

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF MODOC

IN THE MATTER OF THE DETERMINATION
OF THE RIGHTS OF THE VARIOUS
CLAIMANTS TO THE WATER OF BIDWELL
CREEK STREAM SYSTEM IN MODOC COUNTY,
CALIFORNIA

No. 6420

NOTICE OF ENTRY of
DECREE

TO THE PARTIES IN THE ABOVE ENTITLED PROCEEDING:

You and each of you are hereby notified that the Decree in the above entitled proceeding, copy of which is annexed hereto, was entered in the Judgment Book 10, Pages 404 to 418, Inc. on Jan. 13, 1960, also a copy of the Decree filed with the County Recorder.

/s/ Millicent Dubois
County Clerk and ex-officio clerk of
the Superior Court, Modoc County, California

See Maps in Rack 7a, 4E - Bidwell CREEK showing Land included in Adjudication

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JAN 13 1960

MILLICENT DUBOIS, COUNTY CLERK
BY /s/ Iris B. Turner
Deputy

10/404-418

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DECREE

This proceeding having been duly and regularly commenced and initiated in the manner provided by Article 2, Chapter 3, Part 3, Division 2, to wit: Section 2525 et seq. of the Water Code of the State of California on or about the 20th day of July, 1954, before the Department of Public Works, Division of Water Resources, of the State of California, and thereafter under and pursuant to notices duly and regularly given to all claimants and parties in interest, as required by law, all proceedings provided for by said law were duly and regularly had and taken by and before said Department of Public Works, Division of Water Resources, and its successor, to wit: THE STATE WATER RIGHTS BOARD OF CALIFORNIA, hereinafter referred to as the BOARD, and thereafter and on or about the 6th day of April, 1959, the said BOARD, under authority vested in it under said law and amendments thereto, duly made and entered its ORDER OF DETERMINATION, and thereafter, in accordance with the law in such proceedings made and provided, on the 17th day of April, 1959, said

1 BOARD filed with the Clerk of the Superior Court of Modoc County,
2 State of California (in which the stream system above mentioned is
3 situated) a certified copy of the said ORDER OF DETERMINATION,
4 together with the original evidence and transcripts of testimony
5 filed with or taken before the BOARD or its predecessor and
6 certified by said BOARD; thereupon said BOARD procured an order
7 from the said above-entitled Court setting a time and place for
8 hearing, as required by law, of the said case for the 16th day of
9 June, 1959, at the hour of 10:00 A.M., at the courtroom of the
10 above-entitled court in the County Courthouse in the City of
11 Alturas, County of Modoc, State of California.

12 That within the time and in the manner provided by law,
13 exception to said ORDER OF DETERMINATION by the said BOARD was duly
14 served and filed by ROBERT F. McCONNAUGHY, DORIS McCONNAUGHY, LEO
15 SAGEHORN, ROBERT L. SCHLUTER, FEE RANCH, INC., by LAURENCE J. FEE,
16 MARIE SAGEHORN, MAURICE O'CALLAGHAN, JERRY A. O'CALLAGHAN, PHILIP
17 H. PETERSON, MARGARET H. PETERSON, CARL BUCHER, and MONTEZ S. BUCHER,
18 all of whom were claimants and allottees under said order of
19 adjudication. They and all other claimants and allottees (except
20 United States in Trust for Indian Service), were parties to a
21 written Agreement and Stipulation (with Schedules attached thereto)
22 dated December 31, 1957, and Supplement thereto dated May 27, 1958,
23 for adjudication and determination of all water rights of all
24 claimants, upon which said ORDER OF DETERMINATION was based; said
25 exception was, in effect, based upon the ground that the ORDER OF
26 DETERMINATION did not comply with the said Agreement and Schedules
27 attached thereto and Supplement.

28 Other exceptions to said ORDER OF DETERMINATION having been
29 duly filed relative to the correct location of Diversions No. 1
30 and the description of Dodson Ditch from Diversion No. 15, and
31 certain changes in the ownership of property having been made, as
32 hereinafter indicated.

1 Thereupon the above-entitled cause came on regularly for
2 hearing, trial, determination and decree of this Court on the 16th
3 day of June, 1959, the said proceeding being in equity, and the
4 Honorable A. K. WYLIE, Judge, presiding.

5 The said STATE WATER RIGHTS BOARD was represented at said
6 hearing by LUTHER H. GULICK, Attorney, and by JOHN PAGE and PAUL
7 ART, Engineers, all of whom participated in said hearing; and CARL
8 BUCHER and MONTEZ S. BUCHER, GRANVILLE T. PETERSON and MARY D.
9 PETERSON and ORRIE C. SWEENEY as Representative of the WILLIAM
10 SWEENEY ESTATE, appeared in person and by and through their attorney,
11 HARDIN BARRY ESQ., and joined with the said Exceptors, above named.
12 W.R. COLE and ESTHER COLE appeared in person and by and through
13 their attorney, ROSS L. BIGLER, associate of CHARLES LEDERER, in
14 opposition to the exception of ROBERT F. McCONAUGHY and others,
15 above named. MRS. RITA SINGER, attorney for the United States in
16 Trust for Indian Service, was present throughout the entire pro-
17 ceeding before the said Court. The said Exceptors appeared in
18 person and by and through their attorney, DALY B. ROBNETT of the
19 law firm of ROBNETT & WILSON.

20 Thereupon DALY B. ROBNETT, as attorney for said Exceptors,
21 orally stated to the Court that said ORDER OF DETERMINATION by the
22 said BOARD did not follow and conform to the said Stipulation for
23 Order of Determination dated December 31, 1957, and the Schedules
24 attached thereto and the Supplemental Agreement thereto dated
25 May 27, 1958; and thereupon he presented to said Court from the
26 records so filed with said Court by said BOARD, the said Stipulation
27 for Order of Determination and Supplemental Agreement thereto and
28 called the Court's attention to the fact that all claimants and
29 allottees (saving and excepting the United States in Trust for Indian
30 Service) had executed said Stipulation for Order of Determination
31 or said Supplement by which said original Stipulation for Order of
32 Determination was amended and by such amendment was adopted and

1 agreed to, and that thereby said parties to said Stipulation for
2 Order of Determination had agreed, inter-parte, to their respective
3 and correlative rights in and to the waters of said stream system
4 and had also agreed as to the amounts of water and the places and
5 times of use thereof that should be allocated to the said United
6 States in Trust for Indian Service, and that said ORDER OF DETERMINA-
7 TION was at variance with and did not fully follow or comply with
8 said Stipulation for Order of Determination and the supplement
9 thereto and particularly did not follow and comply with said
10 stipulation and supplement as to the allocations of acreage and
11 water from Bidwell Creek through Diversion No. 12 for the United
12 States in Trust for Indian Service; and further stated to said
13 Court that all of said claimants who so signed said stipulation
14 and supplement did so upon the premise that if such stipulation
15 was adopted by the BOARD or the Court that it should be followed
16 implicitly as to all parties so signing and as to said United
17 States in Trust for Indian Service, and that any variance therefrom
18 as to any claimant was without authority since the adjudication
19 was based upon the stipulation and supplement thereto and not upon
20 complete hearings between the respective claimants.

21 HARDIN BARRY ESQ., Attorney for CARL BUCHER and MONTEZ S.
22 BUCHER, GRANVILLE T. PETERSON and MARY D. PETERSON and ORRIE C.
23 SWEENEY as Representative of the WILLIAM SWEENEY ESTATE, joined in
24 the contention of MR. ROBNETT.

25 Thereupon ROSS L. BIGLER, as attorney for W. R. COLE and
26 ESTHER COLE interposed his objection to including "Venning Creek"
27 in said ORDER OF DETERMINATION or in any order or judgment of the
28 Court.

29 After the conclusion of all evidence, objections, statements
30 of counsel and arguments by counsel desiring to be heard, the
31 entire matter was duly submitted to the Court for its determination.

32 NOW, THEREFORE, THE COURT BEING FULLY ADVISED IN THE PREMISES

1 and having considered all the records filed with it in this pro-
2 ceeding by the said BOARD and having particularly considered and
3 studied the said Stipulation for Order of Determination and the
4 Supplement thereto; and having compared the same with the ORDER OF
5 DETERMINATION by the said BOARD and the Schedules attached thereto,
6 from which it appears that said Stipulation and the Schedules
7 attached thereto and said Supplement have not been strictly followed
8 by said ORDER OF DETERMINATION.

9 NOW, THEREFORE, THE COURT BEING FULLY ADVISED AS TO THE LAW
10 PERTAINING THERETO WHICH REQUIRES THAT ANY JUDGMENT BY STIPULATION
11 MUST STRICTLY CONFORM TO SUCH STIPULATION, DOES HEREBY FIND, ORDER,
12 ADJUDGE AND DECREE AS FOLLOWS:

13 FIRST: That the said Agreement and Stipulation for Order of
14 Determination dated December 31, 1957, and the said Supplement to
15 and Modification of Agreement and Stipulation for Order of Deter-
16 mination dated December 31, 1957, which Supplement is dated May 27,
17 1958, and each of them are by reference to those on file in said
18 proceeding, made a part hereof as though fully set forth herein,
19 and adopted in lieu of Findings of Fact and are made the basis for
20 this decree.

