

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA,  
IN AND FOR THE COUNTY OF SAN JOAQUIN

IN THE MATTER OF THE DETERMINATION OF THE )  
RIGHTS, BASED UPON PRIOR APPROPRIATION, OF )  
THE VARIOUS CLAIMANTS OF THE WATERS OF THE )  
STANISLAUS RIVER AND ITS TRIBUTARIES IN )  
CALIFORNIA. )

No. 16873

Dept. No. 1

JUDGMENT

The above entitled proceeding, under and pursuant to the provisions of the Water Commission Act of California, came on regularly for trial by and before the above entitled court on April 24, 1925, and was regularly continued to October 25, 1925, to be reset, and thereafter reset for trial on September 14, 1926, and after trial on said day was continued for further trial, and tried on December 16, 17, 22, 23, 28 and 29, 1926, before this court sitting without a jury, and Spencer Burroughs, esquire, appearing as counsel for the Division of Water Rights; Nutter, Hancock & Rutherford, esquires, appearing as counsel for South San Joaquin Irrigation District, Rolleri Company and Domingo Rolleri; Griffin, Boone & Boone, esquires, appearing as counsel for the Oakdale Irrigation District; Chickering & Gregory, esquires, appearing as counsel for the Sierra and San Francisco Power Company; J. C. Webster, esquire, appearing as counsel for Henry W. Eckel; Berry & Watson, esquires, and McNoble & Berry, esquires, appearing as counsel for R. P. Sleane, Charles Sanguinetti and Frank Canepa; Daniel Marceau, esquire, appearing as counsel for Estelle Sibbald; Joseph Huberty, esquire, appearing as counsel for Utica Mining Company; Edwin L. Forster, esquire, appearing as counsel for the Columbia Marble Company and Jose Frances Souza; J. W. Colebird, esquire, appearing as counsel for San Francisco Cattle Loan Association; Grant & Zindara, esquires, appearing as Counsel for Jean Gunder, William Grant, Charles E. Grant and Users of Water Under the Ditch System of the Sierra and San Francisco Power Company; and evidence, both oral and documentary, introduced, and upon the evidence being closed, the cause was submitted to the court for its consideration, determination and decision, and the court made and signed its findings of fact and conclusions of law on file herein, and now orders that judgment be entered in the above entitled proceeding in accordance therewith;

Wherefore, by reason of the law and the findings aforesaid, it is ordered, adjudged, and decreed as follows to wit:-

That subject to the hereinafter mentioned definitions and limitations, the several rights based upon prior appropriation of the various claimants hereinafter named, of the waters of the Stanislaus River and its tributaries, are hereby established, determined, adjudged and decreed as hereinafter in this judgment set forth.

The hereinbefore mentioned definitions and limitations are as follows to-wit:-

1. The respective points of measurement of the quantities of water established, determined, adjudged and decreed to the several claimants, hereinafter mentioned, are at the respective points of diversion from said stream system, as hereinafter set forth.
2. Water hereinafter adjudged and decreed to the several claimants, for other than domestic use, may be applied to domestic use, either in whole or in part.
3. Other than claimants Melones Mining Company, Oakdale Irrigation District, South San Joaquin Irrigation District, Sierra and San Francisco Power Company, and said Emma Rose and Hobart Estate Company, all of the claimants hereinafter adjudged and decreed the right or rights to the use of water for irrigation purposes during a portion of each year, are and shall be entitled to divert from the same source, through the same ditch or ditches, throughout the remainder of each year, water as may be required for domestic and stock-watering purposes, said diversion for said purposes to take and have the same priority (and if more than one priority is adjudged and decreed to a claimant then the earliest thereof) as awarded for irrigation purposes, and in no event to exceed the maximum quantity awarded for said irrigation purposes.
4. All quantities of water hereinafter adjudged and decreed to the several claimants for direct application to beneficial use are severally expressed in terms of continuous flow, but nothing herein contained shall be construed as limiting or restricting the right of any claimant to rotate in the use of water, or the right of any claimant to divert for limited periods of time convenient irrigation heads, and thus apply water to his lands at a greater rate than indicated by the quantity of continuous flow so adjudged and decreed;

provided, however, that such practice of rotation or use of irrigation heads shall not result in the use by any claimant of a total quantity of water during any thirty-day period in excess of the equivalent of such claimant's continuous flow for thirty days; and provided further that such practice of rotation or such use of irrigation heads shall not impair or infringe the right of any other claimant.

5. That said several rights based upon prior appropriation of the various claimants named of the waters of the Stanislaus River and its tributaries are, subject to the aforesaid definitions and limitations, hereby established, determined, adjudged and decreed as follows, to-wit:-

6. - A. J. AIROLA is entitled to divert

2.125 Cubic feet per second - priority 1869

from the natural flow of Angeles Creek, at a point which bears north 78 degrees west 460 feet from the southeast corner of section 33, township 3 north, range 13 east, Mount Diablo Base and Meridian, being within the southeast quarter of southeast quarter of said section 33, through the Jones Mine Ditch, during the period beginning April 15 and continuing to and through October 31 of each year, for irrigating 85 acres, located as follows:

0.7 acre in NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 16, T. 2 N., R. 13 E.  
25.8 acres in SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 16, T. 2 N., R. 13 E.  
5.9 acres in NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 16, T. 2 N., R. 13 E.  
5.8 acres in SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 15, T. 2 N., R. 13 E.  
22.0 acres in NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 15, T. 2 N., R. 13 E.  
0.4 acre in NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 15, T. 2 N., R. 13 E.  
14.0 acres in SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 15, T. 2 N., R. 13 E.  
10.4 acres in SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 15, T. 2 N., R. 13 E.

Also:

0.72 cubic foot per second--priority 1899

from the natural flow of Greenhorn Gulch at a point which bears north 57 degrees 30 minutes west 2760 feet from the southeast corner of section 5, township 3 north, range 13 east Mount Diablo Base and Meridian, being within the northwest quarter of southeast quarter of said section 5, through the Greenhorn Gulch Ditch, during the period beginning May 1 and continuing to

and through October 31 of each year, for irrigation 28.8 acres located as follows:

- 3.5 acres in NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 21, T. 2 N., R. 13 E.
- 8.2 acres in NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 21, T. 2 N., R. 13 E.
- 8.5 acres in SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 21, T. 2 N., R. 13 E.
- 6.8 acres in SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 21, T. 2 N., R. 13 E.
- 2.2 acres in SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 21, T. 2 N., R. 13 E.

