

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

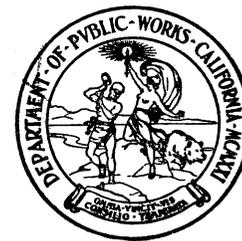
CULBERT L. OLSON, Governor
FRANK W. CLARK, Director of Public Works
EDWARD HYATT, State Engineer

BUTTE CREEK ADJUDICATION

ABSTRACT OF CLAIMS

Butte Creek and Tributaries above the
Western Dam, Butte County, Calif.

DECEMBER, 1940



INDEX

<u>Name of Claimant</u>	<u>Proof Number</u>	<u>Page</u>
Adams, E. L. and Adams, Lou R.	85, 86, 87, 88	1
Anderson, Anne Kennedy, et al.	67	7
Archer, C. M.	92	8
Atkins, Samuel A. and Atkins, Barbara Ina	73	9
Baxter, Ralph J., et al.	39	10
Bonham, L. C.	97	12
Brandt, George and Brandt, Edna May	16	12
California Lands, Inc.	107	13
Carlson, Edwin A. and Carlson, Gladys	1	14
Clark, Warren P. and Clark, Ida B.	30	16
Colgan, Richard A., Jr.	70	17
Compton, Bee P.	51	17
Copeland, Edwin B.	101	19
Corporation of America, a corporation, et al.	49	20
Dayton Mutual Water Company, Ltd.	47, 48	22
Diamond Match Company, The, a corporation	75	25
Downs, Lovie L.	66	26
Duensing, Estate of Ernest	63, 109	26
Durham Mutual Water Company, Ltd.	45, 46	28
Electric Mining Company	15	34
Entler, Clarence S. and Roth, Mary E.	50	34
Estes, Harold D.	28	36
Evers, Ella G.	31	37
Federal Land Bank of Berkeley, The	74	38
Franks, E. L. and Franks, Ida May	32	39
Goodspeed, Isabelle A. and Upphoff, Estate of Vera E.	77	40
Goodspeed, Ryland C. and Goodspeed, Marian L.	105	41
Gorrill, Ralph C.	40, 43	42
Graham, Frank	27	45
Hale, Donald and Hale, Alice Hilby	76	46
Hamilton, Frances B. et al.	21	47
Hook, D. A. and Hook, W. S.	4	48
Hook, D. A., Hook, W. S. and Hook, Lillian	3	49
Jacks, Elmo and Jacks, Louise	8	50
Jacobs, Thos. H. and Jacobs, Dorothy L.	81	51
Kundert, A. P.	61	52
Lieurance, A. F. and Lieurance, Lenore	29	53
Lucas, J. H.	57	54
Lucas, J. H., Lucas, G. W. and Lucas, C. F.	53, 54	55
Lucas, J. H. and Johnson, Estate of William	52, 55, 56	57
M. & T. Incorporated	99, 100	59
Mahan, John J. and Doyle, William J.	38	62
Mann, Elsie Hume	62	62
March, H. D. and March, Henrietta	14	63
McEnespy, Fannie M.	19, 68	64
McGann, W. J., and Cussick, Elizabeth T.	41, 42	66
McLain, George E.	11	68
McLain, George E. and McLain, C. J.	12	69
McLain, L. H. and McLain, C. J.	2	70
Merrifield, B. A. and Merrifield, Elizabeth C.	104	71
Mickey, F. K. and Minderman, J. H.	17	71
Musselman, Merritt and Musselman, Florence V.	106	73

INDEX (Cont'd.)

EXPLANATORY

<u>Name of Claimant</u>	<u>Proof Number</u>	<u>Page</u>
Pacific Gas and Electric Company	90, 91	74
Paradise Irrigation District		44
Parrott Investment Company	94, 95, 96	76
Pearson, Roy L., et al.		80
Post, Jack L.		84
	23, 24	84
Rathwell, Harold B.		82
Robbins, Ellenore K. and Robbins, Samuel P.		86
		93
Sagi, Joe A.		87
Setka, George, et al.	108	88
Skillin, H. W. and Skillin, Alice		18
Smith, Almon E.		9
Smith, Margaret A.		90
Spangler, Anna		98
Spangler, Anna		91
Stephenson, L. B.		20
Swartz, Carl Nelson and Swartz, Esther M.		92
		65
		10
Taylor, Grace D.	58, 71	93
Thomasson, Lester K.		94
		26
		13
United States Department of Agriculture, Bureau of Plant Industry	102, 103	97
United States Department of Agriculture, Lassen National Forest		98
Vandegrift, S. A	59, 60	99
Vandegrift Trust	33, 34, 35, 36	101
Vernoga, Stephen		37
		5
Wakefield, Varney F.		105
Webb, David S. and Webb, Mary D.	72	106
Welch, Eleanor Propfe		7
Western Canal Company		107
Wheelock, L. E. and Wheelock, Nellie		80
White, E. E.		108
White, Roy		89
Whitlock, F. E.		109
Whitten, Herbert W. and Whitten, Marjorie C.		22
Whitten, Herbert W., et al.		110
		64
		78
		112
		6
	83, 84	113
		114
		79
Yuba Consolidated Gold Fields		117
		25
		118

The Butte Creek Adjudication proceeding covers the determination of the rights of the various claimants to the waters of that portion of Butte Creek and its tributaries situate above the Western Dam near Nelson, in Butte County, California.

The proceeding was initiated in accordance with the provisions of Section 25 of the Water Commission Act pursuant to petitions of Durham Mutual Water Company, Ltd., A. F. Lieurance, E. L. Adams and R. C. Gorrill. "Notice of Order Granting Petition for Determination of Water Rights and of Pendency of Proceedings", dated June 15, 1939; "Notice of Time Fixed for Filing Proofs of Rights", dated March 14, 1940, specifying June 24, 1940, as the closing date for filing proofs; and "Order Extending Time Fixed for Filing Proofs of Rights", dated June 21, 1940, prolonging said time for filing proofs to and including July 24, 1940, have been given as provided by law in Sections 26 to 32, inclusive, of said act.

Following is an abstract of the proofs of claim of water right duly filed in the proceeding on or before July 24, 1940, which has been compiled pursuant to the provisions of Section 33 of said act. In this compilation the names of the claimants have been arranged in alphabetical order. There appears under the name of each claimant the proof number which was assigned to the proof of claimant at the time of filing, and after each proof number is given a statement of the claims contained in that proof.

The statement gives the name of the source of water claimed, the name of the ditch or conduit through which the water is diverted, and the character of the rights claimed, whether by appropriation, riparian right or other basis of right. Where two or more types of claims are involved in one proof, the statement sets forth the claims by appropriation under item (a), the claims by riparian right under item (b), and the claims by other basis of

right under (Remarks). The quantity or quantities of water claimed; if by appropriation, the priority of the right and the basis therefor; the seasons, purposes, and place of use of the water claimed; and in the case of irrigation, the number of acres and a description thereof are set forth under the proper items.

A printed copy of the abstract, together with a copy of a "Notice of Time and Place Fixed for Inspection of Evidence", will be sent by registered mail to each claimant, his attorney, or agent, whose name appears in the abstract.

