

Ct. Hear. on Obj. to Ord. of Determin.

1 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
2 STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO.

3
4 IN THE MATTER OF THE DETERMINATION .
5 OF THE RELATIVE RIGHTS IN AND TO THE .
6 WATERS OF OVERLAND CREEK, IN .
7 ELKO COUNTY, STATE OF NEVADA. .
8

8 This matter came on regularly for hearing the 27th day
9 of July, 1925, at the hour of ten o'clock, before Hon. J. M.
10 McManara, Judge of the aboveentitled court, The users of said
11 waters, Samuel T. Wines and J. F. Short being present in court with
12 their counsel Griswold & Reinhart, The Crystal Land Company
13 being represented by its counsel Badt & Dysart, and the
14 State Engineer being represented by M. A. Diskin, Attorney General
15 of the State of Nevada, and W. T. Mathews, District Attorney in and
16 for Elko County, the United States Indian Service not being pre-
17 sent or represented in court, and the following proceedings had:

18 COURT:--Will there be any protest in this order of determination?
19 If so, I would like to dispose of the small matter in connec-
20 tion with the Woods Estate first.

21 GRISWOLD:--That is set for two o'clock/

22 COURT:--In the matter of the determination of the relative rights
23 in and to the waters of Overland Creek in Elko County, State of
24 Nevada, this is the time fixed by the Court for the determina-
25 tion of the relative rights and the adoption of the determination
26 of the State Engineer filed in connection with said matter.

27 Have there been any exceptions filed?

28 GRISWOLD:--No exceptions filed.

1 CRISWOLD:--Yes, your Honor.

2 COURT:--Is the Chrystal Land Company represented?

3 BADT:--Yes, your Honor.

4 COURT:--And Wines?

5 CRISWOLD:--Yes, your Honor.

6 COURT:--You may enter the firm name of Badt & Dysart for the
7 Chrystal Land Company and for Ira D. Wines and J. P. Short Cris-
8 wold & Reinhart. The United States Indian Service is repre-
9 sented by the State Engineer's office.

10 MATHEWS:--We represent the State Engineer's office.

11 COURT:--Did I understand there were some corrections that would
12 be asked at this time.

13 CRISWOLD:--Yes, if the Court please. We think perhaps not cor-
14 rections, but in regard to one ditch being called Snow Ditch
15 in one place and in another being called Indian Ditch.
16 I believe that is right, is it not, Mr. Badt,

17 BADT:--That is correct.

18 CRISWOLD:--In other words, Snow and Indian Ditch are the same
19 ditch. And so the Court will understand the situation,
20 I call it to your Honor's attention.

21 COURT:--They are mentioned in the Order of Determination;

22 CRISWOLD:--Yes, in one place Snow Ditch and in one place Indian
23 Ditch, and they are one and the same ditch. The old name is
24 Snow Ditch and after the Indians got there it was called
25 Indian Ditch, I understand. It is not a real correction.
26 Now, the further typographical omission in the Order of
27 Determination, and I call your Honor's attention to page two
28 of the Tabulation, being Overland Ditches Three and Four.

1 numbered. There is an omission of priority for three
2 acreages. The State Engineer and I checked the proofs con-
3 cerning those omissions and find that the date of priority should
4 be the year 1870 on those three and it so shows on the
5 proof as filed. It is just an omission of putting in
6 the date. The State Engineer has full information
7 concerning that.

8 COURT:--Is there any objection on the part of any of the
9 other users to those dates being inserted as the dates of
10 priority.

11 BART:--None on the part of the Chrystal Land Company.

12 CRISWOLD:--No, your Honor, there is no objection.

13 COURT:--How do you wish to make that. I presume you cannot
14 change it in the Order of Determination.

15 CRISWOLD:--I think it can be handled in the decree as drawn.
16 The proof will show that priority; consequently, the
17 decree can be drawn in conformity to the proof. That date
18 will have to be inserted at that place. It is a mere for-
19 mality, I believe.

20 COURT:--Perhaps the record had better show a stipulation.
21 It is stipulated by and between- - - The United States
22 Indian Service is not represented.

23 CRISWOLD:--I don't believe we want a stipulation. I will
24 call to your Honor's attention that particular proof,
25 and the evidence is before your Honor. In other words,
26 we have made our proof. I can put the State Engineer on the
27 stand and have him testify concerning that.

