

1 CASE NO. 6324

FILED
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ARTE ROBB

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6 IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF NYE
8

9 IN THE MATTER OF THE DETERMINATION OF THE
10 RELATIVE RIGHTS IN AND TO THE WATERS OF
11 NORTH TWIN RIVER AND SOUTH TWIN RIVER AND
12 THEIR TRIBUTARIES IN NYE COUNTY, STATE OF
13 NEVADA

ORDER CORRECTING JUDGMENT
AND DECREE NUNC PRO TUNC

14 It appearing to the Court that the Judgment and Decree made by
15 the Court and entered in the above-entitled action on October 25, 1957
16 contains certain clerical errors and upon Motion to the Court pursuant
17 to NRCP Rule 60(a) by Store Safe Redlands Associates, Ltd., a
18 partnership, doing business as RO Livestock, successor in interest to
19 RO Incorporated, being the only party to the above-entitled action and
20 the only party before the State Engineer of the State of Nevada,
21 Division of Water Resources, in the subject water adjudication
22 proceedings, for an Order correcting the entry of judgment and decree
23 nunc pro tunc and the Court having examined the evidence supporting the
24 Motion;

25 IT IS HEREBY ORDERED that a JUDGMENT NUNC PRO TUNC be entered
26 as of October 25, 1957, amending and correcting the Judgment and Decree
27 of said date as hereinafter set forth.

28 That portion of the Judgment and Decree on Page 11, Line 24,
entitled "POINTS OF DIVERSION", which reads as follows:

2 In the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, T. 12 N., R. 42 E., M.D.B.
3 & M., or at a point from which the N.E. corner of
4 Section 24, T. 12 N., R. 42 E., bears N. 88° 13' E.,
10,075 feet; in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, T. 12 N., R.
42 E., M.D.B. & M., or at a point from which the N.E.
corner Section 24, T. 12 N., R. 42 E., bears N. 81°
01' E., 12,185 feet.

5 be, and is hereby amended and corrected to read as depicted on the map
6 attached hereto as Exhibit "A", made a part hereof and by this reference
7 incorporated herein, and as specifically set forth and described as
8 follows:

9 In the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 12 N., R. 42 E., M.D.B.,
10 & M., bearing S. 48° 36' 43" W. a distance 4,461.41
11 feet from the W. $\frac{1}{4}$ corner of Sec. 14, T.12 N., R.42
12 E.; in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T.12 N., R.42 E., M.D.B.,
& M., bearing S. 81° 04' 51" W. a distance of
12,481.93 feet from the N.E. corner of Sec. 24, T.12
N., R.42 E.

13 IT IS FURTHER ORDERED that a certified copy of this Order be
14 filed with the Office of the State Engineer of the State of Nevada,
15 Division of Water Resources, and that the State Engineer take any
16 necessary action to correct its records in accordance herewith.

17
18 DATED: August 16, 1990

21
22 PAUL C. PARRAGUIRRE
23 DISTRICT JUDGE

24
25 CERTIFIED COPY

26 The document to which this certificate is attached is
27 a full, true and correct copy of the original on file
28 and of record in my office.

Date: 8-16-90
KAREN D. QUILTER, clerk of the Fifth Judicial
District Court, in and for the County of Nye,
State of Nevada.
By 8-16-90 Deputy

1 IN THE MATTER OF THE DETERMINATION OF THE
2 RELATIVE RIGHTS IN AND TO THE WATERS OF
3 NORTH TWIN RIVER AND SOUTH TWIN RIVER AND
4 THEIR TRIBUTARIES IN NYE COUNTY, STATE
5 OF NEVADA.

} FILED
10. 6834

OCT 25 1957

Edward M. Muehl County Clerk
Deputy

FINDINGS OF FACT, CONCLUSIONS OF LAW,
JUDGMENT AND DECREE

7 The above-entitled matter came on regularly for hearing in the
8 above-entitled Court on the 29th day of August, 1957, before Hon.
9 Peter Breen, District Judge of the above-entitled court presiding,
10 the entire stream system being within Nye County, State of Nevada,
11 and he being the Judge designated by NRS 533.165 to hear and having
12 jurisdiction to hear the above-entitled matter, upon the State
13 Engineer's final determination of the relative rights of the
14 claimant and petitioner to the use of the waters of the stream
15 system of the North Twin River and the South Twin River and their
16 tributaries, which Final Order of Determination had been duly filed
17 by the State Engineer. There being no exceptions to the Final
18 Order of Determination filed or otherwise submitted to the Court
19 by the claimant or petitioner or any other person or persons, the
20 matter was submitted to the court for its decision.