7. - CATHERINE BERTATTA is entitled to divert

- 0.202 cubic foot per second - priority 1860
- 0.028 cubic foot per second - priority 1911
- 0.185 cubic foot per second - priority 1912
- 0.020 cubic foot per second - priority 1913

from the natural flow of Coyote Creek, at a point "A" which bears north 62 degrees 30 minutes east 2860 feet from the southwest corner of section 9, township 3 north, range 14 east, Mount Diablo Base and Meridian, being within the northwest quarter of southeast quarter of said section 9, and/or at a point "B" which bears north 64 degrees east 2040 feet from the southwest corner of said section 9, being within the southeast quarter of southwest quarter of said section 9, through the Six Mile Ditch, during the period beginning May 1 and continuing to and through September 15 of each year, for irrigating 17.4 acres located as follows:

- 8.1 acres in NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 16, T. 3 N., R. 14 E.
- 1.1 acres in NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 16, T. 3 N., R. 14 E.
- 7.4 acres in SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 9, T. 3 N., R. 14 E.
- 0.8 acre in NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 16, T. 3 N., R. 14 E.

8. - MYRON A. BIDWELL, for heirs of Mary B. Bidwell, is entitled to divert

- 1.00 cubic foot per second - priority 1854

from the natural flow of Coyote Creek, at a point which bears north 59 degrees 30 minutes west 2660 feet from the southeast corner of section 30, township 3 north, range 14 east, Mount Diablo Base and Meridian, being within the northwest quarter of southeast quarter of said section 30, through the Whitehead Ditch, for mining purposes during the period beginning December 1 of one year and continuing to and through May 31 of the succeeding year, said water to be returned to Coyote Creek after use as stated.

9. - EDWARD A. BROOKS, for Mrs. Mary J. Hagan, Mrs. Emma F. Heber, Mrs. Eva Van Cleve, Mrs. Francis Roller, and himself, is entitled to divert

- 0.47 cubic foot per second - priority 1856

from the natural flow of Bear Creek at a point which bears north 85 degrees east 600 feet from the southwest corner of section 8, township 1 north, range 14 east, Mount Diablo Base and Meridian, being within the southwest quarter of southwest quarter of said section 8, through the Douglas Ditch, during the period beginning March 1 and continuing to and through October 31 of each year, for irrigating 18.8 acres located as follows:

- 1.0 acre in NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 17, T. 1 N., R. 14 E.
- 17.5 acres in NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 18, T. 1 N., R. 14 E.
- 0.3 acre in SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 18, T. 1 N., R. 14 E.

10. - COLUMBIA MARBLE COMPANY is entitled to divert

2.00 cubic feet per second - priority 1891

from Vine, Gold, and Lord Springs and the watershed thereof, the waters of which are gathered by means of natural channels and ditches into a reservoir and diverted from said reservoir at a point which bears south 65 degrees west 2280 feet from the northeast corner of section 3, township 2 north range 14 east, Mount Diablo Base and Meridian, being within the northwest quarter of northeast quarter of said section 3, through the Marble Quarry Ditch and Pipe Line, during the period beginning January 1 and continuing to and through December 31 of each year, for the purpose of generating electrical energy at a power plant located within the southwest quarter of southwest quarter of section 34, township 3 north, range 14 east, Mount Diablo Base and Meridian and thereafter returned to the Stanislaus River within the said southwest quarter of southwest quarter of said section 34.

11. - HERMAN C. CORDES is entitled to divert

0.175 cubic foot per second - priority 1889  
0.060 cubic foot per second - priority 1908  
0.020 cubic foot per second - priority 1909  
0.245 cubic foot per second - priority 1910

from the natural flow of Angels Creek at a point which bears north 78 degrees west 460 feet from the southeast corner of section 33, township 3 north, range 13 east, Mount Diablo Base and Meridian, being within the southeast quarter of southeast quarter of said section 33, through the Jones Mine Ditch, during the period beginning April 1 and continuing to and through September 30 of each year, for irrigating 20 acres located as follows:

3.1 acres in SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 34, T. 2 N., R. 13 E.  
3.9 acres in SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 34, T. 2 N., R. 13 E.  
2.4 acres in NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 34, T. 2 N., R. 13 E.  
0.7 acre in NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 34, T. 2 N., R. 13 E.  
0.8 acre in SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 34, T. 2 N., R. 13 E.  
1.1 acres in NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 34, T. 2 N., R. 13 E.  
8.0 acres in NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 34, T. 2 N., R. 13 E.

12. - LOUIS BEVEGGIO is entitled to divert

0.15 cubic foot per second - priority 1860

from the natural flow of Angels Creek at a point which bears north 67 degrees east 3240 feet from the southwest corner of section 27, township 3 north, range 13 east, Mount Diablo Base and Meridian, being within the southwest quarter of southeast quarter of said section 27, through the Beveggio Ditch, during the period beginning May 1 and continuing to and through October 31 of each year, for irrigating 6 acres

located in the northwest quarter of northwest quarter, section 34, township 3 north, range 13 east.

13. - HENRY W. ECKEL is entitled to divert

0.69 cubic foot per second - priority 1856

from the natural flow of Fales Spring at a point which bears north 5 degrees east 350 feet from the southwest corner of section 14, township 2 north, range 14 east, Mount Diablo Base and Meridian, being within the southwest quarter of southwest quarter of said section 14, through the Fales Pipe Line and Ditch, during the period beginning March 1 and continuing to and through October 31 of each year, for irrigating 14.6 acres located as follows:

2.3 acres in NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 14 E.  
5.1 acres in SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 14 E.  
6.2 acres in NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 14 E.  
1.0 acre in SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 15, T. 2 N., R. 14 E.

and for dairying use throughout the year of all or so much of said quantity, as may be necessary for said purpose.

14. - DAVID ELTRINGHAM is entitled to divert

0.25 cubic foot per second - priority 1908

from the natural flow of Deep Gulch at a point which bears north 30 degrees 30 minutes east 2665 feet from the southwest corner of section 27, township 3 north, range 14 east, Mount Diablo Base and Meridian, being within the northeast quarter of southwest quarter of said section 27, through the Eltringham Pipe Line during the period beginning January 1 and continuing to and through December 31 of each year, for the purpose of watering stock.

15. - IRA L. FLANDERS is entitled to divert

0.256 cubic foot per second - priority 1976

from the natural flow of Moran Creek at a point which bears north 56 degrees west 2030 feet from the southeast corner of section 32, township 3 north, range 15 east, Mount Diablo Base and Meridian, being within the southwest quarter of southeast quarter of said section 32, through the Flanders Ditch, during the period beginning May 15 and continuing to and through October 15 of each year, for irrigating 10.2 acres, located in the southwest quarter of southeast quarter, section 32, township 3 north, range 15 east.

16. - ELIZABETH G. FORSEYTH is entitled to divert

0.17 cubic foot per second - priority 1853

from the natural flow of Angels Creek at a point which bears due east 1520 feet from the northwest corner of section 23, township 3 north, range 15 east, Mount Diablo Base and Meridian, being within the northeast quarter of northwest quarter of said section 23, through the Richards Ditch, during the period beginning May 15 and continuing to and through September 30 of each year, for irrigating 6.8 acres located in northwest quarter of northwest quarter of section 23, township 3 north, range 15 east.