28 COURT:--You would rather have it by court order than by

1 and can't stipulate with that party.

2 COURT:--You may submit the proof.

3 - - 0 - -

4 ROBERT A. ALLEN, Called and Sworn.

5 EXAMINATION IN CHIEF- - - - -Griswold

6 Q.--Your name is Robert A. Allen;

7 A.--Yes, sir.

8 Q.--And you are the duly elected, qualified and acting
9 State Engineer of the State of Nevada?

10 A.--Duly qualified, appointed and qualified.

11 Q.--How long have you been State Engineer;

12 A.--Three years.

13 Q.--Were you State Engineer at the time of making of the
14 Order of Determination that is before the court at this
15 time;

16 A.--I was.

17 Q.--And under your ~~maker~~ instructions was that order of
18 determination made;

19 A.--Yes, sir.

20 Q.--Are you familiar with the proofs that were submitted to
21 substantiate the order of determination,

22 A.--I am.

23 Q.--And those proofs were submitted to your office and have
24 been in your custody since their submission.

25 A.--Yes, sir.

26 Q.--I call your attention to page two of the tabulated
27 priorities and acreage chart, and ask you if there is an
28

1 A.--The items of one hundred acres of harvest crops in the
2 South-West Quarter of Thirty-Six of Township 30 North, Range
3 58 East, and the item of 151.76 acres harvest crops in the
4 North-West Quarter of Thirty-Six, T 30N R 58 E.

5 The item of 8.10 acres of diversified pasture in the North-
6 West Quarter of Thirty-Six, T 30, 58 E. . They are without
7 priorities, being a typographical error in making them out.

8 Q.--Have you examined the proofs that were filed in your office
9 as to what priorities these areas should have?

10 A.--I have.

11 Q.--And what priorities should those areas you have pointed
12 out have from the proofs that have been submitted in
13 your office.

14 A.--Proof concerning No. 01454 is on file with the Court and it
15 shows that the priorities should be 1870 for those three items.

16 CRISWOLD:--That is all.

17 COURT:--The forms in the determination of the relative rights
18 have not been printed yet, have they?

19 A.--No, these are not printed. It is a small stream and we
20 just type it.

21 COURT:--That is all.

22 MATHIAS:--May I ask the witness a question?

23 COURT:--You may.

24 EXAMINATION By- - - Mathias

25 Q.--Mr. Allen, I call your attention to page one of the
26 Tabulation. Will you state whether or not there is a
27 typographical error on that page.
28

1 is shown as 85.8. That should be 85.2. Those two figures
2 just got twisted, misplaced.

3 COURT:--The duty is given there .223. You say it should be
4 3;

5 A.--That is the duty in second feet. The last column, duty
6 in acre feet is where the change occurs.

7 Q.--Mr. Allen, with respect to page five of the tabulation,
8 is there any error there that you wish at this time to have
9 corrected.

10 A.--In the fourth item from the bottom, priority 1865,
11 for 1.50 acres of diversified pasture in the South-East
12 Quarter of the South-West Quarter of 36, 20-58, the duty of water
13 in cubic feet per second is given as 0.004. That should
14 be changed to read 0.012. As justification for that cor-
15 rection the next item above that is for .5 of an acre and the
16 duty in second feet on that acreage is 0.004. The first
17 item as read was just one acre short.

18 MATHEWS:--Your Honor please, I am not familiar with the
19 practice in regard to corrections as sought by the State
20 Engineer, but for the purpose of the record I would ask
21 the Court at this time that such corrections be entered in the
22 record.

23 CRISWOLD:--No objection.

24 BAPT:--No objection.

25 COURT:--I presume these have been filed and that no correc-
26 tions could be made in the original instruments as filed, and
27 must be made, if at all, in the Decree.

28 CRISWOLD:--This testimony is justification for the Court in fixing

1 The Court's decree will be made in accordance with the
2 proof, and this testimony should be taken into consideration
3 in the Court's decree, and the decree made accordingly.

4 COURT:--What I mean is there are certain omissions in this
5 and they could not be supplied in the original record but
6 must be made in the decree.

7 HADP:--Yes.

8 MATHEWS:--Your Honor please, I have a few questions to ask
9 the State Engineer in regard to the proof in this matter.

10 COURT:--You may proceed.

11 Q.--You have testified that you are the State Engineer?

12 A.--Yes, sir.

13 Q.--And that it is a part of your duty to determine the
14 relative rights of claimants of the waters to Overland Creek
15 stream system and its tributaries.