21 Paul C. Parraguirre, Esq., Deputy Attorney General of the
22 State of Nevada, and Victor Stafford, Deputy State Engineer of the
23 Office of the State Engineer, State of Nevada, appeared in the
24 hearing and proceedings on behalf of the State of Nevada and the
25 Office of State Engineer, but the claimants and petitioners failed
26 to enter an appearance at the hearing, notwithstanding the receipt
27 of a certified copy of the Order setting forth the time and place
28 for hearing on the Order of Determination.

29 The Deputy Attorney General thereupon, at the hearing,
30 offered and there were received in evidence in support of the rights
31 of the claimants, as set forth in the Final Order of Determination,
32 verified affidavits, files and records of the State Engineer's

1 office respecting the rights of the claimant to the use of the
2 waters of the above-named stream system. Victor Stafford, Deputy
3 State Engineer of the State of Nevada, being first duly sworn and
4 qualified, identified and explained the records and files of the
5 State Engineer's office which were introduced in evidence.

6 The Court, having duly considered the entire record and
7 evidence introduced, and there being no exceptions filed by the
8 claimant or any other person to the Final Order of Determination
9 of the State Engineer, and being duly advised in the premises,
10 now makes and enters its Findings of Fact, Conclusions of Law, and
11 Judgment and Decree.

12 FINDINGS OF FACT

13 I.

14 That on September 19, 1951, WILL J. FARRINGTON, filed with
15 Hugh A. Shamberger, State Engineer of the State of Nevada, a
16 petition requesting the determination of the relative rights of
17 claimants to the waters of North Twin River and South Twin River,
18 and tributaries thereto situate in Nye County, State of Nevada.

19 That the State Engineer, through his assistant, Robert S.
20 Leighton, thereupon and in accordance with the provisions of NRS
21 533.090, made an investigation of the facts and conditions of and
22 concerning the above-named stream systems and their tributaries for
23 the purpose of disclosing whether the determination of such rights
24 was justified, and filed his report thereon with the State Engineer
25 of the State of Nevada on October 18, 1951. The report of the
26 facts and conditions disclosed that a determination of the relative
27 rights was justified, and the State Engineer made and entered his
28 order on October 24, 1951, granting the petition for the determina-
29 tion of such relative rights in and to the waters of North Twin
30 River and South Twin River and their tributaries.

31 That as a result of the State Engineer's Investigation Report,
32 it was found that there have been no proofs of appropriation filed

1 on the waters of North and South Twin Rivers, and that the petitione
2 is the only known user of the above-named stream system and its
3 tributaries, even though the Haas property is bounded by the
4 Farrington property; that on November 14, 1951, the petitioner,
5 Will J. Farrington, by and through his attorney, W. Howard Gray,
6 pursuant to NRS 533.215 did waive in writing the provisions with
7 reference to notices and the service and publication thereof; that
8 on November 8, 1951, Carl V. Haas did also waive in writing the
9 notices and the service and publication thereof, so that the State
10 Engineer could make a Final Order of Determination without the
11 giving, serving or publication of any notices otherwise required.

12 That on the 26th day of October, 1951, the State Engineer did
13 publish a Notice of Order and Proceedings to Determine Water Rights
14 in and to North Twin River and South Twin River, situate in Nye
15 County, State of Nevada, and that there was filed in the office of
16 the State Engineer an affidavit of the publisher of the Tonopah
17 Times-Bonanza exemplifying the proof of publication of Notice of
18 Order and Proceedings.

19 The abstract of title filed in the office of the State Engineer
20 State of Nevada, discloses that the original claimant and petitioner,
21 Will J. Farrington, conveyed all of his right, title and interest
22 to R O Incorporated, Big Smoky Valley, the successors in interest,
23 as witnessed by an affidavit filed in the office of the State Engineer
24 State of Nevada, November 10, 1955.

25 That Gordon C. Shelley, attorney at law, and president of
26 R O Incorporated, had, on the 9th day of November, 1955, filed with
27 the State Engineer the proof of appropriation of the waters of
28 North Twin River and South Twin River.

29 That the State Engineer, in accordance with NRS 533.160,
30 entered in the records of his office, on the 12th day of June, 1957,
31 a Final Order of Determination defining the rights to the waters of
32 North Twin River and South Twin River and its tributaries.

1 waters of said stream system. On October 12, 1951, an investigation
2 was made by Robert S. Leighton, Assistant State Engineer, and J. A.
3 Millar, Office Engineer, which disclosed that facts and conditions
4 justified the granting of said petition. On October 24, 1951, the
5 State Engineer entered an official order granting said petition and
6 made proper arrangements to proceed with the determination under
7 the provisions of NRS 533.000.

