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IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF DOUGLAS

IN THE MATTER OF THE DETERMINATION)
OF THE RELATIVE RIGHTS IN AND TO THE)
WATERS OF DAGGETT CREEK AND ITS)
TRIBUTARIES IN DOUGLAS COUNTY, STATE)
OF NEVADA.)

No. 4178

Feb. 13 74

Barbara Schiart

FINDINGS OF FACT, CONCLUSIONS OF LAW

JUDGMENT AND DECREE

This matter came on regularly for hearing on the 28th day of March, 1968, before the Honorable Richard L. Waters, District Judge presiding. The portion of Daggett Creek and its tributaries exemplified in these proceedings, being within Douglas County, State of Nevada, and he being the Judge designated by NRS 533.165 to hear and having jurisdiction to hear the above entitled matter, upon the State Engineer's determination of the relative rights of the petitioners and claimants to the use of the waters of the stream system of Daggett Creek and its tributaries, which Order of Determination and all related documentary evidence had been filed by the State Engineer. Exceptions were filed to the Order of Determination but not in accordance with NRS 533.170 and the matter was submitted to the Court for its decision.

L. William Paul, Deputy Attorney General, Roland D. Westergard, State Engineer, Starr Hill, Jr., Surface Water Engineer, and L. Edward Parmenter, Adjudication Engineer, appeared in the hearing and proceedings on behalf of the State of Nevada and the office of the State Engineer. William J. Crowell, Esquire, appeared on behalf of Theodore V. Ross

1 the petition for the determination of such relative rights in
2 and to the waters of Daggett Creek and its tributaries.

3 That as a result of the State Engineer's investigation
4 report, it was found that the waters of Daggett Creek and its
5 tributaries are being placed to beneficial use for irrigation,
6 stock watering, and domestic purposes as affirmed by Proof of
7 Appropriation 02621, for irrigation and stock watering by
8 Proof of Appropriation 02622, for irrigation and stock watering
9 by Proof of Appropriation 02623, and for irrigation, stock
10 watering and domestic by Proof of Appropriation 02624. Evidence
11 contained in the title documents submitted by the claimants,
12 relative to the land, indicate the present claimants and
13 appropriators, Frank L. Griffin, Jr. and Myrthle B. Griffin,
14 Ernest Bartels, Sr., Trust, Milton Edward Bacon, and F. H.
15 Ruppel are the successors in interest to vested rights
16 initiated by their predecessors.

17 That on October 6, 1966, and once each week for four
18 succeeding weeks, the State Engineer did cause to be published
19 a Notice of Order and Proceedings to Determine Water Rights in
20 and to the waters of Daggett Creek and its tributaries in
21 Douglas County, State of Nevada, and that notice was duly
22 given to all claimants as required by law. That on November
23 16, 1966, there was filed in the Office of the State Engineer
24 an affidavit of the publisher of the Record-Courier, exempli-
25 fying the Proof of Publication of Notice of Order and Pro-
26 ceedings.

27 That the State Engineer did cause to be published on
28 November 24, 1966, and once each week for four succeeding weeks,
29 a Notice of Order for Taking Proofs to Determine Water Rights,
30 in and to the waters of Daggett Creek and its tributaries in
Douglas County, State of Nevada, and that notice was duly

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given to all claimants as required by law. That on January 13, 1967, there was filed in the Office of the State Engineer an affidavit of the publisher of the Record-Courier, exemplifying the Proof of Publication of the Notice of Order for Taking Proofs.

That thereafter, in accordance with NRS 533.125, the State Engineer did file in the records of his office on February 20, 1967, a request to extend the time in which proofs may be filed. That he did grant an extension and that notice thereof was duly given to all claimants.

That the State Engineer, in accordance with NRS 533.140, did file in the records of his office on November 2, 1967, an Abstract of Claims, a Preliminary Order of Determination, and a Notice and Order Fixing and Setting Time and Place of Inspection, stating when and where the evidence taken or filed with him and the proofs of claims were open to the inspection of all interested persons; and that notice thereof was duly given to all claimants as required by law.