21 SECOND: That among other things, the said Agreement and
22 Stipulation for Order of Determination provides as follows:

23 "WHEREAS, the parties hereto have agreed upon an
24 allocation of the water of Bidwell Creek stream
25 system that will be acceptable to all of the parties
26 who have signed this agreement; and

27 "WHEREAS, there are attached hereto two Schedules
28 marked Schedule 3 and Schedule 4, covering the
29 irrigating periods from March 15 through July 9,
30 and July 10 through September 30, which said
31 Schedules are hereinafter referred to and form
32 the basis for the allocation above mentioned;"

29 and said agreement and stipulation further provides in part as
30 follows:

31 "2. That during the period after July 9, all stock
32 water allotments to owners of land bordering or
through any portion of which land the main creek flows,

1 shall be eliminated when the main creek contains water
2 which passes to the point of diversion on such lands,
3 equal in amount to the stock water allotment for said
4 ranch at said diversion. Such amount of water shall
5 be kept flowing to the diversion on the lands of the
6 lowest owner so bordering said creek.

7 "3. That the allocation of the United States in
8 Trust, Indian Service, be revised as shown on the
9 attached Schedules."

10 THIRD: That said Agreement and Stipulation also provide
11 that it should, as between all signatory parties thereto, become the
12 basis of the determination by said BOARD, and of a decree by the
13 said Court, as between all parties so signing.

14 FOURTH: That under date of May 27, 1958, all claimants and
15 allottees to waters from the said Bidwell Creek stream system
16 (except the United States in Trust for Indian Service) signed a
17 supplement to and modification of the said Agreement and Stipulation
18 dated December 31, 1957, both of which provided that as and when
19 Schedules 3 and 4 were, by the BOARD, amended to conform to said
20 Stipulation and Supplement, that then the said BOARD was authorized
21 and directed to make and enter its "ORDER OF DETERMINATION" of the
22 various and inter-related water rights of all parties and claimants
23 in accordance with said Agreement and Stipulation and Supplement
24 and the Schedules as so made to conform by the BOARD, without the
25 necessity of holding any hearings or taking any further evidence.

26 FIFTH: That in and by said Stipulation and Supplement it was
27 provided that the said BOARD, in its determination, should make
28 all schedules conform to the terms of said Stipulation and Supple-
29 ment as to the acreage, the diversions, the quantities and periods
30 of use and priority classification and the kind and character of
31 uses with respect to the relative and correlative rights of each
32 and all of the claimants and allottees including the United States
33 in Trust for Indian Service all in strict conformity with and as
34 provided in the said Stipulation and Supplement, but it appears to
35 the satisfaction of the Court that said schedule's attached to and

1 made a part of the ORDER OF DETERMINATION of the BOARD have not
 2 been so amended in conformity with said Stipulation and Supplement.

3 THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that said
 4 ORDER OF DETERMINATION be amended in the following particulars:

5 1. That the portion of Schedule 3 attached to the
 6 "ORDER OF DETERMINATION", appearing under the following headings,
 7 to wit:

Name of Claimant:	Acreage to be Supplied:	Diversion Number on SWRB Map:	Allotments Cubic Feet Per Second:		:Total
			First Priority Class	Second Priority Class	
11 "United States	95.6	12,26,27, 28 and 29	1.50 ^b		1.50"

12 be and the same is hereby amended to read as follows, to wit:

14 "United States	95.6	12	0.46		0.46",
		26, 27) 28 and 29)	Entire flow ^b		

16 with footnote "b" to read:

17 "bAlso may be used for domestic, fire and irrigation purposes
 18 on other lands now subject to service by these diversion points
 19 within the Fort Bidwell Indian Reservation.";
 20 and that portion of Schedule 4 attached to said "ORDER OF
 21 DETERMINATION" under the following heading and reading as follows,
 22 to wit:

Name of Claimant:	Acreage to be Supplied:	Diversion Number on SWRB Map:	Allotments Cubic Feet Per Second:		: Total
			First Priority Class	Second Priority Class	
26 "United States	95.6	12,26,27 28 and 29	0.20	1.30 ^b	1.50"

28 be and the same is hereby amended to read as follows, to wit:

29 "United States	95.6	12	0.20		0.20",
		26, 27,) 28 and 29)	Entire flow ^b		

31 with footnote "b" to read:

32 "bAlso may be used for domestic, fire and irrigation purposes

1 on other lands now subject to service by these diversion points
2 within the Fort Bidwell Indian Reservation."

3 2. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Para-
4 graph 11 of said "ORDER OF DETERMINATION" is hereby amended and as
5 so amended is made a part of this decree, so as to read as follows:
6 "The several claimants enumerated in Schedule 3 (hereinafter set
7 forth) are entitled to rights in and to use of the water of Bidwell
8 Creek stream system for continuous use for the period and in the
9 various priority classes shown therein, in accordance with the
10 provisions of Paragraphs THIRTEENTH, FOURTEENTH, SIXTEENTH, SEVEN-
11 TEENTH, and EIGHTEENTH, hereinafter set forth; provided however,
12 that whenever the water supply available is in excess of the
13 aggregate amount allocated under all priority classes in said
14 Schedule 3 and in Paragraph EIGHTH, hereinafter set forth, then
15 water may be diverted by any or all priority class rights in said
16 Schedule 3 at a greater rate than indicated by the quantity of
17 continuous flow allocated, subject to the limitation that the
18 available rate of diversion for any 60-day period between March 15
19 and July 9, inclusive, of each year shall not exceed the respective
20 continuous flow allotments, notwithstanding the 30-day general
21 limitation hereinafter stated in Paragraph EIGHTEENTH.

22 3. IT IS FURTHER ORDERED ADJUDGED AND DECREED that Schedule 4
23 attached to said ORDER OF DETERMINATION shall be amended in the
24 following particulars, to wit: as to claimants MAX W. and ANNA
25 FULCHER on page 32 and as to the allocation under "First Priority
26 Class, 0.10" shall be amended so as to read "Stockwater only, not
27 exceeding 0.10" and as to claimant CHARLES E. PARKE on page 34
28 under "First Priority Class, 0.10" shall be amended so as to read
29 "Stockwater only, not exceeding 0.10" and as to ELBERT F. and
30 BARBARA DODSON "First Priority Class, 0.10" shall be amended so
31 as to read "Stockwater only, not exceeding 0.10" and on page 35
32 under claimant named NORA M. WARD, under "First Priority Class, 0.10"

1 shall be amended so as to read "Stockwater only, not exceeding 0.10"
2 and on page 34 under claimants MAURICE and JERRY O'CALLAGHAN, "First
3 Priority Class, 0.10" shall be amended so as to read "Stockwater
4 only, not exceeding 0.10" and on page 34 under claimant names, LEO
5 and MARIE SAGEHORN there shall be inserted under "First Priority:"
6 "Stockwater not to exceed 0.10 shall be flowing throughout Bidwell
7 Creek channel as far as Diversion No. 23, provided the flow in
8 Bidwell Creek above Diversion No. 4 is greater than 3.7 cubic feet
9 per second."

10 4. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Para-
11 graph 12 of said "ORDER OF DETERMINATION" is hereby amended and as so
12 amended is made a part of this decree, so as to read as follows:
13 "The several claimants enumerated in Schedule 4 are entitled to
14 rights in and to use of the water of Bidwell Creek stream system
15 for the period and in the various priority classes shown therein
16 in accordance with the provisions of Paragraphs THIRTEENTH, FOUR-
17 TEENTH, SIXTEENTH, SEVENTEENTH, and EIGHTEENTH hereof; provided
18 however, that during the period after July 9, all stockwater allot-
19 ments to owners of land bordering and through any portion of which
20 land the main creek flows, shall be eliminated when the main creek
21 contains water which passes to the point of diversion on such lands,
22 equal in amount to the stockwater allotment for said ranch. At said
23 diversion point such amount of water shall be kept flowing to the
24 diversion on the lands of the lowest owner so bordering said creek.
25 This proviso applies to the following named claimants, to wit: MAX
26 and ANNA FULCHER, CHARLES E. PARKE, NORA M. WARD, ELBERT and BARBARA
27 DODSON, MAURICE and JERRY A. O'CALLAGHAN and LEO and MARIE SAGEHORN
28 but does not apply to claimants CARL F. and MONTEZ S. BUCHER, GRAN-
29 VILLE T. and MARY D. PETERSON and ORRIE C. SWEENEY, Administrator of
30 the Estate of William Sweeney (substituted herein for former claim-
31 ant named "Estate of William Sweeney") nor to claimant UNITED
32 STATES.

1 SIXTH: IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the
2 following substitution of parties claimant are hereby made, to wit:
3 (1) MRS. NEVA MASON LOWELL and WALTER RICHARD LOWELL, CO-EXECUTORS
4 OF THE ESTATE OF CHESTER G. LOWELL, substituted for ESTATE OF
5 CHESTER G. LOWELL; (2) TOM SWEENEY, substituted for V. V. MESSNER
6 and FERN L. MESSNER; (3) PHILLIP H. PETERSON, EXECUTOR OF THE
7 ESTATE OF CHAUNCEY HAROLD MILES, substituted for CHAUNCEY HAROLD
8 MILES; and (4) ORRIE C. SWEENEY, ADMINISTRATOR OF THE ESTATE OF
9 WILLIAM SWEENEY, substituted for ESTATE OF WILLIAM SWEENEY.