8 The claimant and appropriator, in conformity with NRS 533.215,
9 waived in writing the provisions of the above-mentioned act with
10 reference to notices and the service and publication thereof.

11 II. CLAIMANTS

12 The investigation above referred to disclosed that the flow
13 of water from North Twin River and South Twin River and their
14 tributaries is being placed to beneficial use by one ranch now
15 owned by R O Incorporated. The Proof of Appropriation filed in
16 this office claims vested rights initiated prior to March 1, 1905.

17 III. DUTY OF WATER

18 The duty of water herein fixed is 4 acre-feet per acre per
19 annum with a maximum diversion of 2.5 c.f.s. for each 100 acres
20 irrigated. The duty may be changed or altered by the court within
21 a period of three years after entry of the decree, as provided for
22 in NRS 533.210.

23 North Twin River and South Twin River, typical of Nevada's
24 mountain streams fed by melting snows, have high spring runoffs
25 which recede during the early summer months. Due to the unstable
26 characteristics of the streams' flow, the claimant named herein,
27 or their successors in interest, shall be allowed to increase the rat
28 of direct flow diversions to the maximum as herein allowed so as to
29 satisfy any immediate needs of the growing crops. They may, at
30 their own option, rotate the allotted water between the various
31 fields having a decreed water right at such times and in such
32 quantities as is necessary to place the water to the greatest bene-

1 ficial use.

2 IV. MEASUREMENT OF WATER

3 All water diverted from North Twin River and South Twin
4 River and their tributaries for irrigation purposes shall be measur-
5 ed at a point where the water enters or becomes adjacent to the
6 land to be irrigated or as near thereto as practical.

7 Substantial headgates and weirs to facilitate the measurement
8 and control of water must be installed wherever necessary to insure
9 proper distribution in accordance with the rights defined herein.

10 V. IRRIGATION SEASON

11 Water for irrigation purposes may be diverted at any time,
12 provided that the total amount diverted during any calendar year
13 shall not exceed the acre-foot duty.

14 VI. STOCKWATERING & DOMESTIC

15 The claimant named herein, or their successors in interest,
16 shall be entitled to a reasonable diversion and use of water for
17 stockwatering and domestic purposes at any time during the year.

18 VII. CHANGE OF PLACE OF USE

19 All waters allotted under this order shall be appurtenant
20 to the place or places of use designated herein. Any water user
21 desiring to change the place of use of the waters allotted herein,
22 must make application to the State Engineer for permission to make
23 the change pursuant to law.

24 VIII. RIGHTS OF APPROPRIATION

25 From the Final Order of Determination and the evidence, both
26 oral and documentary, submitted in support thereof, the court finds
27 that the name of the claimant and appropriator of the waters of the
28 North Twin River and the South Twin River and their tributaries,
29 the source of the water supply, the means of diversion, the points
30 of diversion for beneficial use, the year of priority, the cultural
31 acreage and place of use, the legal subdivisions, sections, town-
32 ships, ranges and the duty of water, all as listed, stated and set

1 forth in the Final Order of Determination, are proper, full, true
2 and correct, and that it should, and is hereby confirmed, settled
3 and allowed as therein fully set forth.
4

5 CONCLUSIONS OF LAW

6 From the evidence presented and received in this matter, and
7 from the foregoing FINDINGS OF FACT, the Court makes the following
8 Conclusions of Law:

9 I.

10 That the State Engineer had the right, authority and juris-
11 diction pursuant to Chapter 533 of NRS, to make the investigations
12 made by him, conduct the hearings had by him, receive the proofs
13 and maps, hear the evidence presented to him, and prepare, make,
14 enter and file in his office the original Final Order of Determina-
15 tion and file a certified copy thereof in this Court, and to
16 determine in the Final Order of Determination, the relative rights
17 of claimants and appropriators in and to the waters of North Twin
18 River and South Twin Rivers and their tributaries in Nye County,
19 State of Nevada; that the State Engineer duly made all orders
20 necessary and proper in connection therewith and entered the same
21 in his office as required by Chapter 533 of NRS; that each and
22 every notice required by law to be given herein to the claimant
23 and appropriator was duly served by the State Engineer in the
24 manner and within the time required by statute, and that the
25 notices contained all of the statements required by law, and that
26 the claimant and appropriator of the waters of the above-named
27 stream system and its tributaries duly received the information
28 and notices required by law herein.

29 II.

30 That the Fifth Judicial District Court of the State of Nevada,
31 in and for the County of Nye, had jurisdiction to hear and try this
32 matter, and has jurisdiction to find, make and enter the foregoing

1 Findings of Fact and these Conclusions of Law, and enter its Decree
2 herein.

3 III.

4 That R O Incorporated, constitutes the claimant and the only
5 claimant who was and now is appropriator and user of the waters of
6 the North Twin River and South Twin River and their tributaries on
7 the date the Final Order of Determination was filed with the Clerk
8 of this Court, and on the date of the trial and hearing of this
9 matter.

