

(South Diversion) for irrigation of 32.60 acres and stock watering of 30 to 40 head of livestock. In this Final Order of Determination, a vested right for irrigation of 32.60 acres from the above-named source is established under this proof. The stock water right is established and determined under Proof V-06361. This proof is supplemental to waters under the Barber Creek Decree. See Table No. 6 for diversion rate and duty of water.

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T. K. Lindeman  
Clerk of Supreme Court

**Proof V-06363** was filed March 18, 1994, by Sue A. Gardner claiming a vested right from Luther Creek for irrigation of 87.50 acres. Domestic and stock watering uses are also claimed. The current owners of record are Robert D. and Wanda D. Shockey. The State Engineer determines that the physical acreage of land within the claimed place of use is 7.53 acres less than that claimed based on records of surveys filed in the office of the Douglas County Recorder's Office and confirmed by staff of the Office of the State Engineer. In this Final Order of Determination, a vested right for irrigation of 79.97 acres and domestic purposes from the above-named source is established under this proof. The stock watering right is established and determined under Proof V-06364. See Table No. 9 for diversion rate and duty of water.

**Proof V-06364** was filed March 18, 1994, by Sue A. Gardner claiming a vested right from Luther Creek for stock watering of 80 to 100 head of livestock. The current owners of record are Robert D. and Wanda D. Shockey. In this Final Order of Determination, a vested right for stock watering of 100 head of livestock from the above-named source is established under this proof. See Table No. 9 for diversion rate and duty of water. See Section XII for stockwatering.

**Proof V-06365** was filed March 18, 1994, by Ted and Judy Gaines claiming a vested right from Luther Creek for irrigation of 59.20 acres. Domestic and stock watering uses are also claimed. The current owners of record are Brooks Family Trust Agreement dated, February 18, 1992. After review of Douglas County Assessor's parcels and the map filed in support of this claim the State Engineer determines that the 15.59 acres that was not allowed in the Final Order is hereby reinstated and the objection to the order is affirmed. In this Final Order of Determination, a vested right for irrigation of 59.20 acres and domestic purposes is established under this proof from the above-named source. The stock water right is established and determined under Proof V-06366. See Table No. 9 for diversion rate and duty of water. See section II for the State Engineer's response to any objection pertaining to this Proof of Appropriation.

**Proof V-06366** was filed March 18, 1994, by Ted and Judy Gaines claiming a vested right from Luther Creek for stock watering of 100 to 120 head of livestock. The current owners of record are Brooks Family Trust Agreement, dated February 18, 1992. In this Final Order of Determination, a vested right for stock watering of 120 head of livestock from the above-named source is established under this proof. See Table No. 9 for diversion rate and duty of water. See Section XII for stockwatering.

**Proof V-06367** was filed on March 18, 1994, by the Scossa Brothers claiming a vested right from Miller Creek, Bently Spring and Other Unnamed Springs for irrigation of 213.30 acres. Domestic and stock watering uses are also claimed. In this Final Order of Determination, a vested right for irrigation of 213.30 acres and domestic uses from the above-named sources is established under this proof. The stock water right is established and determined under Proof V-06368. The State Engineer determines that the users of Miller Creek are subject to a rotation schedule with the understanding that land irrigated under this proof is to receive water ten (10) consecutive days out of every fourteen (14). This proof is supplemental to water under the Barber Creek Decree and Proof V-06371 and supplemented by Permit 24557, Certificate 8079, and a portion of Permit 24201, Certificate 6813, an underground water right. See Table No. 7 for diversion rate and duty of water.

**Proof V-06368** was filed on March 18, 1994, by Scossa Brothers claiming a vested right from Miller Creek, Bently Spring and Other Unnamed Springs for stock watering of 400-500 head of cattle, 25 bulls, and 20 horses. In this Final Order of Determination, a vested right for stock watering of 545 head of livestock from the above-named sources is established under this proof. This proof is supplemental to Proof V-06372. The State Engineer determines that the users of Miller Creek are subject to a rotation schedule and that this proof claims a place of use that is to receive water ten (10) days out of every fourteen (14). See Table No. 7 for diversion rate and duty of water. See Section XII for stockwatering.

**Proof V-06369** was filed on March 18, 1994 by Helen M. Clark Trust claiming a vested right from Mott Creek for stock watering of 80 to 120 head of livestock. The current owners of record are Michael Steven Bellik, Terry A. Gallagher, Janice G. Hansen, Bettie Kennard Kanelos Trust, and Erik & Myrna J. Vindum. In this Final Order of Determination, a vested right for stock watering of 120 head of livestock from the above-named source is established under this proof. See

Table No. 2 for diversion rate and duty of water. See Section XII for stockwatering.

**Proof V-06370** was filed on March 18, 1994, by Helen M. Clark Trust claiming a vested right from Mott Creek for irrigation of 126.9 acres. Domestic and stock watering uses are also claimed. The current owners of record are Michael Steven Bellik, Terry A. Gallagher, Janice G. Hansen, Bettie Kennard Kanelos Trust, and Erik & Myrna J. Vindum. In this Final Order of Determination, a vested right for irrigation of 126.9 acres and domestic uses from the above-named source is established under this proof. The stock water right is established and determined under Proof V-06369. See Table No. 2 for diversion rate and duty of water.

**Proof V-06371** was filed on March 18, 1994, by Scossa Brothers claiming a vested right to waste and drain waters from Luther Creek, Miller Creek, the Fredericksburg Ditch and various unnamed springs for irrigation of 292.10 acres. Stock watering is also claimed. The State Engineer determines that a vested right for the above-named sources is established with the understanding that this water may be utilized when available and that no duty or diversion rate is established under this proof. In this Final Order of Determination, a vested right for irrigation of 292.10 acres from the above-named sources is established under this proof. The stock water right is established and determined under Proof V-06372. This proof is supplemental to water under the Barber Creek Decree and Proof V-06367 and supplemented by Permit 24557, Certificate 6813, and a portion of Permit 24201, Certificate 6813, an underground water right. See Table Nos. 7 and 9 for diversion rate and duty of water.

**Proof V-06372** was filed on March 18, 1994, by Scossa Brothers claiming a vested right to waste and drain waters from Luther Creek, Miller Creek, the Fredericksburg ditch and various unnamed springs for stock watering of 400 to 500 head of cattle, 25 bulls, and 20 horses. In this Final Order of Determination, a vested right for stock watering of 545 head of livestock from the above-named sources is established under this proof. This proof is supplemental to Proof V-06368. See Table Nos. 7 and 9 for diversion rate and duty of water.

**Proof V-06831** was filed on March 18, 1994, by the Honkanen Family Trust, Norman E. and Maria A. Honkanen, Trustees, claiming a vested right from Mott Creek for irrigation of 6.92 acres. Domestic and stock watering uses are also claimed. The current owner of record is the Rock Island Corporation. In this Final Order of Determination, a vested right for irrigation of 6.92 acres and domestic

uses from the above-named source is established under this proof. See Section XII for the portion of the claim for stock water use. See Table No. 2 for diversion rate and duty of water.

**Proof V-07486** was filed on January 25, 1996, by Michael Catherwood and Robin L. Catherwood claiming a vested right from Miller Creek, Unnamed Creek {Unnamed Spring (A)}, and Spring Areas {Unnamed Spring (D)} for irrigation of 4.86 acres. Domestic and stock watering is also claimed. In this Final Order of Determination, a vested right for irrigation of 4.86 acres and domestic uses from the above-named sources is established under this proof. See Section XII for the portion of the claim for stock water. The State Engineer determines that the users of Miller Creek are subject to a rotation schedule and that this proof claims a place of use that is part of the Green Acres Subdivision, which is to receive water four (4) consecutive days out of every fourteen (14). The State Engineer further determines that this proof claims the same source of water and a portion of the place of use described under Permit 24525, Certificate 8136 and Permit 24526, Certificate 8137, therefore, this proof supersedes that portion of said certificates. The State Engineer also determines that water rights are recognized as a direct diversion from Unnamed Spring (D) described as follows: The first 1.50 cfs from Unnamed Spring (D) is allocated to Proofs V-06321, V-06323 and V-08850. Flow in excess of 1.50 cfs shall be divided in a 60%/40% split, with 40% being routed through the diversion to the north that flows beneath Foothill Road to the east and directs water through the "Bisecting Ditch" under claim V-08850 entering the Green Acres subdivision via the south Green Acres Ditch located on APN 1219-26-001-031. The 40% portion will be used to supplement Unnamed Spring (A) flow within the same rotation schedule for said Unnamed Spring (A) as applied to Proofs V-06322, V-06325, V-06326, V-06327, V-06328, V-06329, V-06330, V-06331, V-06333, V-06334, V-07486, V-09264, V-09265, V-09266 and V-09270. Refer to Table 8 for the distribution table as it pertains to the rotation schedule for Unnamed Spring (A) and the 60%/40% division of the irrigation water from Unnamed Spring (D). The portion of this proof claiming a right to Miller Creek, Unnamed Spring (A) and Unnamed Spring (D) is clarified in Table Nos. 7 and 8. See Table Nos. 7 and 8 for diversion rate, duty of water and rotation schedules.

