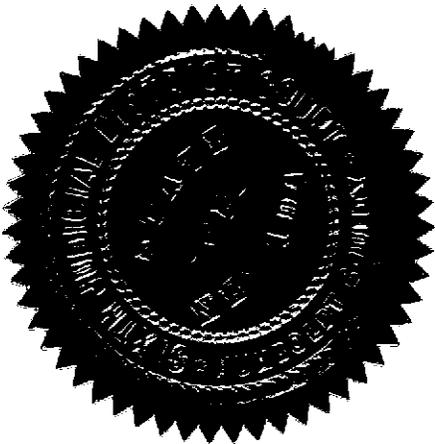


STATE OF NEVADA }
County of Humboldt } SS.

I, Grace W. Bell, County Clerk of said County and State, and ex-officio Clerk of the Sixth Judicial District Court of the State of Nevada, in and for the County of Humboldt, do hereby certify the
hereunto attached to be a full, true and correct copy of FINDINGS OF FACT, CONCLUSIONS OF LAW JUDGMENT AND DECREE -
IN THE MATTER OF THE DETERMINATION OF THE RELATIVE RIGHTS IN AND TO THE WATERS OF WILLOW CREEK AND ITS TRIBUTARIES, HUMBOLDT COUNTY, NEVADA.
and includes all endorsements that appear upon the original
FINDINGS and DECREE on file and of record in my office and in said Civil Matter No. 6707



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said District Court on this 9th day of February A.D. 1967
Grace W. Bell, Clerk
Deputy

1 IN THE SIXTH JUDICIAL DISTRICT COURT OF THE STATE
2 OF NEVADA IN AND FOR THE COUNTY OF HUMBOLDT

3 - - - - oOo - - - -

4 IN THE MATTER OF THE DETERMINATION OF)
5 THE RELATIVE RIGHTS IN AND TO THE)
6 WATERS OF WILLOW CREEK AND ITS TRIBU-)
7 TARIES, HUMBOLDT COUNTY, NEVADA)

No. 6707
Filed December 30, 1966
Grace W. Bell, Clerk

8 FINDINGS OF FACT, CONCLUSIONS OF LAW

9 JUDGEMENT AND DECREE

10 This matter came on regularly for hearing on the 17th day
11 of November, 1966, before Honorable Merwyn H. Brown, District
12 Judge of the above-entitled court presiding, the entire stream
13 system being within Humboldt County, State of Nevada, and he
14 being the Judge designated by NRS 533.165 to hear and having
15 jurisdiction to hear the above-entitled matter, upon the State
16 Engineer's final determination of the relative rights of the
17 petitioner and claimants to the use of the waters of the stream
18 system of Willow Creek and its tributaries, which Final Order of
19 Determination and all related documentary evidence had been filed
20 by the State Engineer. There being no exceptions to the Final
21 Order of Determination filed or otherwise submitted to the Court
22 at least 5 days prior to the date set for hearing as provided for
23 under NRS 533.170 by the claimants or petitioner or any other
24 person or persons, the matter was submitted to the Court for its
25 decision.

26 William Paul, Esq., Deputy Attorney General of the State of
27 Nevada, Roland D. Westergard, Assistant State Engineer, and Starr
28 Hill, Jr., Field Engineer of the Office of the State Engineer,
29 State of Nevada, appeared in the hearing and proceedings on
30 behalf of the State of Nevada and the Office of the State Engineer.

1 James A. Callahan, Esq., appeared on behalf of claimants, Dennis
2 Heitman and Jere Heitman.

3 The record disclosed that all claimants had received a
4 certified copy of the Court Order Setting Forth the Time and Place
5 for Hearing on the Order of Determination.

6 The Deputy Attorney General thereupon, at the hearing,
7 offered and there were received in evidence in support of the
8 rights of the claimants, as set forth in the Final Order of Deter-
9 mination, verified affidavits, files and records of the State
10 Engineer's Office respecting the rights of the claimants in and to
11 the above-named stream system.

12 The Court, having duly considered the entire record, the
13 evidence introduced and received, briefs of counsel for said clai-
14 mants, directed that Findings of Fact, Conclusions of Law, and
15 Judgment and Decree be entered accordingly.

