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10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 IN AND FOR THE COUNTY OF LASSEN

12

13 IN THE MATTER OF THE DETERMINATION)
 OF THE RIGHTS OF THE VARIOUS CLAIMANTS)
 14 TO THE WATER OF BAXTER CREEK STREAM)
 SYSTEM IN LASSEN COUNTY, CALIFORNIA)

NO. 8174
 DECREE

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17 The above-entitled cause having come on regularly for hearing,
 18 trial and determination on the 15th day of December, 1955, before this
 19 court sitting without a jury; Mark C. Nosler appearing as attorney for
 20 the Department of Public Works of the State of California, Division of
 21 Water Resources, acting through the State Engineer, hereinafter referred
 22 to as "Department"; all parties in interest in said proceeding having been
 23 duly and regularly notified of said hearing, trial and determination; no
 24 exceptions to the Order of Determination on file herein having been filed;
 25 the Department having moved the court to modify and affirm the Order of
 26 Determination; evidence having been introduced, the matter argued and sub-
 27 mitted for decision; and the court being fully advised in the premises
 28 grants the motion of the Department, affirms the Order of Determination

1 as modified and renders this its decree determining the rights of all
2 parties involved in this proceeding as follows to wit.

3 IT IS ORDERED, ADJUDGED, AND DECREED that the several rights of
4 all existing claimants in and to the use of water of the Baxter Creek
5 Stream System in Lassen County, California, are as hereinafter set forth:

6 GENERAL DEFINITIONS, LIMITATIONS, AND PROVISIONS
7

8 1. The term "Water Code" when used herein means the Water Code of
9 California; the term "stream system" when used herein means Baxter Creek
10 and all its tributaries; the term "claimant" when used herein means a
11 party claiming rights in and to the use of the water of Baxter Creek stream
12 system.

13 2. Although all quantities of water allotted to the several claimants
14 for direct application to beneficial use are severally expressed in terms
15 of continuous flow, nevertheless, nothing herein contained shall be con-
16 strued as limiting or restricting the right of any claimants to rotate
17 in the use of water or the right of any claimants to divert for limited
18 periods of time convenient "irrigation heads", and thus apply water to
19 his lands at a greater rate than indicated by the quantity of continuous
20 flow so allotted; provided, that such practice of rotation or use of
21 "irrigation heads" shall not result in the use by any claimant of a total
22 quantity of water during any thirty-day period in excess of the equivalent
23 of claimant's continuous flow allowance for thirty days; and provided
24 further, that this practice of rotation or use of "irrigation heads"
25 shall not impair or infringe the rights of any other claimant.

26 3. Nothing herein contained shall, or shall be construed to, pre-
27 vent any of the claimants herein, who jointly use a ditch for which there

1 is a continuous flow allotment, from employing by agreement a system of
2 rotation in use as among themselves; or prevent any claimant herein who
3 has allotments in two or more ditches, from using all or any portion of the
4 summation of such allotments through any of these ditches on all or any
5 portion of his lands; provided the total quantity of water diverted by the
6 claimant at any time shall not exceed the summation of such allotments; and
7 provided further, this practice of rotation or use of combined allotments
8 shall not impair or infringe the rights of any other claimant.

9 4. The term "directly apply to beneficial use" means the direct
10 conveyance and application of water diverted to beneficial use without
11 intermediate storage, except such regulatory storage as may be practiced
12 for the purpose of equalizing the flow of water diverted for a convenient
13 irrigation head.

14 5. The term "natural flow" means such a flow as will naturally occur
15 at any given point in a stream from the runoff of the watershed which it
16 drains, from springs which naturally contribute to the stream, from see-
17 page, and from waste and return flow from dams, conduits, and irrigated
18 lands, as distinguished from released stored water.

19 6. Nothing herein contained shall, or shall be construed to, allo-
20 cate to any claimant a right to divert from Baxter Creek stream system, at
21 any time, a quantity of water in excess of an amount reasonably necessary
22 for his requirements and being put to beneficial use.

23 7. The Division of Water Resources Map, hereinafter referred to as
24 D.W.R. Map, is the map prepared by the Department of Public Works of the
25 State of California, Division of Water Resources, from its surveys made in
26 1950 and 1951, which map is entitled "Baxter Creek Stream System Showing

1 Diversions and Irrigated Lands, Lassen County, California", is dated 1951,
2 and is on file in this proceeding.

3
4 DEFINITION OF WATER RIGHTS

5 8. The several claimants in the proceeding entitled to rights in
6 and to the water, and in and to the use thereof, from the stream system
7 are divided into two separate groups, designated as follows:

8 (1) Sloss Creek and Bankhead Creek Group (Schedule 3), (2) Baxter
9 Creek and Elesian Creek Group (Schedule 4). All rights in the Sloss Creek
10 and Bankhead Creek Group are superior in priority and in right to all
11 rights in Baxter Creek and Elesian Creek Group.

12 9. The several claimants in the proceeding are entitled to use of
13 the water from the stream system upon the places of use described under
14 their names in Schedule 1, and are entitled to divert water at the points
15 of diversion from the stream system as named, numbered, and described in
16 Schedule 2. The points of measurement of the quantities of water allotted
17 are at the points of diversion from the stream system. The various rights
18 in each group are interrelated and are set forth in Schedules 3 and 4.

19 10. All allotments in Schedules 3 and 4 shall be for continuous
20 usage without regard to season, but shall be limited during the period
21 from November 1 of each year to the last day of February of the succeed-
22 ing year, to the amount required for domestic and stock water use.

23
24 DEFINITION OF WATER RIGHTS
IN SLOSS CREEK AND BANKHEAD CREEK GROUP

25 11. The Sloss Creek and Bankhead Creek Group, as designated in
26 Paragraph 8, comprises all rights in and to the water, and in and to the

1 use thereof in Sloss Creek and in Bankhead Creek. This group contains
2 rights in three priority classes, as set forth in Schedule 3 and defined
3 in Paragraph 12.