**Proof V-08850** was filed on August 30, 1996, by the Groenendyke Family Trust dated March 2, 1978, claiming a vested right from Unnamed Spring (A) and Unnamed Spring (D), and Luther Creek return flow for irrigation of 37.97 acres. Domestic use and stock watering of 15 horses and 15 cattle is also claimed.

The State Engineer determines that the duty of water for Proof V-08850

shall be limited to 2.43 acre-feet per acre from Unnamed Spring (A) for the 12.43 acres lying north of the diagonal drainage ditch for a total of 30.20 acre-feet of water per 198 day irrigation season. The 25.54 acres of land lying to the south of said diagonal ditch are determined to have a duty of water of 4.00 acre-feet per acre from Unnamed Spring (D) for a total of 102.16 acre-feet of water. The State Engineer determines that Proof V-08850 shall be limited to a total duty of 132.36 acre-feet of water on the north and south sides of the dividing ditch.

The State Engineer determines that Unnamed Spring (A) is physically capable of being diverted to any area within the 37.97 acres claimed under Proof V-08850. The State Engineer determines that water from Unnamed Spring (A) is not necessary for the irrigation of the 25.54 acres lying south of the diagonal ditch under this claim and Proofs V-06321 and V-06323 based on findings within Section II of the Preliminary Order of Determination. The State Engineer further determines that the commingling of Unnamed Spring (A) with Unnamed Spring (D) directs excessive water onto lands irrigated exclusively by Unnamed Spring (D).<sup>95</sup>

The State Engineer determines that water From Unnamed Spring (A) shall be the primary source of water to the 12.43 acres located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ NW $\frac{1}{4}$ , all located within Sec. 26, T.12N., R.19E. M.D.B.&M. This acreage is further described as the acreage located north and west of the northeasterly flowing ditch (located on Douglas county APN 1219-26-001-035), that originates in the southwest corner of APN 1219-26-001-035. The State Engineer also determines that water rights are recognized as a direct diversion from Unnamed Spring (D) described as follows: The first 1.50 cfs from Unnamed Spring (D) is allocated to Proofs V-06321, V-06323 and V-08850. Flow in excess of 1.50 cfs shall be divided in a 60%/40% split, with 40% being routed through the diversion to the north that flows beneath Foothill Road to the east and directs water through the "Bisecting Ditch" under claim V-08850 entering the Green Acres subdivision via the south Green Acres Ditch located on APN 1219-26-001-031. The 40% portion will be used to supplement Unnamed Spring (A) flow within the same rotation schedule for said Unnamed Spring (A) as applied to Proofs V-06322, V-06325, V-06326, V-06327, V-06328, V-06329, V-06330, V-06331, V-06333, V-06334, V-07486, V-09264, V-09265, V-09266 and V-09270. The applicant shall be able to utilize Luther Creek "drain and waste" water when it is available, but no direct diversion right is established from said Luther Creek. The State Engineer further determines that this proof claims the same sources of water and a portion of the places of use described under Permit 24918, Certificate 7843; Permit 24919, Certificate 7842; and Proof V-02856, therefore,

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<sup>95</sup> Pages 17-23, Final Order of Determination.



this proof supersedes that portion of said certificates and Proof V-02856. See Table Nos. 8 and 9 for diversion rate and duty of water.

An objection was filed on September 15, 2006, regarding the irrigated acreage accepted under this claim. See Section II for the State Engineer's response to any objection pertaining to this Proof of Appropriation.

**Proof V-09039** was filed on November 19, 1998, by Tom E. Mason and Sharon J. Mason claiming a vested right from Mott Creek for irrigation of 0.22 acres. Domestic and stock water are also claimed. In this Final Order of Determination, a vested right for irrigation of 0.22 acres and domestic purposes from the above-named source is established under this proof. See Section XII for the portion of the claim for stock water use. See Table No. 2 for diversion rate and duty of water.

#### **PROOFS ENTERED PURSUANT TO NRS § 533.125**

Nevada Revised Statutes § 533.125 (2) provides that "upon neglect or refusal of any person to make proof of his claim or rights in or to the waters of said stream system, as required by this chapter, prior to the expiration of the period fixed by the State Engineer during which proofs may be filed, the State Engineer shall determine the right of such person from said evidence as he may obtain or may have on file in his office in the way of maps, plats, surveys and transcripts, and exceptions to such determinations may filed in court, as provided in this chapter."

The State Engineer determines that based on information available there are lands within the area encompassed by this adjudication in which claims of vested water rights for irrigation uses could have been filed. The State Engineer further determines that there are a number of parcels adjacent to the south right of way of Mottsville Lane and others in an area known as the Green Acres Subdivision that did not file claims for the waters of Mott Creek and the combined flows of Miller Creek and Unnamed Spring (A), respectively. No permitted rights from Mott Creek exist on the parcels adjacent to Mottsville Lane. The State Engineer determines that the lot owners that did not file a proof claiming a vested water right within the Green Acres Subdivision currently have water rights appurtenant to their respective parcels under Permit 24525, Certificate 8136 (Miller Creek), and Permit 24526, Certificate 8137 (Unnamed Creek). The State Engineer finds that in instances where an existing water right was acquired through the appropriative process and a proof of appropriation is determined to be valid for the same source(s) of water, manner and place of use, that a proof of

appropriation would supersede the right acquired through the statutory permitting process.<sup>96</sup> Therefore, pursuant to NRS § 533.125 the State Engineer has submitted a proof of appropriation on behalf of the current owners of record in the Douglas County Assessor's office for the following parcels:

**Proof V-09263** was filed on June 23, 2000, by the State Engineer's office claiming a vested right from Mott Creek for irrigation of 8.73 acres within Douglas County APN'S 1219-03-002-082, 1219-03-002-083 and 1219-03-002-084 in the names of Brett A. & Karen A. Kimball; Robert Chudnow and Linda Sawyer-Chudnow (Parcels 1219-03-002-083 and 1219-03-002-084), respectively. Records on file in the Douglas County Assessor's Office indicate that Thomas C. & Anna L. Pasinger are current owners of record of Douglas County APN 1219-03-002-084. In this Final Order of Determination, a vested right for irrigation of 8.73 acres from the above-named source is established under this proof. See Table No.2 for diversion rate and duty of water.

**Proof V-09264** was filed on June 23, 2000, by the State Engineer's office claiming a vested right from Miller Creek and Unnamed Creek {Unnamed Spring (A)} for irrigation of 2.53 acres within Douglas County APN 1219-26-001-031 in the name of Tyne Honkanen & Marshall Kyle. In this Final Order of Determination, a vested right for irrigation of 2.53 acres from the above-named source is established under this proof. The State Engineer determines that this proof claims the same source of water and a portion of the place of use described under Permit 24525, Certificate 8136 and Permit 24526, Certificate 8137; therefore, this proof supersedes that portion of said certificate. The State Engineer further determines that the users of Miller Creek are subject to a rotation schedule and that this proof claims a place of use that is part of the Green Acres Subdivision, which is to receive water four (4) consecutive days out of every fourteen (14). The State Engineer also determines that water rights are recognized as a direct diversion from Unnamed Spring (D) described as follows: The first 1.50 cfs from Unnamed Spring (D) is allocated to Proofs V-06321, V-06323 and V-08850. Flow in excess of 1.50 cfs shall be divided in a 60%/40% split, with 40% being routed through the diversion to the north that flows beneath Foothill Road to the east and directs water through the "Bisecting Ditch" under claim V-08850 entering the Green Acres subdivision via the south Green Acres

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<sup>96</sup> NRS § 533.430 Every permit and certificate of appropriation granted by the State Engineer under any permit upon any stream system which shall have been adjudicated under the provisions of NRS § 533.090 to NRS 533.325, inclusive, is subject to existing rights and the decree.

Ditch located on APN 1219-26-001-031. The 40% portion will be used to supplement Unnamed Spring (A) flow within the same rotation schedule for said Unnamed Spring (A) as applied to Proofs V-06322, V-06325, V-06326, V-06327, V-06328, V-06329, V-06330, V-06331, V-06333, V-06334, V-07486, V-09264, V-09265, V-09266 and V-09270. Refer to Table 8 for the distribution table as it pertains to the rotation schedule for Unnamed Spring (A) and the 60%/40% division of the irrigation water from Unnamed Spring (D). The portion of this proof claiming a right to Miller Creek, Unnamed Spring (A) and Unnamed Spring (D) is clarified in Table Nos. 7 and 8. See Table Nos. 7 and 8 for diversion rate, duty of water and rotation schedules. See Section II for the State Engineer's response to any objection pertaining to this Proof of Appropriation.