10 SEVENTH: Definitions

11 (A) The term "Water Code" when used herein means the Water
12 Code of California; the term "stream system" when used herein means
13 Bidwell Creek and all its tributaries; the term "claimant" when
14 used herein means a party claiming a water right, or who having
15 failed to claim such a right has had his right determined by the
16 BOARD, in and

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1 to the use of the water of Bidwell Creek stream system.

2 (B) The term "directly apply to beneficial use" when used
3 herein means the direct conveyance and application of water diverted
4 to beneficial use without intermediate storage, except such regula-
5 tory storage as may be practiced for the purpose of equalizing the
6 flow of water diverted for a convenient irrigation head.

7 (C) The term "natural flow" when used herein means such a
8 flow as will occur at any point in a stream from the runoff of the
9 watershed which it drains, from springs which naturally contribute
10 to the stream, from seepage, and from waste and return flow from
11 dams, conduits, and irrigated lands, as distinguished from water
12 released directly from storage for beneficial use.

13 (D) The term "priority class" when used herein means,
14 except as expressly qualified with respect to certain individual
15 rights, a class of rights each one of which is equal in priority and
16 correlative in right with all other rights of the same class, so
17 that in the event of a supply of water sufficient to supply only
18 part of the entitlement of any specific priority class, said avail-
19 able supply shall be prorated in accordance with allotments in that
20 priority class. No priority class is entitled to the use of any
21 water until all rights of all priority classes with lower numbers
22 have been fully satisfied. Thus, all rights of the second priority
23 class are junior in priority and subordinate to all rights of the
24 first priority class, but are senior in priority and entitled to
25 full satisfaction ahead of all priority classes with higher numbers.

26 (E) The State Water Rights Board Map, hereinafter referred
27 to as the SWRB Map, is the map prepared by the Department of Public
28 Works from surveys made in 1954 and 1955 and revised and amended in
29 1959 by the State Water Rights Board, which map is entitled "Bidwell
30 Creek Stream System showing Diversions and Irrigated Lands, Modoc
31 County, California", dated 1955, and is on file in this proceeding.
32 Said SWRB Map comprising three sheets, is hereby incorporated by

1 reference and thereby made a part of this decree.

2 EIGHTH: ROBERT F. McCONNAUGHY and DORIS McCONNAUGHY are
3 entitled to divert the amounts of water required for domestic pur-
4 poses from Mill Creek and Bidwell Creek for use upon their lands
5 described in Schedule 1 as Mountain Lands - Mill Creek and Mountain
6 Lands-Bidwell Creek as a first priority class right, equal and
7 correlative with other first priority class rights in Schedule 3
8 from March 15 to July 9 of each year, with other first priority
9 class rights in Schedule 4 from July 10 to September 30 of each year,
10 and with the domestic and stockwater rights described in Paragraph
11 11th from October 1 of each year to March 14 of the succeeding year.
12 Domestic use is defined as the water reasonably required to supply
13 household purposes and not to exceed 0.5 acre of irrigation for each
14 household.

15 NINTH: CARL F. BUCHER and MONTEZ S. BUCHER, collectively, and
16 GRANVILLE T. PETERSON and MARY D. PETERSON, collectively, are each
17 entitled to divert from Bidwell Creek during the period from July 10
18 to September 30, both dates inclusive, of each year, at points
19 designated on SWRB Map as Diversions 11 and 7, respectively,
20 described in Schedule 2 hereof for use on their lands described in
21 Schedule 1 and shown after their respective names in Schedule 4,
22 subject to the limitations set forth herein,

23 2.00 cubic feet per second
24 during two separate periods, diversion during each period to be
25 continuous and for not to exceed 36 hours. The rights described in
26 this paragraph shall be senior to second priority class rights and
27 junior to first priority class rights set forth in Schedule 4.

28 TENTH: The right of LEO SAGEHORN and MARIE SAGEHORN to divert
29 water from Bidwell Creek through the Fee Ditch (Diversion 15, SWRB
30 Map) as a second priority class right in Schedule 3 and as a third
31 priority class right in Schedule 4 shall not be exercised except
32 when the amount of water reaching that certain collecting ditch on

1 the LEO SAGEHORN and MARIE SAGEHORN ranch near the Fee Ranch, Inc.
2 and LEO SAGEHORN and MARIE SAGEHORN property line is less than 3.82
3 cubic feet per second, and then only when the right of the Fee
4 Ranch, Inc. to divert through the said Fee Ditch is fully satisfied.

5 ELEVENTH: The several claimants enumerated in Schedules 3 and
6 4 are entitled to water for domestic and stockwatering purposes
7 during the period from October 1 of each year to March 14 of the
8 succeeding year, both dates inclusive, as may be reasonably necessary
9 and in an amount not to exceed the quantities of water allotted to
10 such claimants in first priority class in Schedule 4; provided that
11 water shall not be diverted from the creek channel during the period
12 named herein by claimants whose lands border the creek or through
13 whose lands the creek flows for uses other than domestic purposes
14 unless water is flowing in the channel of the creek below Diversion
15 23 to the lowermost user bordering the creek.

16 TWELFTH: Each of the allotments set forth in Schedules 3 and
17 4 are for irrigation, domestic and stockwatering use unless other-
18 wise specified in said schedules, or in the body of this decree.

19 THIRTEENTH: Nothing herein contained shall, or shall be con-
20 strued to, prevent any of the claimants herein, who jointly use a
21 ditch for which there is a continuous flow allotment, from employing
22 by agreement a system of rotation in use as among themselves within
23 the separate periods named in Schedules 3 and 4; or prevent any
24 claimant herein who has allotments in two or more ditches, from
25 using all or any portion of the summation of such allotments through
26 any of these ditches on all or any portion of his lands; provided
27 the total quantity of water diverted by the claimant at any time
28 shall not exceed the summation of such allotments; and provided
29 further, this practice of rotation or use of combined allotments
30 shall not impair or infringe the rights of any other claimant.

31 FOURTEENTH: Nothing herein contained shall, or shall be con-
32 strued to, allocate to any claimant a right to divert from Bidwell

1 Creek stream system, at any time, a quantity of water in excess of an
2 amount reasonably necessary for his beneficial use requirements.

3 FIFTEENTH: IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in
4 pursuance of and compliance with Paragraph 5 of said Agreement and
5 Stipulation ROBERT F. and DORIS McCONNAUGHY have granted to NORA Mc-
6 AULIFFE (who appeared herein by and through J.P. McAuliffe who held
7 the lands and water rights of said NORA McAULIFFE as trustee) a ditch
8 right or easement across the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 16, Township
9 46 North, Range 16 East, M.D.B.&M. from the McAULIFFE ditch (Diver-
10 sion #9) in consideration of NORA McAULIFFE and her trustee relin-
11 quishing all rights in and to the McCONNAUGHY-McAULIFFE Diversion and
12 ditch(Diversion #13) and said trustee for NORA McAULIFFE, pursuant to
13 said Agreement, has caused said ditch to be so constructed from the
14 McAULIFFE ditch(Diversion #9) across the above described real pro-
15 perty and has hence forth diverted all water allotted to NORA McAU-
16 LIFFE through said Diversion #9 and has relinquished all rights to
17 Diversion #13 to said ROBERT F. and DORIS McCONNAUGHY, and said State
18 Water Rights Board and all persons across whose lands said Diver-
19 sion #9 extends have approved said change of the diversion of the
20 NORA McAULIFFE allotment formerly through Diversion #13, to and
21 through Diversion #9 and thence across said above described land.

22 The following Schedules, numbered Schedule 1, Schedule 2,
23 Schedule 3 and Schedule 4, are hereby made a part of this decree and
24 show the description of the places of use of water allotted to the
25 various claimants and owners therein named, the names and numbers of
26 the diversion, the approximate locations of such diversions, the
27 allocations of water, the name of the claimant, the acreage to be
28 supplied, the number of the diversion and the relative priorities
29 for the different seasons of the irrigating period, to wit: the
30 season from March 15 through July 9 and the season commencing July 10
31 through September 30.