4 12. The several claimants enumerated in Schedule 3 are entitled
5 to rights in "first priority class", "second priority class", and "third
6 priority class", in and to the use of the natural flow of Sloss Creek and
7 Bankhead Creek and their tributaries during the seasons stated in Paragraph
8 10, for domestic, stockwatering, and irrigation purposes upon their lands
9 as shown on D.W.R. Map and as described under their names in Schedule 1,
10 in accordance with the acreages to be supplied, priorities and quantities
11 of water allotted, at the points of diversion, as numbered and as shown
12 after their names in Schedule 3. The rights in "first priority class" are
13 equal in priority and correlative in right, but are superior in priority
14 and in right to all other rights in Schedule 3, and at all times when the
15 available water supply of Sloss Creek and Bankhead Creek and their tribu-
16 taries is inadequate to supply all rights in "first priority class", then
17 during the continuance of such shortage, the owners of such rights shall
18 prorate the available water supply in accordance with their allotments in
19 "first priority class". The rights in "second priority class" are equal
20 in priority and correlative in right, are subject and inferior to the
21 rights in "first priority class", but are superior in priority and in right
22 to all other rights in Schedule 3, and at all times when the available
23 water supply of Sloss Creek and Bankhead Creek and their tributaries is
24 inadequate to supply all rights in "second priority class", then during
25 the continuance of such shortage, the owners of such rights shall prorate
26 the available supply, if any, in excess of the quantity required to supply
27 prior rights, in accordance with their allotments in "second priority class".

1 The rights in "third priority class" are equal in priority and correlative
2 in right, but are subject and inferior to all other rights in Schedule 3,
3 and at all times when the available water supply of Sloss Creek and Bank-
4 head Creek and their tributaries is inadequate to supply all rights in
5 "third priority class", then during the continuance of such shortage, the
6 owners of such rights shall prorate the available water supply, if any,
7 in excess of the quantity required to supply prior rights, in accordance
8 with their allotments in "third priority class" provided, however, that
9 nothing herein contained shall be construed as modifying the provisions
10 of that certain agreement of October 16, 1919, recorded November 17, 1919,
11 in Book 2, Page 217 of Agreements, Lassen County.

12
13 DEFINITION OF WATER RIGHTS
 IN BAXTER CREEK AND ELESIAN CREEK GROUP

14 13. The Baxter Creek and Elesian Creek Group as designated in
15 Paragraph 8, comprises all rights in and to the water, and in and to the
16 use thereof in Baxter Creek and in Elesian Creek. This group contains
17 rights in five priority classes as set forth in Schedule 4 and defined in
18 Paragraph 14.

19 14. The several claimants enumerated in Schedule 4 are entitled
20 to rights in "first priority class", "second priority class", "third
21 priority class", "fourth priority class", and "fifth priority class" in
22 and to the use of the natural flow of Baxter Creek and Elesian Creek and
23 their tributaries during the seasons stated in Paragraph 10, for domestic,
24 stockwatering, and irrigation purposes upon their lands as shown on
25 D.W.R. Map and as described under their names in Schedule 1, in accordance
26 with the acreages to be supplied, priorities and quantities of water
27 allotted, at the points of diversion as numbered, and as shown after their

1 names in Schedule 4. The rights in "first priority class" are equal in
2 priority and correlative in right, but are superior in priority and in
3 right to all other rights in Schedule 4, and at all times when the available
4 water supply of Baxter Creek and Elesian Creek and their tributaries is
5 inadequate to supply all rights in "first priority class", then during the
6 continuance of such shortage, the owners of such rights shall prorate the
7 available water supply in accordance with their allotments in "first
8 priority class". The rights in "second priority class" are equal in
9 priority and correlative in right, are subject and inferior to rights in
10 "first priority class", but are superior in priority and in right to all
11 other rights in Schedule 4, and at all times when the available water
12 supply of Baxter Creek and Elesian Creek and their tributaries is inade-
13 quate to supply all rights in "second priority class", then during the
14 continuance of such shortage, the owners of such rights shall prorate the
15 available supply, if any, in excess of the quantity required to supply
16 prior rights, in accordance with their allotments in "second priority
17 class". The rights in "third priority class" are equal in priority and
18 correlative in right, are subject and inferior to rights in "first
19 priority class" and in "second priority class", but are superior in
20 priority and in right to all other rights in Schedule 4, and at all times
21 when the available water supply of Baxter Creek and Elesian Creek and
22 their tributaries is inadequate to supply all rights in "third priority
23 class", then during the continuance of such shortage, the owners of such
24 rights shall prorate the available supply, if any, in excess of the
25 quantity required to supply prior rights, in accordance with their allot-
26 ments in "third priority class". The rights in "fourth priority class" are
27 equal in priority and correlative in right, are subject and inferior to

1 rights in "first priority class", "second priority class", and in "third
2 priority class", but are superior in priority and in right to all other
3 rights in Schedule 4, and at all times when the available water supply of
4 Baxter Creek and Elesian Creek and their tributaries is inadequate to
5 supply all rights in "fourth priority class", then during the continuance
6 of such shortage, the owners of such rights shall prorate the available
7 supply, if any, in excess of the quantity required to supply prior rights,
8 in accordance with their allotments in "fourth priority class". The
9 rights in "fifth priority class" are equal in priority and correlative in
10 right, but are subject and inferior to all other rights in Schedule 4, and
11 at all times when the available water supply of Baxter Creek and Elesian
12 Creek and their tributaries is inadequate to supply all rights in "fifth
13 priority class" then during the continuance of such shortage, the owners
14 of such rights shall prorate the available water supply, if any, in excess
15 of the quantity required to supply prior rights, in accordance with their
16 allotments in "fifth priority class" provided, however, that Soule and Scholk
17 are entitled to divert 0.26 cubic foot per second from Baxter Creek in
18 "fifth priority class" when water is unavailable for their use as set
19 forth in Schedule 3 and Paragraph 12, such use not to exceed the total
20 amounts set forth in Schedule 3; and provided further, that whenever the
21 water supply passing the head of the Long Ditch (Diversion 75) pursuant
22 to Schedule 4 hereof, recedes to 1.00 cubic foot per second or less, the
23 entire amount of water available at that point shall be diverted through
24 said Long Ditch for domestic and stockwatering purposes on the lands of
25 Melvin L. Dieter and Clare S. Dieter, Albert A. Dieter and Valera Dieter,
26 Lenus J. Hostetter, Zebnor Johnson and Birt Hostetter, and Rey Winchel.

1 15. C. H. FOX AND ETHELENE D. FOX, who filed Proof of Claim 56 in
2 this proceeding, have no right, title, or interest in or to the waste water
3 flowing onto their lands in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8 T 28 N, R 14 E,
4 M.D.B.&M., as claimed under "Remarks" in their proof.