**Proof V-09265** was filed on June 23, 2000, by the State Engineer's office claiming a vested right from Miller Creek and Unnamed Creek {Unnamed Spring (A)} for irrigation of 2.55 acres within a portion of Douglas County APN 1219-24-002-009 in the name of Stephen H. & Patricia Christian. In this Final Order of Determination, a vested right for irrigation of 2.55 acres from the above-named source is established under this proof. The State Engineer determines that this proof claims the same sources of water and a portion of the places of use described under Permit 24525, Certificate 8136, and Permit 24526, Certificate 8137; therefore, this proof supersedes that portion of said certificates. The State Engineer further determines that the users of Miller Creek are subject to a rotation schedule and that this proof claims a place of use that is part of the Green Acres Subdivision, which is to receive water four (4) consecutive days out of every fourteen (14). The State Engineer also determines that water rights are recognized as a direct diversion from Unnamed Spring (D) described as follows: The first 1.50 cfs from Unnamed Spring (D) is allocated to Proofs V-06321, V-06323 and V-08850. Flow in excess of 1.50 cfs shall be divided in a 60%/40% split, with 40% being routed through the diversion to the north that flows beneath Foothill Road to the east and directs water through the "Bisecting Ditch" under claim V-08850 entering the Green Acres subdivision via the south Green Acres Ditch located on APN 1219-26-001-031. The 40% portion will be used to supplement Unnamed Spring (A) flow within the same rotation schedule for said Unnamed Spring (A) as applied to Proofs V-06322, V-06325, V-06326, V-06327, V-06328, V-06329, V-06330, V-06331, V-06333, V-06334, V-07486, V-09264, V-09265, V-09266 and V-09270. Refer to Table 8 for the distribution table as it pertains to the rotation schedule for Unnamed Spring (A) and the 60%/40% division of the irrigation water from Unnamed Spring (D). The portion of this proof claiming a right to Miller Creek, Unnamed Spring (A) and Unnamed Spring (D) is clarified in Table Nos. 7 and 8. See Table Nos. 7 and 8 for diversion rate,



duty of water and rotation schedules. See Section II for the State Engineer's response to any objection pertaining to this Proof of Appropriation.

**Proof V-09266** was filed on June 23, 2000, by the State Engineer's office claiming a vested right from Miller Creek and Unnamed Creek {Unnamed Spring (A)} for irrigation of 5.18 acres within Douglas County APN 1219-24-002-007 in the name of John Minasian. In this Final Order of Determination, a vested right for irrigation of 5.18 acres from the above-named source is established under this proof. The State Engineer determines that this proof claims the same sources of water and a portion of the places of use described under Permit 24525, Certificate 8136, and Permit 24526, Certificate 8137; therefore, this proof supersedes that portion of said certificates. The State Engineer further determines that the users of Miller Creek are subject to a rotation schedule and that this proof claims a place of use that is part of the Green Acres Subdivision, which is to receive water four (4) consecutive days out of every fourteen (140). The State Engineer also determines that water rights are recognized as a direct diversion from Unnamed Spring (D) described as follows: The first 1.50 cfs from Unnamed Spring (D) is allocated to Proofs V-06321, V-06323 and V-08850. Flow in excess of 1.50 cfs shall be divided in a 60%/40% split, with 40% being routed through the diversion to the north that flows beneath Foothill Road to the east and directs water through the "Bisecting Ditch" under claim V-08850 entering the Green Acres subdivision via the south Green Acres Ditch located on APN 1219-26-001-031. The 40% portion will be used to supplement Unnamed Spring (A) flow within the same rotation schedule for said Unnamed Spring (A) as applied to Proofs V-06322, V-06325, V-06326, V-06327, V-06328, V-06329, V-06330, V-06331, V-06333, V-06334, V-07486, V-09264, V-09265, V-09266 and V-09270. Refer to Table 8 for the distribution table as it pertains to the rotation schedule for Unnamed Spring (A) and the 60%/40% division of the irrigation water from Unnamed Spring (D). The portion of this proof claiming a right to Miller Creek, Unnamed Spring (A) and Unnamed Spring (D) is clarified in Table Nos. 7 and 8. See Table Nos. 7 and 8 for diversion rate, duty of water and rotation schedules. See Section II for the State Engineer's response to any objection pertaining to this Proof of Appropriation.

**Proof V-09267** was filed on June 23, 2000, by the State Engineer's office claiming a vested right from Miller Creek and Unnamed Creek {Unnamed Spring (A)} for irrigation of 2.78 acres within Douglas County APN 1219-26-001-026 in the name of Andrew & Linda Hackler. In this Final Order of Determination, a vested right for irrigation of 2.78 acres from Miller Creek is established under this proof. The State Engineer determines that this land cannot receive water from

"Unnamed Creek", therefore, no water right is established from this source. The State Engineer determines that this proof claims the same source of water and a portion of the place of use described under Permit 24525, Certificate 8136; therefore, this proof supersedes that portion of said certificate. The State Engineer further determines that the users of Miller Creek are subject to a rotation schedule and that this proof claims a place of use that is part of the Green Acres Subdivision, which is to receive water four (4) consecutive days out of every fourteen (14). See Table No. 7 for diversion rate and duty of water. See Section II for the State Engineer's response to any objection pertaining to this Proof of Appropriation.

**Proof V-09268** was filed on June 23, 2000, by the State Engineer's office claiming a vested right from Miller Creek and Unnamed {Unnamed Spring (A)} Creek for irrigation of 2.66 acres within Douglas County APN 1219-26-001-025 in the name of Terry & Cindy Libbon. In this Final Order of Determination, a vested right for irrigation of 2.66 acres from Miller Creek is established under this proof. The State Engineer determines that this land cannot receive water from "Unnamed Creek", therefore, no water right is established from this source. The State Engineer determines that this proof claims the same source of water and a portion of the place of use described under Permit 24525, Certificate 8136; therefore, this proof supersedes that portion of said certificate. The State Engineer further determines that the users of Miller Creek are subject to a rotation schedule and that this proof claims a place of use that is part of the Green Acres Subdivision, which is to receive water four (4) consecutive days out of every fourteen (14). See Table No. 7 for diversion rate and duty of water. See Section II for the State Engineer's response to any objection pertaining to this Proof of Appropriation.

**Proof V-09269** was filed on June 23, 2000, by the State Engineer's office claiming a vested right from Miller Creek and Unnamed Creek {Unnamed Spring (A)} for irrigation of 2.51 acres within Douglas County APN 1219-26-001-024 in the name of Richard E. & Dorothy J. Muriset. In this Final Order of Determination, a vested right for irrigation of 2.51 acres from Miller Creek is established under this proof. The State Engineer determines that this land cannot receive water from "Unnamed Creek", therefore, no water right is established from this source. The State Engineer determines that this proof claims the same source of water and a portion of the place of use described under Permit 24525, Certificate 8136; therefore, this proof supersedes that portion of said certificate. The State Engineer further determines that the users of Miller Creek are subject to a rotation schedule and that this proof claims a

place of use that is part of the Green Acres Subdivision, which is to receive water four (4) consecutive days out of every fourteen (14). See Table Nos. 7 and 8 for diversion rate and duty of water. See Section II for the State Engineer's response to any objection pertaining to this Proof of Appropriation.

**Proof V-09270** was filed on June 23, 2000, by the State Engineer's office claiming a vested right from Miller Creek and Unnamed Creek {Unnamed Spring (A)} for irrigation of 5.18 acres within Douglas County APN'S 1219-24-002-008 and 1219-24-002-009 (portion) in the name of Stephen H. & Patricia Christian. In this Final Order of Determination, a vested right for irrigation of 5.18 acres from the above-named source is established under this proof. The State Engineer determines that this proof claims the same sources of water and a portion of the places of use described under Permit 24525, Certificate 8136, and Permit 24526, Certificate 8137; therefore, this proof supersedes that portion of said certificates. The State Engineer further determines that the users of Miller Creek are subject to a rotation schedule and that this proof claims a place of use that is part of the Green Acres Subdivision, which is to receive water four (4) consecutive days out of every fourteen (14). The State Engineer also determines that water rights are recognized as a direct diversion from Unnamed Spring (D) described as follows: The first 1.50 cfs from Unnamed Spring (D) is allocated to Proofs V-06321, V-06323 and V-08850. Flow in excess of 1.50 cfs shall be divided in a 60%/40% split, with 40% being routed through the diversion to the north that flows beneath Foothill Road to the east and directs water through the "Bisecting Ditch" under claim V-08850 entering the Green Acres subdivision via the south Green Acres Ditch located on APN 1219-26-001-031. The 40% portion will be used to supplement Unnamed Spring (A) flow within the same rotation schedule for said Unnamed Spring (A) as applied to Proofs V-06322, V-06325, V-06326, V-06327, V-06328, V-06329, V-06330, V-06331, V-06333, V-06334, V-07486, V-09264, V-09265, V-09266 and V-09270. Refer to Table 8 for the distribution table as it pertains to the rotation schedule for Unnamed Spring (A) and the 60%/40% division of the irrigation water from Unnamed Spring (D). The portion of this proof claiming a right to Miller Creek, Unnamed Spring (A) and Unnamed Spring (D) is clarified in Table Nos. 7 and 8. See Table No. 7 for diversion rate, duty of water and rotation schedules. See Section II for the State Engineer's response to any objection pertaining to this Proof of Appropriation.