17. - W. W. FRASER is entitled to divert

0.75 cubic foot per second - priority 1895

from the natural flow of Pick Axe Gulch at a point which bears north 21

degrees 30 minutes west 1580 feet from the southeast corner of section 4, township 2 north, range 15 east, Mount Diablo Base and Meridian, being within the northwest quarter of southeast quarter of said section 4, through the Experimental Ditch, during the period beginning January 1 and continuing to and through December 31 of each year, for mining and power purposes, said water to be returned to Pick Axe Gulch after use as stated.

Also:

0.019 cubic foot per second - priority 1888

from the natural flow of Pick Axe Gulch at the same point and through the same ditch during the period beginning April 1 and continuing to and through October 31 of each year, for irrigating 0.75 acre in northwest quarter of southeast quarter of section 4, township 2 north, range 15 east.

18. - WILLIAM GRANT will be entitled to divert

6.00 cubic feet per second with a priority as of 1912

from the natural flow of Six Mile Creek at a point which bears north 27 degrees 30 minutes west 1635 feet from the northeast corner of section 4 township 2 north, range 15 east, Mount Diablo Base and Meridian, being within the northwest quarter of northeast quarter of said section 4, through the Six Mile Creek Ditch, during the period beginning March 1 and continuing to and through October 31 of each year, for irrigating 480 acres in township 2 north, range 14 east, Mount Diablo Base and Meridian; provided, that prior to December 31, 1929, said William Grant shall have completed the above appropriation and actually applied said water to the beneficial use as shown; and shall have submitted evidence of such completed appropriation and use to the Division of Water Rights of the Department of Public Works of California on or before said thirty-first day of December, 1929, whereupon the said Division of Water Rights shall, if said evidence is found satisfactory, enter a supplemental finding as to such right and issue a certificate of water right in accordance with such finding.

19. - J. F. CRIGSEY is entitled to divert

0.080 cubic foot per second - priority 1908

0.025 cubic foot per second - priority 1910

from the natural flow of Eagle Creek at a point which bears north 51 degrees east 840 feet from the west quarter corner of section 4, township 3 north, range 16 east, Mount Diablo Base and Meridian, being within the southwest quarter of northeast quarter of said section 4, through Grigsey's Ditch, during the period beginning May 1 and continuing to and through September 30 of each year, for irrigating 3 acres located in northeast quarter of southeast quarter of section 5, township 3 north, range 16 east.

20. - JEAN GUNDER is entitled to divert

4.00 cubic feet per second - priority 1850

from the natural flow of Mormon Creek at a point which bears south 38 degrees west 670 feet from the north quarter corner of section 27, township 2 north, range 14 east, Mount Diablo Base and Meridian, being within the northeast quarter of northeast quarter of said section 27, through the Gale Ditch, during the period beginning January 1 and continuing to and through December 31 of each year, for public service purposes.

21. - J. E. HOLLAND is entitled to divert

0.125 cubic foot per second - priority 1854

from the natural flow of Angels Creek at a point which bears north 22 degrees west 2330 feet from the southeast corner of section 5, township 3 north, range 14 east, Mount Diablo Base and Meridian, being within the northeast quarter of southeast quarter of said section 5, through the Holland Ditch, during the period beginning May 1 and continuing to and through August 31 of each year, for irrigating 5 acres in northwest quarter of southeast quarter of section 5, township 3 north, range 14 east.

22. - L. G. and D. S. KINNEY are entitled to divert

0.200 cubic foot per second - priority 1876  
0.033 cubic foot per second - priority 1907

from the natural flow of Eagle Creek at a point which bears south 76 degrees west 120 feet from the north quarter corner of section 3, township 3 north, range 16 east, Mount Diablo Base and Meridian, being within the northeast quarter or northwest quarter of said section 3, through the Kinney Ditch, during the period beginning May 1 and continuing to and through October 31 of each year, for irrigating 9.5 acres located as follows:

3.0 acres in NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 7, T. 3 N., R. 16 E.  
3.0 acres in SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 6, T. 3 N., R. 16 E.  
1.5 acres in SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 5, T. 3 N., R. 16 E.

23. - LOUIS MALASPINA is entitled to divert

0.225 cubic foot per second - priority 1853

from the natural flow of Mill Creek at a point which bears south 31 degrees 30 minutes west 2435 feet from the northeast corner of Section 7, township 4 north, range 15 east, Mount Diablo Base and Meridian, being within the southeast quarter of northeast quarter of said section 7, through the Old Union Ditch, during the period beginning April 15 and continuing to and through September 15 of each year, for irrigating 9 acres located as follows:

3.0 acres in SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 7, T. 4 N., R. 15 E.  
3.0 acres in NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 7, T. 4 N., R. 15 E.  
3.0 acres in SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 7, T. 4 N., R. 15 E.

24. - MALASPINA BROS., are entitled to divert

0.150 cubic foot per second - priority 1879  
0.075 cubic foot per second - priority 1915

from the natural flow of Pennsylvania Gulch, at a point which bears north 22 degrees 30 minutes east 2620 feet from the southeast corner of section 9, township 3 north, range 14 east, Mount Diablo Base and Meridian, being within the northwest quarter of southwest quarter of said section 9, through the Malaspina Ditch, during the period beginning April 15 and continuing to and through September 30 of each year, for irrigating 9 acres located as follows:

4.3 acres in SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 9, T. 3 N., R. 14 E.  
1.7 acres in NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 9, T. 3 N., R. 14 E.  
3.0 acres in NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 9, T. 3 N., R. 14 E.

25. - MASSONI BROS. are entitled to divert

0.062 cubic foot per second - priority 1886

from the natural flow of Angels Creek at a point which bears north 1 degree east 760 feet from the west quarter corner of section 23, town-



ship 3 north, range 13 east, Mount Diablo Base and Meridian, being within the southwest quarter of northwest quarter of said section 25, through the Massoni Ditch, during the period beginning April 1 and continuing to and through September 30 of each year, for irrigating 2.5 acres in northeast quarter of southeast quarter of section 25, township 5 north, range 13 east.

26. - MELONES MINING COMPANY is entitled to divert

185.00 cubic feet per second - priority 1899

From the natural flow of the Stanislaus River, at a point which bears north 44 degrees 30 minutes west 1680 feet from the southeast corner of section 8, township 2 north, range 14 east, Mount Diablo Base and Meridian, being within the southeast quarter of southeast quarter of said section 8, through the Melones Flume and Ditch, during the period beginning January 1 and continuing to and through December 31 of each year, for power and mining, said water to be returned to the Stanislaus River within the northwest quarter of southeast quarter of section 24, township 2 north, range 13 east, Mount Diablo Base and Meridian, after use as stated.