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SCHEDULE 1

DESCRIPTION OF PLACES OF USE OF
ALLOTMENTS FROM BAXTER CREEK STREAM SYSTEM

William Ahern and Zella J. Ahern

6.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T 28 N, R 13 E, MDB&M
6.0 acres - Total

W. T. Bailey and Lenora M. Bailey

21.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
1.0 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
34.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
38.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
17.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 28 N, R 14 E, MDB&M
12.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, T 28 N, R 14 E, MDB&M
13.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 28 N, R 14 E, MDB&M
33.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 28 N, R 14 E, MDB&M
35.1 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 28 N, R 14 E, MDB&M
3.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
6.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
294.2 acres - Total

Verne E. Baker

12.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, T 29 N, R 13 E, MDB&M
12.0 acres - Total

Dave Barr and Mary Barr

6.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
5.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
5.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
13.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
0.7 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
31.5 acres - Total

SCHEDULE 1 (Cont'd)

R. Dudley Bass

26.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
 34.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
 22.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
 12.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
 9.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
 35.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
 30.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
 30.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 14 E, MDB&M
 278.8 acres - Total

Ralph Bass and Mabel C. Bass

36.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
 4.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
 18.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
 31.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
 24.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 13.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 0.4 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 34.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 11.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 214.7 acres - Total

Estate of S. S. Bass, Grover C. Bass, Trustee

27.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, T 29 N, R 13 E, MDB&M
 12.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 19.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 17.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 0.5 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 38.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 14.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 35.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 205.1 acres - Total

1 SCHEDULE 1 (Cont'd)

2 Charles W. Beckett and Vada H. Beckett

3 4.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 28 N, R 13 E, MDB&M
4 6.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, T 28 N, R 13 E, MDB&M
5 10.0 acres - Total

6 James L. Beckett and Florence Beckett

7 28.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T 28 N, R 13 E, MDB&M
8 28.2 acres - Total

9 George R. Bowersox and Evelyn Bowersox

10 1.0 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 28 N, R 13 E, MDB&M
11 1.0 acre - Total

12 Frank W. Cummings and Barbara R. Cummings

13 8.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 14 E, MDB&M
14 3.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 14 E, MDB&M
15 11.9 acres - Total

16 Jess R. Cunningham and Jean Cunningham

17 0.5 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
18 0.5 acre - Total (In Lot 4 of Block 28, Janesville)

19 Arthur M. Davis and Roxie Davis

20 20.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T 29 N, R 13 E, MDB&M
21 20.0 acre - Total

SCHEDULE 1 (Cont'd)

Charles Degiovanni and Carrie Degiovanni

29.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 4.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 33.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 25.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 26.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 20.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 39.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 8.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T 28 N, R 13 E, MDB&M
 38.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T 28 N, R 13 E, MDB&M
 3.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
348.2 acres - Total

Paul E. deRocher and Nancy deRocher

2.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 10.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 11.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, T 28 N, R 13 E, MDB&M
 1.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T 28 N, R 13 E, MDB&M
 3.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T 28 N, R 13 E, MDB&M
28.1 acres - Total

0.5 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 0.5 acre - Total (Holmes Pipe Line)

Albert A. Dieter and Valera Dieter

8.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 36.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 0.4 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 4.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 7.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 38.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
175.2 acres - Total

SCHEDULE 1 (Cont'd)

Melvin L. Dieter and Clare S. Dieter

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
34.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
32.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
34.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
180.8 acres - Total

Myron M. Dieter

37.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T 28 N, R 13 E, MDB&M
37.0 acres - Total

James H. Dundom

40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
4.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
44.0 acres - Total

Edmund Dunn and Genevieve Dunn

20.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
20.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
34.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
11.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
20.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
20.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
15.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
2.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
2.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 14 E, MDB&M
5.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
189.0 acres - Total

SCHEDULE 1 (Cont'd)

C. H. Fox and Ethelene D. Fox

5.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
 20.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 14 E, MDB&M
 35.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
 20.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
80.0 acres - Total

Wayne S. Grover and Fannie D. Grover

33.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
 36.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
 7.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
 23.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
 4.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T 28 N, R 13 E, MDB&M
 2.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
 12.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
 *0.5 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
119.4 acres - Total

* Denotes irrigated land outside of property line.

Minnie Bass Hansen

40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
 18.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
 12.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
 35.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
 31.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
 25.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
 27.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 28 N, R 12 E, MDB&M
 22.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 28 N, R 12 E, MDB&M
 30.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 12 E, MDB&M
 23.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T 28 N, R 12 E, MDB&M
 11.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T 28 N, R 12 E, MDB&M
277.8 acres - Total

SCHEDULE 1 (Cont'd)

Roy E. Harwood and Estate of Elbert R. Spraker

40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 27.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 30.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 27.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 7.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
 2.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 3.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 14.6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 23.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
 0.4 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
257.4 acres - Total

Otho L. Hemphill and Mildred M. Hemphill

35.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 35.1 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 17.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 35.4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
163.4 acres - Total

Lenus J. Hostetter

2.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 5.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 3.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 9.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 5.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
25.4 acres - Total

Bessie Jack

10.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 28 N, R 12 E, MDB&M
10.3 acres - Total

SCHEDULE 1 (Cont'd)

Zebnor Johnson and Birt Hostetter

21.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
30.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
8.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
59.5 acres - Total

Zebnor Johnson, Ida M. Johnson, and Birt Hostetter

1.0 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
38.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 28 N, R 13 E, MDB&M
32.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 28 N, R 13 E, MDB&M
10.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 28 N, R 13 E, MDB&M
29.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 14 E, MDB&M
111.0 acres - Total

Marie M. Bennett Kallsen

0.5 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
0.5 acre - Total (In Lots 7, 8, 9, 10, and 11 of Block 29,
Janesville)

Richard S. Kanavel and Virginia Kanavel

24.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
20.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
6.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
8.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
3.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
61.4 acres - Total (North Fork Elesian Creek and House Springs)

4.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 12 E, MDB&M
10.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 12 E, MDB&M
6.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
4.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
13.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
1.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
1.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
26.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
29.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
22.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
160.1 acres - Total (Kanavel Creek)

1 SCHEDULE 1 (Cont'd)

2 Richard S. Kanavel and Virginia Kanavel (Cont'd)

3 36.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 12 E, MDB&M
4 17.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
5 5.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
6 13.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
7 72.5 acres - Total (South Fork Elesian Creek)

8 20.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
9 21.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
10 1.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
11 8.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
12 6.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
13 56.7 acres - Total (North Fork Elesian Creek and Elesian Creek)