That the State Engineer, in accordance with NRS 533.160 entered in the records of his office, on January 15, 1968, an Order of Determination defining the rights of the claimants and appropriators to the waters of Daggett Creek and its tributaries and that notice thereof was duly given to all claimants as required by law.

That Exceptions to the Order of Determination were filed in the First Judicial District Court, in and for the County of Douglas, on March 28, 1968, by Theodore V. Ross and Helen Ross. The State Engineer had no notice of said objections until March 28, 1968, which was the same date as the Hearing.

That upon the filing of the certified copy of the Order of Determination and the original evidence with the Clerk of the Court of Douglas County, State of Nevada, the Court, at the

1 request of the State Engineer, made and entered an Order on
2 January 18, 1968, setting a time for hearing to the Order of
3 Determination on Thursday the 28th day of March, 1968, at
4 2:00 o'clock in the afternoon in the courtroom of the Court
5 House in Minden, Douglas County, Nevada; and that the Clerk of
6 said Court did furnish the State Engineer with a certified copy
7 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 Time for Hearing.

11 That on February 15, 1968 and once each week for four
12 succeeding weeks, the State Engineer did cause to be published
13 the Court Order Setting Time for Hearing, and that thereafter
14 on March 21, 1968, there was filed in the Office of the
15 State Engineer an affidavit of the publisher of The Record-
16 Courier, exemplifying the Proof of Publication of the Court
17 Order Setting Time for Hearing.

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

25 II.

26 The Court Further Finds: That Daggett Creek and its
27 tributaries exemplified in these proceedings is situated
28 wholly within Douglas County, State of Nevada.

29 III.

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

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and appropriators, the source of water supply, the period of use, and the duty of water, the diversion of water and method of use, measurement of water, stock water and domestic use, change of place of use, and the rights of appropriation of the water, all as set forth in the Order of Determination, and affirmed by the Court Order of August 3, 1973, are true, proper and correct, and all and singular, the same should be approved and confirmed.

I. SOURCE

Daggett Creek heads on the eastern slope of the Carson Range, 8 miles west of Minden, and is fed by melting snows and springs. It flows easterly into Carson Valley. Typical of Nevada's mountain streams, it has a relatively high spring runoff which recedes during the summer months to a limited continuous flow.

II. PERIOD OF USE

The irrigation season shall begin on March 15th and extend to November 1st of each year.

III. DUTY OF WATER

The seasonal duty of water on land irrigated from Daggett Creek and its tributaries is herein fixed as follows:

- Class A ---Harvest Crop----- 5.0 ac.ft./ac./season
- Class B ---Meadow Pasture----- 3.0 ac.ft./ac./season
- Class C ---Diversified Past.--- 1.0 ac.ft./ac./season

IV. DIVERSION OF WATER AND METHOD OF USE

The claimants shall have the right to divert 2.5 cubic feet per second of water per 100 acres of land irrigated, but not to exceed the seasonal duty as established herein.

The claimants or their successors in interest will not be required to take or use the amount of water allotted to them

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

5 V. MEASUREMENT OF WATER

6 All measurements of water diverted are to be made at a
7 point where the main ditch enters or becomes adjacent to the
8 land to be irrigated, or as near thereto as is practicable;
9 the location, if not selected by the State Engineer, is to
10 be approved by him. The claimants shall install and maintain
11 at their own expense, substantial and easily operated regulating
12 headgates and measuring devices in their ditch or ditches or
13 channel. Due allowance for loss in ditches will be made by
14 the State Engineer in the event it becomes necessary.

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

17 VI. STOCK WATERING AND DOMESTIC

18 The right to the diversion and use of the water for stock
19 watering and domestic purposes shall be continued by the claim-
20 ants named herein or their successors in interest at any time
21 during the year and such diversions shall be according to the
22 dates of priorities of such users and limited to the quantity
23 of water reasonably necessary for such use. If a claimant
24 is not in priority for irrigation water, then the claimant is
25 not in priority for stock water and domestic water.