27. - F. W. MERTZ is entitled to divert

0.25 cubic foot per second - priority 1888  
0.25 cubic foot per second - priority 1890  
0.08 cubic foot per second - priority 1914

From the natural flow of Love Creek at a point "A" which bears north 31 degrees west 3280 feet from the southeast corner of section 4, township 4 north, range 15 east, Mount Diablo Base and Meridian, being within the southwest quarter of northeast quarter of said section 4, and at a point "B" which bears north 56 degrees 30 minutes west 2975 feet from the southeast corner of said section 4, being within the northwest quarter of southeast quarter of said section 4, and at a point "C" which bears north 42 degrees west 2780 feet from the southeast corner of said section 4, being within the northwest quarter of southeast quarter of said section 4, through Mertz Ditches No. 1, No. 2, and No. 3, during the period beginning March 1 and continuing to and through October 31 of each year, for irrigating 23.8 acres located as follows:

5.0 acres in SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 4, T. 4 N., R. 15 E.  
5.0 acres in SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 4, T. 4 N., R. 15 E.  
9.0 acres in NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 4, T. 4 N., R. 15 E.  
1.0 acre in NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 4, T. 4 N., R. 15 E.  
3.2 acres in NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 4, T. 4 N., R. 15 E.

28. - J. M. MOYLE is entitled to divert

0.138 cubic foot per second - priority 1857

From the natural flow of Bear Creek, at a point "A" which bears north 69 degrees east 2306 feet from the southwest corner of section 8, township 1 north, range 14 east, Mount Diablo Base and Meridian, being within the southeast quarter of southwest quarter of said section 8, and at a point "B" which bears north 71 degrees east 2100 feet from the southwest corner of said section 8, being within the southeast quarter of southwest quarter of said section 8, through Moyle's Ditches No. 1 and No. 2, during the period beginning March 15 and continuing to and through October 31 of each year, for irrigating 5.5 acres in southeast quarter of southwest quarter of section 8, township 1 north, range 14 east.

29. - THE GARDALE IRRIGATION DISTRICT and the SOUTH SAN JOAQUIN IRRIGATION DISTRICT, JOINTLY, are entitled to divert

5.00 cubic feet per second - priority 1853  
127.00 cubic feet per second - priority 1885  
66.20 cubic feet per second - priority 1902  
847.30 cubic feet per second - priority 1909

from the natural flow of the Stanislaus River, by means of the Goodwin Dam, the center of which dam bears north 10 degrees west 2825 feet from the southeast corner of section 10, township 1 south, range 12 east, Mount Diablo Base and Meridian, being for the Oakdale Irrigation District, within the northeast quarter of southeast quarter of section 10, and for the Oakdale Irrigation District and the South San Joaquin Irrigation District, jointly, within the southeast quarter of northeast quarter of said section 10, township 1 south, range 12 east, Mount Diablo Base and Meridian in the counties of Tuolumne and Calaveras, respectively, through the Oakdale South Main Canal and the Joint Supply Canal of the Oakdale Irrigation District and the South San Joaquin Irrigation District, during the period beginning March 1 and continuing to and through October 31 of each year, for the irrigation of the 74,246 acres lying within the boundaries of the Oakdale Irrigation District and the 71,061 acres lying within the boundaries of the South San Joaquin Irrigation District, the aforesaid boundaries being a matter of record.

Also:

OAKDALE IRRIGATION DISTRICT and SOUTH SAN JOAQUIN IRRIGATION DISTRICT,  
jointly, will be entitled to divert

770.6 cubic feet per second additional with a priority of 1909

from the natural flow of the Stanislaus River at the same points of diversion, through the same ditches (enlarged), during the same period, for the same purposes, and in order to completely irrigate the area within said Districts as set forth in the above right; provided, that prior to December 31, 1930, said Oakdale Irrigation District and South San Joaquin Irrigation District, jointly, shall have completed the above appropriation and actually applied said water to the beneficial use as stated; and shall have submitted evidence of such completed appropriation and use to the Division of Water Rights of the Department of Public Works of California on or before said thirty-first day of December, 1930, whereupon the said Division of Water Rights shall, if said evidence is found satisfactory, enter a supplemental finding as to such right and issue a certificate of water right in accordance with such finding.

30. - MRS. M. PENDOLA is entitled to divert

0.870 cubic feet per second - priority 1868  
0.265 cubic feet per second - priority 1885

from the natural flow of Coyote Creek at a point "A" which bears north 20 degrees east 2200 feet from the southwest corner of section 7, township 2 north, range 14 east, Mount Diablo Base and Meridian, being within the northwest quarter of southwest quarter of said section 7, through the Hansen Ditch, during the period beginning April 1 and continuing to and through September 30 of each year, for irrigating 10.8 acres located as follows:

8.1 acres in NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 19, T. 2 N., R. 14 E.  
0.5 acres in NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 24, T. 2 N., R. 13 E.  
2.2 acres in SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 24, T. 2 N., R. 13 E.

and at a point "B" which bears north 21 degrees west 985 feet from the southeast corner of section 12, township 2 north, range 13 east, Mount Diablo Base and Meridian, being within the southeast quarter of southeast quarter of said section 12, through the Pendola Ditch, during the period beginning April 1 and continuing to and through September 30 of each year, for irrigating 14.2 acres located as follows:

8.2 acres in SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 13, T. 2 N., R. 13 E.  
8.0 acres in NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 24, T. 2 N., R. 13 E.

31. - A. E. POOR is entitled to divert

0.10 cubic foot per second - priority 1873

from the natural flow of Bear Creek at a point which bears south 26 degrees west 2200 feet from the northeast corner of section 8, township 1 north, range 14 east, Mount Diablo Base and Meridian, being within the southeast quarter of northeast quarter of said section 8, through Poor's Ditch, during the period beginning April 1 and continuing to and through September 30 of each year, for irrigating 4 acres in northwest quarter of southeast quarter of section 8, township 1 north, range 14 east.

32. - MRS. CAROLINE RIEDEL is entitled to divert

0.435 cubic foot per second - priority 1869  
0.457 cubic foot per second - priority 1889  
0.363 cubic foot per second - priority 1900  
0.478 cubic foot per second - priority 1901  
0.400 cubic foot per second - priority 1902

from the natural flow of Angels Creek at a point which bears north 78 degrees west 460 feet from the southeast corner of section 33, township 3 north, range 15 east, Mount Diablo Base and Meridian, being within the southeast quarter of southeast quarter of said section 33, through the Jones Mine Ditch, during the period beginning May 1 and continuing to and through October 15 of each year, for irrigating 85.3 acres located as follows:

17.4 acres in NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 13 E.  
1.9 acres in NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 13 E.  
16.4 acres in NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 13 E.  
5.6 acres in NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 13 E.  
1.5 acres in SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 13 E.  
6.7 acres in SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 13 E.  
0.7 acre in SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 13 E.  
7.0 acres in SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 13 E.  
9.1 acres in SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 13 E.  
3.0 acres in SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 13 E.  
3.7 acres in SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 13 E.  
0.4 acre in SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 13 E.  
3.9 acres in NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 27, T. 2 N., R. 13 E.  
1.0 acre in NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 27, T. 2 N., R. 13 E.  
7.0 acres in SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 22, T. 2 N., R. 13 E.

33. - EDWARD P. ROBERTS is entitled to divert

0.012 cubic foot per second - priority 1888

from the natural flow of the Old Skunk Tunnel, at a point which bears south 83 degrees 30 minutes west 3920 feet from the northeast corner of section 17, township 3 north, range 14 east, Mount Diablo Base and Meridian, being within the northwest quarter of northeast quarter of said section 17, through the Roberts Pipe and Ditch, during the period beginning May 1 and continuing to and through September 30 of each year, for irrigating 0.5 acre in southwest quarter of northeast quarter of section 17, township 3 north, range 14 east.