Should any claimant desire to contest any of the statements contained in the proofs listed in the abstract, he must notify the Division of Water Resources, in writing, of such proposed contest on or before the date specified in said "Notice of Time and Place Fixed for Inspection of Evidence". The notice of contest must state with reasonable certainty the grounds of the proposed contest, which statement shall be verified by affidavit of the contestant, his attorney, or agent.

Following the receipt of any notice of contest, the Division of Water Resources will set a time and place where the contest will be heard, and will notify the claimant and contestant regarding the time and place of such hearing by registered mail.

For convenience in the use of the abstract, the claims filed in the proceeding have been classified in five groups and tabulated in schedules, which are presented as an appendix. The schedules are necessarily much abbreviated and should be used only as a supplementary index to the claims. Reference should therefore be made to the abstract of claims for the details of the development in connection with any claim. All claims for nonconsumptive uses in the stream system for mining and power purposes have been tabulated in Schedule 1. All claims for consumptive uses of the natural flow of Butte Creek and its tributaries for irrigation, industrial, domestic

and stock-watering purposes have been listed in Schedules 2, 3 and 4. The claims of right to redirection of the foreign water delivered into Butte Creek from the West Branch of Feather River by means of the Hendricks Canal have been tabulated in Schedule 5.

BEFORE THE DIVISION OF WATER RESOURCES

DEPARTMENT OF PUBLIC WORKS

STATE OF CALIFORNIA

--oOo--

IN THE MATTER OF THE DETERMINATION OF)
THE RIGHTS OF THE VARIOUS CLAIMANTS TO)
THE WATERS OF THAT PORTION OF BUTTE)
CREEK AND ITS TRIBUTARIES SITUATE ABOVE)
THE WESTERN DAM NEAR NELSON, IN BUTTE)
COUNTY, CALIFORNIA.)

ABSTRACT OF CLAIMS

E. L. ADAMS AND LOU R. ADAMS, 1417 Esplanade, Chico, California.

PROOF No. 85

Claim water from Butte Creek through the Adams and Colony Upper Ditches (Diversions 60 and 56, Division of Water Resources Map) as follows:

(a) By appropriation.

0.75 cubic foot per second - priority October 6, 1921 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes,

0.73 cubic foot per second - priority October 6, 1921 during the period from April 1 to September 30 of each year, and

11.50 cubic feet per second - priority June 27, 1922 during the period from April 1 to June 15 of each year for irrigation purposes. Claim that Application No. 2576 was filed October 6, 1921 and Permit No. 1722 and License No. 1027 have been issued thereon, and that Application No. 2909 was filed June 27, 1922 and Permit No. 2027 and License No. 1029 have been issued thereon, all in accordance with the provisions of the Water Commission Act; that construction was commenced May 14, 1924, and completed April 1, 1925; and that the water claimed has been applied to beneficial use since April 1, 1925 for said purposes on the following described lands:

8.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 20 N, R 2 E, M.D.B.& M.
8.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 20 N, R 2 E, M.D.B.& M.
38.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 20 N, R 2 E, M.D.B.& M.
5.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 20 N, R 2 E, M.D.B.& M.
8.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 20 N, R 2 E, M.D.B.& M.
30.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B.& M.
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B.& M.
80.0 acres in S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B.& M.
30.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B.& M.
23.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B.& M.
3.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B.& M.
33.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B.& M.
5.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B.& M.
34.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B.& M.
23.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B.& M.
320.7 acres in that portion of Section 4, T 20 N, R 2 E,
M.D.B.& M., lying SE of Hamlin Slough.
3.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B.& M.
187.0 acres in W $\frac{1}{2}$ of Section 3, T 20 N, R 2 E, M.D.B.& M.
135.0 acres in SW $\frac{1}{4}$ of Section 34, T 21 N, R 2 E, M.D.B.& M.
5.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T 21 N, R 2 E, M.D.B.& M.
133.0 acres in N $\frac{1}{2}$ N $\frac{1}{2}$ of Section 9, T 20 N, R 2 E, M.D.B.& M.
39.0 acres in N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 20, T 20 N, R 2 E, M.D.B.& M.
1191.2 acres - Total (All in Rancho Esquon) Tract #2
(Section lines have been projected.)

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimants refer to judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court of Sutter County, entered May 25, 1920.

(2) Claim prescription for said amounts of water as against all claimants to water from said source below the Colony Upper Dam, except Ralph C. Gorrill, Herbert W. Whitten and Marjorie C. Whitten, and the owners of 78.0 cubic feet per second allocated from said source by said decree to water users upstream from lands of claimants as above described.

(3) Claim that the 11.50 cubic feet per second above set forth is available for only 40 per cent of the normal irrigation season and that the continuous flow equivalent thereof for the

entire season is 4.60 cubic feet per second. The continuous flow equivalent of all rights above claimed is thus 6.08 cubic feet per second and the maximum rate of diversion claimed prior to June 15 is 12.98 cubic feet per second.

PROOF No. 86.

Claim water from Hamlin Slough through the Adams Hamlin Slough Ditch and Adams Hamlin Pump (Diversions 64 and 65, Division of Water Resources Map) as follows:

(a) By appropriation.

0.82 cubic foot per second - priority February 5, 1920 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

3.00 cubic feet per second - priority February 5, 1920 during the period from May 1 to October 1 of each year for irrigation purposes. Claim that Application No. 1656 was filed February 5, 1920 and Permit No. 794 and License No. 880 have been issued thereon, all in accordance with the provisions of the Water Commission Act; that construction was commenced February 1, 1921, and completed May 1, 1921; and that the water claimed has been applied to beneficial use as a supplemental supply since April 1, 1925 for said purposes on the 1191.2 acres of land hereinbefore described under (a) of Proof No. 85.

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Hamlin Slough and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

Claim prescription for said amounts of water as against all claimants to water from said source down-stream from the above stated diversions, except Ralph C. Gorrill, Herbert W. Whitten and Marjorie C. Whitten.

PROOF No. 87

Claim water from Hamlin Slough through the Adams Hamlin Slough Ditch and Adams Hamlin Pump (Diversions 64 and 65, Division of Water Resources Map) as follows:

(a) By appropriation.