26 The amount of water diverted for irrigation purposes shall
27 not be increased by any amount to be used for stock watering
28 and domestic purposes, but the quantity allowed and diverted
29 for irrigation during the irrigation season shall include water
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for stock watering and domestic purposes.

VII. CHANGE OF PLACE OF USE

All water allotted in the Decree shall be appurtenant to the place of use designated herein. Any water user desiring to change the point of diversion, manner of use, or place of use of the waters allotted herein, must make application to the State Engineer for permission to make the change pursuant to NRS 533.345.

VIII. RIGHTS OF APPROPRIATION

From the Order of Determination and the documentary and oral evidence presented in support thereof, the Court finds that the names of the claimants and appropriators of the waters of Daggett Creek and its tributaries, the source of the water supply, the means of diversion, the points of diversion for beneficial use, the periods of use, the years of priority, the cultural acreages, the places of use, the legal subdivisions, sections, townships, ranges and the duty of water are as listed, stated and set forth.

CONCLUSIONS OF LAW

From the evidence presented and received in this matter, and from the foregoing FINDINGS OF FACT, the Court makes the following CONCLUSIONS OF LAW.

I.

That the State Engineer had the right, authority and jurisdiction pursuant to Chapter 533 of NRS to make the investigation made by him, receive the proofs, and maps, enter and file in his office the original Order of Determination and file a certified copy thereof in this Court, and to determine the relative rights of claimants and appropriators in and to the waters of Daggett Creek and its tributaries in Douglas

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County, State of Nevada; that the State Engineer duly made all orders necessary and proper in connection therewith and entered the same in his office as required by Chapter 533 of NRS. That each and every notice required by law to be given herein to the claimants and appropriators was duly served by the State Engineer in the manner and within the time required by statute, and that the notices contained all of the statements required by law, and that the claimants and appropriators of the waters of the above named stream system and its tributaries duly received the information and notices, as required by law.

II.

That the First Judicial District Court of the State of Nevada, in and for the County of Douglas, had and has jurisdiction to hear and try this matter, and has jurisdiction to find, make and enter the foregoing Findings of Fact and these Conclusions of Law and enter its Decree herein.

III.

That Theodore V. Ross and Helen Ross, Ernest Bartels, Sr., Trust, Milton Edward Bacon, and F. H. Ruppel were the claimants of vested rights on the date the Order of Determination was filed with the Clerk of the Court, and on the date of the trial and hearing on his matter. Subsequent to the trial and hearing on this matter, Theodore V. Ross and Helen Ross conveyed their interest in Daggett Creek and its tributaries to Frank L. Griffin, Jr., and Myrthle B. Griffin who are the claimants of vested rights recognized in this Decree, and are now appropriators and users of the waters of Daggett Creek and its tributaries.

IV.

That the irrigation season shall begin on March 15th and

1 extend to November 1st of each year.

2 V.

3 That the seasonal duty of water on land irrigated from
4 Daggett Creek and its tributaries is herein fixed as follows:

5 Class A -- Harvest Crop --- 5.0 ac.ft./ac./season

6 Class B -- Meadow Pasture --- 3.0 ac.ft./ac./season

7 Class C -- Diversified Pasture --- 1.0 ac.ft./ac./season

8 VI.

9 That the claimants shall have the right to divert 2.5
10 cubic feet of water per second per 100 acres of land irrigated,
11 but not to exceed the seasonal duty as established herein.

12 That the claimants or their successors in interest will
13 not be required to take or use the amount of water allotted
14 to them in a continuous flow, but may cumulate the same or
15 any part thereof in rotation or periodic turn within the
16 seasonal limits, with the approval of the Water Commissioner
17 and subject to the control and direction of the State Engineer.

18 VII.

19 That all measurements of water diverted are to be made
20 at a point where the main ditch enters or becomes adjacent
21 to the land to be irrigated or as near thereto as is
22 practicable; that the location, if not selected by the
23 State Engineer, to be approved by him. That the claimants
24 shall install and maintain at their own expense, substantial
25 and easily operated regulating headgates and measuring devices
26 in their ditch or ditches or channel. That due allowance for
27 losses in ditches will be made by the State Engineer in the
28 event it becomes necessary.