34. - ESTELLE SIBBALD is entitled to divert

0.65 cubic foot per second - priority 1885

from the natural flow of Angels Creek at a point which bears south 23

degrees 30 minutes east 960 feet from the northwest corner of section 3, township 2 north, range 13 east, Mount Diablo Base and Meridian, being within the northwest quarter or northwest quarter of said section 3, through the Bacigalupi Ditch, during the period beginning May 1 and continuing to and through November 15 of each year, for irrigating 26 acres located as follows:

8.5 acres in SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 5, T. 2 N., R. 13 E.  
11.6 acres in SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 5, T. 2 N., R. 13 E.  
8.9 acres in NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 5, T. 2 N., R. 13 E.

35. - ROLLERI COMPANY is entitled to divert

2.375 cubic feet per second - priority 1885

from the natural flow of Angels Creek at a point which bears south 83 degrees 30 minutes east 960 feet from the northwest corner of section 3, township 2 north, range 13 east, Mount Diablo Base and Meridian, being within the northwest quarter or northwest quarter of said section 3, through the Bacigalupi Ditch, during the period beginning May 1 and continuing to and through November 15 of each year, for irrigating 95 acres located as follows:

7.5 acres in SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 4, T. 2 N., R. 13 E.  
6.1 acres in SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 4, T. 2 N., R. 13 E.  
23.8 acres in NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 4, T. 2 N., R. 13 E.  
18.5 acres in NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 5, T. 2 N., R. 13 E.  
11.5 acres in NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 5, T. 2 N., R. 13 E.  
4.2 acres in SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 5, T. 2 N., R. 13 E.  
25.6 acres in SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 5, T. 2 N., R. 13 E.

35a. - ROLLERI COMPANY is entitled to divert

0.408 cubic feet per second - priority 1878

from the natural flow of Angels Creek at a point which bears north 57 degrees 30 minutes west 1960 feet from the southeast corner of section 22, township 5 north, range 13 east, Mount Diablo Base and Meridian, being within the southwest quarter or southeast quarter of said section 22, through the Gibson Ditch, during the period beginning April 1 and continuing to and through September 30 of each year, for irrigating 16.5 acres located as follows:

2.9 acres in NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 27, T. 5 N., R. 13 E.  
10.4 acres in SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 27, T. 5 N., R. 13 E.  
3.0 acres in SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 27, T. 5 N., R. 13 E.

36. - DOMINGO ROLLERI is entitled to divert

0.755 cubic feet per second - priority 1899

from the natural flow of Angels Creek at a point which bears south 79 degrees east 2080 feet from the northwest corner of section 15, township 3 north, range 13 east, Mount Diablo Base and Meridian, being within the northeast quarter of northwest quarter of said section 15, through the Andrew Lee Ditch, during the period beginning April 1 and continuing to and through September 30 of each year, for irrigating 30.2 acres located as follows:

24.7 acres in NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 26, T. 3 N., R. 13 E.  
1.3 acres in SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 26, T. 3 N., R. 13 E.  
3.8 acres in NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 26, T. 3 N., R. 13 E.  
0.4 acre in SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 26, T. 3 N., R. 13 E.

37. - MUSHING LAND AND CATTLE COMPANY is entitled to divert

0.35 cubic foot per second - priority 1900  
0.25 cubic foot per second - priority 1885

from the natural flow of the South Fork of the Stanislaus River, at a point which bears north 74 degrees east 3420 feet from the southwest corner of section 7, township 3 north, range 17 east, Mount Diablo Base and Meridian, being within the southwest quarter of southeast quarter of the said section 7, through the Rushing Ditch, during the period beginning May 1 and continuing to and through October 31 of each year, for irrigating 48 acres located as follows:

5 acres in SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 7, T. 3 N., R. 17 E.  
8 acres in NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 18, T. 3 N., R. 17 E.  
7 acres in SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 18, T. 3 N., R. 17 E.  
4 acres in NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 18, T. 3 N., R. 17 E.  
4 acres in NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 18, T. 3 N., R. 17 E.  
5 acres in SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 18, T. 3 N., R. 16 E.  
7 acres in NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 24, T. 3 N., R. 16 E.  
8 acres in NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 24, T. 3 N., R. 16 E.

38. - A. C. SANDNER is entitled to divert

1.000 cubic foot per second - priority 1882  
2.762 cubic foot per second - priority 1885

from the natural flow of Angels Creek at a point which bears south 23 degrees 30 minutes east 960 feet from the northwest corner of section 3, township 3 north, range 15 east, Mount Diablo Base and Meridian, being within the northwest quarter of northwest quarter of said section 3, through the Bacigalupi Ditch, during the period beginning April 1 and continuing to and through October 31 of each year, for irrigating 150.5 acres located as follows:

10.6 acres in NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 4, T. 2 N., R. 13 E.  
28.2 acres in NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 4, T. 2 N., R. 13 E.  
3.0 acres in SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 4, T. 2 N., R. 13 E.  
21.4 acres in SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 4, T. 2 N., R. 13 E.  
30.8 acres in NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 4, T. 2 N., R. 13 E.  
20.5 acres in SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 4, T. 2 N., R. 13 E.  
20.8 acres in SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 4, T. 2 N., R. 13 E.  
12.4 acres in NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 9, T. 2 N., R. 13 E.  
0.7 acres in NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 9, T. 2 N., R. 13 E.  
1.1 acres in SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 9, T. 2 N., R. 13 E.  
1.0 acre in SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 9, T. 2 N., R. 13 E.

39. - LOUIS SEINEL is entitled to divert

0.118 cubic foot per second - priority 1885

from certain springs in Davis Creek on Person's Ranch, at a point which bears south 45 degrees 30 minutes east 3220 feet from the northwest corner of section 4, township 3 north, range 14 east, Mount Diablo Base and Meridian, being within the southeast quarter of northwest quarter of said section 4, through Seibel's Ditch, during the period beginning June 1 and continuing to and through August 31 of each year, for irrigating 4.7 acres in the northeast quarter of northwest quarter of section 9, township 3 north, range 14 east.

40. - CHARLES AND ELLA SHEA are entitled to divert

0.932 cubic foot per second - priority 1877

from the natural flow of Mormon Creek at a point which bears due south 2420 feet from the northeast corner of section 36, township 2 north, range 15 east, Mount Diablo Base and Meridian, being within the southeast quarter

of northeast quarter of said section 36, through the Goncalves Ditch, during the period beginning March 1 and continuing to and through October 31 of each year, for irrigating 37.3 acres located as follows:

- 19.4 acres in SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 1, T. 1 N., R. 13 E.
- 8.9 acres in NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 1, T. 1 N., R. 13 E.
- 0.9 acre in SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 1, T. 1 N., R. 13 E.
- 8.1 acres in NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 1, T. 1 N., R. 13 E.