1.00 cubic foot per second - priority February 5, 1920 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes,

3.58 cubic feet per second - priority February 5, 1920 during the period from May 1 to October 1 of each year, and

9.66 cubic feet per second - priority June 30, 1925 during the period from April 1 to September 15 of each year for irrigation purposes. Claim that Application No. 1656 was filed February 5, 1920 and Permit No. 794 and License No. 880 have been issued thereon, and that Application No. 4663 was filed June 30, 1925 and Permit No. 2447 and License No. 1030 have been issued thereon, all in accordance with the provisions of the Water Commission Act; that construction was commenced February 1, 1921, and completed May 1, 1921; and that the water claimed has been applied to beneficial use for said purposes on the lands described below, as follows:

41.7 acres in SW $\frac{1}{4}$ of Section 9, T 20 N, R 2 E, M.D.B. & M., since April 1, 1925.
340.9 acres in that portion of Section 16, T 20 N, R 2 E, M.D.B. & M., lying SW of Northern Electric Railroad, since April 1, 1925.
8.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, T 20 N, R 2 E, M.D.B. & M., since April 1, 1925.
63.8 acres in that portion of N $\frac{1}{2}$ of Section 20, T 20 N, R 2 E, M.D.B. & M., lying East of Southern Pacific Railroad, since April 1, 1925.
478.2 acres in that portion of Section 17, T 20 N, R 2 E, M.D.B. & M., lying East of Southern Pacific Railroad, since April 1, 1925.
200.0 acres in that portion of Section 8, T 20 N, R 2 E, M.D.B. & M., lying SE of Hamlin Slough, since April 1, 1925.
18.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B. & M., since April 1, 1925.
95.0 acres in NW $\frac{1}{4}$ of Section 34, T 21 N, R 2 E, M.D.B. & M., since April 1, 1925.
60.8 acres in Lot 29 of Durham State Land Settlement, since April 1, 1930.

109.8 acres in Lot 30 of Durham State Land Settlement, since April 1, 1930.
80.0 acres in Lot 31 of Durham State Land Settlement, since April 1, 1930.
80.0 acres in Lot 33A of Durham State Land Settlement, since April 1, 1930.
80.0 acres in Lot 34A of Durham State Land Settlement, since April 1, 1930.
197.3 acres in Lot 41 of Durham State Land Settlement, since April 1, 1930.
92.9 acres in Lot 15A of Durham State Land Settlement, since April 1, 1930.
105.6 acres in Lot 36A of Durham State Land Settlement, since April 1, 1930.
120.8 acres in Lot 14A of Durham State Land Settlement, since April 1, 1930.
104.2 acres in Lot 37A of Durham State Land Settlement, since April 1, 1930.
107.1 acres in Lot 18A of Durham State Land Settlement, since April 1, 1930.
92.8 acres in Lot 19A of Durham State Land Settlement, since April 1, 1930.
55.0 acres in southerly portion of Lot 35A of Durham State Land Settlement, since April 1, 1930.
2533.2 acres - Total (All in Rancho Esquon) Tract #1 (Section lines have been projected).

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Hamlin Slough and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claim prescription for said amounts of water as against all claimants to water from said source down-stream from the above stated diversions, except Ralph C. Gorrill, Herbert W. Whitten and Marjorie C. Whitten.

(2) Claim that the 9.66 cubic feet per second above set forth is available for only one-third of the normal irrigation season and that the continuous flow equivalent thereof for the entire season is 3.22 cubic feet per second. The continuous flow equivalent of all rights above claimed is thus 7.80 cubic feet per second and the maximum rate of diversion claimed is 14.24 cubic feet per second.

PROOF No. 88.

Claim water from Butte Creek through the Adams and Colony Upper Ditches (Divisions 60 and 56, Division of Water Resources Map) as follows:

(a) By appropriation.

1.25 cubic feet per second - priority October 6, 1921 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

3.27 cubic feet per second - priority October 6, 1921

9.80 cubic feet per second - priority March 24, 1922

during the period from April 1 to September 30 of each year, and

2.50 cubic feet per second - priority June 27, 1922

during the period from April 1 to June 15 of each year for irrigation purposes. Claim that Application No. 2576 was filed October 6, 1921 and Permit No. 1722 and License No. 1027 have been issued thereon, that Application No. 2805 was filed March 24, 1922 and Permit No. 1872 and License No. 1028 have been issued thereon, and that Application No. 2909 was filed June 27, 1922 and Permit No. 2027 and License No. 1029 have been issued thereon, all in accordance with the provisions of the Water Commission Act; that construction was commenced May 14, 1924, and completed April 1, 1925; and that the water claimed has been applied to beneficial use as a supplemental supply for said purposes on the 2533.2 acres of land hereinbefore described under (a) of Proof No. 87 since the times set forth after said descriptions.

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimants refer to judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court of Sutter County, entered May 25, 1920.

(2) Claim prescription for said amounts of water as against all claimants to water from said source below the Colony Upper Dam, except Ralph C. Gorrill, Herbert W. Whitten and Marjorie C. Whitten, and the owners of 78.0 cubic feet per second allocated from said source by said decree to water users upstream from lands of claimants as above set forth.

ANNE KENNEDY ANDERSON, DONALD MATHEWSON, AND WINIFRED M. KENNEDY,

c/o Jerome D. Peters, Attorney at Law, Chico, California.

PROOF No. 67.

Claim water from Willow Creek Spring through the Kennedy Pipe Line and Spreading Dams (Diversion 5A, Division of Water Resources Map) as follows:

(a) By appropriation.

0.05 cubic foot per second - priority August 17, 1905 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.20 cubic foot per second - priority August 17, 1905 during the period from May 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced August 17, 1905, and completed May 1, 1906; and that the water claimed has been applied to beneficial use since May 1, 1906 for said purposes on the following described land:

8.0 acres in $N\frac{1}{2}$ $N\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ of Section 12, T 26 N, R 4 E, M.D.B. & M.
8.0 acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim a right to use said

water any place within said $N\frac{1}{2}$ $N\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ of Section 12, T 26 N, R 4 E, M.D.B. & M. Claim that said land is contiguous to Willow Creek Spring Channel and that the first valid step to withdraw the same from the public domain was taken on August 17, 1905 as swamp and overflow land.

Remarks.

(1) Claim prescription for said amounts of water as against all claimants to water from said source, except J. H. Lucas and Estate of William Johnson, deceased.

(2) Claim that the rights above set forth in said Proof No. 67 are equal in priority and correlative in right with 0.60 cubic foot per second set forth in Proof No. 52 of J. H. Lucas and Estate of William Johnson, deceased.

C. M. ARCHER, c/o DeSabra Stage, Chico, California.

Proof No. 92.

Claims water from Butte Creek through the Butte Creek and Upper Centerville Canals (Diversion 45, Division of Water Resources Map) by appropriation as follows:

0.15 cubic foot per second (measured at the place of use) - priority prior to 1900 during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claims that construction was commenced and completed prior to 1900; and that the water claimed has been applied to beneficial use since prior to 1900 for said purposes on the following described land:

11.9 acres in $NW\frac{1}{4}$ $NE\frac{1}{4}$ of Section 34, T 23 N, R 3 E, M.D.B. & M.
11.9 acres - Total

Remarks.

(1) Claims that transportation losses in the above stated diversion system are borne by Pacific Gas and Electric Company.

(2) Claims prescription for said amount of water as against all claimants in the Butte Creek stream system below DeSabra, except

S. A Vandegrift, Dorothy L. Jacobs, Carl Nelson Swartz, Ellenore K. Robbins, and L. C. Bonham, and as to the rights of said parties, the rights of claimant are equal in priority and correlative in right.

SAMUEL A. ATKINS AND BARBARA INA ATKINS, c/o Jerome D. Peters, Attorney at Law, Chico, California.

PROOF No. 73.

Claim water from Butte Creek through the Colony Upper Ditch and Wakefield Pump (Divisions 56 and 58, Division of Water Resources Map) as follows:

(a) By appropriation.