29 That priorities are fixed by years and where the years
30 are the same, the priorities are equal.

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VIII.

That the right to the diversion and use of the water for stock watering and domestic purposes shall be continued by the claimants herein or their successors in interest at any time during the year and such diversions shall be according to the dates of priorities of such users and limited to the quantity of water reasonably necessary for such use. That, if a claimant is not in priority for irrigation water then the claimant is not in priority for stock water and domestic water.

That the amount of water diverted for irrigation purposes shall not be increased by any amount to be used for stock watering and domestic purposes but the quantity allowed and diverted for irrigation during the irrigation season shall include water for stock watering and domestic purposes.

IX.

That all water allotted in the Decree shall be appurtenant to the place of use designated herein. That any water user desiring to change the point of diversion, manner of use or place of use of the waters allotted herein, must make application to the State Engineer for permission to make the change pursuant to NRS 533.345.

X.

That from the Order of Determination and the documentary and oral evidence presented at the hearing in support thereof, the Court finds that the names of the claimants and appropriators of the waters of Daggett Creek and its tributaries, the source of the water supply, the means of diversion, the points of diversion for beneficial use, the periods of use, the years of priority, the cultural acreages and places of

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use, the legal subdivisions, sections, townships, ranges, and the duty of water are as listed, stated and set forth.

XI.

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

JUDGMENT AND DECREE

THEREFORE, BY REASON OF THE FINDINGS OF FACT, AND CONCLUSIONS OF LAW HEREINBEFORE SET FORTH, IT IS ORDERED, ADJUDGED AND DECREED BY THE COURT AS FOLLOWS:

I.

That the State Engineer made all necessary and proper orders as required by law, and that each and every notice required by law was duly given to the claimants and appropriators; that the claimants and appropriators had full opportunity to appear and be heard in objection to and file exceptions to the Order of Determination; that Frank L. Griffin, Jr. and Myrthle B. Griffin, Ernest Bartels, Sr., Trust, Milton Edward Bacon, and F. H. Ruppel are the claimants of vested rights recognized in this Decree as appropriators of the waters of Daggett Creek and its tributaries and this Decree determines the limit and extent of all vested water rights on the source.

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

II.

That the flow of water from Daggett Creek and its tributaries is being placed to beneficial use by Frank L. Griffin, Jr. and Myrthle B. Griffin, Ernest Bartels, Sr.,

1 Trust, Milton Edward Bacon, and F. H. Ruppel, for irrigation,
2 stock watering, and domestic purposes.

3 III.

4 That the irrigation season shall begin on March 15th and
5 extend to November 1st of each year.

6 IV.

7 That the seasonal duty of water on land irrigated from
8 Daggett Creek and its tributaries is herein fixed as follows:

9 Class A -- Harvest Crop -- 5.0 ac.ft./ac./season

10 Class B -- Meadow Pasture -- 3.0 ac.ft./ac./season

11 Class C -- Diversified Pasture -- 1.0 ac.ft./ac./season

12 V.

13 That the claimants shall have the right to divert 2.5
14 cubic feet of water per second per 100 acres of land irrigated,
15 but not to exceed the seasonal duty as established herein.

16 That the claimants or their successors in interest will
17 not be required to take or use the amount of water allotted
18 to them in a continuous flow, but may cumulate the same or
19 any part thereof in rotation or periodic turn within the
20 seasonal limits, with the approval of the Water Commissioner
21 and subject to the control and direction of the State Engineer.

22 VI.

23 That all measurements of water diverted are to be made
24 at a point where the main ditch enters or becomes adjacent to
25 the land to be irrigated or as near thereto as is practicable;
26 that the location, if not selected by the State Engineer, to
27 be approved by him. That the claimants shall install and
28 maintain at their own expense substantial and easily operated
29 regulatory headgates and measuring devices in their ditch or
30 ditches or channel. That due allowance for losses in ditches

1 will be made by the State Engineer in the event it becomes
2 necessary.