41. - SIERRA AND SAN FRANCISCO POWER COMPANY is entitled to divert

52.00 cubic feet per second - priority 1851

from the natural flow of the South Fork of the Stanislaus River at a point which bears north 74 degrees west 2825 feet from the southeast corner of section 24, township 3 north, range 16 east, Mount Diablo Base and Meridian, being within the southwest quarter of southeast quarter of said section 24, through the Main Ditch, during the period beginning January 1 and continuing to and through December 31 of each year; 52 cubic feet per second is to be used for the generation of power at the Phoenix Power Plant located within the northeast quarter of northeast quarter of section 16, township 2 north, range 15 east, Mount Diablo Base and Meridian, and this 52 cubic feet per second together with 20 cubic feet per second making the total of 52 cubic feet per second above mentioned, either before or after passing through said Phoenix Power Plant is to be used for public service purposes.

Also:

- 100 acre feet per annum - priority 1858
- from the natural flow of Herring Creek and
- 4260 acre feet per annum - priority 1856
- 539 acre feet per annum - priority 1897

from the natural flow of the South Fork of the Stanislaus River, said water to be impounded as follows:

- 100 acre feet in Herring Reservoir, created by the construction of a dam within the northeast quarter of southwest quarter of section 30, township 5 north, range 19 east, Mount Diablo Base and Meridian;
- 1890 acre feet in Big Dam Reservoir, created by the construction of a dam within the northwest quarter of southeast quarter of section 9, township 4 north, range 19 east, Mount Diablo Base and Meridian;
- 1180 acre feet in Upper Strawberry Reservoir, created by the construction of a dam within the southwest quarter of northeast quarter of section 14, township 4 north, range 18 east, Mount Diablo Base and Meridian;
- 1190 acre feet in Lower Strawberry Reservoir, created by the construction of a dam within the northeast quarter of southwest quarter of section 15, township 4 north, range 18 east, Mount Diablo Base and Meridian; and
- 829 acre feet in Lyons Reservoir, created by the construction of a dam within the southwest quarter of southeast quarter of section 24, township 5 north, range 16 east, Mount Diablo Base and Meridian; the impounded water totaling 5199 acre feet per annum is to be used in equalizing the flow of the South Fork of the Stanislaus River at the point of diversion of the aforementioned Main Ditch to the 52 cubic feet per second of the foregoing right, and thereafter to use said impounded water for the purpose and in the manner set forth in the foregoing right of the Sierra and San Francisco Power Company to divert 52 cubic feet per second through the Main Ditch.

42. - SIERRA AND SAN FRANCISCO POWER COMPANY is entitled to divert

- 300.00 cubic feet per second - priority 1906
- 15.00 cubic feet per second - priority 1908

from the natural flow of the Middle Fork of the Stanislaus River at a point which bears north 27 degrees 30 minutes west 2325 feet from the southeast corner of section 24, township 4 north, range 16 east, Mount Diablo Base and Meridian, being within the northeast quarter of southeast quarter of said section 24, through the Stanislaus Conduit, during the period beginning January 1 and continuing to and through December 31 of each year, for the purpose of generating electric energy at the Stanislaus Power Plant, located on the Stanislaus River, within the northeast quarter of southwest quarter of section 6, township 5 north, range 15 east, Mount Diablo Base and Meridian, said water to be returned to the Stanislaus River within the northeast quarter of southwest quarter of said section 6, after use as stated.

Also:

43. - SIERRA AND SAN FRANCISCO POWER COMPANY will be entitled to divert  
195.00 cubic feet per second with a priority of 1908

from the natural flow of the Middle Fork of the Stanislaus River at the point of diversion of and through the said Stanislaus Conduit (enlarged), during the same period, for the same purpose, in the same manner and to be returned to the Stanislaus River at the same place as set forth in the foregoing right; provided, that prior to December 31, 1930, said Sierra and San Francisco Power Company shall have completed the above appropriation and actually applied said water to the beneficial use as set forth, and shall have submitted evidence of such completed appropriation and use to the Division of Water Rights of the Department of Public Works of California on or before said thirty-first day of December, 1930, whereupon the said Division of Water Rights shall, if said evidence is found satisfactory, enter a supplemental finding as to such right and issue a certificate of water right in accordance with such finding.

44. - SIERRA AND SAN FRANCISCO POWER COMPANY is entitled to divert  
14,965 acre feet per annum - priority 1905

from the natural flow of Relief Creek, a tributary of the Middle Fork of the Stanislaus River, and also,

51 acre feet per annum - priority 1908

from the natural flow of the Middle Fork of the Stanislaus River, and also,

16,710 acre feet per annum - priority 1911

from the natural flow of the South Fork of the Stanislaus River, said water to be impounded as follows:

Said 14,965 acre feet per annum in Relief Reservoir, created by the construction of a dam within the northwest quarter of southwest quarter of section 13, township 5 north, range 20 east, Mount Diablo Base and Meridian.

Said 51 acre feet per annum in Sand Bar Reservoir, created by the construction of a dam within the northeast quarter of southeast quarter of section 24, township 4 north, range 16 east, Mount Diablo Base and Meridian.

Said 16,710 acre feet per annum in New Strawberry Reservoir, created by the construction of a dam within the northeast quarter of southwest quarter of section 15, township 4 north, range 15 east, Mount Diablo Base and Meridian, the impounded water totaling 31,735 acre feet per annum to be used in equalizing the flow of the Middle Fork of the Stanislaus River at the point of diversion of the Stanislaus Conduit described in the foregoing right, to the amount of the said right of the Stanislaus Conduit and for the generation of electrical energy and public service purposes either before or after the said impounded water is used through the Stanislaus Power Plant.

Also:

45. - SIERRA AND SAN FRANCISCO POWER COMPANY will be entitled to divert

11,900 acre feet per annum - priority 1905

from the natural flow of Deadmans Creek and/or Middle Fork of the Stanislaus River or both, and also,

14,764 acre feet per annum - priority 1911

from the natural flow of the South Fork of the Stanislaus River, and also,

55,700 acre feet per annum - priority 1911

from the natural flow of the Middle Fork of the Stanislaus River, said water to be impounded as follows:

Said 11,900 acre feet in Kennedys Meadow Reservoir, to be created by the construction of a dam within the northeast quarter of southwest quarter of section 2, township 3 north, range 20 east, Mount Diablo Base and Meridian;

Said 14,764 acre feet in Big Dam Reservoir, to be created by the construction of a dam within the northwest quarter of southeast quarter of section 9, township 4 north, range 19 east, Mount Diablo Base and Meridian;

Said 55,700 acre feet in Bonnells Flat Reservoir, to be created by the construction of a dam within the northeast quarter of northeast quarter of section 55, township 6 north, range 18 east, Mount Diablo Base and Meridian, the impounded water totaling 52,354 acre feet per annum to be used in equalizing the flow of the Middle Fork of the Stanislaus River at the point of diversion of the Stanislaus Conduit, described in a foregoing right, to the amount of the said right of the Stanislaus Conduit and for the generation of electrical energy and public service purposes either before or after the said impounded water is used through the Stanislaus Power Plant; provided, that prior to December 31, 1930, said Sierra and San Francisco Power Company shall have completed the above appropriations and actually applied said water to the beneficial use as set forth, and shall have submitted evidence of such completed appropriations and use to the Division of Water Rights of the Department of Public Works of California on or before said thirty-first day of December, 1930, whereupon the said Division of Water Rights shall, if said evidence is found satisfactory, enter a supplemental finding as to such right and issue a certificate of water right in accordance with such finding.