16 FINDINGS OF FACT

17 I.

18 That on December 10, 1956, Alberta Webster Hawthorne, a
19 water user on Willow Creek and its tributaries, acting by and
20 through her Attorney, Emerson J. Wilson, Esq., of Reno, Nevada,
21 filed with the State Engineer of the State of Nevada a petition
22 requesting the determination of the relative rights of petitioner
23 and other claimants to the waters of Willow Creek and its tribu-
24 taries thereto situate in Humboldt County, State of Nevada.

25 That the State Engineer thereupon and in accordance with
26 the provisions of NRS 533.090, made an investigation of the facts
27 and conditions of and concerning the above-named stream system and
28 its tributaries for the purpose of disclosing whether the deter-
29 mination of such rights was justified, and filed his report thereon
30 in the Office of the State Engineer of the State of Nevada. The

1 report of the facts and conditions disclosed that a determination
2 of the relative rights was justified, and the State Engineer made
3 and entered his order on July 28, 1958, granting the petition for
4 the determination of such relative rights in and to the waters of
5 Willow Creek and its tributaries.

6 An objection to the Preliminary Order of Determination
7 was filed on June 6, 1966 by Dennis Heitman and Jere Heitman, in
8 compliance with NRS 533.150. A hearing was held on August 5, 1966.
9 Testimony given during the hearing resulted in the extension of
10 the length of the irrigation season, as reflected in Article X.
11 Testimony given did not support the increase of acreages listed
12 in the objection to the Preliminary Order of Determination, except
13 for an increase of 1.8 acres. The acreages remain as indicated in
14 Article X.

15 That as a result of the State Engineer's investigation
16 report, it was found that the waters of Willow Creek and its
17 tributaries are being placed to beneficial use for irrigation,
18 stock watering and domestic purposes on the Willow Creek Ranch,
19 comprised of the Snapp Field land, the old Tom Minor Ranch and the
20 old Thomas and Lena Scott Ranch as affirmed by Proofs of Appro-
21 priation 02409, 01426 and 01273 respectively, as filed in the Of-
22 fice of the State Engineer. Evidence contained in these proofs of
23 appropriation, relative to this land, indicates the present
24 claimants and appropriators, Dennis Heitman and Jere Heitman are
25 the successors in interest to vested rights initiated by their
26 predecessors in interest.

27 Records filed in the Office of the State Engineer show
28 the Humboldt Cattle Company, Clarence W. and Melba Ellison
29 Jackson, Lyle Ellison and Margaret Kosek are owners of record
30 of Proofs of Appropriation 0708, 0710 and 02471 claiming vested

1 rights to the use of water from Willow Creek. These claims were
2 not substantiated by investigation or by conclusive evidence
3 submitted by the claimants. The claims under these proofs were
4 not established, therefore were not entered in the Order of
5 Determination.

6 That on the 5th day of August, 1958, the State Engineer
7 did cause to be published a Notice of Order and Proceedings to
8 Determine Water Rights in and to the waters of Willow Creek and
9 its tributaries in Humboldt County, State of Nevada. That on the
10 8th day of May, 1963, there was filed in the Office of the State
11 Engineer an affidavit of the publisher of the Humboldt Star, ex-
12 emplifying the Proof of Publication of Notice of Order and
13 Proceedings.

14 The State Engineer did cause to be published on the 22nd
15 day of September, 1961, a Notice of Order for Taking Proofs to
16 Determine Water Rights in and to the waters of Willow Creek and
17 its tributaries in Humboldt County, State of Nevada, and that
18 notice was duly given to all claimants as required by law. That
19 on the 9th day of May, 1963, there was filed in the Office of the
20 State Engineer an affidavit of the publisher of the Humboldt Star,
21 exemplifying the Proof of Publication of Notice of Order for
22 Taking Proofs.

23 That the State Engineer, in accordance with NRS 533.140,
24 did enter and file in the records of his office, on the 10th day
25 of February, 1966, an Abstract of Claims, a Preliminary Order of
26 Determination and Notice and Order Fixing and Setting Time and
27 Place of Inspection, stating when and where the evidence taken by
28 or filed with him and the proofs of claims shall be open to the
29 inspection of all interested persons; and that notice thereof was
30 duly given to all claimants as required by law.