0.80 cubic foot per second (measured at place of use) - priority prior to 1914

during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claim that construction was commenced and completed prior to 1914 under what was originally the Lott-Hegan Ditch, which was taken over by the Durham Colony in 1918 and designated the Colony Upper Ditch; and that the water claimed has been applied to beneficial use since prior to 1914 for said purposes on the following described lands:

13.0 acres in $SE\frac{1}{4}$ $NW\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
10.0 acres in $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
1.0 acre in $NE\frac{1}{4}$ $NW\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
10.0 acres in $NW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
30.0 acres in Lot 12 of Ackerman Tract in Section 17, T 21 N, R 2 E, M.D.B. & M.

64.0 acres - Total

(b) By riparian right.

The same amount of water, season of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claim the right above set forth in said Proof No. 73 is equal in priority and correlative in right with 78.0 cubic feet per second allocated from said source to Durham Colony and other users above said Colony by the decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claim prescription for said amounts of water as against all claimants from Butte Creek below Durham Colony.

(3) Claim a right to operate the Wakefield Pump, jointly with Varney Wakefield (under Proof No. 72), 50.4 hours per week at a maximum rate of diversion of 2.00 cubic feet per second, and claim a right to rotate in the use of water with Durham Mutual Water Company, Ltd.

(4) Claimants refer to agreements dated May 17, 1919 and May 19, 1939, respectively recorded on June 4, 1919 at page 362 in Book 173 of Deeds and February 5, 1940 at page 364 in Book 231 of Official Records, Butte County.

RALPH J. BAXTER, G. W. BAXTER, F. T. WOELL AND M. B. WOELL,

c/o Ralph J. Baxter, Durham, California.

PROOF No. 39.

Claim water from Butte Creek through the Colony Upper Ditch and Baxter Pumps (Diversion 56, Division of Water Resources Map) as follows:

(a) By appropriation.

0.25 cubic foot per second - priority January 1, 1900 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

1.75 cubic feet per second - priority January 1, 1900 during the period from April 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced on the original

diversion system, known as the Hegan Ditch, from the west side of said Butte Creek January 1, 1900, and completed April 1, 1901; that the Hegan Ditch was abandoned and the point of diversion changed to the Colony Upper Ditch on May 1, 1918; and that the water claimed has been applied to beneficial use since April 1, 1901 for said purposes on the following described lands:

35.0 acres	in SE $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 19, T 21 N, R 2 E, M.D.B. & M.
7.2 acres	in NE $\frac{1}{4}$ SE $\frac{1}{4}$	of Section 19, T 21 N, R 2 E, M.D.B. & M.
39.0 acres	in NE $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 19, T 21 N, R 2 E, M.D.B. & M.
3.0 acres	in NW $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 19, T 21 N, R 2 E, M.D.B. & M.
10.0 acres	in NW $\frac{1}{4}$ NW $\frac{1}{4}$	of Section 20, T 21 N, R 2 E, M.D.B. & M.
5.0 acres	in SW $\frac{1}{4}$ NW $\frac{1}{4}$	of Section 20, T 21 N, R 2 E, M.D.B. & M.
15.0 acres	in SW $\frac{1}{4}$ SE $\frac{1}{4}$	of Section 18, T 21 N, R 2 E, M.D.B. & M.
40.0 acres	in SE $\frac{1}{4}$ SE $\frac{1}{4}$	of Section 18, T 21 N, R 2 E, M.D.B. & M.
23.8 acres	in SW $\frac{1}{4}$ SW $\frac{1}{4}$	of Section 17, T 21 N, R 2 E, M.D.B. & M.
178.0 acres	- Total	(All in Spanish Land Grant)

(Section lines have been projected)

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimants refer to judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered May 25, 1920.

(2) Claim that the rights above set forth in said Proof No. 39 are equal in priority and correlative in right with 77.0 cubic feet per second allocated from said source by said decree.

(3) Claim prescription for said amounts of water as against all claimants from Butte Creek below Durham Colony.

(4) Claim that rotation in the use of water is practiced with Durham Mutual Water Company, Ltd.

L. C. BONHAM, c/o DeSabra Stage, Chico, California.

PROOF No. 97.

Claims water from Butte Creek through the Butte Creek and Upper Centerville Canals (Diversion 45, Division of Water Resources Map) by appropriation as follows:

0.225 cubic foot per second (measured at the place of use) - priority prior to 1900

during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claims that construction was commenced prior to 1900; and that the water claimed has been applied to beneficial use since prior to 1900 for said purposes on the following described land:

8.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, T 23 N, R 3 E, M.D.B.& M.
8.3 acres - Total

Remarks.

(1) Claims that transportation losses in the above stated diversion system are borne by Pacific Gas and Electric Company.

(2) Claims prescription for said amount of water as against all claimants in the Butte Creek stream system below DeSabra, except S. A Vandegrift, Dorothy L. Jacobs, Carl Nelson Swartz, Ellenore K. Robbins, and C. M. Archer, and as to the rights of said parties, the rights of claimant are equal in priority and correlative in right.

GEORGE BRANDT AND EDNA MAY BRANDT, Durham California.

PROOF No. 16.

Claim water from Butte Creek through the Brandt Pump (Diversion 59B, Division of Water Resources Map) as follows:

(a) By appropriation.

0.09 cubic foot per second - priority prior to 1914 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.30 cubic foot per second - priority prior to 1914 during the period from April 1 to October 15 of each year for irri-

gation purposes. Claim that construction was commenced and completed prior to 1914; and that the water claimed has been applied to beneficial use since prior to 1914 for said purposes on the following described lands:

35.8 acres in Lot 63A of Durham State Land Settlement.
14.2 acres in Lot 63B of Durham State Land Settlement.
50.0 acres - Total (All in Rancho Esquon)
(Section lines have been projected)

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimants refer to judgment and decree in the case of California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claimants refer to agreement dated May 1, 1930 and recorded November 25, 1930 at page 417, Book 55 of Official Records, Butte County.

(3) Claim that the rights above set forth in said Proof No. 16 are equal in priority and correlative in right with 78.0 cubic feet per second allocated from said source by said decree.

(4) Claim prescription for said amounts of water as against all claimants from Butte Creek below Durham Colony.

CALIFORNIA LANDS, INC., c/o Jerome D. Peters, Attorney at Law, Chico, California.

PROOF No. 107.

Claims water from Butte Creek through the proposed Faulkner Pump at a movable point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B.& M. by riparian right as follows:

2.50 cubic feet per second

during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes on the following described lands:

- 5.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B.& M.
- 35.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B.& M.
- 25.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B.& M.
- 30.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B.& M.
- 40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B.& M.
- 20.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B.& M.
- 40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B.& M.
- 1.0 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B.& M.
- 4.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B.& M.
- 200.0 acres - Total (All of above lands in Section 18 are in Rancho Esquon, and section lines have been projected)

Claims that said lands are contiguous to Butte Creek and that the first valid steps to withdraw the same from the public domain were taken for parcels embracing said lands in 1851 by virtue of a Spanish Land Grant, and on July 20, 1870, respectively.

Remarks.

