THIRD (NORTH) CREEK DECREE

IN THE DISTRICT COURT OF NEVADA IN AND FOR WASHOE COUNTY.

FILED
Oct. 29, 1946
STATE ENGINEER'S OFFICE

North or Third Cr.

W. E. PRICE Plaintiff

vs

VIRGINIA & GOLDHILL WATER COMPANY
a Corporation. and J. B. OVERTON

Defendant

JUDGMENT AND DECREE

This cause came on for trial before the Court, upon the issues joined between the parties, a jury having been expressly waved: The Plaintiff introduced evidence, oral and documentary, and rested The Defendant introduced oral and documentary evidence and rested. The case was argued by the respective parties and was submitted to the Court for decision and was taken under advisement, and on the 22nd day of August, 1890, the Court having fully considered the same, rendered its decision and made and caused to be filed its Findings of facts and Conclusions of law, and directed Judgment and decree to be entered in accordance therewith:

NOW, therefore, in consideration of the premises, and of the findings of facts and conclusions of law aforesaid;

It is considered, ordered, adjudged and decreed by the Court:

That the Plaintiff, W. E. Price, is the owner of, and entitled to the exclusive use and enjoyment of the water ditch described in the Complaint, situated in Washoe County, State of Nevada, commencing at a point on the S.E. 1/4 of the S.E.1/4 of Sec 27 in Township 17 N.R. 18 East. M.D.B.M. and running thence South Easterly to a point in the S1/2 of the S. W. 1/4 of Sec 32 in said Township and Range.

That said Defendants and each of them, their agents, servants

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and employees, be and are, hereby perpetually enjoined from injuring, breaking, or in any manner interfering with the Plaintiff's said ditch.

That the defendant, Virginia & Gold Hill Water Company, is the owner of, and has the prior and best right to take and divert from and of the waters of certain creeks or streams, and their tributaries, arising south west of Mount Rose, in said County, running in a North easterly direction and naturally flowing into Lake Tahoe: Seventy Five (75) inches of the waters of said streams, measured under a six inch pressure, and to convey and use the same continuously during the months of June, July, August, September and October in each year.

It is further ordered adjudged and decreed, that, (Subject to the right of the Defendant, Virginia & Gold Hill Water Company mentioned and described in this decree) the Plaintiff, W. E. Price, is the owner of, and has the prior and best right, and is entitled ~~at all times~~ to take, divert and use One Hundred and Fifty (150) inches of the waters of said streams, measured under a six inch pressure, during the months of January, February, May, June, July, August, September, October, November and December of each year.

That the Plaintiff recover of and from said defendants, and each of them, the sum of Two Hundred Dollars, gold coin, damages, and his costs and disbursements herein expended, taxed at $507.40, and accrued costs $2.80.

A. E. Cheney,

Feby. 8th, 1892. Dist. Judge.

1 Dist Court of Nevada Washoe County

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3 W. E. Price

4 Plaintiff

5 vs

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7 Virginia & Gold Hill Water Company, et al

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10 Judgment & Decree

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12 Filed Feb 8" 1892

13 O. H. Perry, Clerk

14 BY W. L. Knox, Deputy.

15

16 Recorded Book

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STATE OF NEVADA, }
COUNTY OF WASHOE. } SS.

I, E. H. BEEMER, County Clerk and ex-officio Clerk of the Second Judicial District Court of the State of Nevada, in and for Washoe County, said court being a court of record, having a common law jurisdiction, and a clerk and a seal, do hereby certify that the foregoing is a full, true and correct copy of the original, JUDGMENT AND DECREE

W. E. PRICE Plaintiff

Vs.

VIRGINIA & GOLDHILL WATER COMPANY and
J. B. OVERTON Defendant

which now remains on file and of record in my office at Reno, in said County.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said court, at Reno, this 28th day of June, A. D. 1946.

E. H. BEEMER, *Clerk.*

By Lou D. Leberski *Deputy.*

Dist Court of Nevada Washoe County

W. E. Price

Plaintiff

vs

Virginia & Gold Hill Water Company, et al

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O. H. Perry, CLERK.