14 R. M. Kyte and Lydiane Kyte

15 5.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T 28 N, R 13 E, MDB&M
16 10.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 28 N, R 13 E, MDB&M
17 6.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T 28 N, R 13 E, MDB&M
18 22.0 acres - Total

19 Ruth Lagler, Dan L. Dieter, Esther E. Smith, and Wilma Hoffman
20 c/o Clarence Hoffman

21 4.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
22 11.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
23 6.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
24 22.0 acres - Total

25 R. Marvin McMurphy

26 0.2 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
27 0.2 acre - Total

28 Merlyn E. Mulroney and Wanda M. Mulroney

29 20.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
30 7.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
31 14.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 14 E, MDB&M
32 40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 14 E, MDB&M
33 81.2 acres - Total

SCHEDULE 1 (Cont'd)

Carl S. Orchard and Charles F. Orchard

0.5 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
0.5 acre - Total (In Lot 7 of Block F, Janesville)

Lyle E. Parks

Lots 13, 14, and 15 of Block 29, Holmes Addition, Janesville

James T. Peterson

28.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
37.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
6.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
0.2 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T 28 N, R 13 E, MDB&M
0.2 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
25.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
13.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
111.6 acres - Total (Sloss Creek)

15.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
15.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
20.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
28.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
12.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, T 28 N, R 13 E, MDB&M
26.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
17.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
3.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
16.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T 29 N, R 13 E, MDB&M
19.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
173.7 acres - Total (Baxter Creek)

Roger T. Remick and Fay Remick

0.6 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
0.4 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
1.0 acre - Total

SCHEDULE 1 (Cont'd)

Almon L. Row

8.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, T 28 N, R 13 E, MDB&M
8.0 acres - Total

Wallace A. Sears and Mary B. Sears

40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T 28 N, R 13 E, MDB&M
40.0 acres - Total

Marvin S. Sherman and Zelma P. Sherman

17.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
26.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
35.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
35.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
20.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
5.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
258.7 acres - Total

Sam T. Sherman

40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
14.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 14 E, MDB&M
10.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
144.0 acres - Total

James Shugru

17.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T 29 N, R 12 E, MDB&M
20.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T 29 N, R 12 E, MDB&M
1.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T 29 N, R 12 E, MDB&M
5.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, T 29 N, R 13 E, MDB&M
8.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, T 29 N, R 13 E, MDB&M
52.5 acres - Total

1 SCHEDULE 1 (Cont'd)

2 Fred Slippey and Annie M. Slippey

3 40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
4 40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
5 17.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
6 24.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
7 9.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 28 N, R 14 E, MDB&M
8 17.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 28 N, R 14 E, MDB&M
9 148.6 acres - Total

10 Fred Snipes and Margaret L. Snipes

11 5.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T 28 N, R 13 E, MDB&M
12 5.0 acres - Total

13 Dale Soule and Robert Scholk

14 40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 28 N, R 13 E, MDB&M
15 40.0 acres - Total

16 Ruth Van Dyke Straight

17 24.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, T 29 N, R 12 E, MDB&M
18 36.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, T 29 N, R 12 E, MDB&M
19 20.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, T 29 N, R 12 E, MDB&M
20 39.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, T 29 N, R 12 E, MDB&M
21 3.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T 29 N, R 12 E, MDB&M
22 2.8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T 29 N, R 12 E, MDB&M
23 124.8 acres - Total

24 C. J. Thomasson and Louise Thomasson

25 10.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T 28 N, R 13 E, MDB&M
26 5.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T 28 N, R 13 E, MDB&M
27 13.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T 28 N, R 13 E, MDB&M
28 28.7 acres - Total

29 George A. Taylor and Ollie Bernice Taylor

30 8.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T 28 N, R 13 E, MDB&M
31 8.0 acres - Total

1 SCHEDULE 1 (Cont'd)

2 William R. Thornton

3 Domestic purposes
4 in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 28 N, R 13 E, MDB&M

5 Fred Wemple and Edna M. Wemple

6 0.2 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
7 0.2 acre - Total

8 Rey Winchel

9 31.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 14 E, MDB&M
10 30.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 14 E, MDB&M
11 19.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
12 1.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
13 83.0 acres - Total

14 R. E. Wing and Mary Ann Wing

15 40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
16 40.0 acres - Total

17 Herman L. Woosely and Cecil U. Woosely

18 2.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
19 2.0 acres - Total

SCHEDULE 2

POINTS OF DIVERSION FROM BAXTER CREEK
STREAM SYSTEM

Name of diversion system	Number of diversion	Approximate location of point of diversion			Bearing from reference corner	Distance in feet from reference corner
		Legal subdivision in which diversion occurs	Reference corner for distance and bearing	Reference corner		
Straight Reservoir Ditch	1	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3 T 28 N, R 12 E	W $\frac{1}{4}$ Cor. Sec. 3 T 28 N, R 12 E		N 50° E 100	
Straight Reservoir	2	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3 T 28 N, R 12 E	W $\frac{1}{4}$ Cor. Sec. 3 T 28 N, R 12 E		N 60° E 650	
Straight Domestic Pipe Line	3	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35 T 29 N, R 12 E	NE Cor. Sec. 35 T 29 N, R 12 E		S 73° W 900	
Straight Ditch	4	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 T 29 N, R 12 E	SE Cor. Sec. 26 T 29 N, R 12 E		N 48° W 750	
Straight House Lake	5	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25 T 29 N, R 12 E	W $\frac{1}{4}$ Cor. Sec. 25 T 29 N, R 12 E		S 30° E 700	
Straight Meadow Ditch	5a	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25 T 29 N, R 12 E	W $\frac{1}{4}$ Cor. Sec. 25 T 29 N, R 12 E		S 65° E 1100	
Shugru South Ditch	6	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 T 29 N, R 12 E	E $\frac{1}{4}$ Cor. Sec. 25 T 29 N, R 12 E		S 85° W 2600	
Shugru North Ditch	7	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 T 29 N, R 12 E	E $\frac{1}{4}$ Cor. Sec. 25 T 29 N, R 12 E		S 80° W 1400	
Bass Upper Ditch	8	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 T 29 N, R 12 E	E $\frac{1}{4}$ Cor. Sec. 25 T 29 N, R 12 E		S 75° W 1100	
Bass Lower Ditch	9	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30 T 29 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 30 T 29 N, R 13 E		S 12° E 850	
Shugru Spring	10	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30 T 29 N, R 13 E	SW Cor. Sec. 30 T 29 N, R 13 E		N 15° E 1350	
Baker Ditch	11	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30 T 29 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 30 T 29 N, R 13 E		S 30° E 1650	
Spraker North Ditch	12	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31 T 29 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 31 T 29 N, R 13 E		S 55° E 260	