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SCHEDULE 1

DESCRIPTION OF PLACES OF USE
OF WATER ALLOTTED FROM BIDWELL CREEK STREAM SYSTEM

Roy R. Baty and Violet M. Baty

5.1 acres in Block T. J., Town of Fort Bidwell, Section 17, T47N,
R16E, MDB&M

5.1 acres - Total

Byron N. Bock and Beda S. Bock

1.7 acres in Block E. J., Town of Fort Bidwell, Section 16, T46N,
R16E, MDB&M

0.2 acres in Block E. C., Town of Fort Bidwell, Section 16, T46N,
R16E, MDB&M

1.9 acres - Total

William A. Bray and Ruby E. Bray

8.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, T46N, R16E, MDB&M

8.0 acres - Total

Carl F. Bucher and Montez S. Bucher

40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T46N, R16E, MDB&M

40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T46N, R16E, MDB&M

12.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T46N, R16E, MDB&M

6.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, T46N, R16E, MDB&M

22.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, T46N, R16E, MDB&M

39.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T46N, R16E, MDB&M

19.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T46N, R16E, MDB&M

1.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T46N, R16E, MDB&M

179.5 acres - Total

Fred Bucher and Mabel Bucher

Domestic use in Block E. B., Town of Fort Bidwell Section 16, T46N,
R16E, MDB&M

Reuel A. Bucher and Thelma A. Bucher

0.7 acres in Lot 1, Block J, Town of Fort Bidwell, Section 17, T46N,
R16E, MDB&M

1.0 acres in Lot 3, Block J, Town of Fort Bidwell, Section 17, T46N,
R16E, MDB&M

1.7 acres - Total

Sheet 1

SCHEDULE 1 (Cont'd)

W. R. Cole and Esther Cole

25.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, T46N, R16E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, T46N, R16E, MDB&M
 23.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, T46N, R16E, MDB&M
 2.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, T46N, R16E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, T46N, R16E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, T46N, R16E, MDB&M
 40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, T46N, R16E, MDB&M
 39.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, T46N, R16E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, T46N, R16E, MDB&M
 6.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, T46N, R16E, MDB&M
 4.4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, T46N, R16E, MDB&M
 40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, T46N, R16E, MDB&M
340.7 acres - Total

Stella Cambridge

Domestic use in Lots 1 and 2 of Block C, Town of Fort Bidwell, Section 17, T46N, R16E, MDB&M

Henry B. Collins and Ethyl Victory Pollock

Domestic use in Lots 1, 2, 3, 4, 13, 14, 15 and 16 of Block B, Town of Fort Bidwell, Section 17, T46N, R16E, MDB&M

Mrs. Mary E. Conlan

(Home Ranch)
 40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T46N, R16E, MDB&M
 40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T46N, R16E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T46N, R16E, MDB&M
 40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, T46N, R16E, MDB&M
160.0 acres - Total

(Nelson Ranch)

40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, T46N, R16E, MDB&M
 40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, T46N, R16E, MDB&M
 21.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
181.0 acres - Total
 341.0 acres - Grand Total

William Crow and John W. Crow

Domestic use on Lots 1, 2, 15 and 16 in Block G, Town of Fort Bidwell, Section 17, T46N, R16E, MDB&M

SCHEDULE 1 (Cont'd)

Elbert F. Dodson and Barbara H. Dodson

40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, T46N, R16E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
160.0 acres - Total

Gordon L. Doss and Fern A. Doss

0.5 acres on Lots 7 through 11 and 45 through 49 in Block I, Town
 of Fort Bidwell, Section 17, T46N, R16E, MDB&M
 2.0 acres in Blocks T.T. and T.U., Town of Fort Bidwell
 Section 17, T46N, R16E, MDB&M
2.5 acres - Total

Fee Ranch, Inc.

40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
 38.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
 26.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
 38.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
 40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
 40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
 40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
 40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
 40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
 40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
 40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
 40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, T46N, R16E, MDB&M
 7.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, T46N, R16E, MDB&M
 21.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, T46N, R16E, MDB&M
 17.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T46N, R16E, MDB&M
12.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T46N, R16E, MDB&M
760.3 acres - Total

Max W. Fulcher and Anna Fulcher

26.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T46N, R16E, MDB&M
26.4 acres - Total

Roy E. Godfrey and Elizabeth M. Godfrey

1.5 acres in Block E.A., Town of Fort Bidwell, Section 16,
 T46N, R16E, MDB&M
1.5 acres - Total

SCHEDULE 1 (Cont'd)

Jewell Green

1.5 acres in Blk. T.B., Town of Fort Bidwell, Section 17, T46N, R16E, MDB&M
1.2 acres in Blk. T.C., Town of Fort Bidwell, Section 17, T46N, R16E, MDB&M
0.1 acres in Blk. T.D., Town of Fort Bidwell, Section 17, T46N, R16E, MDB&M
2.8 acres in Blk. T.I., Town of Fort Bidwell, Section 17, T46N, R16E, MDB&M
5.6 acres - Total

William Green

Domestic use in Lot 8, Block J, Town of Fort Bidwell
Section 17, T46N, R16E, MDB&M

Mattie L. Hanks

Domestic use in Lot 1A, Block J, Town of Fort Bidwell,
Section 17, T46N, R16E, MDB&M

Marjorie Katherine Hickerson

1.7 acres in Blk. E. I., Town of Fort Bidwell, Section 16, T46N, R16E, MDB&M
1.7 acres - Total

Thomas Jefferson and Harvey Drew

9.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T46N, R16E, MDB&M
9.0 acres - Total

Henry Kober

1.0 acre in Blks. T. V. and T. W., Town of Fort Bidwell
Section 17, T46N, R16E, MDB&M
1.0 acre - Total

Mrs. Neva Mason Lowell and Walter Richard Lowell, Co-executors of the Estate of Chester G. Lowell

2.10 acres in Blk. T. M. and Blk. T.Q., Town of Fort Bidwell,
Section 17, T46N, R16E, MDB&M

2.10 acre - Total

John A. MacDonald and Evelyn L. MacDonald

Domestic use on Lots 5 through 12 in Block H, Town of Fort Bidwell,
Section 17, T46N, R16E, MDB&M

John H. Mankin and Iva V. Mankin

Domestic use on Lots 1 through 14 in Block A, Town of Fort Bidwell,
Section 17, T46N, R16E, MDB&M

SCHEDULE 1 (Cont'd)

John A. Martin and Marion L. Martin

0.5 acres in Block E.K., Town of Fort Bidwell
Section 16, T46N, R16E, MDB&M
0.5 acres - Total

Claude V. Mathews

Domestic use on Lots 1 through 6 and 50 through 55, Block I, and
on Lots 5 through 8 in Block N, Town of Fort Bidwell,
Section 17, T46N, R16E, MDB&M

Edith C. Mathewson

Domestic use on Lots 1, 2, 5, 6, 7 and 8 in Block M, Town of Fort
Bidwell, Section 16, T46N, R16E, MDB&M

Nora McAuliffe

40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, T46N, R16E, MDB&M
40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, T46N, R16E, MDB&M
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, T46N, R16E, MDB&M
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, T46N, R16E, MDB&M
40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, T46N, R16E, MDB&M
38.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, T46N, R16E, MDB&M
638.0 acres - Total

Robert F. McConnaughey and Doris McConnaughey

(North Ranch)

8.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T46N, R16E, MDB&M
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T46N, R16E, MDB&M
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T46N, R16E, MDB&M
12.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T46N, R16E, MDB&M
40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T46N, R16E, MDB&M
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T46N, R16E, MDB&M
40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T46N, R16E, MDB&M
29.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, T46N, R16E, MDB&M
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, T46N, R16E, MDB&M

SCHEDULE 1 (Cont'd)

Robert F. McConnaughy and Doris McConnaughy (continued)

40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, T46N, R16E, MDB&M
 9.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T46N, R16E, MDB&M
 40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T46N, R16E, MDB&M

379.0 acres - Total
 (Home Ranch)

40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16, T46N, R16E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16, T46N, R16E, MDB&M
 36.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16, T46N, R16E, MDB&M
 40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16, T46N, R16E, MDB&M
 38.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, T46N, R16E, MDB&M
 22.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, T46N, R16E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, T46N, R16E, MDB&M
 33.0 acres in Block E.L., Town of Fort Bidwell,
 Section 16, T46N, R16E, MDB&M

289.5 acres - Total

668.5 acres - Grand Total

(Mountain Lands - Mill Creek)

Domestic use in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T47N, R15E, MDB&M
 Domestic use in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T47N, R15E, MDB&M
 Domestic use in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, T47E, R15E, MDB&M
 Domestic use in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, T47N, R15E, MDB&M
 Domestic use in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, T47N, R15E, MDB&M
 Domestic use in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, T47N, R15E, MDB&M

(Mountain Lands - Bidwell Creek)

Domestic use in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T46N, R16E, MDB&M
 Domestic use in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T46N, R16E, MDB&M
 Domestic use in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T46N, R16E, MDB&M
 Domestic use in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T46N, R16E, MDB&M

Tom Sweeney

1.0 acres in Block E.D., Town of Fort Bidwell,
 Section 16, T46N, R16E, MDB&M

1.0 acres - Total

Philip H. Peterson, Executor of the Estate of
 Chauncey Harold Miles

0.6 acres in Block E.G., Town of Fort Bidwell,
 Section 16, T46N, R16E, MDB&M

0.6 acres - Total

SCHEDULE 1 (Cont'd)

Maurice O'Callaghan and Jerry A. O'Callaghan

40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
2.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
17.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T46N, R16E, MDB&M
18.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T46N, R16E, MDB&M
277.0 acres - Total

Hugh A. O'Leary

Domestic use in Lot 2, Block J, Town of Fort Bidwell,
Section 17, T46N, R16E, MDB&M

Charles E. Parke

35.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, T46N, R16E, MDB&M
35.5 acres - Total

Granville T. Peterson and Mary D. Peterson

7.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T46N, R16E, MDB&M
1.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T46N, R16E, MDB&M
12.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T46N, R16E, MDB&M
2.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T46N, R16E, MDB&M
8.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T46N, R16E, MDB&M
31.5 acres - Total

Philip H. Peterson and Margaret L. Peterson

0.7 acres in Block E.H., Town of Fort Bidwell,
Section 16, T46N, R16E, MDB&M
16.9 acres in Block E.C., Town of Fort Bidwell,
Section 16, T46N, R16E, MDB&M
17.6 acres - Total

