IN THE UNITED STATES DISTRICT COURT FOR THE

DISTRICT OF NEVADA.

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PACIFIC LIVE STOCK COMPANY, a corporation, Complainant, vs. D. M. READ, Defendant.	In Equity, No. B-29.

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D E C R E E

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This cause heretofore regularly came on to be heard and was argued by counsel, and thereupon upon consideration thereof it was ordered, adjudged and decreed as follows:

That the complainant Pacific Live Stock Company, a corporation, is the owner of and in the possession of all those certain lots, pieces or parcels of land situate, lying and being in the County of Humboldt, State of Nevada, and more particularly bounded and described as follows, to-wit:

> The Northwest quarter of Section thirty-six (36), the West half of Section twenty-five (25), the West half of the West half of Section twenty-four (24), the South half of the Southeast quarter and the Northwest quarter of the Southeast quarter of Section Twenty-three (23), and the Northeast quarter of the Northeast quarter of Section twenty-six (26), all in Township forty-four (44) North, Range thirty (30) East, Mount Diablo Base and Meridian, which said land is known as the Big Creek Ranch.

That of said lands at least 200 acres thereof have been under cultivation for more than 25 years last past, and devoted to the raising of hay, grain, alfalfa, garden and orchard produce and

at least 300 acres thereof have been fenced and used as pasture land; that complainant has a right prior to defendant to sufficient of the waters of Pass Creek, Big Creek and of Boyd Basin Creek and of any streams intercepted by complainant's Boyd Basin Creek ditch during the irrigating season of each year, to irrigate the land above described; that the necessary amount of water for this purpose is seven and one-half (7-1/2) cubic feet per second; that in so far as Big Creek and Pass Creek can supply the needed water the same shall be taken first from those streams; after taking all of the water which Big Creek and Pass Creek carry, measured at the point where the same enters the ranch, complainant is entitled as a prior right and prior to any claim of defendant to divert from Boyd Basin Creek and from the ditch leading from Boyd Basin Creek, and from any streams flowing into said ditch, enough more water measured at the place where the same enters its ranch to make up its full diversion from said streams as hereinbefore specified, to wit, seven and one-half (7-1/2) cubic feet per second.

That it is hereby ORDERED, ADJUDGED AND DECREED that complainant is the owner of the amount of water from said streams so used and appropriated by it, and that it is entitled to take, appropriate and use the same prior to any claim of defendant, and that complainant's title to the water so appropriated by it is quieted against the defendant.

That the said defendant, his agents, servants and attorneys, and all persons acting by, through or under him or them, or any thereof, as successors in interest or otherwise, be and they are forever enjoined and restrained from interfering in any way with the waters of said Boyd Basin Creek, or with any stream intercepted by said Boyd Basin Creek Ditch, or with the said ditch conveying the waters of said creek to said ranch, or with any water flowing into said ditch, or with any of the waters herein

adjudicated to complainant, so as to prevent or interfere in any way with the said complainant receiving on its said ranch the amount of water found necessary for the uses of complainant, and to which it is entitled as herein decreed.

It is FURTHER ORDERED, ADJUDGED AND DECREED that defendant is in the possession and entitled to the possession as against said complainant, of the lands and premises constituting his homestead, situated in Boyd Basin, Humboldt County, Nevada, and constituting three hundred and twenty (320) acres, or thereabouts, and more particularly described in the answer, and devoted by said defendant to the raising of crops of hay and other products thereon and upon which defendant has since May, 1918, used and diverted a part or portion of the waters of Boyd Basin Creek for the artificial irrigation thereof.

That all of the waters flowing in Boyd Basin Creek and not hereinbefore decreed to and quieted in complainant, be and the same is hereby, decreed to the said defendant, and his title thereto is hereby quieted in him as against the said complainant.

It is FURTHER ORDERED, ADJUDGED AND DECREED, that complainant do have and recover from said defendant its costs of suit herein, not to exceed Two Hundred dollars ($200.00).

Dated this 9th day of July, 1924.

E. J. Farrington

Judge.

FORM 102. SM-10-23

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

829

[illegible] COMPANY,
[illegible],

Complainant,

vs.

D. M. READ,

Defendant.

D E C R E E .

Filed July 9-1924
E. O. Patterson Clerk

[illegible]

Received a copy of the within this ..... day of ..... 192...

Attorney for .....