16 A.--Yes, sir.

17 Q.--And have you done so, Mr. Allen?

18 A.--Yes, sir.

19 Q.--I will hand you a file of papers and will ask you what that
20 is, if you know?

21 A.--That is the proof of service on the Overland Creek adjudica-
22 tion proceeding. It contains the original petition, signed by
23 the various parties owning land on Overland Creek, in which
24 they ask that the office adjudicate the relative rights of the
25 use of the water of that creek. We have an order and notice
26 of order and proceedings as made by the State Engineer cover-
27 ing this adjudication proceeding. We have waivers of further
28 notices signed by Ira D. Winsor, U. S. Indian Service,

1 of any notices that were published in accordance with the
2 statute, the preliminary order of determination, as well
3 as the abstract of claims, registry receipts showing that
4 everyone was served with all the orders and with the abstract and
5 preliminary order, as well as the final order of determin-
6 ation. And we have also the registry card showing proof
7 of service of the order setting the time for hearing, which
8 is the hearing at this time.

9 Q.--The various notices and orders which you have just
10 testified to, and which you state are incorporated in this
11 file, were they compiled and filed and placed herein by your-
12 self or by your office.

13 A.--They were compiled and placed in the file by the State
14 Engineer's office.

15 Q.--And this file of papers then is the proof of service
16 and correspondence of the adjudication of water rights
17 of the Overland Creek in Elko County, State of Nevada, is it?

18 A.--Yes, sir.

19 MATHEWS:--Your Honor please, at this time we are offering the
20 file of papers as having been identified and testified to
21 by the witness, and submit it to the court as proof of
22 service in this matter.

23 GRISWOLD:--No objection.

24 COURT:--It may be admitted and marked Exhibit A.

25 Q.--Mr. Allen, are there any expenses attached to this
26 adjudication.

27 A.--The only item of expense I have so far is that for
28 printing the final order as entered by the Court. That

1 Q.--I will hand you a statement purporting to come from
2 the Lake Independent and ask you what that is.

3 A.--That is the bill for the publication of the notice
4 fixing the time for the hearing in the matters of adjudi-
5 cation of Overland Creek and its tributaries, and for the
6 amount of \$36.76.

7 BAPT.--That is the item you just referred to, is it.

8 A.--Yes, sir.

9 Q.--Mr. Allen, will you state what is the practice concerning
10 charged of this kind?

11 A.--The publication of the final notice, which is the order
12 of Court fixing the time for hearing, is usually pro-
13 rated amongst the users. That was the case of Six-Mile
14 Creek adjudication, and any others we have had with
15 which I am familiar.

16 MATHEWS:--You may examine.

17 EXAMINATION BY- - -Griswold

18 Q.--You will make out a statement of account against each of
19 the users and submit it to them, will you, Mr. Allen?

20 A --If that is the order of the Court, yes, sir, Mr.
21 Griswold, I will be very glad to do it.

22 GRISWOLD:--We will be perfectly willing. The people I
23 represent of course will pay our part of it and if Mr.
24 Allen will just tell us what it will be we will be glad
25 to hand him a check, or the Court, whoever is the proper
26 person.

27 COURT:--You mean pro-rated according to the acreage, Mr.
28 Allen.

1 proofs contained in that envelope be submitted at this
2 time.

3 GRISWOLD:--Offered in evidence.

4 Q.--Mr. Allen, with respect to the ^{EXAMINATION-} ^{-Mathews} adjudication of the
5 water rights in this hearing, are there any other papers
6 you know of that were filed?

7 A.--In conformity with the statute we file the original
8 proofs, which consists of the folders
9 bearing the numbers assigned to each proof, and containing
10 the proof as filed by each claimant, and the tracing
11 substantiating that proof. The tracings show the
12 culture of their land and boundaries, and such as that.

13 Q.--I will hand you a folder bearing serial number
14 01454, and ask you if you know what that folder is and
15 what it contains?

16 A.--Folder 01454 is the one assigned to Ira D. Wines, and
17 contains the proof, correspondence, reports, and other
18 relative matter in the name of Ira D. Wines, as appears
19 by the records and files of the State Engineer's office of
20 the State of Nevada, and nothing more or less.