(1) Claims the right above set forth in said Proof No. 107 is second to the extent of 78.0 cubic feet per second in favor of Durham Mutual Water Company, Ltd. and other users from Butte Creek above Durham Colony, provided said parties have obtained superior rights therein.

(2) Claimant refers to stipulation for judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

EDWIN A. CARLSON AND GLADYS CARLSON, 1615 - 20th St., Sacramento, California.

PROOF No. 1.

Claim water from Butte Creek through the Colony Upper Ditch (Diversion 56, Division of Water Resources Map) as follows:

(a) By appropriation.

0.10 cubic foot per second (measured at place of use) - priority January 1, 1911

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.38 cubic foot per second (measured at place of use) - priority January 1, 1911

during the period from April 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced and completed prior to 1914 under what was originally the Lott-Hegan Ditch, which was taken over by Durham Colony in 1918 and designated the Colony Upper Ditch; and that the water claimed has been applied to beneficial use since prior to 1914 for said purposes on the following described land:

- 36.7 acres in Lots 8, 9, 11 and 12 of the Ackerman Tract in projected Section 17, T 21 N, R 2 E, M.D.B.& M.
- 36.7 acres - Total (All in Rancho Esquon)

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said land is contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claim the rights above set forth in said Proof No. 1 are equal in priority and correlative in right with 78.0 cubic feet per second allocated from said source to Durham Colony and other users above said Colony by the decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claim prescription for said amounts of water as against all claimants from Butte Creek below Durham Colony.

(3) Claim a right to an irrigation head of 1.00 cubic foot per second measured at the place of use for a correspondingly shorter time so as to result in a continuous flow equivalent as above set forth in said Proof No. 1.

WARREN P. CLARK AND IDA B. CLARK, 1249 Hemlock St., Chico, California

PROOF No. 30.

Claim water from Little Butte Creek through the Burke Ditch (Diversion 31, Division of Water Resources Map) as follows:

(a) By appropriation.

1.33 cubic feet per second - priority September 1, 1879 during the period from March 15 to November 1 of each year for irrigation purposes. Claim construction was commenced September 1, 1879, and completed February 1, 1883; that a notice of appropriation was posted February 6, 1883, and recorded February 7, 1883 in Book Mining and Water Claims, page 99, Records of Butte County; and that the water claimed has been applied to beneficial use since March 15, 1883 for said purposes on the following described land:

$\frac{6.0}{6.0}$ acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, T 22 N, R 3 E, M.D.B. & M.
6.0 acres - Total

(b) By riparian right.

The same amount of water, season of use and purpose of use as are set forth under (a) above. Claim that said land is contiguous to Little Butte Creek and that the first valid step to withdraw the same from the public domain was taken August 23, 1884.

Remarks.

(1) Claimants refer to judgment and decree in the case of William Burke v. Ann J. Burke, et al., No. 2378, Superior Court, Butte County, entered December 1, 1892.

(2) Claim a one-third interest in the Burke Ditch and that under the above mentioned decree claimants are entitled to receive full flow in the Burke Ditch of 4.00 cubic feet per second on Friday and Saturday of each week and one-third of flow in said ditch or 1.33 cubic feet per second on Sunday of each week.

(3) Claim prescription for said amount of water as against all claimants in the Butte Creek stream system below the head of the Burke Ditch.

RICHARD A. COLGAN, JR., 544 West 3rd St., Chico, California.

PROOF No. 70.

Claims water from Cold Spring through the Colgan Pipe (Diversion 40, Division of Water Resources Map) by appropriation as follows:

0.14 cubic foot per second - priority prior to 1914 during the period from January 1 to December 31 of each year for domestic and commercial purposes. Claims that construction was commenced and completed prior to 1914; that the pipe line was replaced in 1928; and that the water claimed has been applied to beneficial use since prior to 1914 for said purposes on the following described land:

1.0 acre in Lot 10 of Butte Meadows Subdivision No. 1, being a part of the SW $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B. & M.

Remarks.

Claims prescription for said amount of water as against all claimants from Cold Spring in the Butte Creek stream system.

BEE P. COMPTON, c/o Jerome D. Peters, Attorney at Law,
Chico, California.

PROOF No. 51.

Claims water from Butte Creek through the Compton-Entler Ditch (Diversion 54, Division of Water Resources Map) as follows:
(a) By appropriation.

3.33 cubic feet per second - priority 1849 during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claims that construction was commenced and completed in 1849; and that the water claimed has been applied to beneficial use for said purposes on the following described lands:

4.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$	of Section 7, T 21 N, R 2 E, M.D.B.& M.
13.6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$	of Section 7, T 21 N, R 2 E, M.D.B.& M.
9.8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$	of Section 7, T 21 N, R 2 E, M.D.B.& M.
21.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	of Section 7, T 21 N, R 2 E, M.D.B.& M.
6.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	of Section 7, T 21 N, R 2 E, M.D.B.& M.
0.5 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$	of Section 7, T 21 N, R 2 E, M.D.B.& M.
0.3 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$	of Section 7, T 21 N, R 2 E, M.D.B.& M.
0.9 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$	of Section 1, T 21 N, R 1 E, M.D.B.& M.
29.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 12, T 21 N, R 1 E, M.D.B.& M.
38.7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 12, T 21 N, R 1 E, M.D.B.& M.
3.4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 12, T 21 N, R 1 E, M.D.B.& M.
12.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 12, T 21 N, R 1 E, M.D.B.& M.
15.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$	of Section 12, T 21 N, R 1 E, M.D.B.& M.
29.8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$	of Section 12, T 21 N, R 1 E, M.D.B.& M.
23.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$	of Section 12, T 21 N, R 1 E, M.D.B.& M.
2.1 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$	of Section 12, T 21 N, R 1 E, M.D.B.& M.
9.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 13, T 21 N, R 1 E, M.D.B.& M.
6.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 13, T 21 N, R 1 E, M.D.B.& M.
228.4 acres - Total	(Section lines have been projected)

(b) By riparian right.

The same amount of water, season of use and purposes of use as are set forth under (a) above for use on all the riparian lands of claimant described as follows:

155.0 acres in NW $\frac{1}{4}$	of Section 18, T 21 N, R 2 E, M.D.B.& M.
40.0 acres in N $\frac{1}{2}$ SW $\frac{1}{2}$	of Section 18, T 21 N, R 2 E, M.D.B.& M.
160.0 acres in W $\frac{1}{2}$ W $\frac{1}{2}$	of Section 7, T 21 N, R 2 E, M.D.B.& M.
80.0 acres in E $\frac{1}{2}$ W $\frac{1}{2}$	of Section 7, T 21 N, R 2 E, M.D.B.& M.
20.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$	of Section 6, T 21 N, R 2 E, M.D.B.& M.
160.0 acres in NE $\frac{1}{4}$	of Section 13, T 21 N, R 1 E, M.D.B.& M.
50.0 acres in N $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$	of Section 13, T 21 N, R 1 E, M.D.B.& M.
110.0 acres in SE $\frac{1}{4}$	of Section 12, T 21 N, R 1 E, M.D.B.& M.
100.0 acres in NE $\frac{1}{4}$	of Section 12, T 21 N, R 1 E, M.D.B.& M.
30.0 acres in S $\frac{1}{2}$ SE $\frac{1}{2}$	of Section 1, T 21 N, R 1 E, M.D.B.& M.
10.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$	of Section 1, T 21 N, R 1 E, M.D.B.& M.
10.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	of Section 1, T 21 N, R 1 E, M.D.B.& M.
3.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$	of Section 1, T 21 N, R 1 E, M.D.B.& M.
2.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	of Section 1, T 21 N, R 1 E, M.D.B.& M.
830.0 acres - Total	(Section lines have been projected)

Claims that said lands are contiguous to a natural branch channel of Butte Creek, known as Little Butte Creek, and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimant refers to judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920 and amended on November 4, 1920.