## **IX. CERTIFICATED WATER RIGHTS**

The following list of certificated water rights is for surface water sources within the area encompassed in this adjudication proceeding. These

appropriations were acquired and perfected pursuant to Chapter 533 of the Nevada Revised Statutes.

**Permit 7595, Certificate 1760**, is for the water of Gansberg Spring to irrigate 157 acres. The current owners of record are James Rolph III & June Irene Rolph, Robert D. Dunn & Evelyn W. Dunn, James D. Doornink & Edna Doornink, Lois S. Jones, James O. Tomerlin, William R. Tomerlin, L. J. Hanavan, Emile P. Hastert, and Roderick J. and Patricia L. Smith. This certificated water right is supplemental to Proofs V-04594, V-06305, V-06306, V-06309, V-06310, V-06311, V-06312, V-06338, V-06339, V-06340, V-06341, V-06346, and V-06347.

**Permit 10033, Certificate 3417**, is for the waters of Sharpe Spring for domestic use and to irrigate the landscaping associated with a single-family residence. The current owners of record are David and Evelyne Harvey.

**Permit 10983, Certificate 2937**, is for the waters of Carey Creek (Cary Creek) to irrigate 161.6 acres and includes stock watering and domestic uses. The owner of record is Melvin Schwake. This water right abrogated a portion of Proof V-06355 and is known as the Glover Right. The storage of the waters is in a reservoir under Dam Permit J-50. This certificated water right is supplemental to V-06354 and supplemented by an underground source under Permit 12532, Certificate 3293. See Table No. 3 for diversion rate and duty of water.

**Permit 18720, Certificate 5961**, is for the waters of an Unnamed Spring to irrigate 5.71 acres and domestic use. The owners of record are the Bently Family Limited Partnership; Darwin K. Ellis and Elizabeth D. Ellis; Darwin V. Ellis and Linda T. Ellis.

**Permit 21569, Certificate 6910**, is for the waters of Bently Springs to irrigate 0.76 acres and domestic use. The current owner of record is the Bently Family Limited Partnership.

**Permit 24525, Certificate 8136**, is for the waters of Miller Creek to irrigate 76.63 acres. The current owners of record are, Bartholomew Family Trust, dated November 21, 2001, Richard E. Burns and Sharon A. Brown, Casteel Corporation, Michael Catherwood and Robin L. Catherwood, Wayne A. Currie and Sharon W. Currie, David J. Della Rosa and Anne Della Rosa, John and Helen Dinell, Judy Gaines, Edward Groenendyke, Eric G. and Tyne Honkanen, Waldermar B. Hylander and Meribeth D. Hylander, Thomas S. Kelly, Paul D. and Ellen Marienthal, Luther J. and Hugh L. Martin, John Minasian, Kevin J.

O'Connell and Linda M. O'Connell, Virginia Owen, The Revocable Trust of Jeanne C. Nelson, dated June 2, 2000, Peter Villalobos. Proofs V-06322, V-06324, V-06325, V-06326, V-06327, V-06328, V-06329, V-06330, V-06331, V-06332, V-06333, V-06334, V-06335, V-07486, V-09264, V-09265, V-09266, V-09267, V-09268, V-09269, and V-09270 totally supersede this certificate. See Table No. 7 for diversion rates and duty of water.

**Permit 24526, Certificate 8137**, is for the waters of an Unnamed Creek to irrigate 53.50 acres. The current owners of record are the Bartholomew Family Trust, dated November 21, 2001, Richard E. Brown and Sharon A. Burns, Casteel Corporation, Michael and Robin L. Catherwood, Wayne A. and Sharon W. Currie, David J. and Anna Della Rosa, Thomas S. Kelly, Paul D. and Ellen Marienthal, Luther J. and Hugh L. Martin, John Minasian, Kevin J. and Linda M. O'Connell and Virginia Owen. Proofs V-06322, V-06325, V-06327, V-06328, V-06329, V-06330, V-06331, V-06333, V-07486, V-09264, V-09265, V-09266, V-09267, V-09268, V-09269, and V-09270 totally supersede this certificate. See Table No. 8 for diversion rates and duty of water.

**Permit 24557, Certificate 8079**, is issued for the waters of Miller Creek to irrigate 171.20 acres. The current owners of record are Eugene and Alex Scossa. This permit is supplemental to Proofs V-06367 and V-06371. Therefore, the State Engineer determines that Permit 24557, Certificate 8079, is superseded by Proof of Appropriation Nos. V-06367 and V-06371. See Table No. 7 for diversion rates and duty of water.

**Permit 24566, Certificate 8740**, is for the waters of Autumn Hills Spring for domestic use for one dwelling and a guesthouse. The current owner of record is Bently Family Limited Partnership.

**Permit 24806, Certificate 7584**, is for the waters of Wheeler Creek No. 1 to irrigate 94.11 acres. The current owner of record is the William R. Tomerlin Trust dated August 11, 1976. This certificate is supplemental to Proof V-06320 and is supplemented by Permit 24807, Certificate 7583, Permit 25409, Certificate 7585 (underground source), and Permit 25601, Certificate 7586. See Table No. 4 for diversion rates and duty of water.

**Permit 24807, Certificate 7583**, is for the waters of Wheeler Creek No. 2 to irrigate 94.11 acres. The current owner of record is the William R. Tomerlin Trust Dated August 11, 1976. This certificate is supplemental to Proof V-06320 and is



supplemented by Permit 24806, Certificate 7584, underground Permit 25409, Certificate 7585 and Permit 25601, Certificate 7586. See Table No. 4 for diversion rates and duty of water.

**Permit 24918, Certificate 7843**, is for the waters of an Unnamed Spring to irrigate 141.68 acres. The current owners of record are Jerald R. Jackson 1975 Trust as amended August 11, 1992, and the Irene M. Windholz Trust, dated August 11, 1992, Nevada Mountain View LLC, Groenendyke Family Trust dated March 2, 1978, The Prather Family Trust of 10/31/1985, JSD Trust dated 2-11-1992, Jill S. Deeter, Trustee. Proofs V-06321, V-06323, V-06342, V-06343, V-06344 (portion), V-06345, and V-08850 totally supersede this certificate. See Table Nos. 8 for diversion rates and duty of water.

**Permit 24919, Certificate 7842**, is for the waters of an Unnamed Spring to irrigate 141.68 acres. The current owners of record are the Jerald R. Jackson 1975 Trust as amended August 11, 1992, and the Irene M. Windholz Trust, dated August 11, 1992, Nevada Mountain View LLC, Groenendyke Family Trust Dated March 2, 1978, The Prather Family Trust of 10/31/1985, JSD Trust Dated 2-11-1992, Jill S. Deeter, Trustee. This permit is superseded by Proofs V-06321, V-06323, V-06342, V-06343, V-06344 (portion), V-06345, and V-08850. See Table No. 8 for diversion rates and duty of water.

**Permit 25409, Certificate 7585**, is for the waters of an underground source to irrigate 54.34 acres. The current owner of record is the William R. Tomerlin Trust, dated August 11, 1976. This certificate is supplemental to Proof V-06320 and is supplemented by Wheeler Creek Nos. 1 and 2 filed under Permit 24806, Certificate 7584, Permit 24807, Certificate 7583, and Permit 25601, Certificate 7586.

**Permit 25601, Certificate 7586**, is for the waters of Wheeler Creek No. 1 to irrigate 94.11 acres. The current owner of record is the William R. Tomerlin Trust, dated August 11, 1976. This certificate is supplemental to Proof V-06320 and is supplemented by Permit 24806, Certificate 7584, Permit 24807, Certificate 7583, and underground Permit 25409, Certificate 7585.

**Permit 28884, Certificate 9281**, is for the waters of an Unnamed Spring for the irrigation of 5.46 acres and domestic purposes. The current owners of record are Alan K. and Patricia M. Harris.

**Permit 35626, Certificate 9549**, is for the waters of Castle Garden Spring for domestic use, fire protection and to irrigate 8.20 acres. The current owners of record are Frederic J. Nimis and Concha P. Nimis.

**Permit 36087, Certificate 9885**, is for the waters of Ellis Spring for domestic use and to irrigate 0.49 acres. The current owners of record are Frederic J. Nimis and Concha P. Nimis.

#### **X. SUPERCEDED PROOF**

**Proof V-02856** was filed on April 23, 1975, by The Heritage Ranch, E. J. McGah owner, claiming a vested right from an unnamed spring for irrigation of 117.90 acres of land. The current owners of record are the Jerald R. Jackson 1975 Trust, as amended August 11, 1992, and the Irene M. Windholz Trust, dated August 11, 1992; Nevada Mountain View LLC, Prather Family Trust of 10/31/1985, Groenendyke Family Trust, Dated March 2, 1978, and JSD Trust, Dated 2/11/92, Jill S. Deeter, Trustee. In this Final Order of Determination, Proof V-02856 is entirely superseded by Proofs V-06321, V-06323, V-06344, and V-08850. See section II for the State Engineer's response to any objection pertaining to this Proof of Appropriation.