1 That thereafter, on the 6th day of June, 1966, Objections
2 to the Preliminary Order of Determination were filed by claimants
3 Dennis Heitman and Jere Heitman, through their attorney, James A.
4 Callahan, Esq., of Winnemucca, Nevada; that a hearing was held on
5 said Objections on August 5, 1966 and as a result of the testimony
6 given during the hearing the length of the irrigation season was
7 extended, as provided in Article X in the Order of Determination.

8 That the State Engineer, in accordance with NRS 533.160,
9 entered in the records of his office, on the 26th day of September,
10 1966, a Final Order of Determination defining the rights of the
11 claimants and appropriators to the waters of Willow Creek and its
12 tributaries and that notice thereof was duly given to all claim-
13 ants as required by law.

14 That upon the filing of the certified copy of the Final
15 Order of Determination and original evidence with the Clerk of the
16 Court of Humboldt County, State of Nevada, the Court, at the
17 request of the State Engineer, made and entered an Order on the
18 11th day of October, 1966, setting a time for the hearing of any
19 exceptions to the Final Order of Determination, on Thursday, the
20 17th day of November, 1966 at 10:00 o'clock in the forenoon, at
21 the County Court House at Winnemucca, Nevada; and that the Clerk
22 of said Court did furnish the State Engineer with a certified
23 copy thereof.

24 That the State Engineer, in accordance with NRS 533.165,
25 gave notice to the claimants, by service of a certified copy of
26 the Court Order Setting the Time for Hearing.

27 That on the 7th day of October, 1966, the State Engineer
28 did cause to be published, the Court Order Setting Time for
29 Hearing, and that thereafter on the 14th day of November, 1966,
30 there was filed in the Office of the State Engineer an affidavit

1 of the publisher of the Humboldt Star, exemplifying the Proof of
2 Publication of the Court Order Setting Time for Hearing.

3 The Court finds that all and singular, the Proceedings,
4 Orders and Notices required by Chapter 533 of NRS were duly had,
5 made and given as required by law, and that all and singular the
6 matters and things contained in the record were done, performed,
7 given and made in strict compliance with the statute, and that
8 this Court had and has jurisdiction to hear and determine this
9 matter.

10 II

11 The Court Further Finds: That Willow Creek and its tri-
12 butaries are situated wholly within Humboldt County, State of
13 Nevada.

14 III

15 The Court Further Finds: That the names of the claimants
16 and appropriators, the duty of water, the measurement of water,
17 the length of the irrigation season, stock watering and domestic
18 use of the water, the change of place of use, and the rights of
19 appropriation, all as set forth in the Final Order of Determina-
20 tion, are true, proper and correct, and all and singular the same
21 should be approved and confirmed.

22 I. PREFACE

23 That on December 10, 1956, Alberta Webster Hawthorne, a
24 water user on Willow Creek and its tributaries, acting by and
25 through her Attorney, Emerson J. Wilson, Esq., of Reno, Nevada,
26 filed with the State Engineer of the State of Nevada a petition
27 requesting the determination of the relative rights of petitioner
28 and other claimants to the waters of Willow Creek and its tribu-
29 taries thereto situate in Humboldt County, State of Nevada.

30 On September 17, 1957, V. H. Stafford, then Senior

1 Hydraulic Engineer, Elmo J. DeRicco, then Assistant State Engineer
2 and George W. Hennen, then Supervising Water Commissioner of the
3 Humboldt Water Distribution District, conducted a field investiga-
4 tion of the source. They found that facts and conditions justi-
5 fied the granting of the petition and that proper arrangements
6 should be initiated to proceed with such determination.

7 On July 28, 1958, the State Engineer entered an Order
8 granting the petition and made proper arrangements to proceed with
9 the determination of the relative rights of the water users in
10 accordance with NRS 533.090.

11 All of the claimants and appropriators, being less than
12 ten in number did not sign waiver of notices as required under
13 NRS 533.215. On September 19, 1961, the State Engineer entered a
14 Notice of Order for Taking Proofs to Determine Water Rights.