(2) Claims 3.33 cubic feet per second when the natural flow

of Butte Creek is 78.0 cubic feet per second, otherwise 3.33/78ths of the natural flow.

(3) Claims that the right above set forth in said Proof No. 51 is equal in priority and correlative in right with 74.67 cubic feet per second allocated from said source by said decree when the natural flow is 108 cubic feet per second, otherwise with 74.67/108ths of the natural flow.

(4) Claims prescription for said amount of water as against all claimants from Butte Creek below Durham Colony.

(5) Claims that one-half of the water right above set forth in said Proof No. 51 attaches to the Patrick lands of claimant lying north of the channel of Little Butte Creek, and the remaining one-half attaches to the Compton lands of claimant lying south of the channel of said Little Butte Creek.

DWIN B. COPELAND, 1322 Euclid Ave., Berkeley, California.

PROOF No. 101.

Claims water from Jones Creek, Butte Creek and springs rising on lands of claimant as hereinafter described through the Jones (Mickey) Ditch (Diversion 3, Division of Water Resources Map) as follows:

(a) By appropriation.

0.50 cubic foot per second - priority January 16, 1884 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.50 cubic foot per second - priority January 16, 1884 during the period from May 1 to October 15 of each year for irrigation purposes. Claims that construction was commenced prior to January 16, 1884, and completed prior to May 1, 1884; that claimant has no knowledge of the use of water prior to June, 1920; and that the water claimed has been applied to beneficial use since June, 1920 for said purposes on the following described land:

4.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B. & M.
4.0 acres - Total

(b) By riparian right.

Claims that the lands of claimant contiguous to Butte Creek are described as follows:

40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B. & M.
10.0 acres in S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B. & M.
50.0 acres - Total

Claimant has no knowledge as to when the first valid step to withdraw said lands from the public domain was taken, nor as to the quantity of water that may be required on said lands.

Remarks.

(1) Claims no water has been used under the riparian claim on Butte Creek and springs rising on said lands, but an inalienable right is claimed therefrom for domestic purposes and subsidiary use including watering of stock.

(2) Claims one-third of the flow of Jones Creek by prescription as against all down-stream claimants in the Butte Creek stream system.

CORPORATION OF AMERICA, A CORPORATION, GEORGE SETKA AND ANNA SETKA, HIS WIFE, SAM BEBICH, JOE BEBICH AND STEVE VLATKOVICH, L. E. WHEELLOCK AND NELLIE WHEELLOCK, HIS WIFE, c/o Jerome D. Peters, Attorney at Law, Chico, California.

PROOF No. 49.

Claim water from Butte Creek through the Colony Upper Ditch (Diversion 56, Division of Water Resources Map) as follows:

(a) By appropriation.

2.00 cubic feet per second - priority prior to 1900 during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claim that construction was commenced and completed on the original diversion system from said Butte Creek, known as the Hegan Dam and Hegan Ditch

prior to 1900; that the point of diversion was changed to the Colony Upper Ditch in 1918; and that the water claimed has been applied to beneficial use for said purposes upon the following described lands:

Lands of George Setka, Anna Setka, Joe Bebach, Sam Bebach and Steve Vlatkovich

14.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
31.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
1.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
9.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
0.2 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
3.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
36.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
0.2 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
96.7 acres - Total

Lands of L. E. Wheelock and Nellie Wheelock

13.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
13.0 acres - Total

Lands of Corporation of America

11.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
8.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
20.0 acres - Total (All in Rancho Esquon)
(Section lines have been projected)

(b) By riparian right.

The same amount of water, season of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claim 2.00 cubic feet per second when the natural flow of Butte Creek is 78.0 cubic feet per second, otherwise 2/78ths of the natural flow.

(2) Claim that the right above set forth in said Proof No. 49 is equal in priority and correlative in right with 76.0 cubic feet per second allocated from said source when the natural flow is 108 cubic feet per second by the decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, otherwise with 76/108ths of the natural flow.

(3) Claim prescription for said amount of water as against all claimants from Butte Creek below Durham Colony.

(4) Claim that use of water above set forth in said Proof No. 49 is made in conjunction with Durham Mutual Water Company, Ltd and rotation is practiced in said use between claimants and said company.

(5) Claim that the interests in the right above set forth in said Proof No. 49 are owned as follows:

Corporation of America	- 0.40 cubic foot per second
L. E. Wheelock and Nellie Wheelock	- 0.26 cubic foot per second
George Setka, Anna Setka, Steve Vlatkovich, Joe Bebich and Sam Bebich	- 1.34 cubic feet per second

(6) Claimants refer to case of Corporation of American, et al. v. Durham Mutual Water Company, Ltd., No. 17222, Superior Court, Butte County, pending on appeal.

DAYTON MUTUAL WATER COMPANY, LTD., c/o Jerome D. Peters, Attorney at Law, Chico, California.

PROOF No. 47.

Claims water from Butte Creek through the Parrott Ditch and Crouch Lateral (Diversion 50, Division of Water Resources Map) by appropriation as follows:

16.00 cubic feet per second - priority prior to 1880 during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claims that construction was commenced and completed on the Crouch Ditch prior to 1880; that the upper portion of the Crouch Ditch was enlarged in 1904 to the present Parrott Ditch; and that the water claimed has been applied to beneficial use since prior to 1880 for said purposes on the lands owned by stockholders of claimant, described as follows:

Lands of California Lands, Inc.