10 IV.

11 That the R O Incorporated, as claimant and appropriator of
12 the waters of the North Twin River and the South Twin River and
13 their tributaries, by and through the means of diversion named, and
14 its successors in interest, are claimants and appropriators of and
15 to the waters of the above-named stream system; that R O Incorporated
16 and its predecessors in interest continuously from the date
17 of appropriation or priority, when such water was available for
18 beneficial use, diverted all of such quantity of water from the
19 North Twin River and the South Twin River and their tributaries,
20 and applied the same to beneficial use as alleged in the Final
21 Order of Determination.

22 V.

23 That the duty of water should be fixed in the Decree as 4
24 acre-feet per acre per annum, with a maximum diversion of 2.5
25 c.f.s. for each 100 acres irrigated.

26 VI.

27 That all waters allotted in the Decree shall be appurtenant
28 to the place or places of use designated therein, and in the event
29 that any water user desiring to change the place of use of the
30 waters allotted herein, must make application to the State Engineer
31 for permission to make the change pursuant to law.
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VII.

That except where specifically otherwise ordered herein or in the Decree, the Final Order of Determination made, 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 herein as required by law, and that each and every notice required by law was duly given to the claimant and appropriator; that the claimant and appropriator had full opportunity to appear and be heard in objection to and file exceptions to the Final Order of Determination herein; that the claimant and appropriator is the only claimant and appropriator of the waters of the North Twin River and the South Twin River and their tributaries.

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 R O Incorporated is the successor in interest to the vested property rights of Will J. Farrington.

III.

That the flow of water from North Twin River and South Twin River and their tributaries is being placed to beneficial use by a ranch now owned by R O Incorporated.

That the Proof of Appropriation filed in the office of the State Engineer claims vested rights initiated prior to March 1, 1905.

IV.

That the duty of water is hereby adjudged and decreed and

1 fixed at 4 acre-feet per acre per annum with a maximum diversion of
2 2.5 c.f.s. for each 100 acres irrigated; that the duty may be
3 changed or altered by the Court within a period of three years after
4 entry of this decree as provided by NRS 533.210; that the claimant
5 or successor in interest shall be allowed to increase the rate of
6 direct flow diversion to the maximum, as herein allowed, to satisfy
7 any immediate needs of the growing crops.

8
9 V.

10 That the claimant or successors in interest shall have the
11 right, at their own option, to rotate the allotted water between
12 the various fields having a decreed water right at such time and in
13 such quantities as is necessary to place the water to the greatest
14 beneficial use.

15 VI.

16 That all water diverted from North Twin River and South Twin
17 River and their tributaries for irrigation purposes shall be
18 measured at a point where the water enters or becomes adjacent to
19 the landirrigated or as near thereto as practical.

20 That substantial headgates and weirs to facilitate the
21 measurement and control of water must be installed wherever neces-
22 sary to insure proper distribution in accordance with the rights
23 herein defined.

24 VII.

25 That water for irrigation purposes may be diverted at any
26 time, provided that the total amount diverted during any calendar
27 year shall not exceed the acre-foot duty of 4 acre-feet per acre
28 per annum.

29 VIII.

30 That the claimant or successors in interest shall be entitled
31 to a reasonable diversion and use of water for stockwatering and
32 domestic purposes at any time during the year.

IX.

That all water allocated in the Decree shall be appurtenant

1 to the place of places of use as herein designated; that any water
2 user desiring to change the place of use of the waters allotted
3 herein, shall make application to the State Engineer for permission
4 to make the change pursuant to law.

5 X.

6 That no person or persons holding a right of appropriation
7 not herein vested is entitled to receive any water from North Twin
8 River or South Twin River or their tributaries to the detriment of
9 the rights herein defined.

10 That the name of the claimant and appropriator of the waters
11 of North Twin River and South Twin River and their tributaries,
12 being the source of water supply, the means of diversion from the
13 source of supply for beneficial use, the points of diversion, the
14 year of priority, the cultural acreage, or place of use, the use,
15 the period of use, the legal subdivisions, sections, townships and
16 ranges, the duty of water, and the number of cubic feet of water
17 per second per acre irrigated by the claimant and appropriator is
18 hereby adjudged as follows, to-wit:

19 Claimant: R. O Incorporated *Page 2 of 403*
20 Source: North Twin River and South Twin River and tributaries.
21 Use: Irrigation, Stockwatering and Domestic.
22 Means of
23 Diversion: Dams and Ditches.
24 Points of
25 Diversion: In the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, T. 12 N., R. 42 E., M.D.B.
26 & M., or at a point from which the N.E. corner of
27 Section 24, T. 12 N., R. 42 E., bears N. 88° 13' E.,
10,075 feet; in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, T. 12 N., R.
28 42 E., M.D.B.&M., or at a point from which the N.E.
29 corner Section 24, T. 12 N., R. 42 E., bears N. 81°
30 01' E., 12,135 feet.
31 Class of
32 Culture: Meadow, Pasture, Grain and Alfalfa
Period of
Use: January 1st to December 31st.