15 II. CLAIMANTS

16 Investigations disclosed that the waters of Willow Creek
17 and its tributaries are being placed to beneficial use for irriga-
18 tion, stock watering and domestic purposes on the Willow Creek
19 Ranch, comprised of the Snapp Field land, the old Tom Minor Ranch
20 and the old Thomas and Lena Scott Ranch as affirmed by Proofs of
21 Appropriation 02409, 01426 and 01273 respectively, as filed in the
22 Office of the State Engineer. Evidence contained in these proofs
23 of appropriation, relative to this land, indicates the present
24 claimants and appropriators, Dennis Heitman and Jere Heitman are
25 the successors in interest to vested rights initiated by their
26 predecessors in interest.

27 Records filed in the Office of the State Engineer show
28 the Humboldt Cattle Company, Clarence W. and Melba Ellison
29 Jackson, Lyle Ellison and Margaret Kosek are owners of record of
30 Proofs of Appropriation 0708, 0710 and 02471 claiming vested rights

1 to the use of water from Willow Creek. These claims were not
2 substantiated by investigation or by conclusive evidence sub-
3 mitted by the claimants. The claims under these proofs have not
4 been established, therefore they were not entered in the Order
5 of Determination.

6 III. SOURCE

7 Willow Creek heads on the western slope of the Santa Rosa
8 Mountain Range, north of Santa Rosa Peak, located in the north
9 east portion of Humboldt County. The stream flows in a westerly
10 direction out of a narrow canyon over an alluvial fan to the floor
11 of Quinn River Valley.

12 Willow Creek is fed by melting snows and springs.
13 Typical of Nevada's mountain desert streams, it has a high spring
14 run-off which recedes during the summer months to a small continu-
15 ous flow.

16 IV. IRRIGATION SEASON

17 The irrigation season under each proof shall be as es-
18 tablished in the Rights of Appropriation under Article X.

19 V. DUTY OF WATER

20 The seasonal duty of water on lands irrigated from
21 Willow Creek and its tributaries is fixed at 4 acre-feet per acre.

22 VI. DIVERSION OF WATER AND METHOD OF USE

23 The claimants shall have the right to divert 2½ cubic
24 feet per second of water per 100 acres of land irrigated, but not
25 to exceed the seasonal duty as established herein. The 2½ cubic
26 feet per second of water per 100 acres shall be the basis for the
27 water commissioner to set priorities on this stream system.

28 The claimants or their successors in interest will not be
29 required to take or use the amount of water allotted to them in a
30 continuous flow, but may cumulate the same or any part thereof in

1 rotation or periodic turn within the seasonal limits with the
2 approval of the water commissioner and subject to the control and
3 direction of the State Engineer.

4 VII. MEASUREMENT OF WATER

5 All measurements of amounts of water diverted are to be
6 made at the point where the main ditch enters or becomes adjacent
7 to the land to be irrigated or as near thereto as is practicable;
8 the location if not selected by the State Engineer, to be approved
9 by him. Each water user shall install and maintain at his own
10 expense, substantial and easily operated regulating headgates and
11 measuring devices in his ditch or ditches. Due allowance for
12 losses in ditches will be made by the State Engineer in case it
13 becomes necessary to divert additional water into said ditches.

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

16 CONCLUSIONS OF LAW

17 From the evidence presented and received in this matter,
18 and from the foregoing FINDINGS OF FACT, the Court makes the
19 following Conclusions of Law:

20 I.

21 That the State Engineer had the right, authority and
22 jurisdiction pursuant to Chapter 533 of NRS, to make the investi-
23 gations made by him, conduct the hearings had by him, receive the
24 proofs and maps, hear the evidence presented to him, and prepare,
25 make, enter and file in his office the original Final Order of
26 Determination and file a certified copy thereof in this Court, and
27 to determine the relative rights of claimants and appropriators in
28 and to the waters of Willow Creek and its tributaries in Humboldt
29 County, State of Nevada; that the State Engineer duly made all
30 orders necessary and proper in connection therewith and entered

1 the same in his office as required by Chapter 533 of NRS; that
2 each and every notice required by law to be given herein to the
3 claimants and appropriators was duly served by the State Engineer
4 in the manner and within the time required by statute, and that
5 the notices contained all of the statements required by law, and
6 that the claimants and appropriators of the waters of the above-
7 named stream system and its tributaries duly received the infor-
8 mation and notices herein, as required by law.