60.4 acres in Section 9, T 21 N, R 1 E, M.D.B.& M.
6.8 acres in Section 10, T 21 N, R 1 E, M.D.B.& M.
34.0 acres in Section 15, T 21 N, R 1 E, M.D.B.& M.
67.3 acres in Section 16, T 21 N, R 1 E, M.D.B.& M.
<u>168.5 acres - Total (North Tract)</u>

13.5 acres in Section 15, T 21 N, R 1 E, M.D.B.& M.
236.0 acres in Section 16, T 21 N, R 1 E, M.D.B.& M.
206.5 acres in Section 17, T 21 N, R 1 E, M.D.B.& M.
25.8 acres in Section 20, T 21 N, R 1 E, M.D.B.& M.
<u>481.8 acres - Total (South Tract)</u>

Lands of Lloyd E. DeBock and O. B. DeBock

41.1 acres in S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 15, T 21 N, R 1 E, M.D.B.& M.
<u>41.1 acres - Total</u>

Lands of Albert Estes

23.8 acres in Section 8, T 21 N, R 1 E, M.D.B.& M.
27.2 acres in Section 9, T 21 N, R 1 E, M.D.B.& M.
21.0 acres in Section 15, T 21 N, R 1 E, M.D.B.& M.
238.0 acres in Section 16, T 21 N, R 1 E, M.D.B.& M.
154.7 acres in Section 17, T 21 N, R 1 E, M.D.B.& M.
<u>464.7 acres - Total</u>

Lands of J. A. Lewis

40.5 acres in N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 15, T 21 N, R 1 E, M.D.B.& M.
<u>40.5 acres - Total</u>

Lands of W. C. Stevens

81.8 acres in Section 16, T 21 N, R 1 E, M.D.B.& M.
181.9 acres in Section 17, T 21 N, R 1 E, M.D.B.& M.
148.0 acres in Section 18, T 21 N, R 1 E, M.D.B.& M.
76.5 acres in Section 19, T 21 N, R 1 E, M.D.B.& M.
19.0 acres in Section 20, T 21 N, R 1 E, M.D.B.& M.
92.5 acres in Section 21, T 21 N, R 1 E, M.D.B.& M.
<u>599.7 acres - Total</u> (All in Rancho de Farwell Section lines have been projected)

Remarks.

(1) Claimant refers to judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920, and amended on November 4, 1920.

(2) Claims the right above set forth in said Proof No. 47 is 16.00 cubic feet per second when the natural flow of Butte Creek is 78.0 cubic feet per second, otherwise 8/39ths of the natural flow as allocated to Ben E. Crouch by said decree.

(3) Claims the right above set forth in said Proof No. 47

is equal in priority and correlative in right with 62.0 cubic feet per second allocated from said source by said decree when the natural flow is 108 cubic feet per second, otherwise with 62/108th of the natural flow.

(4) Claims prescription for said amount of water as against all claimants from Butte Creek below Durham Colony.

PROOF No. 48.

Claims water from the foreign water delivered into Butte Creek by Pacific Gas and Electric Company from the West Branch of Feather River by redirection through the Parrott Ditch and Crouch Lateral (Diversion 50, Division of Water Resources Map) by appropriation as follows:

3.33 cubic feet per second - priority 1904 out of the first 10.0 cubic feet per second of said foreign water flowing in Butte Creek, during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claims that the redirection system is the same as the diversion system hereinbefore designated in Proof No. 47, which was constructed many years prior to the occurrence of said foreign water in Butte Creek in 1904; and that the water claimed has been applied to beneficial use as a supplemental supply since 1904 for said purposes on the same lands hereinbefore described under said Proof No. 47.

Remarks.

(1) Claimant refers to judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920, and amended November 4, 1920.

(2) Claims as successor to one-third interest in the first 10.0 cubic feet per second of said foreign water delivered into Butte Creek as allocated to Ben E. Crouch in paragraph I of said decree.

THE DIAMOND MATCH COMPANY, a corporation, c/o Matthew E. Marsh, Attorney at Law, Box 1037, Chico, California.

PROOF No. 75.

Claims water from Malloy Creek, Maple Spring, Bull Creek, Mud Cut, and unnamed spring through the Diamond Match Company system (Diversions 10, 10A, 10B and 10C, Division of Water Resources Map) as follows:

(a) By appropriation.

2.00 cubic feet per second - priority prior to 1914 during the period from January 1 to December 31 of each year for domestic, stock-watering and industrial purposes. Claims that construction was commenced and completed prior to 1914; and that the water claimed has been applied to beneficial use since prior to 1914 for said purposes on the lands of claimant lying in the Butte Creek stream system as depicted on said Division of Water Resources Map.

(b) By riparian right.

The same amount of water, season of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Malloy Creek, Maple Spring, Bull Creek, Mud Cut and unnamed spring specified in said Proof No. 75 and that the first valid steps to withdraw the same from the public domain were taken for 124 parcels embracing said lands at various times between July 8, 1871 and January 20, 1926, as set forth in said Proof No. 75.

Remarks.

(1) Claims a paramount right for domestic purposes as an upper riparian proprietor.

(2) Claims prescription for said amount of water as against all down-stream claimants in the Butte Creek stream system.

(3) Claims a right to substitute other sources of supply in the Butte Creek stream system to which lands of claimant are riparian for the sources presently utilized, as the site of operations

are moved from time to time, provided however that the combined consumption of water by claimant from said Butte Creek stream system shall not exceed 2.00 cubic feet per second.

LOVIE L. DOWNS, Magalia, California.

PROOF No. 66

Claims water from Downs Spring through the Downs Pipe (Diversion 17, Division of Water Resources Map) as follows:

(a) By appropriation.

0.03 cubic foot per second - priority prior to 1914 during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claims that construction was commenced and completed prior to 1914; and that the water claimed has been applied to beneficial use since prior to 1914 for said purposes on the following described land:

$\frac{0.8}{0.8}$ acre in $NE\frac{1}{4} SE\frac{1}{4}$ of Section 1, T 23 N, R 3 E, M.D.B. & M.
0.8 acre - Total

(b) By riparian right.

The same amount of water, season of use and purposes of use as are set forth under (a) above. Claims a right to use said water any place within said $NE\frac{1}{4} SE\frac{1}{4}$ of Section 1, T 23 N, R 3 E, M.D.B. & M. Claims that said land is contiguous to Downs Spring and that the first valid step to withdraw the same from the public domain was taken June 26, 1880.

Remarks.

Claims a right superior to all claimants in the Butte Creek stream system to the entire flow of said Downs Spring under the paramount right of an upper riparian proprietor for domestic purposes and by virtue of prescription.

ESTATE OF ERNEST DUENSING, deceased, c/o Mattye M. Understock, De Sabla, California.

PROOF No. 63.

Claims water from Little Butte Creek through the Duensing Ditch (Diversion 14, Division of Water Resources Map) as follows:

a) By appropriation.

0.25 cubic foot per second - priority February 26, 1883 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.25 cubic foot per second - priority February 26, 1883 during the period from April 1 to October 15 of each year for irrigation purposes. Claims that construction was commenced February 26, 1883, and completed April 1, 1883; and that the water claimed has been applied to beneficial use since April 1, 1883, for said purposes on the following described lands:

2.5 acres in $SW\frac{1}{4} NW\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
0.8 acre in $SE\frac{1}{4} NW\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
1.7 acres in $NW\frac{1}{4} SW\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
5.1 acres in $N\frac{1}{2} NE\frac{1}{4} SW\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
1.7 acres in $S\frac{1}{2} NE\frac{1}{4} SW\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
11.8 acres - Total

b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above for use on all the riparian lands of claimant described as follows:

75.0 acres in $S\frac{1}{2} S\frac{1}{2} N\frac{1}{2}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
40.0 acres in $NW\frac{1}{4} SW\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
20.0 acres in $N\frac{1}{2} NE\frac{1}{4} SW\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
20.0 acres in $N\frac{1}{2} NW\frac{1}{4} SE\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
155.0 acres - Total

Claims that said lands are contiguous to Little Butte Creek and that the first valid step to withdraw the same from the public domain was taken February 26, 1883.