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Prior-ity	Cultural Acreage	Sub-division	Sec.	Twp. N.	Rge. E.	Max. Div. c.f.s.	Duty of Water Ac. Ft. per annum
Prior to 1905	.3	NW $\frac{1}{4}$ NW $\frac{1}{4}$	23	12	42	0.01	1.2
"	2.7	SW $\frac{1}{4}$ SW $\frac{1}{4}$	14	12	42	0.07	10.8
"	14.9	SE $\frac{1}{4}$ SW $\frac{1}{4}$	14	12	42	0.37	59.6
"	18.8	SW $\frac{1}{4}$ SE $\frac{1}{4}$	14	12	42	0.47	75.2
"	5.7	NW $\frac{1}{4}$ SE $\frac{1}{4}$	14	12	42	0.14	22.8
"	25.0	NE $\frac{1}{4}$ SE $\frac{1}{4}$	14	12	42	0.63	100.0
"	9.5	SE $\frac{1}{4}$ SE $\frac{1}{4}$	14	12	42	0.24	38.0
"	.1	SE $\frac{1}{4}$ SE $\frac{1}{4}$	14	12	42	0.01	.4
"	.3	SE $\frac{1}{4}$ NE $\frac{1}{4}$	14	12	42	0.01	1.2
"	7.5	SW $\frac{1}{4}$ NW $\frac{1}{4}$	13	12	42	0.19	30.0
"	21.3	SE $\frac{1}{4}$ NW $\frac{1}{4}$	13	12	42	0.53	85.2
"	36.1	NW $\frac{1}{4}$ SW $\frac{1}{4}$	13	12	42	0.90	144.4
"	.7	SW $\frac{1}{4}$ SW $\frac{1}{4}$	13	12	42	0.02	2.8
"	19.5	SW $\frac{1}{4}$ SW $\frac{1}{4}$	13	12	42	0.49	78.0
"	21.5	NE $\frac{1}{4}$ SW $\frac{1}{4}$	13	12	42	0.54	86.0
"	.3	SE $\frac{1}{4}$ SW $\frac{1}{4}$	13	12	42	0.01	1.2
"	.7	SW $\frac{1}{4}$ NE $\frac{1}{4}$	13	12	42	0.01	2.8
"	2.2	NW $\frac{1}{4}$ SE $\frac{1}{4}$	13	12	42	0.06	8.8
"	8.1	SW $\frac{1}{4}$ SE $\frac{1}{4}$	8	12	43	0.20	32.4
"	20.0	SE $\frac{1}{4}$ SE $\frac{1}{4}$	8	12	43	0.50	80.0
"	.2	NE $\frac{1}{4}$ SE $\frac{1}{4}$	8	12	43	0.01	.8
"	17.0	NE $\frac{1}{4}$ SE $\frac{1}{4}$	8	12	43	0.43	68.0
"	25.1	SW $\frac{1}{4}$ NW $\frac{1}{4}$	9	12	43	0.63	100.4
"	36.7	SE $\frac{1}{4}$ NW $\frac{1}{4}$	9	12	43	0.92	146.8
"	.3	SE $\frac{1}{4}$ NW $\frac{1}{4}$	9	12	43	0.01	1.2
"	.2	NE $\frac{1}{4}$ NW $\frac{1}{4}$	9	12	43	0.01	.8
"	2.7	NW $\frac{1}{4}$ SE $\frac{1}{4}$	9	12	43	0.07	10.8
"	32.5	NW $\frac{1}{4}$ SW $\frac{1}{4}$	9	12	43	0.81	130.0
"	36.7	NE $\frac{1}{4}$ SW $\frac{1}{4}$	9	12	43	0.92	146.8