46. - SIERRA AND SAN FRANCISCO POWER COMPANY is entitled to divert

1.50 cubic feet per second - priority 1910

from the natural flow of Indian Creek at a point which bears north 52 degrees 30 minutes east 2100 feet from the Southwest corner of section 6, township 3 north, range 15 east, Mount Diablo Base and Meridian, being within the southeast quarter of southwest quarter of said section 6, through the Indian Creek Pipe Line, during the period beginning January 1 and continuing to and through December 31 of each year, for power purposes at the Stanislaus Power Plant located on the Stanislaus River, within the northeast quarter of southwest quarter of section 6, township 3 north, range 15 east, Mount Diablo Base and Meridian, said water to be returned to the Stanislaus River within the northeast quarter of southwest quarter of said section 6, after use as stated.

47. - JOSE FRANCIS SOUZA is entitled to divert

0.375 cubic feet per second - priority 1859



from the natural flow of Sandy Gulch Spring (tributary to Sandy Gulch) at a point which bears south 50 degrees 30 minutes west, 2690 feet from the northeast corner of section 3, township 2 north, range 14 east, Mount Diablo Base and Meridian, being within the southwest quarter of northeast quarter of said section 3, through the Souza Flume, Pipe and Ditch, during the period beginning April 1 and continuing to and through November 30 of each year, for irrigating 7 acres located as follows:

1.3 acres in SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 3, T. 2 N., R. 14 E.  
3.1 acres in SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 3, T. 2 N., R. 14 E.  
2.7 acres in NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 3, T. 2 N., R. 14 E.  
0.4 acre in NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 3, T. 2 N., R. 14 E.

48. - JOHN E. TROSI is entitled to divert

2.012 cubic feet per second - priority 1914

from the natural flow of the Stanislaus River, at a point which bears north 73 degrees 30 minutes east 1312 feet from the west quarter corner of section 10, township 3 south, range 7 east, Mount Diablo Base and Meridian, being within the southwest quarter of northwest quarter of said section 10, through the Trosi Pump and Ditch, during the period beginning April 1 and continuing to and through October 31 of each year, for irrigating 80.5 acres located as follows:

0.7 acre in SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 10, T. 3 S., R. 7 E.  
37.6 acres in NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 10, T. 3 S., R. 7 E.  
37.5 acres in NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 10, T. 3 S., R. 7 E.  
2.3 acres in NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 10, T. 3 S., R. 7 E.  
2.4 acres in SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 10, T. 3 S., R. 7 E.

49. - AMON AND MRS. ANNA G. TANNER are entitled to divert

0.100 cubic foot per second - priority 1860  
0.080 cubic feet per second - priority 1905  
0.162 cubic feet per second - priority 1908

from the natural flow of Angels Creek at a point which bears south 15 degrees east 1472 feet from the northwest corner of section 4, township 3 north, range 14 east, Mount Diablo Base and Meridian, being within the southwest quarter of northwest quarter of said section 4, through the Tanner North Ditch, and the Tanner South Ditch, during the period beginning April 1 and continuing to and through October 15 of each year, for irrigating 12.5 acres located as follows:

4.0 acres in SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 5, T. 3 N., R. 14 E.  
2.0 acres in SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 5, T. 3 N., R. 14 E.  
6.5 acres in NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 5, T. 3 N., R. 14 E.

50. - MESSIA ROSE AND HOBART ESTATE COMPANY, a corporation, as co-tenants doing business under the name and style of Utica Mining Company are entitled to divert

25.00 cubic feet per second - priority 1853  
30.00 cubic feet per second - priority 1876  
30.00 cubic feet per second - priority 1888  
3.00 cubic feet per second - priority 1914

a maximum total of 88 cubic feet per second from the natural flow of the North Fork of the Stanislaus River and its tributaries Beaver Creek and Mill Creek, at a point which bears north 39 degrees west 3720 feet from the southeast corner of section 35, township 5 north, range 15 east, Mount Diablo Base and Meridian, being within the southwest quarter

of northeast quarter of said section 35, through the Utica Conduit, during the period beginning January 1 and continuing to and through

December 31 of each year; 55 cubic feet per second is to be used for the generation of electrical energy at the Utica Power Plant located on Angels Creek within the southeast quarter of southwest quarter of section 35, township 4 north, range 14 east, Mount Diablo Base and Meridian, and this 55 cubic feet per second together with 33 cubic feet per second making the total of 88 cubic feet per second above mentioned, either before or after passing through said Utica Power Plant is to be used for public service purposes, including domestic, industrial, and irrigation uses.

Beaver Creek has been made tributary to the North Fork of the Stanislaus River above the point of diversion of the Utica Conduit by the construction of a ditch diverting from Beaver Creek within the northeast quarter of southeast quarter of section 36, township 5 north, range 15 east, Mount Diablo Base and Meridian.

Mill Creek is intercepted by the Utica Conduit within the northwest quarter of southeast quarter of section 18, township 4 north, range 15 east, Mount Diablo Base and Meridian.

The above right is for the diversion of the maximum of 88 cubic feet per second from the natural flow of either of the said streams or from the combined natural flow of all three streams.

31. - BESSA ROSE AND HOBART ESTATE COMPANY, a corporation, as co-tenants doing business under the name and style of Utica Mining Company are entitled to divert

- 780 acre feet per annum - priority 1857
- 580 acre feet per annum - priority 1855
- 3,800 acre feet per annum - priority 1898
- 700 acre feet per annum - priority 1893
- 600 acre feet per annum - priority 1906
- 2,400 acre feet per annum - priority 1909

a total of 9,000 acre feet per annum from the natural flow of the North Fork of the Stanislaus River, said water to be impounded as follows:

2,000 acre feet per annum in Union Reservoir, created by the construction of a dam within the southeast quarter of northeast quarter of section 28, and

4,800 acre feet per annum in Silver Valley Reservoir, created by the construction of a dam within the northeast quarter of southwest quarter of section 9, and

2,400 acre feet per annum in Utica Reservoir, created by the construction of a dam within the southeast quarter of southwest quarter of section 21, all in township 4 north, range 15 east, Mount Diablo Base and Meridian, the impounded water totaling 9,000 acre feet per annum, is to be used in equalizing the flow of the North Fork of the Stanislaus River at the point of diversion of the Utica Conduit described in a foregoing right, to the amount of said right of the Utica Conduit and thereafter for the purposes and in the manner set forth in the right of the said Utica Conduit.