9 II.

10 That the Sixth Judicial District Court of the State of
11 Nevada, in and for the County of Humboldt, had and has jurisdiction
12 to hear and try this matter, and has jurisdiction to find, make and
13 enter the foregoing Findings of Fact and these Conclusions of Law,
14 and enter its Decree herein.

15 III.

16 That Dennis Heitman and Jere Heitman constitute the
17 claimants and the only claimants who were and now are appropria-
18 tors and users of the waters of Willow Creek and its tributaries
19 on the date the Final Order of Determination was filed with the
20 Clerk of this Court, and on the date of the trial and hearing of
21 this matter.

22 IV.

23 That the duty of water on lands irrigated from Willow
24 Creek and its tributaries is herein fixed as follows:

25 4 acre-feet per acre.

26 V.

27 That the maximum allowable diversion herein fixed is 2½
28 cubic feet per second for each 100 acres of land irrigated. Due
29 to the characteristics of the stream flow, the claimants named
30 herein or their successors in interest shall be allowed to

1 increase the rate of direct flow diversions to the maximum herein
2 allowed so as to satisfy any immediate needs of the growing crops.
3 They may, at their own option, rotate the allotted water between
4 the various fields having a decreed water right at such times and
5 in such quantities as is necessary to place the water to the
6 greatest beneficial use.

7 That existing reservoirs may be used to store and
8 regulate water herein allotted. Diversion of water to such
9 reservoirs shall be consistent with quantities of water and
10 priorities as herein determined. The aggregate amount of water
11 diverted from a reservoir is not to exceed the total duty of water
12 herein fixed for the lands served by said reservoir.

13 VI.

14 That all waters allotted in the Decree shall be appurte-
15 nant to the place or places of use designated therein, and in the
16 event that any water user desiring to change the place of use of
17 the waters allotted herein, must make application to the State
18 Engineer for permission to make the change pursuant to law.

19 VII.

20 That except where specifically otherwise ordered herein
21 or in the Decree, the Final Order of Determination made, filed and
22 caused to be entered of record in this matter by the State
23 Engineer, should be affirmed.

24 JUDGMENT AND DECREE

25 THEREFORE, BY REASON OF THE FINDINGS OF FACT AND
26 CONCLUSIONS OF LAW HEREINBEFORE SET FORTH, IT IS ORDERED, AD-
27 JUDGED AND DECREED BY THE COURT AS FOLLOWS:

28 I.

29 That the State Engineer made all necessary and proper
30 orders herein as required by law, and that each and every notice

1 required by law was duly given to the claimants and appropriators;
2 that the claimants and appropriators had full opportunity to
3 appear and be heard in objection to and file exceptions to the
4 Final Order of Determination herein; that the claimants and
5 appropriators are the only claimants and appropriators of the
6 waters of Willow Creek and its tributaries.

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

10 II.

11 That the flow of water from Willow Creek and its tribu-
12 taries is being placed to beneficial use by Dennis and Jere
13 Heitman on Willow Creek Ranch, comprised of the Snapp Field Land,
14 the old Tom Minor Ranch and the old Thomas and Lena Scott Ranch,
15 for irrigation, stock watering and domestic purposes.

16 III.

17 That the duty of water on land irrigated from Willow
18 Creek and its tributaries is herein fixed as follows:

19 4 acre-feet per acre.

20 IV.

21 The claimants shall have the right to divert 2½ cubic
22 feet per second of water per 100 acres of land irrigated, but not
23 to exceed the seasonal duty as established herein. The 2½ cubic
24 feet per second of water per 100 acres shall be the basis for the
25 water commissioner to set priorities on this stream system.

26 The claimants or their successors in interest will not
27 be required to take or use the amount of water allotted to them
28 in a continuous flow, but may cumulate the same or any part
29 thereof in rotation or periodic turn within the seasonal limits
30

1 with the approval of the Water Commissioner and subject to the
2 control and direction of the State Engineer.

3 V.

4 All measurements of amounts of water diverted are to be
5 made at the point where the main ditch enters or becomes adjacent
6 to the land to be irrigated or as near thereto as is practicable;
7 the location if not selected by the State Engineer, to be approved
8 by him. Each water user shall install and maintain at his own
9 expense, substantial and easily operated regulating headgates and
10 measuring devices in his ditch or ditches. Due allowance for
11 losses in ditches will be made by the State Engineer in case it
12 becomes necessary to divert additional water into said ditches.