	Prior- ity Prior to 1905	Cultural Acreage	Sub- division	Sec.	Twp. N.	Rge. E.	Max. Div. c.f.s.	Duty of Water Ac. Ft. per annum
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3		12.4	SW $\frac{1}{4}$ SW $\frac{1}{4}$	9	12	43	0.31	49.6
4	"	1.7	SE $\frac{1}{4}$ NE $\frac{1}{4}$	9	12	43	0.04	6.8
5	"	32.6	SW $\frac{1}{4}$ NE $\frac{1}{4}$	9	12	43	0.82	130.4
6	"	3.7	SW $\frac{1}{4}$ NE $\frac{1}{4}$	9	12	43	0.09	14.8
7	"	16.2	SE $\frac{1}{4}$ NE $\frac{1}{4}$	9	12	43	0.41	64.8
8	"	23.8	SE $\frac{1}{4}$ NE $\frac{1}{4}$	9	12	43	0.60	95.2
9	"	40.0	NE $\frac{1}{4}$ SE $\frac{1}{4}$	9	12	43	1.00	160.0
10	"	30.7	NW $\frac{1}{4}$ SE $\frac{1}{4}$	9	12	43	0.77	122.8
11	"	15.6	SW $\frac{1}{4}$ SE $\frac{1}{4}$	9	12	43	0.39	62.4
12	"	7.0	SW $\frac{1}{4}$ SE $\frac{1}{4}$	9	12	43	0.18	28.0
13	"	35.1	SE $\frac{1}{4}$ SE $\frac{1}{4}$	9	12	43	0.88	140.4
14	"	3.7	SE $\frac{1}{4}$ SE $\frac{1}{4}$	9	12	43	0.09	14.8
15	"	17.3	SW $\frac{1}{4}$ NW $\frac{1}{4}$	10	12	43	0.43	69.2
16	"	22.7	SW $\frac{1}{4}$ NW $\frac{1}{4}$	10	12	43	0.57	90.8
17	"	31.6	NW $\frac{1}{4}$ SW $\frac{1}{4}$	10	12	43	0.79	126.4
18	"	8.4	NW $\frac{1}{4}$ SW $\frac{1}{4}$	10	12	43	0.21	33.6
19	"	40.0	NE $\frac{1}{4}$ SW $\frac{1}{4}$	10	12	43	1.00	160.0
20	"	4.6	SW $\frac{1}{4}$ SW $\frac{1}{4}$	10	12	43	0.12	18.4
21	"	35.4	SW $\frac{1}{4}$ SW $\frac{1}{4}$	10	12	43	0.89	141.6
22	"	40.0	SE $\frac{1}{4}$ SW $\frac{1}{4}$	10	12	43	1.00	160.0
23	"	80.0	E $\frac{1}{2}$ NE $\frac{1}{4}$	10	12	43	2.00	320.0
24	"	40.0	SW $\frac{1}{4}$ NE $\frac{1}{4}$	10	12	43	1.00	160.0
25	"	40.0	NW $\frac{1}{4}$ SE $\frac{1}{4}$	10	12	43	1.00	160.0
26	"	40.0	NE $\frac{1}{4}$ SE $\frac{1}{4}$	10	12	43	1.00	160.0
27	"	40.0	SW $\frac{1}{4}$ SE $\frac{1}{4}$	10	12	43	1.00	160.0
28	"	38.1	SE $\frac{1}{4}$ SE $\frac{1}{4}$	10	12	43	0.95	152.4
29	"	1.4	NE $\frac{1}{4}$ NE $\frac{1}{4}$	16	12	43	0.04	5.6
30	"	7.1	NE $\frac{1}{4}$ NE $\frac{1}{4}$	16	12	43	0.18	28.4
31	"	25.1	NW $\frac{1}{4}$ NW $\frac{1}{4}$	15	12	43	0.63	100.4
32	"	11.7	NE $\frac{1}{4}$ NW $\frac{1}{4}$	15	12	43	0.29	46.8