21 MATHEWS:--I hand the witness a map.

22 Q.--I will ask you what that is, bearing serial number
23 01454.

24 A.--That is a tracing of a map of the land belonging to
25 Ira D. Wines, now Samuel T. Wines.

26 Q.--Is that map in conformity with the proof in the folder.

27 A.--Yes, sir.
28

1 COURT:--I understand these have already been filed with
2 the clerk, have they not?

3 A.--Yes, sir.

4 COURT:--Do counsel think it is necessary if they are filed
5 that they be submitted as evidence in this hearing?

6 HADD:--That has been the practice, your Honor.

7 CRISWOLD:--Then there is evidence to support the finding
8 of the State engineer.

9 COURT:--They may be admitted and marked Exhibit B and the
10 map B-1.

11 CRISWOLD:--There are two maps in connection with that.

12 COURT:--The other map will be marked - - will be admitted as
13 an official record of the State Engineer's office in
14 connection with this and will be marked B-2. Wait a moment

15 MATHEWS:--I hand you a folder bearing No. 01724.

16 CRISWOLD:--There are two maps of Wines instead of the
17 Chrystal Land Company.

18 COURT:--Just a moment.

19 A.--01724 is the file number assigned to the Chrystal
20 Land Company. This file contains proof, correspondence,
21 reports and other relative matters in the name of the
22 Chrystal Land Company, as appears by the records and
23 files of the office of the State Engineer of the State of
24 Nevada, and nothing more or less.

25 Q.--Is there a map or tracing which conforms to that?

26 A.--There is one tracing in support of this.

27 Q.--And what serial number does it bear?

28 A.--The same serial number as file 01724.

1 comparing proof of appropriation 01724, in the name of
2 Crystal Land Company.

3 MATHES:--If the Court please, we will submit folder bearing
4 the serial number 01724, together with the map bearing
5 the same serial number, for the Crystal Land Company.

6 COURT:--Any objections?

7 CRISWOLD:--No objection.

8 COURT:--It may be admitted and marked C and C-1. I would
9 like to ask if there is any other map in connection with
10 Ira D. Wines?

11 MATHES:--There is.

12 COURT:--Mr. Mathes, the State Engineer states there is another
13 map in the records of his office also in connection with
14 the Ira D. Wines proof?

15 MATHES:--I will hand the witness another map.

16 Q.--I will ask you what that map is?

17 A.--That is an amended map of the lands of Samuel T. Wines under
18 Proof of Appropriation No. 01454.

19 Q.--Does that map have some relation with the folder and the other
20 map which has just been introduced for the Ira D. Wines
21 water right.

22 A.--It does. This map was made in support of certain changes
23 asked for after the final, or after the preliminary order
24 of determination was issued. The final order of determin-
25 ation is based partially on this map.

26 COURT:--That is in connection with the map asking for change
27 of use of water?

28 A.--No, your Honor. The map first made for the Wines place

1 to all the parties on the stream and they objected.
2 Certain parties on the stream objected. The State En-
3 gineer's office then authorized the making of an amended
4 map showing the correct description of the lands, and this
5 is the map, this amended map.

6 WATSON:--Your Honor please, we will submit the map just
7 testified to by the witness bearing serial number 61454.

8 COURT:--It may be admitted and marked Exhibit 2-3. Now,
9 just a minute. We have here also an application to change
10 the use of water, which seems to be in connection with
11 this. Should it have been contained in the folder?

12 A.--No; a part of the file but not a part of the envelope;
13 that is a separate file.

14 COURT:--Has that application been granted?

15 A.--The application has been granted and permit has been
16 granted under that application. That sought to change land
17 already held under vested rights, from one forty to another,
18 and it is the proof on that particular permit.

19 COURT:--Is there any objection to this being admitted in
20 evidence. It is an application for permit to change the use of
21 water in connection with the Iva D. Wines estate.

22 DADY:--That was after the adjudication, wasn't it?

23 A.--That was before, but the original proofs called for a
24 certain location for the vested rights. After they had
25 acquired their vested rights they then made an applica-
26 tion to change the place or use from this forty to this
27 forty, we will say. Now, the extent of the vested rights
28 is not changed any, but the position of those vested rights

1 CRISWOLD:--No objection.

2 COURT:--It may be admitted and marked Exhibit B-3. You may
3 proceed.

4 MATHEWS:--I will show the witness folder bearing serial
5 number 01748 and will ask the witness what this folder
6 contains.