13 Priorities are fixed by years and where the years are the
14 same the priorities are equal.

15 VI.

16 That water for irrigation purposes shall not be increased
17 by any amount to be used for stock and domestic purposes but the
18 quantity allowed and diverted for irrigation during the irrigation
19 season includes the water for stock and domestic purposes.

20 VII.

21 The right to the diversion and use of the water for stock
22 and domestic purposes shall be continued by such claimants and
23 such water users at any time during the year, and such diversions
24 shall be according to the dates of priority of such claimants and
25 such users shall be limited to the rate of one tenth of a c.f.s.
26 for each one thousand head of stock. During the irrigation
27 season the amount of water diverted for irrigation purposes shall
28 not be increased by any amount to be used for stock and domestic
29 purposes but the quantity allowed and diverted for irrigation dur-
30 ing the irrigation season includes the water for stock and

1 domestic purposes.

2 VIII.

3 All water allotted under this Order shall be appurtenant
4 to the place of use designated herein. Any water user desiring to
5 change the point of diversion, manner of use or place of use of
6 the waters allotted herein must make application to the State
7 Engineer for permission to make the change pursuant to NRS
8 533.345.

9 IX.

10 That the name of the claimants and appropriators of
11 Willow Creek and its tributaries, being the source of water supply,
12 the means of diversion from the source of supply for beneficial
13 use, the points of diversion, the year of priority, the cultural
14 acreage, or place of use, the manner of use, the period of use,
15 the legal subdivisions, sections, townships and ranges, the duty
16 of water, and the number of cubic feet of water per second per
17 acre irrigated by the claimants and appropriators are hereby
18 adjudged as follows, to wit:

19 Proof No. : 01273

20 Claimants : Dennis Heitman and Jere Heitman

21 Source : Willow Creek and Tributaries

22 Use : Irrigation, Stock Watering and Domestic

23 Means of Diversion : Dams and Ditches

24 Points of Diversion: Ditch No. 1 - NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, T. 44 N.,
R. 38 E., M.D.B. & M.

25 Ditch No. 6 - SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25, T. 44 N.,
26 R. 37 E., M.D.B. & M.

27 Ditch No. 7 - SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25, T. 44 N.,
28 R. 37 E., M.D.B. & M.

29 Period of Use: March 15th to November 1st

30

PRI-ORITY:	CULTURAL ACREAGE		LOCATION				DUTY OF WATER ACRE-FEET
	HARVEST	SUB-DIV.	SEC-TION:	TWP. N.	RGE. E.		
1874	2.85	SE $\frac{1}{4}$ NE $\frac{1}{4}$	25	44	37	11.40	
1874	15.50	SW $\frac{1}{4}$ NE $\frac{1}{4}$	25	44	37	62.00	
1888	1.50	SW $\frac{1}{4}$ NE $\frac{1}{4}$	25	44	37	6.00	
1888	34.80	NW $\frac{1}{4}$ NE $\frac{1}{4}$	25	44	37	139.20	
1888	8.30	NE $\frac{1}{4}$ NW $\frac{1}{4}$	25	44	37	33.20	
1888	7.30	SE $\frac{1}{4}$ SW $\frac{1}{4}$	24	44	37	29.20	
1888	<u>1.70</u>	SW $\frac{1}{4}$ SE $\frac{1}{4}$	24	44	37	<u>- 6.80</u>	
Totals	71.95					287.80	

Proof No.: 01426

Claimants: Dennis Heitman and Jere Heitman

Source: Willow Creek and Tributaries

Use: Irrigation and Domestic

Means of Diversion: Dams and Ditches

Points of Diversion: Upper Kinniger Canal - NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, T. 44 N., R. 38 E., M.D.B.&M.

Lower Kinniger Canal - NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, T. 44 N., R. 38 E., M.D.B. & M.

Old Hardin Canal - NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30, T. 44 N., R. 38 E., M.D.B.& M.