#### **XI. REJECTED PROOF**

**Proof V-09253** was filed April 19, 2000, by Rodney Jones claiming a vested right from Castle Garden Spring for irrigation of 2.0 acres. Other claimed uses are storage for fire control, incidental irrigation of surrounding property and wildlife purposes. The proof indicates the source of water claimed is the same source of water as that under Permit 35626, Certificate 9549. The proof further details that the claimant has historically received up to 5 gallons per minute as overflow from the water source under said certificate. The proof gives a date of construction of works of approximately July 1, 1980.

A review of the records in the Office of the State Engineer for the claimed source of water revealed that Permit 19756 was originally filed in 1961 and subsequently cancelled in 1967. Work to develop Castle Spring began prior to June 24, 1964, the filing date of Proof of Completion of Work under Permit 19756. Permit 35626, Certificate 9549, filed in 1978, described the works of diversion to be already completed. The State Engineer determines that under

Proof V-09253 the claimed source of water is the overflow water from a spring developed in the 1960's that has an existing certificated water right with a priority date of July 14, 1978. The State Engineer further determines that the works of diversion as claimed under Proof V-09253 was not constructed prior to March 1, 1905, and no corroborating documentation accompanied the claim establishing beneficial use of the water prior to said date. Therefore, the State Engineer finds that this proof of appropriation does not establish a claim of vested water right and must be rejected. Since, Proof V-09253 is rejected it is not reflected in Section XVI Table of Relative Rights of Appropriators.

## **XII. STOCK WATERING AND DOMESTIC USES**

The limit and extent of the rights claimed for watering livestock and domestic purposes are the limits that are claimed individually or claimed as additional uses in claims for irrigation purposes and shall be continued by the claimants named herein, or their successors in interest at any time during the year, and such diversions shall be according to the dates of priorities of such users and limited to the quantity of water reasonably necessary for such use. If a claimant is not in priority for irrigation water, that claimant is not in priority for stock and/or domestic water. The amount of water diverted for irrigation purposes shall not be increased by any amount to be used for stock watering and domestic purposes, but the quantity allowed and diverted for irrigation during the irrigation season shall include water for stock watering and domestic purposes. The number and type of livestock shall be a sufficient measure for determination of the quantity of water under each claim for stock watering purposes. The period of use for stock watering and domestic purposes shall be from January 1<sup>st</sup> to December 31<sup>st</sup> of each year as further described below.

The State Engineer determines that the right to the diversion and use of water for stock watering and domestic purposes shall be appurtenant to all claimants of irrigation rights mentioned herein, or their successors in interest at any time during the year. The number and type of livestock watered shall be governed by the traditional carrying capacity of the land and subject to any applicable permits or regulation by State, Federal and local agencies.

## **XIII. PERIOD OF USE**

The period of use was determined from the Nevada Irrigation Guide (1981) developed by the U.S.D.A. Soil Conservation Service (currently known as the Natural Resources and Conservation Service), Reno, Nevada.

The period of use for irrigation is from April 1<sup>st</sup> to October 15<sup>th</sup> of each year, unless otherwise noted. The period use for any other manner of use is from January 1<sup>st</sup> to December 31<sup>st</sup> of each year unless otherwise specified.

#### **XIV. DUTY OF WATER**

The quantity of water actually needed for irrigation, stock watering, domestic use, or other beneficial purposes is restricted to the duty necessary throughout the period of use that varies with the seasons and beneficial use shall be the basis, measurement and the limit of the right to the use of water.<sup>97</sup> With respect to irrigation, water duty was determined by utilizing data collected within the adjudication area by the Office of the State Engineer from recent flow measurements on various streams and springs, U.S. Geological Survey Gaging Stations located on Miller Spring, Jobs Canyon Creek (Barber Creek), and consumptive use estimates for alfalfa, grain and pasture crops published in the Nevada Irrigation Guide (1981) by the U.S.D.A. Soil Conservation Service (currently known as the Natural Resources and Conservation Service), Reno, Nevada.

The comparison between water availability and potential demand indicates that during many years there is probably not enough water available during the irrigation season to satisfy full irrigation duty for all of the lands which have a claim to water in this proceeding. Water duty is based on years with average precipitation, stream flow and seasonal crop water demand for alfalfa for all water sources in this proceeding.

The duty of water for all lands irrigated under the proofs in this Final Order of Determination, from springs and streams located within the area under adjudication in Carson Valley, Douglas County, Nevada, is herein fixed and shall not exceed:

ALL CLASSES 4.0 ACRE-FEET PER ACRE PER SEASON  
UNLESS OTHERWISE SPECIFIED.

##### **1. Diversion Rates**

Historically, diversions of water in Carson Valley have been accomplished via pipelines and concrete, earthen, rock, canvas, gabion and board dams located in the stream channel where the diversion ditch or pipeline begins. The diversion rates are to be measured in cubic feet per second for each claim or certificated water right pursuant to NRS § 533.065 and shall not exceed that specified herein or previously under the appropriative process.

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<sup>97</sup> NRS § 533.035.

## **2. Supplemental Definition**

The relationship of water rights characterized by the State Engineer in this Final Order of Determination, as supplemental to other claims of vested water rights and supplemented by existing appropriative rights, and other existing decreed water rights, that are appurtenant to the same property are not cumulative and do not add additional duty. The supplemental rights may augment, or take the place of other water rights when those water rights are unavailable or not in sufficient quantity to meet the needs of the water right holder. The water rights characterized as supplemental in this proceeding are not intended to expand upon the maximum allowable duty of water on any place of use of any vested water rights or appropriative water right.

## **3. Rotation and Use of Water**

Claimants of vested water rights and those owners of water rights acquired through the appropriative process from a common supply may rotate the use of water to which they are collectively entitled based on an agreement, so as to not injure nonparticipants or infringe upon their water rights, which is subject to approval by the State Engineer. The purpose is to enable irrigators to exercise their water rights more efficiently, and thus to bring about a more economical use of available water supplies in accordance with their dates of priority. NRS § 533.075.

## **XV. MEASUREMENT OF WATER**

All measurements of water diverted are to be made at a point where the main ditch or stream enters or becomes adjacent to the land to be irrigated or as near thereto as practicable. The location, if not selected by the State Engineer, is to be approved by him. Measuring devices are not required at this time. The State Engineer reserves the right to require the installation of measuring devices in order to accomplish proper distribution in the event it becomes necessary.

## **XVI. CHANGE IN POINT OF DIVERSION, MANNER AND PLACE OF USE**

All water allotted under this Final Order of Determination shall be appurtenant to the place of use designated herein, NRS § 533.040. Any water user desiring to change the point of diversion, manner of use or place of use of the waters allotted herein must make application to the State Engineer for permission to make a change pursuant to NRS § 533.325 and 533.345. Furthermore any change in Manner of Use will be limited to the consumptive use of the water right.



The amount of water under a proposed change application shall not exceed the amount of water available for beneficial use during a year of average runoff. For streams, which do not have sufficient data to accurately represent actual runoff characteristics and volumes, the State Engineer prior to the approval or denial of any application to change, may deem additional studies necessary.

The volume of water allowed to be changed shall not exceed the duty of water as decreed under the terms and conditions of this adjudication proceeding.

#### **XVII. ENTRY TO INVESTIGATE**

The State Engineer or authorized personnel shall have the right to enter the premises of any owner or proprietor where any stream, spring or well mentioned in this Final Order of Determination is situated at any reasonable hour of the day for the purposes of investigating and carrying out the duties required for administration as provided for under Nevada Water Law.

**XIX. TABLE OF RELATIVE RIGHTS TO APPROPRIATOR.**

The certificated water rights existing within the area under this adjudication proceeding are listed in the following tabulation; however, they are not decreed water rights and are provided for informational purposes to link their relationship to other water rights determined as a result of this proceeding. The proofs establishing a vested claim and appropriative water rights described in the following tables are determined by the State Engineer to be valid in this Final Order of Determination.