3 That priorities are fixed by years and where the years
4 are the same, the priorities are equal.

5 VII.

6 That the right to the diversion and use of the water for
7 stock watering and domestic purposes shall be continued by the
8 claimants named herein or their successors in interest at any
9 time during the year and such diversions shall be according to
10 the dates of priorities of such users and limited to the
11 quantity of water reasonably necessary for such use. That if
12 a claimant is not in priority for irrigation water, then the
13 claimant is not in priority for stock water and domestic water.

14 That the amount of water diverted for irrigation purposes
15 shall not be increased by any amount to be used for stock
16 watering and domestic purposes, but the quantity allowed and
17 diverted for irrigation during the irrigation season shall
18 include water for stock watering and domestic purposes.

19 VIII.

20 That all water allotted in this Decree shall be appur-
21 tenant to the place of use designated herein. That any water
22 user desiring to change the point of diversion, manner of use,
23 or place of use of the waters allotted herein, must make
24 application to the State Engineer for permission to make the
25 change pursuant to NRS 533.345.

26 IX.

27 That the names of the claimants and appropriators of the
28 waters of Daggett Creek and its tributaries, the source of the
29 water supply, the means of diversion, the points of diversion
30 for beneficial use, the period of use, the years of priority,

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the cultural acreages and places of use, the legal sub-
divisions, sections, townships, ranges, and duty of water
are hereby adjudged as follows:

PROOF NO: 02621
CLAIMANTS: Frank L. Griffin, Jr. and Myrthle B. Griffin
SOURCE: Daggett Creek and Tributaries
USE: Irrigation, Stock Watering and Domestic
MEANS OF DIVERSION: Dam, Flume, Settling Trough and Pipeline
POINT OF DIVERSION: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, T. 13 N., R. 19 E.,
M.D.B.&M., or at a point from which the
NW corner of said Section 27 bears N.
24° 30' W., a distance of 1432 feet.

	: CULT. :		LOCATION	: DUTY OF WATER
PRIOR-	: ACREAGE :	SUB-	: SEC-:TWP.:RGE.:	: ACRE
ITY	: HARVEST :	DIVISION :	TION: N. : E. : C.F.S. :	FEET
1865	1.545	SW $\frac{1}{4}$ NW $\frac{1}{4}$	27 13 19	0.038 7.725

PROOF NO: 02622
CLAIMANT: Ernest Bartels, Sr., Trust
SOURCE: Daggett Creek and Tributaries
USE: Irrigation and Stock Watering
MEANS OF DIVERSION: Diversion Box, Pipeline and Ditches
POINTS OF DIVERSION:
1. Bartels-Ruppel Ditch, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, T. 13 N.,
R. 19 E., M.D.B.&M., or at a point from which the
NE corner of said Section 28 bears N. 2° 12' E., a
distance of 1277 feet.
2. Bartels Ditch, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, T. 13 N., R. 19 E.,
M.D.B.&M., or at a point from which the NW corner of
said Section 27 bears N. 32° 58' W., a distance of
1612 feet.

Proof 02622 (continued)

		: CULT. ACREAGE:		LOCATION			: DUTY OF WATER	
	PRIOR-:	HARVEST:	MEAD.:	SUB-	SEC-:	TWP.:	RGE.:	: ACRE
	ITY :	: PAST.:	DIVISION:	TION:	N. :	E. :	C.F.S. :	FEET
3	1854	4.233	-	SW $\frac{1}{4}$ SW $\frac{1}{4}$	22	13	19	0.106 21.165
4	1864	1.047	-	SW $\frac{1}{4}$ SW $\frac{1}{4}$	22	13	19	0.026 5.235
5	1864	5.554	-	SE $\frac{1}{4}$ SW $\frac{1}{4}$	22	13	19	0.139 27.770
6	1864	-	15.611	SE $\frac{1}{4}$ SW $\frac{1}{4}$	22	13	19	0.390 46.833
7	1864	5.647	-	NW $\frac{1}{4}$ NW $\frac{1}{4}$	27	13	19	0.141 28.235
8	1864	36.381	-	NE $\frac{1}{4}$ NW $\frac{1}{4}$	27	13	19	0.910 181.905
9	1864	3.655	-	NW $\frac{1}{4}$ NE $\frac{1}{4}$	27	13	19	0.091 18.275
10	1864	9.568	-	SE $\frac{1}{4}$ NW $\frac{1}{4}$	27	13	19	0.239 47.840
11	1864	<u>1.947</u>	-	SW $\frac{1}{4}$ NE $\frac{1}{4}$	27	13	19	<u>0.049</u> <u>9.735</u>
12		68.032	15.611					2.091 386.993