Sheet 1

SCHEDULE 2 (Cont'd)

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Name of diversion system	Number of diversion	Legal subdivision in which diversion occurs	Approximate location of point of diversion			Distance in feet from reference corner
			Reference corner for distance and bearing	Bearing from reference corner	Distance from reference corner	
D.W.R. Map		M.D.B.&M.	M.D.B.&M.	M.D.B.&M.		
Spraker South Ditch	13	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31 T 29 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 31 T 29 N, R 13 E	S 40° E	900	
Spraker Meadow	14	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32 T 29 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 32 T 29 N, R 13 E	S 35° E	200	
Spraker and Bass Meadow Ditch	15	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32 T 29 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 32 T 29 N, R 13 E	S 35° E	200	
Spraker and Burnett Meadow Ditch	16	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32 T 29 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 32 T 29 N, R 13 E	S 67° E	800	
Bass and Kanavel Ditch	17	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2 T 28 N, R 12 E	E $\frac{1}{4}$ Cor. Sec. 2 T 28 N, R 12 E	S 82° W	2300	
Bass Upper North Ditch	18	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2 T 28 N, R 12 E	E $\frac{1}{4}$ Cor. Sec. 2 T 28 N, R 12 E	S 65° W	1750	
Bass Upper North Ditch No. 2	18a	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2 T 28 N, R 12 E	SE Cor. Sec. 2 T 28 N, R 12 E	N 50° W	500	
Bass Middle North Ditch	19	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 12 E	NW Cor. Sec. 12 T 28 N, R 12 E	S 70° E	325	
Bass South Ditch	20	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 12 E	NW Cor. Sec. 12 T 28 N, R 12 E	S 87° E	1775	
Bass Lower North Ditch	21	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1 T 28 N, R 12 E	S $\frac{1}{4}$ Cor. Sec. 1 T 28 N, R 12 E	N 48° W	175	
Kanavel Meadow Ditch	22	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 T 28 N, R 12 E	SE Cor. Sec. 1 T 28 N, R 12 E	N 89° W	1250	
Kanavel Meadow Ditch	23	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 T 28 N, R 12 E	SE Cor. Sec. 1 T 28 N, R 12 E	N 79° W	650	
Kanavel Meadow Ditch	24	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 T 28 N, R 12 E	SE Cor. Sec. 1 T 28 N, R 12 E	N 33° W	650	

SCHEDULE 2 (Cont'd)

1							
2	:Number : Approximate location of point of diversion						
3	Name of	: of	: Legal subdivision	: Reference corner	: Bearing	: Distance	
4	diversion system	: diversion on	: in which diversion occurs	: for distance and bearing	: from reference corner	: in feet from reference corner	
5		: D.W.R. : Map	: M.D.B.&M.	: M.D.B.&M.	: M.D.B.&M.		
6	Kanavel House Springs	25	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 T 28 N, R 12 E	E $\frac{1}{4}$ Cor. Sec. 1 T 28 N, R 12 E	S 60° W	1200	
7	Bass South Fork Upper Ditch	26	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 12 E	NW Cor. Sec. 12 T 28 N, R 12 E	S 20° E	500	
8	Bass South Fork Lower Ditch	27	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 12 E	NW Cor. Sec. 12 T 28 N, R 12 E	S 63° E	1950	
10	Kanavel Upper Ditch	28	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12 T 28 N, R 12 E	E $\frac{1}{4}$ Cor. Sec. 12 T 28 N, R 12 E	N 50° W	2000	
11	Kanavel Lower Ditch	29	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12 T 28 N, R 12 E	NE Cor. Sec. 12 T 28 N, R 12 E	S 44° W	1400	
13	Beckett Domestic	29a	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18 T 28 N, R 13 E	NW Cor. Sec. 18 T 28 N, R 13 E	S 60° E	2000	
14	Beckett Proposed	29b	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18 T 28 N, R 13 E	NW Cor. Sec. 18 T 28 N, R 13 E	S 60° E to S 80° E	1700 to 2000	
16	Kanavel West Ditch	30	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 7 T 28 N, R 13 E	S 84° E	1300	
18	Kanavel East Ditch	31	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 7 T 28 N, R 13 E	S 84° E	1775	
20	Bass Upper West Ditch	32	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 6 T 28 N, R 13 E	SW Cor. Sec. 6 T 28 N, R 13 E	N 73° E	2250	
21	Bass East Ditch	33	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6 T 28 N, R 13 E	SE Cor. Sec. 6 T 28 N, R 13 E	N 60° W	1100	
23	Bass Middle West	34	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 6 T 28 N, R 13 E	E $\frac{1}{4}$ Cor. Sec. 6 T 28 N, R 13 E	N 71° W	950	
24	Bass Lower West	35	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 6 T 28 N, R 13 E	E $\frac{1}{4}$ Cor. Sec. 6 T 28 N, R 13 E	N 12° W	900	

SCHEDULE 2 (Cont'd)

Name of diversion system	Number of diversion	Approximate location of point of diversion		Reference corner for distance and bearing	Bearing from reference corner	Distance in feet from reference corner
		Legal subdivision in which diversion occurs	Reference corner for distance and bearing			
	D.W.R. Map					
Peterson Upper South Ditch	36	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33 T 29 N, R 13 E	SW Cor. Sec. 33 T 29 N, R 13 E	N 15° E	700	
Peterson Lower South Ditch	37	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33 T 29 N, R 13 E	SW Cor. Sec. 33 T 29 N, R 13 E	N 15° E	700	
Peterson North Ditch	38	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33 T 29 N, R 13 E	SW Cor. Sec. 33 T 29 N, R 13 E	N 15° E	700	
Davis Pump	38a	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33 T 29 N, R 13 E	SW Cor. Sec. 33 T 29 N, R 13 E	N 80° E	1500	
Peterson Meadow Ditch	39	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 4 T 28 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 4 T 28 N, R 13 E	S 50° W	700	
Beckett Pump	40	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 3 T 28 N, R 13 E	S 67° E	1600	
Beckett Pump	41	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 3 T 28 N, R 13 E	S 67° E	2600	
Steele Pump	42	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	NW Cor. Sec. 17 T 28 N, R 13 E	S 71° E	1160	
Thornton Domestic	44	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	SW Cor. Sec. 8 T 28 N, R 13 E	N 87° E	1260	
Snipes Garden Pump	45	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 13 E	N 1° E	2000	
Grover and Peterson Ditch	46	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	NE Cor. Sec. 8 T 28 N, R 13 E	S 32° W	1225	
Peterson Ditch	47	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	NE Cor. Sec. 8 T 28 N, R 13 E	S 6° W	950	
Row Upper Ditch	48	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 17 T 28 N, R 13 E	N 56° W	1150	
Row Lower Ditch	49	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 17 T 28 N, R 13 E	N 48° W	350	