	Prior- ity	Cultural Acreage	Sub- division	Sec.	Twp. N.	Rge. E.	Max. Div. c.f.s.	Duty of Water Ac. Ft. per annum
1	Prior							
2	to 1905							
3	"	5.8	NW $\frac{1}{4}$ NE $\frac{1}{4}$	15	12	43	0.15	23.2
4	"	.4	NE $\frac{1}{4}$ NE $\frac{1}{4}$	15	12	43	0.01	1.6
5	"	21.7	SW $\frac{1}{4}$ SW $\frac{1}{4}$	11	12	43	0.54	36.8
6	"	.4	SE $\frac{1}{4}$ SW $\frac{1}{4}$	11	12	43	0.01	1.6
7	"	40.0	NW $\frac{1}{4}$ SW $\frac{1}{4}$	11	12	43	1.00	160.0
8	"	27.0	NE $\frac{1}{4}$ SW $\frac{1}{4}$	11	12	43	0.68	108.0
9	"	1.1	NW $\frac{1}{4}$ SE $\frac{1}{4}$	11	12	43	0.03	4.4
10	"	160.0	NW $\frac{1}{4}$	11	12	43	4.00	640.0
11	"	30.6	SW $\frac{1}{4}$ NE $\frac{1}{4}$	11	12	43	0.73	122.4
12	"	1.7	SE $\frac{1}{4}$ NE $\frac{1}{4}$	11	12	43	0.04	6.8
13	"	40.0	NW $\frac{1}{4}$ NE $\frac{1}{4}$	11	12	43	1.00	160.0
14	"	.4	NE $\frac{1}{4}$ NE $\frac{1}{4}$	11	12	43	0.01	1.6
15	"	40.0	NE $\frac{1}{4}$ SW $\frac{1}{4}$	3	12	43	1.00	160.0
16	"	40.0	SE $\frac{1}{4}$ SE $\frac{1}{4}$	3	12	43	1.00	160.0
17	"	80.0	N $\frac{1}{2}$ SE $\frac{1}{4}$	3	12	43	2.00	320.0
18	"	80.0	S $\frac{1}{2}$ NE $\frac{1}{4}$	3	12	43	2.00	320.0
19	"	40.0	NE $\frac{1}{4}$ NE $\frac{1}{4}$	3	12	43	1.00	160.0
20	"	40.0	NE $\frac{1}{4}$ NW $\frac{1}{4}$	3	12	43	1.00	160.0
21	"	5.2	NW $\frac{1}{4}$ NW $\frac{1}{4}$	3	12	43	0.13	20.8
22	"	80.0	S $\frac{1}{2}$ SW $\frac{1}{4}$	2	12	43	2.00	320.0
23	"	40.0	NW $\frac{1}{4}$ SW $\frac{1}{4}$	2	12	43	1.00	160.0
24	"	37.9	NE $\frac{1}{4}$ SW $\frac{1}{4}$	2	12	43	0.95	151.6
25	"	40.0	SW $\frac{1}{4}$ SE $\frac{1}{4}$	2	12	43	1.00	160.0
26	"	1.7	SE $\frac{1}{4}$ SE $\frac{1}{4}$	2	12	43	0.04	6.8
27	"	21.3	NW $\frac{1}{4}$ SE $\frac{1}{4}$	2	12	43	0.53	85.2
28	"	80.0	W $\frac{1}{2}$ NW $\frac{1}{4}$	2	12	43	2.00	320.0
29	"	24.3	SE $\frac{1}{4}$ NW $\frac{1}{4}$	2	12	43	0.61	97.2
30	"	23.3	NE $\frac{1}{4}$ NW $\frac{1}{4}$	2	12	43	0.58	93.2
31	"	.4	SE $\frac{1}{4}$ SE $\frac{1}{4}$	33	13	43	0.01	1.6
32	"	12.0	SE $\frac{1}{4}$ SE $\frac{1}{4}$	33	13	43	0.30	43.0

