	Harvest Crop	5.0 ac.ft./ac./season
17	Class B	Meadow Pasture	3.0 ac.ft./ac./season

18 V.

19 That the claimant shall have the right to divert 2½ cubic
20 feet per second of water per 100 acres of land irrigated, but not
21 to exceed the seasonal duty as established herein. That 2½ cubic
22 feet per second of water per 100 acres shall be the basis for the
23 water commissioner to set priorities on the stream system.

24 That the claimant or his successors in interest will not
25 be required to take or use the amount of water allotted to them
26 in continuous flow, but may cumulate the same or any part thereof
27 in rotation or periodic turn within the seasonal limits with the
28 approval of the water commissioner and subject to the control and
29 direction of the State Engineer.

1 the means of diversion, the points of diversion for beneficial
2 use, the year of priority, the cultural acreages and places of
3 use, the legal subdivision, sections, townships, ranges and duty
4 of water, are hereby adjudged as follows:

5 Proof No. : 02545

6 Claimant : Joe Capurro

7 Source : Big Canyon Creek and Tributaries

8 Use : Irrigation, Stock Watering and Domestic

9 Means of Diversion : Dams and Ditches

10 Points of Diversion :

- 11 1. Dam #1 - SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T. 25 N., R. 20 E.,
12 M.D.B.&M., or at a point from which the SW
13 corner of Section 33, T. 26 N., R. 20 E.,
M.D.B.&M., bears N. 62° 34' 45" E., 4,428 feet.
- 14 2. Spring #1 - SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T. 25 N., R. 20 E.,
15 M.D.B.&M., or at a point from which the SW
16 corner of Section 33, T. 26 N., R. 20 E.,
17 M.D.B.&M., bears N. 59° 09' 00" E., 3,145 feet.
- 18 3. Dam #2 - NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T. 25 N., R. 20 E.,
19 M.D.B.&M., or at a point from which the SW
20 corner of Section 33, T. 26 N., R. 20 E.,
21 M.D.B.&M., bears N. 67° 25' 00" E., 2,745 feet.
- 22 4. Spring #2 - NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, T. 25 N., R. 20 E.,
23 M.D.B.&M., or at a point from which the SW
24 corner of Section 33, T. 26 N., R. 20 E.,
25 M.D.B.&M., bears N. 68° 25' 30" E., 2,394 feet.
- 26 5. Dam #3 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, T. 25 N., R. 20 E.,
27 M.D.B.&M., or at a point from which the SW
28 corner of Section 33, T. 26 N., R. 20 E.,
29 M.D.B.&M., bears N. 29° 09' 30" E., 748 feet.
- 30 6. Spring #4 - NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, T. 25 N., R. 20 E.,
M.D.B.&M., or at a point from which the SW
corner of Section 33, T. 26 N., R. 20 E.,
M.D.B.&M., bears N. 78° 06' 00" W., 1,392 feet.
7. Spring #5 - NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, T. 25 N., R. 20 E.,
M.D.B.&M., or at a point from which the SW
corner of Section 33, T. 26 N., R. 20 E.,
M.D.B.&M., bears N. 77° 04' 00" W., 1,230 feet.
8. Dam #4 - NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, T. 26 N., R. 20 E.,
M.D.B.&M., or at a point from which the SW corner
of said Section 33 bears S. 52° 42' 15" W.,
2,895 feet.

1 Proof No. 02545 Cont.

- 2 9. Dam #5 - SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, T. 26 N., R. 20 E.,
 3 M.D.B.&M., or at a point from which the SW
 4 corner of said Section 33 bears S. 38° 42' 15" W.,
 5 4,213 feet.
- 6 10. Spring #8 - SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, T. 26 N., R. 20 E.,
 7 M.D.B.&M., or at a point from which the SW
 8 corner of said Section 33 bears S. 40° 30' 00" W.,
 9 4,939 feet.
- 10 11. Dam #6 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, T. 26 N., R. 20 E.,
 11 M.D.B.&M., or at a point from which the SW
 12 corner of said Section 33 bears S. 44° 09' 15" W.,
 13 7,020 feet.
- 14 12. Dam #7 - SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 3) of Section 27, T. 26 N.,
 15 R. 20 E., M.D.B.&M., or at a point from which
 16 the SW corner of Section 33, T. 26 N., R. 20 E.,
 17 M.D.B.&M. bears S. 44° 11' 15" W., 7,680 feet.
- 18 13. Spring #7 - SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, T. 26 N., R. 20 E.,
 19 M.D.B.&M., or at a point from which the SW
 20 corner of said Section 33 bears S. 33° 51' 30" W.,
 21 3,965 feet.
- 22 14. Big Canyon Creek - NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, T. 26 N.,
 23 R. 20 E., M.D.B.&M., or at a point from which
 24 the SW corner of said Section 33 bears S. 37°
 25 41' 40" W., 5,145 feet.

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PRIOR-:	CULTURAL ACREAGE:	SUB-	LOCATION	DUTY OF WATER
ITY :	: PASTURE :	DIVISION:	SEC--:	TWP:RGE:
:	HARVEST:MEADOW :	:	TION: N.: E.:	C.F.S.:ACRE-FEET

1875	16.0	NW $\frac{1}{4}$ NW $\frac{1}{4}$	4	25	20	0.400	48.000
1875	6.0	NE $\frac{1}{4}$ NE $\frac{1}{4}$	5	25	20	0.150	18.000
1875	11.5	Lot 3	27	26	20	0.288	57.500
1875	7.6	SW $\frac{1}{4}$ SE $\frac{1}{4}$	28	26	20	0.190	38.000
1875	21.2	SE $\frac{1}{4}$ SE $\frac{1}{4}$	28	26	20	0.529	106.000
1875	5.5	SW $\frac{1}{4}$ SW $\frac{1}{4}$	33	26	20	0.138	16.500
1875	11.8	SE $\frac{1}{4}$ SW $\frac{1}{4}$	33	26	20	0.295	35.400
1875	13.8	NE $\frac{1}{4}$ SW $\frac{1}{4}$	33	26	20	0.345	41.40
1875	6.7	SE $\frac{1}{4}$ NW $\frac{1}{4}$	33	26	20	0.168	32.500
1875	12.4	SW $\frac{1}{4}$ NE $\frac{1}{4}$	33	26	20	0.310	62.000
1875	24.5	NW $\frac{1}{4}$ NE $\frac{1}{4}$	33	26	20	0.612	122.500

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Proof No. 02545 Cont.

PRIOR-ITY :	CULTURAL ACREAGE :	SUB- : HARVEST :	MEADOW :	LOCATION :	SEC- : TION :	TWP :	RGE :	DUTY OF WATER :	ACRE- FEET :
1875	18.4			NE $\frac{1}{4}$ NE $\frac{1}{4}$	33	26	20	0.460	92.000
1875	9.8			NW $\frac{1}{4}$ NW $\frac{1}{4}$	34	26	20	0.245	49.000
1875	2.8			Lot 1	34	26	20	0.070	14.000
	<u>114.9</u>		<u>53.1</u>					<u>4.200</u>	<u>733.800</u>

DONE IN OPEN COURT THIS 19th DAY OF March, 1969

A.D. _____

Emile J. Gezelin

 Emile J. Gezelin
 District Judge