Ralph Peterson and Georgie Peterson

Domestic use in Lot 7, Block J, Town of Fort Bidwell,
Section 17, T46N, R16E, MDB&M

Sadie A. Peterson and Thelma A. Bucher

Domestic use on Lots 5, 6, 7 and 8 in Block B, Town of Fort Bidwell,
Section 17, T46N, R16E, MDB&M

Sheet 7

SCHEDULE 1 (Cont'd)

Russell M. Powell and Alice Louise Powell

Domestic use on Lots 4, 5 and 6 in Block J, Town of Fort Bidwell,
Section 17, T46N, R16E, MDB&M

Leo Sagehorn and Marie Sagehorn

40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T46N, R16E, MDB&M
27.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, T46N, R16E, MDB&M
17.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, T46N, R16E, MDB&M
6.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T46N, R16E, MDB&M
27.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, T46N, R16E, MDB&M
33.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, T46N, R16E, MDB&M
23.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T46N, R16E, MDB&M
25.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T46N, R16E, MDB&M
32.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T46N, R16E, MDB&M
27.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T46N, R16E, MDB&M
23.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T46N, R16E, MDB&M
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T46N, R16E, MDB&M
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T46N, R16E, MDB&M
22.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T46N, R16E, MDB&M
29.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, T46N, R16E, MDB&M
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T46N, R16E, MDB&M
39.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T46N, R16E, MDB&M
12.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T46N, R16E, MDB&M
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T46N, R16E, MDB&M
624.6 acres - Total

Robert L. Schluter and Erma Schluter

Domestic use in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T46N, R16E, MDB&M

S. P. Scholdt

3.9 acres in Block E.C., Town of Fort Bidwell,
Section 16, T46N, R16E, MDB&M

3.9 acres - Total

Orrie C. Sweeney, Administrator of the
Estate of William Sweeney

5.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T46N, R16E, MDB&M

5.5 acres - Total

Samuel G. Sweeney

Domestic use on Lot 9, Block J, Town of Fort Bidwell,
Section 8, T46N, R16E, MDB&M

Sheet 8

SCHEDULE 1 (Cont'd)

George Kesner Toney

40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T46N, R16E, MDB&M
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T46N, R16E, MDB&M
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T46N, R16E, MDB&M
120.0 acres - Total

Maxine L. Toney

Domestic use on Lot 1 in Block N, Town of Fort Bidwell,
Section 17, T46N, R16E, MDB&M

Charles E. Townsend

Domestic use in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T46N, R16E, MDB&M

United States

0.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T46N, R16E, MDB&M
9.1 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T46N, R16E, MDB&M
5.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T46N, R16E, MDB&M
2.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T46N, R16E, MDB&M
18.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T46N, R16E, MDB&M
25.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T46N, R16E, MDB&M
10.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T46N, R16E, MDB&M
13.1 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T46N, R16E, MDB&M
9.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, T46N, R16E, MDB&M
2.4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, T46N, R16E, MDB&M
95.6 acres - Total

Lewis Vaughan and Gloria Vaughn

3.0 acres in Lots 11, 12, Block J, Town of Fort Bidwell,
Section 17, T46N, R16E, MDB&M

Nora M. Ward

0.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, T46N, R16E, MDB&M
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, T46N, R16E, MDB&M
120.9 acres - Total

Jimmie Washoe

Domestic use on Lots 12, 13, 14, 15, 43 and 44 in Block I, Town of
Fort Bidwell, Section 17, T46N, R16E, MDB&M

SCHEDULE 1 (Cont'd)

Clarence Youngman

40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T46N, R16E, MDB&M
40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T46N, R16E, MDB&M
40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, T46N, R16E, MDB&M
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, T46N, R16E, MDB&M
160.0 acres - Total

Abbott Youngman

5.1 acres in Block E.C., Town of Fort Bidwell,
Section 16, T46N, R16E, MDB&M
5.1 acres - Total

SCHEDULE 2

POINTS OF DIVERSION FROM BIDWELL CREEK STREAM SYSTEM

Name of diversion system	: Diversion number on	Approximate location of point of diversion				
		: State	: Legal sub-division in which diversion occurs	: Reference Corner for distance and bearing	: Bearing from reference corner	: Distance from reference corner, in feet
	: Water Rights Board	: MDB&M	: MDB&M	:	:	:
Toney-Youngman Ditch	1	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18 T47N, R16E	NE Cor. Sec. 18, T47N, R16E	S 35° W	495	
Bray Upper Ditch	2	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6, T46N, R16E	N $\frac{1}{4}$ Cor. Sec. 6, T46N, R16E	S 32° W	2,500	
Bray Lower Ditch	3	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6, T46N, R16E	N $\frac{1}{4}$ Cor. Sec. 6, T46N, R16E	S 31° W	2,500	
Bucher Upper Ditch	4	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5, T46N, R16E	SW Cor. Sec. 5, T46N, R16E	N 7° E	700	
Peterson-Bucher Ditch	5	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T46N, R16E	NW Cor. Sec. 8, T46N, R16E	S 73° E	1,200	
Sweeney Ditch	6	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T46N, R16E	NW Cor. Sec. 8, T46N, R16E	S 77° E	1,500	
Granville Peterson Ditch	7	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T46N, R16E	N $\frac{1}{4}$ Cor. Sec. 8, T46N, R16E	S 34° W	1,000	
McGonnaughy Upper Ditch	8	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T46N, R16E	N $\frac{1}{4}$ Cor. Sec. 8, T46N, R16E	S 1° E	2,100	
McAuliffe Ditch	9	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, T46N, R16E	S $\frac{1}{4}$ Cor. Sec. 8, T46N, R16E	N 9° E	2,000	
Siebeck Ditch	10	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, T46N, R16E	SE Cor. Sec. 8, T46N, R16E	N 56° E	2,500	
Bucher Lower Ditch	11	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, T46N, R16E	S $\frac{1}{4}$ Cor. Sec. 8, T46N, R16E	N 27° E	1,250	
Indian Ditch	12	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17, T46N, R16E	N $\frac{1}{4}$ Cor. Sec. 17, T46N, R16E	S 84° E	900	

Sheet 1

SCHEDULE 2 (Cont'd)

POINTS OF DIVERSION FROM BIDWELL CREEK STREAM SYSTEM

Name of diversion system	Diversion number	Approximate location of point of diversion			
		Legal sub-division in which diversion occurs	Reference Corner for distance and bearing	Bearing from reference corner	Distance from reference corner, in feet
McConnaughy-McAuliffe Ditch	13	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17, T46N, R16E	N $\frac{1}{2}$ Cor. Sec. 17, T46N, R16E	S 67° E	1,700
Town Ditch	14	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17, T46N, R16E	E $\frac{1}{2}$ Cor. Sec. 17, T46N, R16E	N 36° W	550
Lowell Flume	14A	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17, T46N, R16E	E $\frac{1}{2}$ Cor. Sec. 17, T46N, R16E	N 39° W	530
Fee Ditch	15	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17, T46N, R16E	E $\frac{1}{2}$ Cor. Sec. 17, T46N, R16E	N 82° W	300
Mathews Pump	15A	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, T46N, R16E	E $\frac{1}{2}$ Cor. Sec. 17, T46N, R16E	S 20° W	500
Doss Pump	15B	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, T46N, R16E	E $\frac{1}{2}$ Cor. Sec. 17, T46N, R16E	S 14° W	800
MacDonald Pump	16	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, T46N, R16E	E $\frac{1}{2}$ Cor. Sec. 17, T46N, R16E	S 26° W	400
Kober Ditch	17	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, T46N, R16E	E $\frac{1}{2}$ Cor. Sec. 17, T46N, R16E	S 13° W	800
Park-Dodson-Ward	18	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16, T46N, R16E	SW Cor. Sec. 16, T46N, R16E	N 4° E	1,200
Cole-McManus Ditch	19	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16, T46N, R16E	SW Cor. Sec. 16, T46N, R16E	N 39° E	400
Ward-Sagehorn Ditch	20	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, T46N, R16E	NW Cor. Sec. 21, T46N, R16E	S 53° E	600

SCHEDULE 2 (Cont'd)

POINTS OF DIVERSION FROM BIDWELL CREEK STREAM SYSTEM

Name of diversion system	: Diversion number on	Approximate location of point of diversion			
		: State	: Legal sub-division in which	: Reference Corner for distance and bearing	: Bearing : Distance from : from reference : corner : in feet
: Water Rights Board Map	:	: occurs	:	:	:
Ward-Sagehorn-Dodson Ditch	21	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, T46N, R16E	NW Cor. Sec. 21, T46N, R16E	S 26° E	1,150
O'Callaghan Ditch	22	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21, T46N, R16E	S $\frac{1}{2}$ Cor. Sec. 21, T46N, R16E	N 4° E	2,200
Sagehorn Ditch	23	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28, T46N, R16E	N $\frac{1}{2}$ Cor. Sec. 28, T46N, R16E	S 55° E	950
Peterson Spring	24	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T46N, R16E	N $\frac{1}{2}$ Cor. Sec. 8, T46N, R16E	S 8° W	2,200
Bucher Spring	25	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, T46N, R16E	S $\frac{1}{2}$ Cor. Sec. 8, T46N, R16E	N 58° E	1,250
Reservation Springs	26	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12, T46N, R15E	SE Cor. Sec. 12, T46N, R15E	N 10° W	450
Reservation Creek Ditch	27	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17, T46N, R16E	N $\frac{1}{2}$ Cor. Sec. 17, T46N, R16E	S 38° W	1,400
Indian Hot Spring	28	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17, T46N, R16E	N $\frac{1}{2}$ Cor. Sec. 17, T46N, R16E	S 34° E	800
Indian Hot Spring Ditch	29	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17, T46N, R16E	N $\frac{1}{2}$ Cor. Sec. 17, T46N, R16E	S 34° E	1,400