Period of Use: March 15th to November 1st

PRI-ORITY:	CULTURAL ACREAGE		LOCATION				DUTY OF WATER ACRE-FEET
	HARVEST:	SUB-DIV.	SEC-TION:	TWP. N.	RGE. E.		
1886	20.00	SW $\frac{1}{4}$ NW $\frac{1}{4}$	30	44	38	60.0	
1886	15.00	NW $\frac{1}{4}$ SW $\frac{1}{4}$	30	44	38	60.0	
1903	<u>4.00</u>	NW $\frac{1}{4}$ SE $\frac{1}{4}$	30	44	38	<u>16.0</u>	
Totals	39.00					156.0	

Proof No.: 02409

Claimants: Dennis Heitman and Jere Heitman

Source: Willow Creek and Tributaries

1 Use: Irrigation, Stock Watering and Domestic
 2 Means of Diversion: Headgate and Ditches
 3 Point of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6, T. 43 N., R. 37 E.
 4 M.D.B. & M., or at a point from which
 5 the E $\frac{1}{2}$ corner of said Section 6 bears
 6 N. 55° 56' 30" E., 1,251 feet.
 7
 8 Period of Use: March 15th to November 1st

PRI- ORITY:	CULTURAL ACREAGE		LOCATION				DUTY OF WATER ACRE-FEET
	HARVEST:	SUB- DIV.	SEC- TION:	TWP. N.:	RGE. E.:		
10	1890	27.8	NE $\frac{1}{4}$ SE $\frac{1}{4}$	6	43	37	111.2
11	1890	40.0	NW $\frac{1}{4}$ SE $\frac{1}{4}$	6	43	37	160.0
12	1890	80.0	S $\frac{1}{2}$ SE $\frac{1}{4}$	6	43	37	320.0
13	1890	160.0	SW $\frac{1}{4}$	6	43	37	640.0
14	1890	40.0	NW $\frac{1}{4}$ NE $\frac{1}{4}$	7	43	37	160.0
15	1890	17.8	SW $\frac{1}{4}$ NE $\frac{1}{4}$	7	43	37	71.2
16	1890	80.0	N $\frac{1}{2}$ NW $\frac{1}{4}$	7	43	37	320.0
17	1890	40.0	SW $\frac{1}{4}$ NW $\frac{1}{4}$	7	43	37	160.0
18	1890	30.0	SE $\frac{1}{4}$ NW $\frac{1}{4}$	7	43	37	120.0
19	1890	10.0	NW $\frac{1}{4}$ SW $\frac{1}{4}$	7	43	37	40.0
20	1890	40.0	NE $\frac{1}{4}$ SE $\frac{1}{4}$	1	43	36	160.0
21	1890	25.0	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1	43	36	100.0
22	1890	22.1	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1	43	36	88.4
23	1890	17.8	NE $\frac{1}{4}$ NE $\frac{1}{4}$	12	43	36	71.2
24	1890	40.0	SE $\frac{1}{4}$ NE $\frac{1}{4}$	12	43	36	160.0
25	1890	13.0	SW $\frac{1}{4}$ NE $\frac{1}{4}$	12	43	36	52.0
26	1890	40.0	NE $\frac{1}{4}$ SE $\frac{1}{4}$	12	43	36	160.0
27	1890	3.0	NW $\frac{1}{4}$ SE $\frac{1}{4}$	12	43	36	12.0
28	1890	28.4	SE $\frac{1}{4}$ SE $\frac{1}{4}$	12	43	36	113.6
29	1890	1.6	SW $\frac{1}{4}$ SE $\frac{1}{4}$	12	43	36	6.4
30	1890	30.0	NE $\frac{1}{4}$ NE $\frac{1}{4}$	13	43	36	120.0



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PRI- ORITY:	CULTURAL ACREAGE		LOCATION				DUTY OF WATER ACRE-FEET
	HARVEST:	SUB- DIV.	SEC- TION:	TWP. N.	RGE. E.		
1890	10.0	NW $\frac{1}{4}$ NE $\frac{1}{4}$	13	43	36	40.0	
1890	10.0	SE $\frac{1}{4}$ NE $\frac{1}{4}$	13	43	36	40.0	
1890	<u>5.0</u>	NW $\frac{1}{4}$ SE $\frac{1}{4}$	13	43	36	<u>20.0</u>	
Totals	811.5					3,246.0	

DONE IN OPEN COURT THIS 30th DAY OF December
A.D. 1966.

Merwyn H. Brown
 Merwyn H. Brown
 District Judge