7 A.--Folder 01748 was assigned to J. F. Short and contains the
8 proof, correspondence and other relating matter in the name
9 of J. F. Short, as appears from the records and filed
10 in the office of the State Engineer of the State of
11 Nevada, and nothing more or less.

12 Q.--And is there a map or tracing which accompanies that
13 water right?

14 A.--There is one tracing accompanying the proof of J. F.
15 Short.

16 Q.--I show you tracing bearing the serial number 01748
17 and will ask you if that is the map or tracing accom-
18 panying this proof?

19 A.--That is the original tracing accompanying proof of
20 appropriation 01748 in the name of J. F. Short.

21 MATHEWS:--If the Court please we submit the proof and the map
22 just testified to by the witness.

23 COURT:--Any objection?

24 CRISWOLD:--No objection.

25 COURT:--It may be admitted and marked D and D-1 respectively.

26 Q.--I show you a folder bearing serial number 01722 and
27 will ask you what this contains?
28

1 Indian Service, as appears from the records and files
2 in the office of the State Engineer of the State of
3 Nevada, and nothing more or less.

4 Q.--Is there a map which accompanies that proof?

5 A.--There is one tracing filed in support of this proof.

6 MATHEWS:--I show the witness a map bearing serial No.
7 01722.

8 Q.--And will ask you if this is the map or tracing accom-
9 panying this proof?

10 A.--That is the original tracing accompany proof of appro-
11 priation 01722 in the name of the U. S. Indian Service.

12 MATHEWS:--If the Court please, we will now submit and make
13 the offer of the folder and map as testified to.

14 COURT:--Any objection?

15 CRISWOLD:--No objection.

16 COURT:--It may be admitted and marked M and E-1 respectively.

17 Q.--Are there any other proofs you desire to offer at this
18 time.

19 A.--That is all.

20 COURT:--You don't desire to offer the order of determination
21 in evidence?

22 BADT:--The order is in the pleading. That is the basis
23 of the proceeding under the Statute, your Honor please.

24 MATHEWS:--Your Honor please, Mr. Allen desires at this
25 time to have submitted to the Court the proposition
26 of the fee for the reporter, as to whether that is a
27 charge to be borne by the engineer's office of the State
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1 taking care of it ourselves and not having the question
2 submitted. That is a question that is going to come
3 up and will be of considerable importance before we
4 get thru with it. It is agreeable to my clients that
5 we pay the reporter our proportion without having that
6 matter come up for final determination.

7 BADDY:--We agree that the reporter may present the bill to the
8 various parties and not to the State Engineer.

9 COURT:--It is satisfactory that the Court will not take into
10 consideration the reporter's fees in fixing the costs in
11 this case.

12 CHRISWOLD:--I think the reporter should write up the minutes
13 of this proceeding and file them and that charge should
14 be included also, and I think we can take care of it, the
15 transcript of this proceeding.

16 BADDY:--That is satisfactory.

17 COURT:--It will be the order, Miss Reporter, that you file
18 under your certificate a transcript of the proceeding with
19 the clerk of this court, the costs thereof to be divided
20 between the parties.

21 COURT:--If a permit is issued for change of use do the priori-
22 ties apply after the change?

23 A.--The priorities as established in the beginning apply to
24 the permit after the change. In other words, an applica-
25 tion to change the place of use or point of diversion does
26 not lose the priority of the original right.

27 COURT:--And no correction need be made in this order of
28

1 BART:--Just one question for the sake of the record. Have any
2 exceptions or objections been filed with you?

3 A.--None whatever.

4 COURT:--And none filed with the clerk of the court, I under-
5 stand.

6 A.--That is against the final order. You will understand
7 of course there were two objections filed against the
8 preliminary order.

9 COURT:--No, I refer to the final order.

10 A.--No objection whatever.

11 COURT:--Are there any other questions?

12 GRISWOLD:--Just this: Since the initiation of this proceeding
13 there has been a change in the title to some of the property.
14 The Ira B. Wines land has become vested in Samuel T. Wines.
15 In due course I will submit to your Honor a certified
16 copy of the deed transferring the title to the property
17 so that when the decree issues it can issue in the name
18 of Samuel T. Wines.