TABLE OF RELATIVE RIGHTS TO APPROPRIATORS

V-02857 (Cont.)		PLACE OF USE 40 ACRE DESCRIPTIONS												ACRES PER SECTION	REMARKS
SECTION	TOWN-SHIP	RANGE	N E			N W			S W			S E			STOCKWATER IS ALSO RECOGNIZED. SEE SEC. XII PROOF V02858 SUPPLEMENTS THIS PROOF WITH THE EXCEPTION OF 1.40 ACRES IN THE SE 1/4 AND 15.40 ACRES IN THE SW 1/4. SECTION 26, T.12N., R.19E., M.D.B.M.
			NE	NW	SE	NE	NW	SW	NE	NW	SW	NE	NW	SE	
25	T. 12 N., R. 19 E.		29.00	3.50		20.40	11.60	30.60	16.90					117.90	
26	T. 12 N., R. 19 E.		0.70		15.40			25.00						45.30	
TOTAL ACRES ALLOTTED															163.00
DOUGLAS COUNTY APNS 1219-29-401-006, 007, AND 1219-26-001-037, 038 (PORTIONS)															

  

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC-FT/ ACRE	TOTAL AC-FT.
V-02858	TED GAINES AND JUDY GAINES; ROBERT D. AND WANDA D. SHOCKEY HANSON TRUST DATED APRIL 2, 1960 WILD GOOSE LIMITED PARTNERSHIP ROBERT H. AND ARLENE M. BROWN FAMILY TRUST	LUTHER CREEK	PRIMARY (WEST) DIVERSION: NE 1/4 SEC. 35, T.12N., R.19E., M.D.B.M., S.13°21'16"W, 3072.0 FT. FROM NE COR. OF SAID SECTION 35, IN ALPINE COUNTY, CALIFORNIA.  SECONDARY (EAST) DIVERSION: SW 1/4 NW 1/4 SEC. 36, T.12N., R.19E., M.D.B.M., S.07°05'10"E, 2163.0 FT., FROM NW COR. OF SAID SECTION 36, IN ALPINE COUNTY, CALIFORNIA.	APR. 1 TO OCT. 15 JAN. 1 TO DEC. 31	IRRIGATION DOMESTIC 1653	11,870 5,000	4.00 4.00	597.60 \$16.00

TABLE OF RELATIVE RIGHTS TO APPROPRIATORS

V-02158 (cont.)		PLACE OF USE 40 ACRE DESCRIPTIONS										ACRES PER SECTION	REMARKS	
SECTION	TOWN-SHIP	RANGE	N E		S E		N W		S W		S E		ACRES PER SECTION	REMARKS
			N E	N W	S E	S W	N E	N W	S E	S W	N E	N W		
25	T. 12 N., R. 19 E.		28.00	3.50			28.40	11.80	30.50	18.90	20.80		248.90	STOCKWATER IS ALSO RECOGNIZED FOR 70 HEAD OF LIVESTOCK, SEE SEC. 28
26	T. 12 N., R. 19 E.		0.70		30.40								31.50	NORTH DIVERSION: 1 1/8 OF 10 C.F.S. IS APPURTENANT TO 140.4 ACRES LOCATED WITHIN THE SE 1/4 SEC. 25 AND NW 1/4 SECTION 25 AND E 1/4 SEC. 25 AND NE 1/4 SEC. 25, T. 12N., R. 19E., M.D.B.M. PROOF V02557 SUPPLEMENTS THIS PORTION OF THIS PROOF WITH THE EXCEPTION OF 1.40 ACRES IN THE SE 1/4 SEC. 25 AND 0.40 ACRE IN THE NE 1/4 SEC. 25, T. 12N., R. 19E., M.D.B.M. SOUTH DIVERSION: 1 1/2 OF 10 C.F.S. IS APPURTENANT TO 125 ACRES LOCATED WITHIN THE E 1/4 SEC. 25 AND SE 1/4 SECTION 25, T. 12N., R. 19E., M.D.B.M. NORTH DIVERSION DOUGLAS COUNTY APN'S 1219-25-002-001 AND 1219-25-001-037 & 038 (PORTIONS). SOUTH DIVERSION DOUGLAS COUNTY APN'S 1219-25-002-002 (PORTION). 1219-25-002-001 AND 1219-25-001-037 & 038 (PORTIONS).
276.40														

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.
V-00594	JOSEPH S. LUDATO SAPP 1953 TRUST, ALAN D. SAPP TRUSTEE	SHERIDAN CREEK (NORTH AND SOUTH DIVERSIONS) AND STUTLER CREEK	SHERIDAN CREEK NE 1/4 SEC. 18, T. 12N., R. 19E., M.D.B.M., N 72° 28' 17"E, S 41° 12' 47", FROM SW COR. OF S4D SECTION 15, STUTLER CREEK SE 1/4 SEC. 16, T. 12N., R. 19E., M.D.B.M., N 42° 56' 27"W, 1.573 MI. FT. FROM SE COR. OF S4D SECTION 10.	APR. 1 TO OCT. 15	IRRIGATION 1852 FOR SHERIDAN CR. 1905 FOR STUTLER CR.	* 0.013 ** 0.086 *** 0.010	14.00 \$0.25	40.00 2.50

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC-FT./ACRE	TOTAL AC-FT.
V-00594	JOSEPH S. LUDATO SAPP 1963 TRUST, ALAN D. SAPP TRUSTEE	SHERIDAN CREEK (NORTH AND SOUTH DIVERSIONS) AND STUTLER CREEK	SHERIDAN CREEK NE 1/4 SEC. 15, T. 12N., R. 19E., M.D.B.M., N 72° 20' 1" E, S 41° 24' 7" FROM SW COR. OF SAID SECTION 15.  STUTLER CREEK SE 1/4 SEC. 16, T. 12N., R. 19E., M.D.B.M., N 42° 58' 27" W, 1,873.58 FT. FROM SE COR. OF SAID SECTION 15.	APR. 1 TO OCT. 15	IRRIGATION 1852 FOR SHERIDAN CR. 1903 FOR STUTLER CR.	10.013 ** 0.086 *** 0.010	14.00 \$0.25	40.00 2.50



TABLE OF RELATIVE RIGHTS TO APPROPRIATORS

V-04594 (cont.)		PLACE OF USE 40 ACRE DESCRIPTIONS												ACRES PER SECTION	REMARKS	
SECTION	TOWNSHIP	RANGE	N 1/2			S 1/2			N 1/4			S 1/4			TOTAL ACRES ALLOTTED	
			NE	NW	SE	NE	NW	SE	NE	NW	SE	NE	NW	SE		
14	T 12 N.	R. 16 E.													10.00	<p>STOCKWATER IS ALSO RECOGNIZED. SEE SEC. XII ACREAGE IS DETERMINED BY THE STATE ENGINEER'S OFFICE FROM THE BOUNDARY LINE ADJUSTMENT MAP FOR DOUGLAS COUNTY ASSESSOR'S PARCELS 1219-14-001-0013 AND 1219-14-002-005, 006. THE MAP WAS FILED ON JAN. 4, 1906, IN THE COUNTY RECORDERS' OFFICE IN BOOK 106, PAGE 762. DOCUMENT NO. 375778.</p> <p>PROOFS V04593 AND V06308 WERE FILED BY THEODORE AND KATHERINE A. WEBER FOR THE WATERS OF STUTLER AND SHERIDAN CREEKS, RESPECTIVELY. THEREFORE, PROOFS V06308-6 SUPERCEDE PROOF V04594 ON ACREAGE OWNED BY THE WEBERS.</p> <p>0.75 ACRES IN THE SW1/4NW1/4 AND 0.89 ACRES IN THE SE1/4NW1/4 SECTION 14, T. 12N., R. 16E., N.D.B.M., ARE IRRIGATED WITH COMMINGLED WATER FROM STUTLER CREEK UNDER THIS PROOF AND GANSBERG SPRING UNDER PERMIT 7595, CERTIFICATE 1789.</p> <p>THE TOTAL COMBINED DUTY OF WATER SHALL NOT EXCEED 4.00 ACRE-FEET PER ACRE OF WATER FROM ALL WATER SOURCES.</p> <p>DOUGLAS COUNTY APNS 1718-14-002-005, 006.</p>
<p>0.013 C.F.S. IRRIGATES 0.25 ACRES IN THE SW1/4NW1/4 AND 0.89 ACRES IN THE SE1/4NW1/4 FROM THE NORTH SPLIT OF SHERIDAN CREEK. 0.027 C.F.S. IRRIGATES 3.12 ACRES IN THE NE1/4SW1/4 AND 5.75 ACRES IN THE NW1/4SW1/4 FROM THE SOUTH SPLIT OF SHERIDAN CREEK. 0.010 C.F.S. FROM STUTLER CREEK IS APPURTENANT TO THE ACREAGE DESCRIBED UNDER REMARKS.</p>																
<p>1 DUTY OF WATER FROM SHERIDAN CREEK.</p> <p>1 DUTY OF WATER FROM STUTLER CREEK.</p>																
<p>10.00</p>																

  

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY PERIOD OF USE	PURPOSE & PRIORITY	FLDW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-05049	BENZ FAMILY TRUST	MOTT CREEK & UNNAMED STREAM	NE1/4SE1/4 SEC. 04, T. 12N., R. 16E., M.D.B.M., S. 04' 30"W., 3,400.00 FT., FROM NE COR. OF SAID SECTION 04.  NW1/4SW1/4 SEC. 03, T. 12N., R. 16E., M.D.B.M., S. 11'E., 3,450.00 FT., FROM NW COR. OF SAID SECTION 03.	APR. 1 TO OCT. 15 JAN. 1 TO DEC. 31	IRRIGATION DOMESTIC 1952	0.168	4.00	63.20