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14 PROOF NO: 02623
 15 CLAIMANT: Milton Edward Bacon
 16 SOURCE: Daggett Creek and Tributaries
 17 USE: Irrigation and Stock Watering
 18 MEANS OF DIVERSION: Diversion Box, Flume, Pipeline and Ditches
 19 POINT OF DIVERSION: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, T. 13 N., R. 19 E.,
 20 M.D.B.&M., or at a point from which the
 21 NW corner of said section 27 bears N.
 32° 58' W., a distance of 1612 feet.

		: CULT. :		LOCATION			: DUTY OF WATER	
	PRIOR-:	ACREAGE :	SUB-	SEC-:	TWP.:	RGE.:	: ACRE	
	ITY :	HARVEST :	DIVISION :	TION:	N. :	E. :	C.F.S. :	
22	1858	6.080		NE $\frac{1}{4}$ SW $\frac{1}{4}$	27	13	19	0.152 30.400
23	1865	25.120		SE $\frac{1}{4}$ NW $\frac{1}{4}$	27	13	19	0.628 125.600
24	1865	<u>2.980</u>		SW $\frac{1}{4}$ NE $\frac{1}{4}$	27	13	19	<u>0.075</u> <u>14.900</u>
25		34.180						0.855 170.900

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STATE OF NEVADA
 DEPARTMENT OF
 CONSERVATION AND
 NATURAL RESOURCES
 RYE BUILDING
 LAS VEGAS, NEVADA



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PROOF NO: 02624
 CLAIMANT: F. H. Ruppel
 SOURCE: Daggett Creek and Tributaries
 USE: Irrigation, Stock Watering and Domestic
 MEANS OF DIVERSION: Diversion Box, Reservoir and Ditch
 POINT OF DIVERSION: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, T. 13 N., R. 19 E.,
 M.D.B.&M., or at a point from which the
 NE corner of said Section 28 bears N.
 2° 12' 00" E., a distance of 1277.00 feet.

PRIOR- ITY	:CULT. ACREAGE:		LOCATION				:DUTY OF WATER	
	: HARVEST:	: PAST:	: SUB- DIVISION:	: SEC- TION:	: TWP.: N. :	: RGE.: E. :	: C.F.S.:	: ACRE FEET
1865	4.57	-	SW $\frac{1}{4}$ SW $\frac{1}{4}$	22	13	19	0.114	22.850
1865	-	1.97	SW $\frac{1}{4}$ SW $\frac{1}{4}$	22	13	19	0.049	1.970
1865	1.04	-	NW $\frac{1}{4}$ SW $\frac{1}{4}$	22	13	19	0.026	5.200
1865	-	1.96	NW $\frac{1}{4}$ SW $\frac{1}{4}$	22	13	19	0.049	1.960
1865	3.08	-	SE $\frac{1}{4}$ SW $\frac{1}{4}$	22	13	19	0.077	15.400
1865	1.30	-	NE $\frac{1}{4}$ SW $\frac{1}{4}$	22	13	19	0.032	6.500
1865	-	<u>2.59</u>	NE $\frac{1}{4}$ SW $\frac{1}{4}$	22	13	19	<u>0.066</u>	<u>2.590</u>
	9.99	6.52					0.413	56.470

DATED this 8th day of February, 1974.

DISTRICT JUDGE

CERTIFIED COPY

The document to which this copy refers is a true and correct copy of the original as the same appears on record in the office of the County Clerk of the County of Douglas, State of Nevada.

DATE: February 13, 1974
 EARNHART
 District Court of the State of Nevada
 County of Douglas.
 By Barbara Idhart