Sheet 4

SCHEDULE 2 (Cont'd)

	:Number :	Approximate location of point of diversion			:Distance
	: of :	:	:	:	
Name of	:diver-	:Legal subdivision:	Reference corner:	Bearing:	in feet
diversion system	sion on:	in which diver-	for distance and:	from :	from ref-
	: D.W.R.:	sion occurs :	bearing	reference:	erence
	: Map :	M.D.B.&M. :	M.D.B.&M. :	corner :	corner
6 Row House Spring	50	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 17 T 28 N, R 13 E	N 45° W	350
7 Holmes Pipe	51	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	NE Cor. Sec. 17 T 28 N, R 13 E	S 34° W	1350
8 deRocher Ditch	52	NF $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	NE Cor. Sec. 17 T 28 N, R 13 E	S 38° W	1000
9 deRocher Upper	53	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	NE Cor. Sec. 17 T 28 N, R 13 E	S 50° W	3000
		SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	NE Cor. Sec. 17 T 28 N, R 13 E	S 50° W	2000
10 Warren Meadow Springs	54	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	SE Cor. Sec. 8 T 28 N, R 13 E	N 75° W	1300
11		SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	SE Cor. Sec. 8 T 28 N, R 13 E	N 60° W	400
12 Taylor Domestic Springs	54a	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	SE Cor. Sec. 8 T 28 N, R 13 E	N 75° W	1300
13		SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	SE Cor. Sec. 8 T 28 N, R 13 E	N 60° W	600
14 deRocher Lower Meadow Spring	55	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	SW Cor. Sec. 9 T 28 N, R 13 E	N 81° E	650
15 Remick Domestic	55a	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	SW Cor. Sec. 9 T 28 N, R 13 E	N 45° E	1900
16 Orchard Domestic	55b	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 9 T 28 N, R 13 E	S 55° E	1800
17 Degiovanni East Ditch	56	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 9 T 28 N, R 13 E	N 34° W	2100
18 Degiovanni West Ditch	57	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 9 T 28 N, R 13 E	N 34° W	2025
19 Degiovanni Barn-yard Ditch	58	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 9 T 28 N, R 13 E	N 20° W	2600

SCHEDULE 2 (Cont'd)

Name of diversion system	Number	Approximate location of point of diversion			Distance in feet
		Legal subdivision	Reference corner	Bearing	
D.W.R. : : Map	: :	in which diversion occurs : : M.D.B.&M.	for distance and : : M.D.B.&M.	from : : corner	from reference : : corner
Degiovanni North	59	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	E $\frac{1}{4}$ Cor. Sec. 9 T 28 N, R 13 E	N 67° W	1750
Degiovanni South Ditch	60	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	E $\frac{1}{4}$ Cor. Sec. 9 T 28 N, R 13 E	N 59° W	1550
Degiovanni Lower North Ditch	61	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 T 28 N, R 13 E	NW Cor. Sec. 10 T 28 N, R 13 E	S 55° E	650
Degiovanni Lower South Ditch	62	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 T 28 N, R 13 E	NW Cor. Sec. 10 T 28 N, R 13 E	S 55° E	650
Dyer Ditch	63	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3 T 28 N, R 13 E	SW Cor. Sec. 3 T 28 N, R 13 E	N 80° E	1350
Sears Ditch	63a	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 10 T 28 N, R 13 E	Due North	700
Dyer Pump	64	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 T 28 N, R 13 E	NW Cor. Sec. 10 T 28 N, R 13 E	S 45° E	1950
Dyer Meadow Springs	65	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 T 28 N, R 13 E	NW Cor. Sec. 10 T 28 N, R 13 E	S 55° E	1700
Fritts Ditch	66	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 3 T 28 N, R 13 E	N 32° E	1350
Kyte Meadow Ditches	68	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11 T 28 N, R 13 E	SE Cor. Sec. 3 T 28 N, R 13 E	N 47° W	1700
Kyte Spring	69	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11 T 28 N, R 13 E	NW Cor. Sec. 11 T 28 N, R 13 E	S 81° E	350
Carlson Pump	70	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11 T 28 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 11 T 28 N, R 13 E	S 60° W	1275
Carlson Spring	70a	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11 T 28 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 11 T 28 N, R 13 E	S 58° W	1275
Myron Dieter Meadow	71	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11 T 28 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 11 T 28 N, R 13 E	S 27° E	750

SCHEDULE 2 (Cont'd)

Name of diversion system	Number of diversion on D.W.R. Map	Approximate location of point of diversion			Distance in feet from reference corner
		Legal subdivision in which diversion occurs M.D.B.&M.	Reference corner for distance and bearing M.D.B.&M.	Bearing from reference corner	
Hostetter and Johnson Garden Pump	71a	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	NW Cor. Sec. 12 T 28 N, R 13 E	S 55° E	1100
Hostetter and Johnson Ditch	72	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	NW Cor. Sec. 12 T 28 N, R 13 E	S 55° E	1500
Melvin Dieter North Ditch	73	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	NW Cor. Sec. 12 T 28 N, R 13 E	S 61° E	1950
Slippey and Hemphill Upper (Leith) Ditch	74	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	NW Cor. Sec. 12 T 28 N, R 13 E	S 61° E	1950
Long Ditch	75	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 12 T 28 N, R 13 E	S 31° W	1075
Slippey and Hemphill Lower (Cross) Ditch	76	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	NE Cor. Sec. 12 T 28 N, R 13 E	S 62° W	1500
Albert Dieter Ditch	77	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7 T 28 N, R 14 E	NW Cor. Sec. 7 T 28 N, R 14 E	S 12° E	875
Winchel and Dunn Ditch	78	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7 T 28 N, R 14 E	NW Cor. Sec. 7 T 28 N, R 14 E	S 68° E	1000
Winchel and Hostetter and Johnson Ditch	79	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7 T 28 N, R 14 E	N $\frac{1}{4}$ Cor. Sec. 7 T 28 N, R 14 E	S 87° W	920
Hostetter and Johnson Meadow Ditch	80	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7 T 28 N, R 14 E	N $\frac{1}{4}$ Cor. Sec. 7 T 28 N, R 14 E	S 63° W	560
Marvin Sherman North Ditch	81	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7 T 28 N, R 14 E	E $\frac{1}{4}$ Cor. Sec. 7 T 28 N, R 14 E	N 32° W	1350
Marvin Sherman South Ditch	82	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7 T 28 N, R 14 E	E $\frac{1}{4}$ Cor. Sec. 7 T 28 N, R 14 E	N 32° W	1350
Marvin Sherman Lower North Ditch	83	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E	W $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 14 E	N 52° E	850