TABLE OF RELATIVE RIGHTS TO APPROPRIATORS

V-00043 (Cont.)		PLACE OF USE 40 ACRE DESCRIPTIONS												ACRES PER SECTION	REMARKS		
SECTION	TOWN-SHIP	RANGE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
2	T. 12 N., R. 19 E.														15.80	STOCKWATER IS ALSO RECOGNIZED SEE SEC. XII DOUGLAS COUNTY APN 1219-03-002-087.	
															15.80	TOTAL ACRES ALLOTTED	
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION										YEARLY PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC-FT./ACRE	TOTAL AC-FT.
V-05070	LORILYN V. AND RANGALL R. CHITWOOD	MOTT CREEK	NE 1/4 SEC. 04 T. 12N., R. 19E., M.D.B.M., S. 14° 15' 43" W. 767.47 FT. FROM E 1/4 COR. OF SAID SECTION 04.										APR. 1 TO OCT. 15 JAN. 1 TO DEC. 31 JAN. 1 TO DEC. 31	IRRIGATION DOMESTIC STOCK WATER	0.105	4.00	20.20
PLACE OF USE 40 ACRE DESCRIPTIONS																	
SECTION	TOWN-SHIP	RANGE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
J	T. 12 N., R. 19 E.														7.071	DOMESTIC AND STOCK WATER SUFFICIENT TO WATER 12 HEAD OF LIVESTOCK IS INCLUDED. THIS PROOF IF PARTIALLY SUPPLEMENTED BY PERMIT 63414, UNDERGROUND WATER, DOUGLAS COUNTY APN 1219-03-002-084.	
															7.071	TOTAL ACRES ALLOTTED	

TABLE OF RELATIVE RIGHTS TO APPROPRIATORS

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.												
V-65314	DAVID B. DAVIS AND SHARON L. DAVIS	MOTT CREEK	FOUR WAY SPLIT OF STREAM NE 1/4 SEC. 04, T. 12N., R. 19E. M.D.B.M., S. 03° 30' 20" W. 3,386.85 FT. FROM NE COR. OF SAID SECTION 04.	APR. 1 TO OCT. 15 JAN. 1 TO DEC. 31	IRRIGATION DOMESTIC 1852	0.021	4.00	30.44												
			TWO WAY SPLIT OF PRECEDING SPLIT NW 1/4 SEC. 03, T. 12N., R. 19E. M.D.B.M., S. 10° 52' 41" E. 3,428.70 FT. FROM NW COR. OF SAID SECTION 03.																	
			SPLIT TO ALLERMAN SUCCESSIONS SE 1/4 NW 1/4 SEC. 03, T. 12N., R. 19E. M.D.B.M., S. 35° 58' 55" E. 2,901.48 FT. FROM NW COR. OF SAID SECTION 03.																	
PLACE OF USE 40 ACRE DESCRIPTIONS					ACRES PER SECTION	REMARKS														
SECTION	TOWN-SHIP	RANGE	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	TOTAL ACRES ALLOTTED	
3	T. 12 N.	R. 19 E.																	7.810	STOCKWATER IS ALSO RECOGNIZED. SEE SEC. XII THIS PROOF IS SUPPLEMENTED BY PERMIT 34096, CERTIFICATE 14896, UNDERGROUND WATER. DOUGLAS COUNTY APN 1219-03-001-0802. THIS PROOF IS FURTHER LIMITED TO THE WATERS OF MOTT CREEK ON A ROTATION SCHEDULE SEE TABLE 2







TABLE OF RELATIVE RIGHTS TO APPROPRIATORS

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.							
V-00265	THE RODGERS FAMILY TRUST	SHERIDAN CREEK (SOUTH DIVERSION)	PRIMARY DIVERSION: NEXSEY SEC. 15, T.12N., R.19E., M.D.B. 84N., N.03°09'W., 1,847 FT., FROM SE COR. OF SAID SECTION 15.  SECONDARY DIVERSION: NW¼SW¼ SEC. 14, T.12N., R.19E., M.D.B. 84N., N.13°37'E., 1,716 FT., FROM SW COR. OF SAID SECTION 14.	JAN. 1 TO DEC. 31	STOCK WATER 1971		SEE SECTION XII OF THE FINAL ORDER OF DETERMINATION.								
PLACE OF USE 49 ACRE DESCRIPTIONS															
SECTION	TOWN-SHIP	RANGE	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	REMARKS
14	T. 12 N., R. 19 E.														SUFFICIENT WATER FOR 60 HEAD OF LIVESTOCK. SEE SECTION XII.  A PORTION OF THIS PROOF IS SUPPLEMENTAL TO BARBER CREEK DECREE RIGHTS.  DOUGLAS COUNTY APN 1219-14-003-021.
PLACE OF USE 49 ACRE DESCRIPTIONS															
SECTION	TOWN-SHIP	RANGE	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	REMARKS
14	T. 12 N., R. 19 E.														SUFFICIENT WATER FOR 60 HEAD OF LIVESTOCK. SEE SECTION XII.  A PORTION OF THIS PROOF IS SUPPLEMENTAL TO BARBER CREEK DECREE RIGHTS.  DOUGLAS COUNTY APN 1219-14-003-021.

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-00265	THEODORE AND KATHERINE A. WEBER, HUSBAND AND WIFE AS JOINT TENANTS	STUTLER CREEK	SE¼NE¼ SEC. 16, T.12N., R.19E., M.D.B. 84N., N.07°10'24"W., 2,892.59 FT., FROM SE COR. OF SAID SECTION 16.	APR. 1 TO OCT. 15 JAN. 1 TO DEC. 31	IRRIGATION DOMESTIC 1905	0.040	1.49	15.44

TABLE OF RELATIVE RIGHTS TO APPROPRIATORS

V-06306 (cont.)		PLACE OF USE 40 ACRE DESCRIPTIONS												ACRES PER SECTION	REMARKS	
SECTION	TOWN- SHIP	RANGE	N E			N W			S E			S W				
14	1	12	N	E		N	W		S	E		S	W			
			NE	NW	SE	NE	NW	SE	NE	NW	SE	NE	NW	SE	9.81	STOCKWATER IS ALSO RECOGNIZED. SEE SEC. 211 * THE TOTAL COMBINED DUTY UNDER THIS PROOF, PROOF V-06306 AND PERMIT 7595, CERTIFICATE 1760 SHALL NOT EXCEED 4.0 ACRES-FEET PER ACRE FROM ANY AND/OR ALL SOURCES.  ** DUTY OF WATER IS BASED ON THE DIVERSION RATE EXPANDED OVER A 180 DAY GROWING SEASON  LAND WITHIN THE NW SECTION 14 IS SUPPLEMENTAL TO PROOF V-06306 AND SUPPLEMENTED BY PERMIT 7595, CERTIFICATE 1760.  A BOUNDARY LINE ADJUSTMENT MAP FOR DOUGLAS COUNTY ASSESSOR'S PARCELS 19-200-09, 10 AND 11 WAS FILED ON JAN. 4, 1996, IN THE COUNTY RECORDER'S OFFICE IN BOOK 19A, PAGE 187. DOCUMENT NO. 378278. ACREAGE PRIOR TO THE LOT BOUNDARY LINE ADJUSTMENT WAS AS FOLLOWS 7.80 ACRES IN THE SW 1/4 NW 1/4 SEC. 14 2.79 ACRES IN THE SE 1/4 NW 1/4 SEC. 14 2.57 ACRES IN THE NW 1/4 SW 1/4 SEC. 14 DOUGLAS COUNTY APR 12/95-14/00-411.
															9.81	
TOTAL ACRES ALLOTTED:																

  

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-06306	THEODORE AND KATHERINE A WEBER, HUSBAND AND WIFE AS JOINT TENANTS	SHERIDAN CREEK (NORTH DIVERSION)	NENSE 1/4 SEC. 15, T.12N., R.1E., M.D.B.M., N.72°20'31"E, S.41°24', FROM SW COR. OF SAID SECTION 15.	APR. 1 TO OCT. 15 JAN. 1 TO DEC. 31	IRRIGATION DOMESTIC 1852	0.153	1.400	91.72

TABLE OF RELATIVE RIGHTS TO APPROPRIATORS

V-99206 (cont.)		PLACE OF USE 40 ACRE DESCRIPTIONS										ACRES PER SECTION	REMARKS				
SECTION	TOWN-SHIP	RANGE	N E			N W			S E			S W			TOTAL ACRES ALLOTTED	12.93	12.93
14	T. 12 N. R. 10 E.		NE	NW	SE	NE	NW	SE	NE	NW	SE	NE	NW	SE			
<p>Current irrigation practices indicate that all of the water utilized under this claim from Sheridan Creek originates from the north division of said stream. Therefore, all water delivery to this parcel must henceforth be from the north side of Sheridan Creek.</p>																	
<p>STOCKWATER IS ALSO RECOGNIZED, SEE SEC. XII OF THE TOTAL COMBINED DUTY UNDER THIS PROOF, PROOF V06305 AND PERMIT 7596. CERTIFICATE 1760 SHALL NOT EXCEED 4.0 ACRE-FEET PER ACRE LAND WITHIN THE NW SECTION 14 IS SUPPLEMENTAL TO PROOF V06305 AND IS SUPPLEMENTED BY PERMIT 7596, CERTIFICATE 1760.</p>																	
<p>ACREAGE IS DETERMINED BY THE STATE ENGINEER'S OFFICE FROM THE BOUNDARY LINE ADJUSTMENT MAP FOR DOUGLAS COUNTY ASSESSOR'S PARCELS 19-200-09, 10 AND 11. THE MAP WAS FILED ON JAN. 4, 1906, IN THE COUNTY RECORDER'S OFFICE AS BOOK 196, PAGE 787.</p>																	
<p>DOCUMENT NO. 378278</p>																	
<p>ACREAGE PRIOR TO THE LOT BOUNDARY LINE ADJUSTMENT WAS AS FOLLOWS</p>																	
<p>7.60 ACRES IN THE SW1/4NW1/4 SEC. 14</p>																	
<p>2.70 ACRES IN THE SE1/4NW1/4 SEC. 14</p>																	
<p>2.57 ACRES IN THE NW1/4SW1/4 SEC. 14</p>																	
<p>DOUGLAS COUNTY APN 1219-14-001-013.</p>																	