SCHEDULE 3

ALLOCATIONS TO VARIOUS CLAIMANTS FROM
 BIDWELL CREEK STREAM SYSTEM
 MARCH 15 THROUGH JULY 9

Name of Claimant	Acreage to be Supplied	Diversion Number on SWRB Map	Allotments Cubic Feet Per Second				Total
			First Priority Class	Second Priority Class	Third Priority Class		
George Kesner Toney	120.0	1	1.60			1.60	
Clarence Youngman	160.0	1	1.60			1.60	
William A. Bray and Ruby E. Bray	5.0 3.0	2 3	0.12 0.08			0.20	
Carl F. Bucher and Montez S. Bucher	159.0 9.0	4 5			4.71	5.64	
	11.5	25 11	0.45 0.10 0.38				
Orrie C. Sweeney, Administrator of the Estate of William Sweeney	2.0 3.5	5 6	0.07 0.18			0.25	
Granville T. Peterson and Mary D. Peterson	10.5 21.0	5 7	0.38 0.50			0.88	
Recreation & Domestic		24	Entire Flow of Spring				
G. E. Townsend	Domestic	8	0.03			0.03	
Thomas Jefferson and Harvey Drew	0.5 2.0 3.0 3.5	8 9 10 25	0.02 0.05 0.04		0.06	0.17	
Robert L. Schluter and Erma Schluter	Domestic	8	0.01			0.01	
Robert F. McConnaughy and Doris McConnaughy	Mountain Lands ^a 379.0 289.5	8 13	Domestic 4.65 ✓ 3.20	2.59 ✓ 2.04		1.24 ^{cts} 12.48	
Fred Bucher and Mabel Bucher	Domestic	9	0.02			0.02	

^a See paragraph EIGHTH

SCHEDULE 3 (Cont'd.)

ALLOCATIONS TO VARIOUS CLAIMANTS FROM
 BIDWELL CREEK STREAM SYSTEM
 MARCH 15 THROUGH JULY 9

Name of Claimant	:Acreage : to be	: : :Supplied	: : :SWRB Map	: : : Number : on	: : : Class	Allotments			:Total
						:Cubic Feet Per Second	: First : Priority	: Second : Priority	
Abbott Youngman	5.1			9		0.12			0.12
S. P. Schuldt	1.0			9		0.03			0.09
	2.9			10		0.06			
Nora McAuliffe	470.0			9		4.12	1.41		7.63
	168.0			13		2.10			
Max W. Fulcher and Anna Fulcher	26.4			10		0.66			0.66
Roy E. Godfrey and Elizabeth M. Godfrey	1.5			10		0.04			0.04
Tom Sweeney	1.0			10		0.03			0.03
Majorie Katherine Hickerson	1.7			10		0.04			0.04
Philip H. Peterson, Executor of the Estate of Chauncy Harold Miles	0.6			10		0.02			0.02
John A. Martin and Marion L. Martin	0.5			10		0.02			0.03
	Domestic			13		0.01			
Philip H. Peterson and Margaret L. Peterson	17.6			10		0.44			0.44
Bryon N. Bock and Beda S. Bock	1.9			10		0.05			0.05
M. E. Conlan	160.0			10		4.00			6.13
	181.0			10			2.13		
Roy R. Baty and Violet M. Baty	5.1			12		0.12			0.12
Jewell Green	5.6			12		0.14			0.14

SCHEDULE 3 (Cont'd)

ALLOCATIONS TO VARIOUS CLAIMANTS FROM
 BIDWELL CREEK STREAM SYSTEM
 MARCH 15 THROUGH JULY 9

Name of Claimant	Acreage to be Supplied	Diversion Number on SWRB Map	Allotments			Total
			Cubic Feet Per Second	First Priority Class	Second Priority Class	
United States	95.6	12 26, 27,) 28 and 29)	0.46			0.46
			Entire flow ^b			
Reuel A. Bucher and Thelma A. Bucher	1.7	13	0.06			0.06
Hugh A. O'Leary	Domestic	13	0.02			0.02
Russell M. Powell and Alice Louise Powell	Domestic	13	0.05			0.05
Ralph Peterson and Georgie Peterson	Domestic	13	0.03			0.03
William Green	Domestic	13	0.03			0.03
Samuel G. Sweeney	Domestic	13	0.03			0.03
Lewis Vaughn and Gloria Vaughn	3.0	13	0.06			0.06
Mattie L. Hanks	Domestic	13	0.03			0.03
John H. Mankin and Iva V. Mankin	Domestic	13	0.03			0.03
Henry B. Collins and Ethel Victory Pollock	Domestic	13	0.03			0.03
Sadie A. Peterson and Thelma A. Bucher	Domestic	13	0.03			0.03
Stella Cambridge	Domestic	13	0.03			0.03
Mrs. Neva Mason Lowell and Richard Lowell, Co-executors of the Estate of Chester G. Lowell	2.1	14 A	0.04			0.04

^b Also may be used for domestic, fire and irrigation purposes on other lands now subject to service by these diversion points within the Fort Bidwell Indian Reservation.

SCHEDULE 3 (Cont'd)

ALLOCATIONS TO VARIOUS CLAIMANTS FROM
 BIDWELL CREEK STREAM SYSTEM
 MARCH 15 THROUGH JULY 9

Name of Claimant	: Acreage : : to be : : Supplied :	: Diversion : : Number : : on : : SWRB Map :	Allotments			: Total :
			: Cubic Feet Per Second :	: First : : Priority :	: Second : : Priority :	
William Crow and John W. Crow	Domestic	14	0.04			0.04
Edith C. Mathewson	Domestic	14	0.02			0.02
Maxine L. Toney	Domestic	14	0.02			0.02
Claude V. Mathews	Domestic	14 15A	0.02 0.02			0.04
Gordon L. Doss and Fern A. Doss	0.5 2.0	15 15B	0.01 0.04			0.05
Jimmie Washoe	Domestic	15	0.02			0.02
Charles E. Parke	18.5 17.0	15 18	0.22 0.20			0.42
Elbert F. Dodson and Barbara Dodson	95.5 18.5 46.0	15 18 21	1.12 0.22 0.54			1.88
Fee Ranch, Inc.	760.3	15	5.84	3.10		8.94
Maurice O'Callaghan and Jerry A. O'Callaghan	244.5 32.5	15 22	2.88 0.38			3.26
Leo Sagehorn and Marie Sagehorn	325.1 75.0 72.5 152.0	15 20 21 23		3.82		7.34
John A. MacDonald and Evelyn L. MacDonald	Domestic	16	0.02			0.02
Henry Kober	1.0	17	0.05			0.05

SCHEDULE 3 (Cont'd)

ALLOCATIONS TO VARIOUS CLAIMANTS FROM
 BIDWELL CREEK STREAM SYSTEM
 MARCH 15 THROUGH JULY 9

Name of Claimant	Acreage to be Supplied	Number on SWRB Map	Allotments Cubic Feet Per Second			Total
			First Priority Class	Second Priority Class	Third Priority Class	
Nora M. Ward	30.5	18	0.36			1.43
	6.9	19	0.09			
	42.5	20	0.50			
	41.0	21	0.48			
W. R. Cole and Esther Cole	340.7	19	4.26			4.26
TOTALS	4,656.8		46.28	14.02	6.84	67.14

SCHEDULE 4

ALLOCATIONS TO VARIOUS CLAIMANTS FROM
 BIDWELL CREEK STREAM SYSTEM
 JULY 10 THROUGH SEPTEMBER 30

Name of Claimant	:Acreage : : to be : :Supplied:	: Number : : on : :SWRB Map:	: Diver- : : sion : : ority : : Class :	Allotments					:Total : : ority: : : Class:
				: First : : Pri- : : ority : : Class :	: Second : : Pri- : : ority : : Class :	: Third : : Pri- : : ority : : Class :	: Fourth : : Pri- : : ority : : Class :	: Fifth : : Pri- : : ority : : Class :	
George Kesner Toney	120.0	1	1.60						1.60
Clarence Youngman	160.0	1	1.60						1.60
William A. Bray and Ruby E. Bray	5.0 3.0	2 3	0.12 0.08						0.20
Carl F. Bucher and Montez S. Bucher	159.0 9.0 11.5	4 5 25 11	0.10 0.25 0.10 (See Paragraph NINTH)					4.71	5.16
Orrie C Sweeney, Administrator of the Estate of William Sweeney	2.0 3.5	5 6	0.10			0.07 0.08			0.25
Granville T. Peterson and Mary D. Peterson Domestic and Recreation	10.5 21.0 24	5 7 24	0.10 0.25 Entire flow of spring			0.40			0.75
C. E. Townsend	Domestic	8	0.03						0.03
Thomas Jefferson and Harvey Drew	0.5 2.0 3.0 3.5	8 9 10 25	0.02			0.05 0.04 0.06			0.17
Robert L. Schluter and Erma Schluter	Domestic	8	0.01						0.01
Robert F. McConnaughy and Doris McConnaughy	Mountain Lands ^a 379.0 289.5	8 13	Domestic 0.21 0.30	2.00 1.90	2.44 3.04	2.59 3.04			12.48
Fred Bucher and Habel Bucher	Domestic	9	0.02						0.02
S. P. Schuldt	1.0 2.9	9 10	0.02 0.03			0.01 0.03			0.09