SCHEDULE 2 (Cont'd)

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Name of diversion system	Number of diversion	Approximate location of point of diversion			Distance in feet from reference corner
		Legal subdivision in which diversion occurs	Reference corner for distance and bearing	Bearing from reference corner	
	D.W.R. Map		M.D.B.&M.	M.D.B.&M.	
Dudley Bass Road Ditch	84	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E	W $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 14 E	S 89° E	1300
Sam Sherman Upper South Ditch	85	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E	W $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 14 E	S 89° E	1350
Sam Sherman East Meadow Ditch	86	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E	W $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 14 E	East	2420
Sam Sherman Middle Ditch	87	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E	S $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 14 E	N 2° E	2120
Sam Sherman Middle Ditch	88	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E	S $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 14 E	N 6° E	2000
Sam Sherman Middle Ditch	89	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E	S $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 14 E	N 24° E	1725
Dudley Bass Ditch	90	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E	SE Cor. Sec. 8 T 28 N, R 14 E	N 50° W	1950
Melvin Dieter Pump	90a	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	NW Cor. Sec. 12 T 28 N, R 13 E	S 50° E	2200
Wing Pump	90b	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	E $\frac{1}{4}$ Cor. Sec. 12 T 28 N, R 13 E	Due West	2100
Bailey Ditch	91	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 12 T 28 N, R 13 E	N 45° E	1750
Slippey Ditch	92	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18 T 28 N, R 14 E	NW Cor. Sec. 18 T 28 N, R 14 E	S 40° E	100
Bailey Lower Ditch	93	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18 T 28 N, R 14 E	NW Cor. Sec. 18 T 28 N, R 14 E	S 43° E	1250

SCHEDULE 3

ALLOCATIONS TO VARIOUS CLAIMANTS
FROM SLOSS CREEK AND BANKHEAD CREEK GROUP

Name of claimant	Acreage to be supplied	Diversions: number as per D.W.R. Map	Allotments cubic feet per second			Total	Tract #
			First priority: class	Second priority: class	Third priority: class		
George R. Bowersox and Evelyn Bowersox	1.0	42	0.02		0.02	145	
William R. Thornton	Domestic	44	.002		0.002	146	
Fred Snipes and Margaret L. Snipes	5.0	45		0.08	0.08	147	
Wayne S. Grover and Fannie D. Grover	119.4	46	.10	1.10	1.20	148	
James T. Peterson	111.6	46 47	.10	1.10	1.20	*149	
Almon L. Row	Domestic 8.0	48 49 50 Spring	.02	0.13	0.15	149	
Fred Wemple and Edna M. Wemple	Tr 151 0.2	51	.01		0.01	151	
R. Marvin ^{cliffed Kallsen} McMurphy	Tr 154 0.2	51	.01		0.01	151	
Marie M. Bennett Kallsen	Tr 155 0.5	51	.01	.015	0.025	155	
Herman L. Woosely and Cecil U. Woosely	Tract 152 2.0	51	.02	.055	0.075	152	
Jess R. Cunningham and Jean Cunningham	Tr 156 0.5	51	.01		0.01	156	
Lyle E. Parks	Tr 153 Domestic 0.5	51	.01		0.01	153	
Paul E. deRocher and Nancy deRocher	0.5	51	.01	.04	0.05	?	
Paul E. deRocher and Nancy deRocher	22.1	52		.38	0.38	} over	

Sheet 1

* portion of water right elsewhere

SCHEDULE 3 (Cont'd)

	Name of claimant	Acreage to be supplied	Diversions number as per D.W.R. Map	Allotments cubic feet per second			Total
				First priority	Second priority	Third priority	
5	Paul E. deRocher and Nancy deRocher	3.0 3.0	53 55		0.10		0.10
6	George A. Taylor and Ollie Bernice Taylor	8.0 Domestic	54 54a	0.02		.13	0.15
8	Roger T. Remick and Fay Remick	1.0	55a	.02			0.02 157
9	Carl S. Orchard and Charles F. Orchard	0.5	55b	.01			0.01 158
11	Charles Degiovanni and Carrie Degiovanni	66.6 281.6 348.2 ✓	56 57 58 59 60 61 62	.25		3.23	3.48 159
15	Wallace A. Sears and Mary B. Sears	40.0	63a			.40	0.40 - 159a
16	C. J. Thomasson and Louise Thomasson	28.7	63 64 65 Spring	.05		.30	0.35 160 0.06
18	Dale Soule and Robert Scholk	40.0	66 67 Spring	.06		.20	0.26 161
21	TOTALS	743.4		0.732	5.56	1.70	7.992

SCHEDULE 4

ALLOCATIONS TO VARIOUS CLAIMANTS
FROM BAXTER CREEK AND ELESIAN CREEK GROUP

Name of claimant	Acreage to be supplied	Diversions as per D.W.R. Map	Allotments cubic feet per second					Total	Tract #
			First prior-ity	Second prior-ity	Third prior-ity	Fourth prior-ity	Fifth prior-ity		
Ruth Van Dyke Straight	124.8	3 4 5a	2.50					2.50	134
James Shugru	52.5	6 7 8 10	0.68		0.20			0.88	135
Verne E. Baker	12.0	11			.20			0.20	137
Estate of S. S. Bass; Grover C. Bass, Trustee	178.6	8 9 12	2.80					3.23	136
	26.5	10			0.43				
Roy E. Harwood and Estate of Elbert R. Spraker	35.5	8			.50			0.50	138
Roy E. Harwood and Estate of Elbert R. Spraker	183.1	12 13	2.53					3.00	
	38.8	14 15 16			.47				
Dave Barr and Mary Barr	31.5	16	0.10		.42			0.52	143
Bessie Jack	Domestic 10.3	17 18	0.16					0.16	139
Minnie Bass Hansen	228.3	17 18 18a 19 20 21	3.44					3.44	140

Elesian Co.