19 COURT:--Do you think that should be done in this proceed-
20 ing?

21 GRISWOLD:--Well, I maintain it should not be, but Judge
22 Bartlett has forced me to file a number of deeds. It only
23 means the title will be cleared up before this court.
24 Of course, the deed, as I see it, whether filed before or
25 after this proceeding, would transfer the title and the
26 title would not be clouded.

27 COURT:--Unless there is some reason where some person would
28 be seriously injured by not making such an order it occurs

1 CRISWOLD:--All I would do would be to file a certified copy
2 of the deed transferring title from Ira D. Wines to
3 Samuel T. Wines, and the decree could issue to Samuel T.
4 Wines instead of Ira D. Wines.

5 COURT:--Have the parties drawn a decree?

6 MATHEWS:--We have not, your Honor.

7 COURT:--I presume the attorney general will draw that and sub-
8 mit it, Mr. Allen?

9 A.--Either the attorney general or the State Engineer's
10 office. We generally do that in these small ones.

11 COURT:--You haven't drawn it;

12 A.--No, your Honor.

13 - - 0 - -

14 COURT:--In this matter it is the decree of this Court that
15 the Order of Determination as made by the State Engineer's
16 office of the State of Nevada, filed with the clerk
17 of this court on the 26th day of February, 1925, be and
18 the same is hereby confirmed.

19 And it appearing to the Court that there are certain
20 omissions and typographical errors contained in said Order
21 of Determination, it is hereby ordered that the year of
22 priority for the following lands, under Ditches Three and
23 Four, as appears on page two of the Tabulation of said
24 Order of Determination, that is, for the South-West
25 Quarter and the North-West Quarter of Section 36, Township
26 30 North, Range 58 East, shall be 1870.

27 Also that the duty of water for the North-West Quarter of
28 the North-West Quarter of Section 31, Township 30 North

1 Also, that in page 5 of the Tabulation of said Order of
2 Determination, the duty of water as to cubic feet per
3 second, with reference to the South-East Quarter of the
4 South-West Quarter of Section 36, Township 30 North, Range
5 58 West, shall be changed from 0.004 to 0.012.

6 CRISWOLD:--If the State Engineer or the Attorney General
7 will submit their form of decree to counsel I believe
8 we can agree on the decree and it can be entered in this
9 matter.

10 COURT:--I understand there are some other matters of correc-
11 tion in the Order of Determination that Mr. Allen overlooked.
12 If there are any you may call them to the attention of
13 counsel.

14 Mr. ALLEN:--On page one are two items I overlooked. The
15 third item down from the top: priority is 1870 for
16 150.34 acres, in the South-West Quarter of Section 31, of
17 30-59. The duty in acre feet is given as 480.00. That
18 should be 451.02. As justification for that just mul-
19 tiply the 150.34 by 3. The next item 1870 priority,
20 110.27 in harvest crops in the South Half of the North-
21 East Quarter and the South-West Quarter of the North-West
22 Quarter of 31, 30-59, the duty of water in acre feet is given
23 as 344.97. This should be 330.81. If you multiply the
24 110.97 by 3 you will find the justification for that.

25 COURT:--Are there any objections to the order being made
26 as to those corrections?

27 BART:--No objection.

28 CRISWOLD:--No objection.

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feet for the South-West Quarter of Section 31, Township 30 North, Range 59 East, it is hereby ordered that it be changed from 430.00 to 451.02.

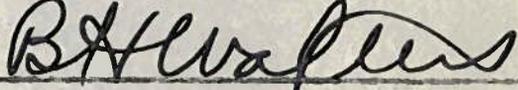
Also as to the duty of water in acre feet for the south Half of the North-East Quarter and the South-West Quarter of the North-West Quarter of Section 31, Township 30 North, Range 59 East, on said page one of said Order of Determination, that it be changed from 544.97 to 530.81.

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- - C E R T I F I C A T E - -

THIS IS TO CERTIFY That the foregoing is a full, true and correct transcript of the proceedings had in the hearing of the Matter of the Determination of the Relative Rights in and to the Waters of Overland Creek, in Elko County, State of Nevada, on July 27, 1925, before Hon. J. H. McNamee, Judge of the Fourth Judicial District Court of the State of Nevada, in and for the County of Elko, as reported by me, the official reporter of said court.

Dated this 28th day of July, 1925.


Official Reporter