^a See paragraph EIGHTH

SCHEDULE 4 (Cont'd)

ALLOCATIONS TO VARIOUS CLAIMANTS FROM
 BIDWELL CREEK STREAM SYSTEM
 JULY 10 THROUGH SEPTEMBER 30

Name of Claimant	Acreage to be Supplied	Diver- sion Number on SWRB Map	Allotments					Total
			Priority Class	Priority Class	Priority Class	Priority Class	Priority Class	
Abbott Youngman	5.1	9	0.05		0.07			0.12
Nora McAuliffe	470.0 168.0	9 13	0.10 0.20		4.02	1.41		7.63
Max W. Fulcher and Anna Fulcher	26.4	10	0.10 ^b		0.56			0.66
Roy E. Godfrey and Elizabeth M. Godfrey	1.5	10	0.03		0.01			0.04
Tom Sweeney	1.0	10	0.03					0.03
Marjorie Katherine Hickerson	1.7	10	0.03		0.01			0.04
Philip H. Peterson, Executor of the Estate of Chauncy Harold Miles	0.6	10	0.02					0.02
John A. Martin and Marion L. Martin	0.5 Domestic	10 13	0.02 0.01					0.03
Philip H. Peterson and Margaret L. Peterson	17.6	10	0.20	0.24				0.44
Byron N. Bock and Beda S. Bock	1.9	10	0.03		0.02			0.05
M. E. Conlan	160.0 181.0	10 10	0.20		3.80		2.13	6.13
Jewell Green	5.6	12	0.05		0.09			0.14
Roy R. Baty and Violet M. Baty	5.1	12	0.05		0.07			0.12
United States	95.6	12	0.20					0.20
		26, 27, 28 and 29)	Entire flow ^c					

^b Stockwater only, not-exceeding-0.10. AKW

^c Also may be used for domestic, fire and irrigation purposes on other lands now subject to service by these diversion points within the Fort Bidwell Indian Reservation

SCHEDULE 4 (Cont'd)

ALLOCATIONS TO VARIOUS CLAIMANTS FROM
 BIDWELL CREEK STREAM SYSTEM
 JULY 10 THROUGH SEPTEMBER 30

Name of Claimant	Acreage to be Supplied	Diver- sion Number on SWRB Map	Priority Class	Allotments					Total
				First Priority Class	Second Priority Class	Third Priority Class	Fourth Priority Class	Fifth Priority Class	
Reuel A. Bucher and Thelma A. Bucher	1.7	13	0.06						0.06
Hugh A. O'Leary	Domestic	13	0.02						0.02
Russell M. Powell and Alice Louise Powell	Domestic	13	0.05						0.05
Ralph Peterson and Georgie Peterson	Domestic	13	0.03						0.03
William Green	Domestic	13	0.03						0.03
Samuel G. Sweeney	Domestic	13	0.03						0.03
Lewis Vaughn and Gloria Vaughn	3.0	13	0.06						0.06
Mattie L. Hanks	Domestic	13	0.03						0.03
John H. Mankin and Iva V. Mankin	Domestic	13	0.03						0.03
Henry B. Collins and Ethel Victory Pollock	Domestic	13	0.03						0.03
Sadie A. Peterson and Thelma A. Bucher	Domestic	13	0.03						0.03
Stella Cambridge	Domestic	13	0.03						0.03
Mrs. Neva Mason Lowell and Walter Richard Lowell, Co-executors of the Estate of Chester G. Lowell	2.1	14A	0.04						0.04
William Crow and John W. Crow	Domestic	14	0.04						0.04
Edith C. Mathewson	Domestic	14	0.02						0.02

Sheet 3

SCHEDULE 4 (Cont'd)

ALLOCATIONS TO VARIOUS CLAIMANTS FROM
 BIDWELL CREEK STREAM SYSTEM
 JULY 10 THROUGH SEPTEMBER 30

Name of Claimant	: Acreage : : to be : : Supplied :	: Diver- : : sion : : on : : SWRB Map :	: : : Pri- : : ority : : Class :	Allotments					: Total : : Pri- : : ority : : Class :
				Cubic Feet Per Second					
				: First : : Pri- : : ority : : Class :	: Second : : Pri- : : ority : : Class :	: Third : : Pri- : : ority : : Class :	: Fourth : : Pri- : : ority : : Class :	: Fifth : : Pri- : : ority : : Class :	
Maxine L. Toney	Domestic	14	0.02						0.02
Claude V. Mathews	Domestic	14	0.02						0.04
	Domestic	15A	0.02						
Gordon L. Doss and Fern A. Doss	0.5	15	0.01						0.05
	2.0	15B	0.04						
Jimmie Washoe	Domestic	15	0.02						0.02
Charles E. Parke	18.5	15	0.10 ^b		0.12				0.42
	17.0	18			0.20				
Elbert F. Dodson and Barbara Dodson	95.5	15	0.10 ^b		1.02				1.88
	18.5	18			0.22				
	46.0	21			0.54				
Fee Ranch, Inc.	760.3	15	0.10		5.74	3.10			8.94
Maurice O'Callaghan and Jerry A. O'Callaghan	244.5	15	0.10 ^b	0.25	2.53				3.26
	32.5	22			0.38				
Leo Sagehorn and Marie Sagehorn	325.1	15				3.82			7.34
	75.0	20			0.88				
	72.5	21			0.85				
	152.0	23	d		0.79	1.00			
John A. MacDonald and Evelyn L. MacDonald	Domestic	16	0.02						0.02
Henry Kober	1.0	17	0.05						0.05

^bStockwater only, ~~not exceeding 0.10~~ AKW

^dStockwater not to exceed 0.10 shall be flowing throughout Bidwell Creek channel as far as Diversion No. 23, provided the flow in Bidwell Creek above Diversion No. 4 is greater than 3.7 cubic feet per second.

Sheet 4

SCHEDULE 4 (Cont'd)

ALLOCATIONS TO VARIOUS CLAIMANTS FROM
 BIDWELL CREEK STREAM SYSTEM
 JULY 10 THROUGH SEPTEMBER 30

Name of Claimant	Acreage to be Supplied	Diver- sion Number on SWRB Map	Allotments Cubic Feet per Second					Total
			First Pri- ority Class	Second Pri- ority Class	Third Pri- ority Class	Fourth Pri- ority Class	Fifth Pri- ority Class	
Nora M. Ward	30.5	18			0.36			1.43
	6.9	19			0.09			
	42.5	20	0.10 ^b		0.40			
	41.0	21			0.48			
W. R. Cole and Esther Cole	340.7	19	0.25	0.25	3.76			4.26
TOTALS	4,656.8		7.24	7.04	30.19	14.96	6.84	66.27

^b Stockwater only, ~~not exceeding 0.10~~ AKW

1 SIXTEENTH: All allotments set forth in Schedule 3 shall be
2 for continuous use from March 15 to July 9, both dates inclusive,
3 of each year; all allotments set forth in Schedule 4 shall be for
4 continuous use from July 10 to September 30, both dates inclusive,
5 of each year, except the allotments and use of water set forth in
6 Paragraphs 3, EIGHTH, NINTH, TENTH and ELEVENTH at the times and
7 under the conditions respectively described therein.

8 SEVENTEENTH: The several claimants and allottees hereinbefore
9 set forth in said Schedules and in this decree are entitled to use
10 of the water of Bidwell Creek stream system for the purposes set
11 forth in Paragraph TWELFTH on their respective lands described in
12 Schedule 1, for the periods of time designated in Paragraph SIX-
13 TEENTH, from the points of diversion shown on Schedule 2, and in the
14 amounts and priorities set forth in Schedules 3 and 4 and in Para-
15 graphs 3, EIGHTH, NINTH, TENTH and ELEVENTH. The points of measure-
16 ment of the amounts of water allotted shall be at the points of
17 diversion from the stream system.

18 EIGHTEENTH: Although all quantities of water allotted in
19 Schedules 3 and 4 to the several claimants for direct application
20 to beneficial use are separately expressed in terms of continuous
21 flow, nevertheless, nothing herein contained shall be construed as
22 limiting or restricting the right of any such claimants to rotate
23 in the use of water belonging to them within the separate periods
24 named in Schedules 3 and 4; provided that such practice of rotation
25 shall not result in the use by any claimant of a total quantity of
26 water during any thirty day period in excess of the equivalent of
27 such claimant's continuous flow allowance, except as otherwise pro-
28 vided in Paragraph 2 hereinbefore set forth; and provided further,
29 that such practice of rotation shall not impair or infringe the
30 rights of any other claimant.