	Prior- ity	Cultural Acreage	Sub- division	Sec.	Twp. N.	Rge. E.	Max. Div. c.f.s.	Duty of Water Ac. Ft. per annum
1								
2								
3	Prior to 1905	35.4	NE $\frac{1}{4}$ SE $\frac{1}{4}$	33	13	43	0.89	141.6
4	"	1.2	NE $\frac{1}{4}$ SE $\frac{1}{4}$	33	13	43	0.03	4.8
5	"	8.0	NW $\frac{1}{4}$ SE $\frac{1}{4}$	33	13	43	0.20	32.0
6	"	39.0	SW $\frac{1}{4}$ NE $\frac{1}{4}$	33	13	43	0.98	156.0
7	"	21.3	SE $\frac{1}{4}$ NE $\frac{1}{4}$	33	13	43	0.53	85.2
8	"	18.7	SE $\frac{1}{4}$ NE $\frac{1}{4}$	33	13	43	0.47	74.8
9	"	2.0	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33	13	43	0.05	8.0
10	"	38.0	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33	13	43	0.95	152.0
11	"	22.1	NW $\frac{1}{4}$ NE $\frac{1}{4}$	33	13	43	0.55	88.4
12	"	17.9	NW $\frac{1}{4}$ NE $\frac{1}{4}$	33	13	43	0.45	71.6
13	"	6.1	NE $\frac{1}{4}$ NW $\frac{1}{4}$	33	13	43	0.15	24.4
14	"	21.2	NE $\frac{1}{4}$ NW $\frac{1}{4}$	33	13	43	0.53	84.8
15	"	2.7	SE $\frac{1}{4}$ NW $\frac{1}{4}$	33	13	43	0.07	10.8
16	"	.1	NW $\frac{1}{4}$ NW $\frac{1}{4}$	33	13	43	0.01	.4
17	"	31.9	SW $\frac{1}{4}$ SW $\frac{1}{4}$	34	13	43	0.80	127.6
18	"	8.1	SW $\frac{1}{4}$ SW $\frac{1}{4}$	34	13	43	0.20	32.4
19	"	4.2	NW $\frac{1}{4}$ SW $\frac{1}{4}$	34	13	43	0.11	16.8
20	"	39.8	NW $\frac{1}{4}$ SW $\frac{1}{4}$	34	13	43	1.00	159.2
21	"	80.0	E $\frac{1}{2}$ SW $\frac{1}{4}$	34	13	43	2.00	320.0
22	"	160.0	SE $\frac{1}{4}$	34	13	43	4.00	640.0
23	"	160.0	NW $\frac{1}{4}$	34	13	43	4.00	640.0
24	"	40.0	SW $\frac{1}{4}$ NE $\frac{1}{4}$	34	13	43	1.00	160.0
25	"	36.4	NW $\frac{1}{4}$ NE $\frac{1}{4}$	34	13	43	0.91	145.6
26	"	2.7	NE $\frac{1}{4}$ NE $\frac{1}{4}$	34	13	43	0.07	10.8
27	"	28.3	SE $\frac{1}{4}$ NE $\frac{1}{4}$	34	13	43	0.71	113.2
28	"	40.0	SW $\frac{1}{4}$ SW $\frac{1}{4}$	35	13	43	1.00	160.0
29	"	30.3	NW $\frac{1}{4}$ SW $\frac{1}{4}$	35	13	43	0.76	121.2
30	"	1.8	NE $\frac{1}{4}$ SW $\frac{1}{4}$	35	13	43	0.05	7.2
31	"	22.3	SE $\frac{1}{4}$ SW $\frac{1}{4}$	35	13	43	0.56	89.2
32	"	1.2	SW $\frac{1}{4}$ NW $\frac{1}{4}$	35	13	43	0.03	4.8

Prior-ity	Cultural Acreage	Sub-division	Sec.	Twp. N.	Rge. E.	Max. Div. c.f.s.	Duty of Water Ac.Ft. per annum
Prior- to 1905	.3	SE $\frac{1}{4}$ SE $\frac{1}{4}$	29	13	43	0.01	1.2
"	6.5	NE $\frac{1}{4}$ SE $\frac{1}{4}$	29	13	43	0.16	26.0
"	20.3	SW $\frac{1}{4}$ SW $\frac{1}{4}$	28	13	43	0.51	81.2
"	33.4	NW $\frac{1}{4}$ SW $\frac{1}{4}$	28	13	43	0.84	133.6
"	80.0	E $\frac{1}{2}$ SW $\frac{1}{4}$	28	13	43	2.00	320.0
"	160.0	SE $\frac{1}{4}$	28	13	43	4.00	640.0
"	22.7	SW $\frac{1}{4}$ NW $\frac{1}{4}$	28	13	43	0.56	90.8
"	4.4	NW $\frac{1}{4}$ NW $\frac{1}{4}$	28	13	43	0.11	17.6
"	40.0	SE $\frac{1}{4}$ NW $\frac{1}{4}$	28	13	43	1.00	160.0
"	22.6	NE $\frac{1}{4}$ NW $\frac{1}{4}$	28	13	43	0.57	90.4
"	40.0	SW $\frac{1}{4}$ NE $\frac{1}{4}$	28	13	43	1.00	160.0
"	9.1	NW $\frac{1}{4}$ NE $\frac{1}{4}$	28	13	43	0.23	36.4
"	.2	NE $\frac{1}{4}$ NE $\frac{1}{4}$	28	13	43	0.01	.8
"	34.1	SE $\frac{1}{4}$ NE $\frac{1}{4}$	28	13	43	0.85	136.4
"	40.0	SW $\frac{1}{4}$ SW $\frac{1}{4}$	27	13	43	1.00	160.0
"	38.0	NW $\frac{1}{4}$ SW $\frac{1}{4}$	27	13	43	0.95	152.0
"	8.8	NE $\frac{1}{4}$ SW $\frac{1}{4}$	27	13	43	0.22	35.2
"	36.2	SE $\frac{1}{4}$ SW $\frac{1}{4}$	27	13	43	0.91	144.8
"	9.8	SW $\frac{1}{4}$ SE $\frac{1}{4}$	27	13	43	0.25	39.2
"	7.8	SW $\frac{1}{4}$ NW $\frac{1}{4}$	27	13	43	0.20	31.2

TOTAL 3662.6

91.73 14,650.4

DONE IN OPEN COURT this 29th day of August, 1957.

Peter Breen
PETER BREEN
District Judge