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SCHEDULE 4 (Cont'd)

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Name of claimant	Acreage to be supplied	Diversions as per D.W.R. Map	Allotments cubic feet per second					Total
			First prior- ity class	Second prior- ity class	Third prior- ity class	Fourth prior- ity class	Fifth prior- ity class	
Richard S. Kanavel and Virginia Kanavel	61.4	17 25	1.05					1.05
Richard S. Kanavel and Virginia Kanavel	56.7	22 23 24 32 33	0.80					0.80
Minnie Bass Hansen	49.5	26 27	0.66					0.66
Richard S. Kanavel and Virginia Kanavel	72.5	28	0.97					0.97
Charles W. Beckett and Vada H. Beckett	Domestic 10.0	29a 29b	0.02				0.23	0.25
Richard S. Kanavel and Virginia Kanavel	160.1	30 31	2.13					2.13
Ralph Bass and Mabel C. Bass	214.7	32 33 34 35	4.58					4.58
James T. Peterson	92.0	36 37		1.42				1.72
	19.5	38				0.30		
James T. Peterson	62.2	36 39					.70	0.70
Arthur M. Davis and Roxie Davis	20.0	38a				.05	.10	0.15
James L. Beckett and Florence Beckett	8.2 20.0	40 41				.10	.21	0.31
R. M. Kyte and Lydiane Kyte	22.0	68 69	0.02			.26		0.28

Sheet 2

SCHEDULE 4 (Cont'd)

Name of claimant	Acreage to be supplied	Diversions as per D.W.R. Map	Allotments cubic feet per second					Total
			First prior-ity class	Second prior-ity class	Third prior-ity class	Fourth prior-ity class	Fifth prior-ity class	
William Ahern and Zella J. Ahern	6.0	70 70a	0.02		0.10		0.12	162
Myron M. Dieter	37.0	71			0.10	0.15	0.25	
Zebnor Johnson, Ida M. Johnson, and Birt Hostetter	1.0 110.0	71a 72	.02			1.69		1.71 164
Melvin L. Dieter and Clare S. Dieter	25.0 40.3 80.5	73 75			0.28		.45	1.62 1.17 163
Otho L. Hemphill and Mildred M. Hemphill	85.8 77.6	74 76		0.98		0.84		1.82 .98 166
Fred Slippey and Annie M. Slippey	89.0 32.6	74 76		0.98		0.37		1.35 .98 165
Albert A. Dieter and Valera Dieter	135.2 40.0	75 77		1.55		0.40		1.95 168
Rey Winchel	83.0	77 78 79		0.90				0.90 169
Frank W. Cummings and Barbara R. Cummings	11.9	78			0.15	0.05		0.20 .15 170
Merlyn E. Mulroney and Wanda M. Mulroney	Domestic 81.2	78			0.67	0.23		0.90 .67 171
Edmund Dunn and Genevieve Dunn	94.0 95.0	78			1.05	1.05		2.10 1.05 175
C. H. Fox and Ethelene D. Fox	80.0	78			0.89			0.89
Zebnor Johnson and Birt Hostetter	59.5	75 77 79 80		0.64				0.64 172

SCHEDULE 4 (Cont'd)

Name of claimant	Acreage to be supplied	Diversion: number as per D.W.R. Map	Allotments cubic feet per second					Total
			First prior-ity class	Second prior-ity class	Third prior-ity class	Fourth prior-ity class	Fifth prior-ity class	
Lenus J. Hostetter ✓	25.4	75 77 80		0.30				0.30 173
Marvin S. Sherman and Zelma P. Sherman ✓	258.7	81 82 83			2.88			2.88 174
James H. Dundon ✓	44.0	81 83			0.50			0.50 176
R. Dudley Bass ✓	143.8 135.0	84 90		1.81		1.44		3.25 1.81 178
Ruth Lagier, Dan L. Dieter, Esther E. Smith and Wilma Hoffman, c/o Clarence Hoffman ✓	22.0	84					0.20	0.20
Sam T. Sherman ✓	144.0	85 86 87 88 89		1.60				1.60 177
Melvin L. Dieter and Clare S. Dieter	35.0	90a					.25	0.25
R. E. Wing and Mary Ann Wing	40.0	74 90b			0.05		.20	0.25
V. T. Bailey and Lenora M. Bailey	174.0 120.2	91 93		3.02				3.02 167
Fred Slippey and Annie I. Slippey	27.0	92			0.30			0.30
TOTALS	4,224.4		22.48	8.06	15.87	6.13	2.49	55.03

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1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED:

2 16. That the Court retains continuing jurisdiction of the parties
3 to this proceeding, and of the subject matter thereof, and upon application
4 of any party hereto, or successor in interest thereof, or upon its own
5 motion, to review this decree and to change or modify the same as the
6 interests of justice may require.

7 17. That each and every party to this action, his or her agents,
8 successors, grantees and assigns, be and hereby are estopped to object to
9 or interfere with the respective rights of others which are decreed herein.

10 18. That each and every party to this action, his or her agents,
11 successors, grantees and assigns, be and hereby are perpetually enjoined
12 and restrained from doing anything in violation of the terms or provisions
13 of this judgment and decree, and from diverting any water from said Baxter
14 Creek stream system at any time in excess of a quantity reasonably neces-
15 sary for, and actually applied to, reasonable beneficial use, under and
16 by reasonable methods of diversion and use, and from doing anything,
17 directly or indirectly, that will obstruct or interfere with any right
18 of another adjudged and decreed herein.

19 19. This decree is conclusive as to the rights of all existing
20 claimants upon the Baxter Creek stream system lawfully embraced in this
21 determination.

22 20. Any claimant who has failed to appear and submit proof of his
23 claim as provided in Chapter 3, Division 2 of the Water Code, shall be
24 barred and estopped from subsequently asserting any rights theretofore
25 acquired upon the Baxter Creek stream system, and shall be held to have
26 forfeited all rights to water theretofore claimed by him on said system,

- 1 other than as provided in this decree, unless entitled to relief under
- 2 the laws of this State.

Done this 15th day of December, 1955

Judge of the Superior Court

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