31 NINETEENTH: That each and every party to this action, his,
32 her or its agents, successors, grantees and assigns, be and hereby

1 are perpetually enjoined and restrained from doing anything in vio-
2 lation of the terms or provisions of this judgment and decree, and
3 from diverting any water from said Bidwell Creek stream system as
4 defined herein at any time in excess of a quantity reasonably nec-
5 essary for, and actually applied to, reasonable beneficial use,
6 under and by reasonable methods of diversion and use, and from doing
7 anything, directly or indirectly, that will obstruct or interfere
8 with any right of another, in the water of the said stream system or
9 in the use, maintenance, cleaning and repairing of any diversion,
10 diversion works, dams or ditches, adjudged and decreed herein. IT
11 IS ORDERED, ADJUDGED AND DECREED that in the event that by reason
12 of any act of any person or persons, whether parties to this action
13 or otherwise, or by virtue of any other cause whatsoever such as
14 freshets, floods, falling of trees, debris, or the like which cause
15 any obstruction in or change of the channel of said Bidwell Creek
16 and which thereby obstruct or retard the free and natural flow of
17 any of the water or waters of said creek to the diversion or diver-
18 sions of any of the parties covered by this decree, that then and
19 in such event, any party or parties so affected by any such obstruc-
20 tion or interference with the free flow of said water to and into
21 his or her diversion shall have the right to enter upon the said
22 creek and the adjacent premises where such obstruction exists and
23 clean out or otherwise remove any and all such obstructions and do
24 all such things as are necessary for the purpose of restoring said
25 channel to its former position and to cause the waters of said creek
26 to flow to and into his or her diversion or diversions, and any and
27 all persons, firms or corporations, their and each of their agents,
28 servants, lessees, grantees and attorneys, who are parties to this
29 decree or who succeed to any of the rights to any of the lands
30 through which said creek so flows and wherein or whereon such
31 obstruction or change of channel so occurs, is and all of them
32 are perpetually enjoined and restrained from, in any manner,

1 interfering with the claimant or claimants hereunder, who are affect-
2 ed by such obstruction, in their efforts to so remove such obstruction
3 or obstructions and the repairing and restoration of said channel
4 to its former position.

5 TWENTIETH: This decree is conclusive as to the rights of
6 all existing claimants upon the Bidwell Creek stream system as
7 defined herein lawfully embraced in this determination.

8 TWENTY-FIRST: Any claimant who has failed to appear and sub-
9 mit proof of his claim as provided in Chapter 3, Division 2 of the
10 Water Code, shall be barred and estopped from subsequently assert-
11 ing any rights theretofore acquired upon the Bidwell Creek stream
12 system as defined herein and shall be held to have forfeited all
13 rights to water theretofore claimed by him on said system, other
14 than as provided in this decree, unless entitled to relief under
15 the laws of this State.

16 TWENTY-SECOND: That the Court retains continuing jurisdiction
17 of the parties to this proceeding, and of the subject matter there-
18 of, and upon application of any party hereto, or successor in
19 interest thereof, or upon its own motion, to review this decree and
20 to change or modify the same as the interests of justice may require.

21 TWENTY-THIRD: IT FURTHER APPEARING To the Court that by
22 reason of the multiple rights and the complications of maintaining
23 the proper division, distribution and diversion of the water of
24 said stream system and by reason of the different seasons set forth
25 in Schedules 3 and 4 and the fluctuation of the water supply and of
26 the engineering technicalities required to properly and equitably
27 determine, from time to time, the proper division of the available
28 flow, in accordance with the terms of this decree; and the existence
29 of the necessity of avoiding disputes among the various claimants,
30 and to preserve the public peace, convenience and welfare, and to
31 prevent waste or unreasonable methods of use of the waters, that
32 it will be necessary to have a qualified and skilled Water Master

1 in charge of and to supervise the diversions and distributions of
2 the water, in accordance with the terms of this decree, and now,
3 therefore, the Court hereby appoints and directs the Division of
4 Water Resources, until further order of the Court, through the
5 agency of an official Water Master employed by it, to supervise the
6 distribution of the water of said stream system during the irri-
7 gation season, in accordance with the provisions of this decree.
8 The reasonable cost and expense of such service and supervision to
9 be apportioned among the various claimants and users ratably in
10 accordance with their relative allotments, and that such costs and
11 expenses be paid by such claimants and users, in accordance with
12 such apportionment.

13 Dated this 13th day of January, 1960.

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16 /s/ A. K. Wylie

17 JUDGE OF SAID COURT
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STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

IN THE MATTER OF THE DETERMINATION)
OF THE RIGHTS OF THE VARIOUS)
CLAIMANTS TO THE WATER OF BIDWELL)
CREEK STREAM SYSTEM IN MODOC COUNTY,)
CALIFORNIA)

No. 6420

AFFIDAVIT OF SERVICE BY MAIL

STATE OF CALIFORNIA)
 : ss.
COUNTY OF SACRAMENTO)

ELDON L. WILSON, being first duly sworn, deposes and says:

That affiant is a citizen of the United States, over the age of 18 years, a resident of the County of Sacramento, and not a party to the above-entitled proceedings; that affiant's business address is Kaiser Building, 1401 - 21st Street, Sacramento, California.

That on the 27 day of January, 1960, affiant served the attached BIDWELL CREEK DECREE on each of the persons and parties hereinafter listed by placing true copies thereof in separate envelopes, one of which was addressed to each of said persons and parties at the address set forth immediately following each name. That there is delivery service by the United States mail at the places so addressed or regular communication by mail between the place of mailing and the place so addressed.

That said persons and parties to whom the decrees were so mailed were as follows:

Mattie L. Hanks
Route 1, Box 77
Mount Shasta, California

Roy R. and Violet M. Baty
Fort Bidwell, California

Byron W. and Beda S. Bock
Box 127
Fort Bidwell, California

William A. and Ruby E. Bray
Box 143
Fort Bidwell, California

Carl F. and Montez S. Bucher
P. O. Box 156
Fort Bidwell, California

Fred and Mabel Bucher
P. O. Box 173
Fort Bidwell, California

R. A. and Thelma A. Bucher
P. O. Box 124
Fort Bidwell, California

Stella Cambridge
Fort Bidwell, California

W. R. and Esther Cole
P. O. Box 185
Fort Bidwell, California

Henry B. Collins and
Ethel Victory Pollock
c/o Henry B. Collins
1542 London Street
Sacramento, California

Mrs. M. E. Conlan
P. O. Box 1228
1023 Howard Street
Alturas, California

William Crow and John W. Crow
P. O. Box 122
Fort Bidwell, California

Elbert F. and Barbara Dodson
P. O. Box 64
Fort Bidwell, California

Department of Water Resources
401 Public Works Building
Sacramento, California
Attn: W. R. Gianelli

Gordon L. and Fern A. Doss
Box 155
Fort Bidwell, California

Fee Ranch, Inc.
Box 67
Fort Bidwell, California

Max W. and Anna Fulcher
Fort Bidwell, California

Roy E. and Maxine E. Godfrey
P. O. Box 171
Fort Bidwell, California

Jewell Green
Box 194
Fort Bidwell, California

Marjorie Katherine Hickerson
1331 Court Street
Alturas, California

Thomas Jefferson and Harvey Drew
c/o Thomas Jefferson
Box 102
Fort Bidwell, California

William Green
Fort Bidwell, California

Henry Kober
Fort Bidwell, California

Mrs. Neva Mason Lowell and Walter
Richard Lowell, Co-Executors
Estate of Chester G. Lowell
Fort Bidwell, California

Nora McAuliffe
Box 270
Fort Klamath, Oregon

Robert F. and Doris McConaughy
Fort Bidwell, California

John A. and Evelyn L. MacDonald
P. O. Box 176
Fort Bidwell, California

John H. and Iva V. Mankin
Box 85
Fort Bidwell, California

John A. and Marion L. Martin
General Delivery
Fort Bidwell, California

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Fort Bidwell, California

Edith C. Mathewson
Denio, Nevada

V. V. and Fern L. Messner
255 F Street South
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Estate of Chauncy Harold Miles
Box 62
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Maurice and Jerry A. O'Callaghan
P. O. Box 186
Fort Bidwell, California

Hugh A. O'Leary
Fort Bidwell, California

Tom Sweeney
Fort Bidwell, California

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Fort Bidwell, California

Ralph and Georgie Peterson
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Sadie Peterson and Thelma A. Bucher
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Russell M. and Alice Louise Powell
Michigan Bluff Via Forest Hill,
California

Leo and Marie Segehorn
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Fort Bidwell, California

George Keener Toney
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Maxine L. Toney
Fort Bidwell, California

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U. S. Department of Interior
Office of the Solicitor
Sacramento Region
P. O. Box 291 (T & C)
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Clarence Youngman
Fort Bidwell, California

Jimmie Washoe
Fort Bidwell, California

Senator Stanley Arnold
Susanville, California

U. S. Department of the Interior
Bureau of Indian Affairs
Post Office Building
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Attn: Lyle Warnock

Rita Singer, Attorney
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Susanville, California

Fort Bidwell Indian Reservation
c/o Clarence DeGarmo
Fort Bidwell, California

United States Forest Service
Alturas, California

Modoc Title Company
Alturas, California

A. E. Backman and A. C. Russ
Senior Engineer Appraisers
Federal Land Bank
Berkeley, California

Subscribed and sworn to before me
this ____ day of January, 1960

NOTARY PUBLIC in and for the County
of Sacramento, State of California.
My Commission Expires July 24, 1962.