  

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC-FT./ACRE	TOTAL AC-FT.
V-99207	THEODORE AND KATHERINE A. WEBER, HUSBAND AND WIFE AS JOINT TENANTS	SHERIDAN CREEK NORTH DIVERSION AND SOUTH DIVERSION	NE1/4SE1/4 SEC. 15, T. 12N., R. 10E., M.D.B. 8N.	JAN. 1 TO DEC. 31	STOCK WATER 1005			SEE SECTION XII OF THE FINAL ORDER OF DETERMINATION



TABLE OF RELATIVE RIGHTS TO APPROPRIATORS

V-08309 (cont.)		PLACE OF USE 40 ACRE DESCRIPTIONS												ACRES PER SECTION	REMARKS				
SECTION	TOWN- SHIP	RANGE	M E			N W			S E			S W			STOCKWATER IS ALSO RECOGNIZED, SEE SEC. 411 THE TOTAL COMBINED DUTY UNDER THIS PROOF, PROOF V08310 AND PERMIT 759A, CERTIFICATE 1780 SHALL NOT EXCEED 4.0 ACRE-FEET PER ACRE THIS PROOF IS PARTIALLY SUPPLEMENTAL TO PROOF V08310 AND SUPPLEMENTED BY PERMIT 759B, CERTIFICATE 1780. DOUGLAS COUNTY APN 1219-14-001-012 AND A PORTION OF 1219-14-001-008.				
			NE	NW	SW	NE	NW	SW	NE	NW	SW	NE	NW	SW					
ACREAGE IRRIGATED FROM THE NORTH DIVERSION																			
14	T. 12 N.	R. 19 E.		2.42	8.89		3.73	10.58	35.23						60.87				
ACREAGE IRRIGATED FROM THE SOUTH DIVERSION																			
14	T. 12 N.	R. 19 E.											5.37		0.90				
TOTAL ACRES ALLOTTED															70.77				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION												YEARLY PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-08310	DONALD S. FORRESTER AND KRISTINA M. FORRESTER, HUSBAND AND WIFE AS JOINT TENANTS	STUTLER CREEK	SE 1/4 SEC. 15, T. 12N., R. 19E., N.D.B.M., N 07°10'24"W, 2 897.59 FT. FROM THE SE COR. OF SAID SECTION 15. THE WATERS OF STUTLER CREEK ARE THEN CONVEYED THROUGH A PIPELINE TO A POINT IN THE SE 1/4 SEC. 15, T. 12N., R. 19E., N.D.B.M., WHERE THE WATERS OF STUTLER CREEK ARE COMINGLED WITH THE WATERS OF SHERIDAN CREEK IN THE NORTH SHERIDAN CREEK CHANNEL. THE COMINGLED WATERS ARE DIVERTED FROM THE SHERIDAN CREEK CHANNEL AT A POINT IN THE NE 1/4 SEC. 15, T. 12N., R. 19E., N.D.B.M., N 72°20'31"E, 5,412.47 FT. FROM THE SW COR. OF SAID SECTION 15.												APR. 1 TO OCT. 15 JAN. 1 TO DEC. 31	IRRIGATION DOMESTIC 190%	0.250	1.49	90.70

TABLE OF RELATIVE RIGHTS TO APPROPRIATORS

V-06310 (cont.)		PLACE OF USE 40 ACRE DESCRIPTIONS												ACRES PER SECTION	REMARKS	
SECTION	TOWN- SHIP	RANGE	N E			N W			S E			S W			TOTAL ACRES ALLOTTED	STOCKWATER IS ALSO RECOGNIZED. SEE SEC. XII *THE TOTAL COMBINED DUTY UNDER THIS PROOF, PROOF V06309 AND PERMIT 7985, CERTIFICATE 1756 SHALL NOT EXCEED 4.0 ACRE-FEET PER ACRE  THIS PROOF IS SUPPLEMENTAL TO PROOF V06309 AND IS SUPPLEMENTED BY PERMIT 7985, CERTIFICATE 1756.  DOUGLAS COUNTY APN 1219-14-001-012 AND A PORTION OF 1219-14-001-008.
			NE	NW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
14	T 12 N., R. 19 E.			2.42	2.89					3.73		10.56	35.25		60.87	
TOTAL ACRES ALLOTTED 60.87																

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERGION	YEARLY PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-06311	ROBERT S. AND JUNE E. SEVERSON, HUSBAND AND WIFE AS JOINT TENANTS  THOMAS J. SCYPHERS AND KATHLEEN M. SCYPHERS	STUTLER CREEK	SE 1/4 SEC. 18, T. 12N., R. 19E., M.D.B.&M., N.07°10'24"W. 2,892.59 FT. FROM THE SE COR. OF SAID SECTION 16, THE WATERS OF STUTLER CREEK ARE THEN CONVEYED THROUGH A PIPELINE TO A POINT IN THE SE 1/4 SEC. 15, T. 12N., R. 19E., M.D.B.&M., WHERE THE WATERS OF STUTLER CREEK ARE COMINGLED WITH THE WATERS OF SHERIDAN CREEK IN THE NORTH SHERIDAN CREEK CHANNEL. THE COMINGLED WATERS ARE DIVERTED FROM THE SHERIDAN CREEK CHANNEL AT A POINT IN THE NE 1/4 SEC. 16, T. 12N., R. 19E., M.D.B.&M., N.72°20'31"E. 3,412.47 FT. FROM THE SW COR. OF SAID SECTION 15.	APR. 1 TO OCT. 15 JAN. 1 TO DEC. 31	IRRIGATION DOMESTIC 1905	0.070	1.49	24.75









## TABLE OF RELATIVE RIGHTS TO APPROPRIATORS

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TABLE OF RELATIVE RIGHTS TO APPROPRIATORS

V-00318 (cont.)		PLACE OF USE 40 ACRE DESCRIPTIONS																ACRES PER SECTION	REMARKS	
SECTION	TOWN-SHIP	RANGE	N E				N W				S E				S W				TOTAL ACRES ALLOTTED	DOMESTIC AND STOCK WATERING OF OF 20 HEAD OF LIVESTOCK. THIS PROOF IS SUPPLEMENTED BY PERMIT 5115H, UNDERGROUND. DOUGLAS COUNTY APN 1219-03-002-008.
			NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW		
3	T. 12 N., R. 19 E.																		20.00	
																			20.00	
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION								YEARLY PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.	REMARKS				
V-00319	DONNA BUDDINGTON	MOTT CREEK	NE 1/4 SEC. 04, T. 12N., R. 19E., M.D.B.M., S. 1/4 15 1/2 W. 767.47 FT. FROM EX. COR. OF SAID SECTION 04.								APR. 1 TO OCT. 15 JAN. 1 TO DEC. 31	IRRIGATION DOMESTIC 1852.	0.148	4.00	40.00					
PLACE OF USE 40 ACRE DESCRIPTIONS																	ACRES PER SECTION	REMARKS		
SECTION	TOWN-SHIP	RANGE	N E				N W				S E				S W				TOTAL ACRES ALLOTTED	STOCKWATER IS ALSO RECOGNIZED FOR 10 HEAD OF LIVESTOCK, SEE SEC. XII THIS PROOF IS SUPPLEMENTED BY PERMIT 27331, CERTIFICATE 8814, UNDERGROUND. DOUGLAS COUNTY APN 1219-03-002-008.
			NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW		
2	T. 12 N., R. 19 E.																		3.90	
3	T. 12 N., R. 19 E.																		6.10	
																			10.00	

TABLE OF RELATIVE RIGHTS TO APPROPRIATORS

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
V-00320	WILLIAM R. TOMERLIN TRUST DATED AUG. 11, 1976	WHEELER CREEK NO. 1 AND WHEELER CREEK NO. 2	* WHEELER CREEK NO. 1 NW¼SW¼ SEC. 10, T.12N., R.18E., M.D.B.M., S.0745E., 1,000 FT. FROM W¼ COR. OF SAID SECTION 10.  ** WHEELER CREEK NO. 2 SW¼SW¼ SEC. 10, T.12N., R.18E., M.D.B.M., S.0740E., 2,840 FT. FROM W¼ COR. OF SAID SECTION 10.	APR. 1 TO OCT. 15 JAN. 1 TO DEC. 31 JAN. 1 TO DEC. 31	IRRIGATION DOMESTIC STOCK WATER 1862	* 0.652 ** 1.174	1.00	156.40																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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9	T. 12 N., R. 18 E.		NE	NW	SE	SW	NE	NW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW	SE	SW