32. - BESSA ROSE AND HOBART ESTATE COMPANY, a corporation, as co-tenants doing business under the name and style of Utica Mining Company are entitled to divert

5.00 cubic feet per second - priority 1855

from the natural flow of Angels Creek at a point which bears north 78

degrees east 2720 feet from the southwest corner of section 12, township 3 north, range 15 east, Mount Diablo Base and Meridian, being within the southwest quarter of southeast quarter of said section 12,

through the Union Ditch, during the period beginning January 1 and continuing to and through December 31 of each year, for public service purposes.

53. - EMMA ROSE AND HOBART ESTATE COMPANY, a corporation, as co-tenants doing business under the name and style of Utica Mining Company are entitled to divert

7.00 cubic feet per second - priority 1855

from the natural flow of Angels Creek at a point which bears south 23 degrees east 1540 feet from the northwest corner of section 4, township 5 north, range 14 east, Mount Diablo Base and Meridian, being within the northwest quarter of northwest quarter of said section 4, through the South Ditch, during the period beginning January 1 and continuing to and through December 31 of each year, for public service purposes.

54. - EMMA ROSE AND HOBART ESTATE COMPANY, a corporation, as co-tenants doing business under the name and style of Utica Mining Company are entitled to divert

4.70 cubic feet per second - priority 1855

from the natural flow of Angels Creek at a point which bears north 75 degrees 30 minutes east 1980 feet from the southwest corner of section 33, township 4 north, range 14 east, Mount Diablo Base and Meridian, being within the southeast quarter of southwest quarter of said section 33, through North Ditch, during the period beginning January 1 and continuing to and through December 31 of each year, for public service purposes.

55. - EMMA ROSE AND HOBART ESTATE COMPANY, a corporation, as co-tenants doing business under the name and style of Utica Mining Company are entitled to divert

40.00 cubic feet per second - priority 1898

from the natural flow of Angels Creek, at a point which bears south 75 degrees 30 minutes west 3740 feet from the northeast corner of section 7, township 3 north, range 14 east, Mount Diablo Base and Meridian, being within the northeast quarter of northwest quarter of said section 7, through the Angels Ditch, during the period beginning January 1 and continuing to and through December 31 of each year, for public service purposes.

56. - EMMA ROSE AND HOBART ESTATE COMPANY, a corporation, as co-tenants doing business under the name and style of Utica Mining Company are entitled to divert

4.00 cubic feet per second - priority 1856

from the natural flow of Coyote Creek at a point "A" which bears north 62 degrees 30 minutes east 2880 feet and also at a point "B" which bears north 64 degrees east 2040 feet from the southwest corner of section 9, township 3 north, range 14 east, Mount Diablo Base and Meridian, said point "A" being within the northwest quarter of southeast quarter and said point "B" being within the southeast quarter of southwest quarter of said section 9, through the Six Mile Ditch, during the period beginning January 1 and continuing to and through December 31 of each year, for public service purposes.

57. - EMMA ROSE AND HOBART ESTATE COMPANY, a corporation, as co-tenants doing business under the name and style of Utica Mining Company are entitled to divert

4.00 cubic feet per second - priority 1855

from the natural flow of Coyote Creek, at a point which bears north 86 degrees 30 minutes west 2960 feet from the southeast corner of section 30, township 3 north, range 14 east, Mount Diablo Base and Meridian, being within the northwest quarter of southeast quarter of said section 30, through the Carson Ditch, during the period beginning January 1 and continuing to and through December 31 of each year, for public service purposes.

58. - EMMA ROSE AND HOBART ESTATE COMPANY, a corporation, as co-tenants doing business under the name and style of Utica Mining Company are entitled to divert

2.50 cubic feet per second - priority 1854

from the natural flow of Mill Creek, at a point which bears south 31 degrees 30 minutes west 2435 feet from the northeast corner of section 7, township 4 north, range 15 east, Mount Diablo Base and Meridian, being within the southeast quarter of northeast quarter of said section 7, through the Lowe and Moran Creeks Ditch, during the period beginning January 1 and continuing to and through December 31 of each year, for public service purposes.

59. - MRS. MORRIS VAL is entitled to divert

0.075 cubic foot per second - priority 1889

from the natural flow of Angels Creek at a point which bears south 79 degrees east 2080 feet from the northwest corner of section 15, township 3 north, range 15 east, Mount Diablo Base and Meridian, being within the northeast quarter of northwest quarter of said section 15, through the Andrew Lee Ditch, during the period beginning May 1 and continuing to and through September 15 of each year, for irrigating 3 acres located as follows:

0.3 acre in NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 25, T. 3 N., R. 15 E.  
0.8 acre in SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 25, T. 3 N., R. 15 E.  
1.9 acres in NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 25, T. 3 N., R. 15 E.

60. - MRS. MARTIN P. VOINICH is entitled to divert

1.17 cubic feet per second - priority 1905

from the natural flow of Angels Creek at a point which bears south 65 degrees east 2900 feet from the northwest corner of section 9, township 2 north, range 15 east, Mount Diablo Base and Meridian, being within the northeast quarter of northwest quarter of said section 9, through the Voinich Ditch, during the period beginning January 1 and continuing to and through December 31 of each year, for power purposes at the Voinich Power Plant, located within the southwest quarter of northwest quarter of section 31, township 2 north, range 15 east, Mount Diablo Base and Meridian, and

Also:

0.098 cubic foot per second - priority 1907  
0.028 cubic foot per second - priority 1912  
0.367 cubic feet per second - priority 1914

from the natural flow of Angels Creek at the above mentioned point of diversion and through the said Voinich Ditch, during the period beginning May 1 and continuing to and through August 31 of each year, for irrigating 17.3 acres located as follows:

1.5 acres in NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 21, T. 2 N., R. 13 E.  
1.1 acres in SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 21, T. 2 N., R. 13 E.  
5.2 acres in SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 21, T. 2 N., R. 13 E.  
3.5 acres in NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 21, T. 2 N., R. 13 E.  
6.0 acres in SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 21, T. 2 N., R. 13 E.

61. - MRS MIRANDA WOOD is entitled to divert

0.875 cubic foot per second - priority 1886

from the natural flow of Coyote Creek, at a point which bears south 10 degrees 30 minutes west 688 feet from the northeast corner of section 24, township 2 north, range 13 east, Mount Diablo Base and Meridian, being within the northeast quarter of northeast quarter of said section 24, through the El Dorado Ditch, during the period beginning April 1 and continuing to and through October 31 of each year, for irrigating 5 acres in northwest quarter of southeast quarter of section 24, township 2 north, range 13 east, and for domestic use throughout the year, of some twenty families living in houses owned by said Miranda Wood.

Each of said claimants and parties to this proceeding shall pay his own costs of suit.

Dated November 14, 1929.

(Signed) B. M. YOUNG  
Judge

ENDORSED

Filed Nov. 14th, 1929  
Eugene D. Graham  
Clerk  
By G. E. Chapman  
Deputy