Remarks.

Claims prescription for said amounts of water as against all down-stream claimants in the Butte Creek stream system.

PROOF No. 109.

Claims water from Duensing Spring through the Duensing Spring Ditch (Diversion 14A, Division of Water Resources Map) as follows:

(a) By appropriation.

0.05 cubic foot per second - priority February 26, 1883 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.10 cubic foot per second - priority February 26, 1883 during the period from April 1 to October 15 of each year for irrigation purposes. Claims that construction was commenced February 26, 1883, and completed April 1, 1883; and that the water claimed has been applied to beneficial use since April 1, 1883 for said purposes on the following described lands:

1.0 acre in S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
3.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
4.0 acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above for use on all the 155.0 acres of riparian lands of claimant hereinbefore described in item (b) under Proof No. 63. Claims that said lands are contiguous to Duensing Spring and that the first valid step to withdraw the same from the public domain was taken February 26, 1883.

Remarks.

Claims an exclusive interest in the entire flow of Duensing Spring by virtue of prescription as against all claimants in the Butte Creek stream system.

DURHAM MUTUAL WATER COMPANY, LTD., Durham, California.

PROOF No. 45.

Claims water from Butte Creek through the Colony Upper and Colony Lower Ditches (Divisions 56 and 59, Division of Water Resources Map) as follows:

10.00 cubic feet per second - priority January 1, 1911 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

34.70 cubic feet per second - priority January 1, 1911 during the period from March 15 to November 15 of each year for irrigation purposes. Claims that the date of commencement of surveys was January 1, 1911; that construction was commenced May 1, 1917, and completed April 1, 1918; and that the water claimed has been applied to beneficial use since May 1, 1918 for said purposes on the lands of stockholders of said Durham Mutual Water Company, Ltd., described as follows:

33.49	acres	in	Lot	1	of	Durham	State	Land	Settlement.
4.20	acres	in	Lot	2	of	Durham	State	Land	Settlement.
12.67	acres	in	Lot	2A	of	Durham	State	Land	Settlement.
10.00	acres	in	Lot	2B	of	Durham	State	Land	Settlement.
5.00	acres	in	Lot	2C	of	Durham	State	Land	Settlement.
15.80	acres	in	Lot	2D	of	Durham	State	Land	Settlement.
17.71	acres	in	Lot	3A	of	Durham	State	Land	Settlement.
12.00	acres	in	Lot	3B	of	Durham	State	Land	Settlement.
5.00	acres	in	Lot	3C	of	Durham	State	Land	Settlement.
5.00	acres	in	Lot	3D	of	Durham	State	Land	Settlement.
39.75	acres	in	Lot	4	of	Durham	State	Land	Settlement.
47.88	acres	in	Lot	5	of	Durham	State	Land	Settlement.
29.31	acres	in	Lot	6	of	Durham	State	Land	Settlement.
32.99	acres	in	Lot	7	of	Durham	State	Land	Settlement.
32.45	acres	in	Lot	8	of	Durham	State	Land	Settlement.
32.03	acres	in	Lot	9	of	Durham	State	Land	Settlement.
41.91	acres	in	Lot	10	of	Durham	State	Land	Settlement.
30.26	acres	in	Lot	11	of	Durham	State	Land	Settlement.
15.00	acres	in	Lot	12A	of	Durham	State	Land	Settlement.
15.27	acres	in	Lot	12	of	Durham	State	Land	Settlement.
31.23	acres	in	Lot	13	of	Durham	State	Land	Settlement.
23.07	acres	in	Lot	14	of	Durham	State	Land	Settlement.
17.82	acres	in	Lot	15	of	Durham	State	Land	Settlement.
27.17	acres	in	Lot	16	of	Durham	State	Land	Settlement.
18.46	acres	in	Lot	18	of	Durham	State	Land	Settlement.
3.00	acres	in	Lot	19	of	Durham	State	Land	Settlement.
17.00	acres	in	Lot	19A	of	Durham	State	Land	Settlement.
3.27	acres	in	Lot	20	of	Durham	State	Land	Settlement.
17.00	acres	in	Lot	20A	of	Durham	State	Land	Settlement.
24.78	acres	in	Lot	21	of	Durham	State	Land	Settlement.
20.36	acres	in	Lot	22	of	Durham	State	Land	Settlement.
1.16	acres	in	Lot	22A	of	Durham	State	Land	Settlement.
40.00	acres	in	Lot	23	of	Durham	State	Land	Settlement.
40.06	acres	in	Lot	24	of	Durham	State	Land	Settlement.
80.00	acres	in	Lot	25	of	Durham	State	Land	Settlement.
64.77	acres	in	Lot	26	of	Durham	State	Land	Settlement.
48.95	acres	in	Lot	27	of	Durham	State	Land	Settlement.
45.87	acres	in	Lot	27A	of	Durham	State	Land	Settlement.
15.03	acres	in	Lot	27B	of	Durham	State	Land	Settlement.
72.70	acres	in	Lot	28	of	Durham	State	Land	Settlement.
80.00	acres	in	Lot	32	of	Durham	State	Land	Settlement.
20.03	acres	in	Lot	33	of	Durham	State	Land	Settlement.
20.00	acres	in	Lot	34	of	Durham	State	Land	Settlement.
22.39	acres	in	Lot	35	of	Durham	State	Land	Settlement.
23.97	acres	in	Lot	36	of	Durham	State	Land	Settlement.
22.09	acres	in	Lot	37	of	Durham	State	Land	Settlement.
43.97	acres	in	Lot	38	of	Durham	State	Land	Settlement.

15.35 acres in Lot 39 of Durham State Land Settlement.
 40.00 acres in Lot 39A of Durham State Land Settlement.
 36.06 acres in Lot 40 of Durham State Land Settlement.
 50.23 acres in Lot 40A of Durham State Land Settlement.
 3.78 acres in Lot 42 of Durham State Land Settlement.
 .82 acre in Lot 43A of Durham State Land Settlement.
 .82 acre in Lot 43B of Durham State Land Settlement.
 .42 acre in Lot 43D of Durham State Land Settlement.
 7.16 acres in Lot 44 of Durham State Land Settlement.
 5.35 acres in Lot 44A of Durham State Land Settlement.
 4.34 acres in Lot 44B of Durham State Land Settlement.
 15.05 acres in Lot 44C of Durham State Land Settlement.
 24.27 acres in Lot 45 of Durham State Land Settlement.
 11.89 acres in Lot 46 of Durham State Land Settlement.
 25.00 acres in Lot 46A of Durham State Land Settlement.
 28.53 acres in Lot 47 of Durham State Land Settlement.
 41.19 acres in Lot 48 of Durham State Land Settlement.
 31.12 acres in Lot 49 of Durham State Land Settlement.
 40.17 acres in Lot 50 of Durham State Land Settlement.
 49.53 acres in Lot 51 of Durham State Land Settlement.
 31.12 acres in Lot 52 of Durham State Land Settlement.
 29.43 acres in Lot 53 of Durham State Land Settlement.
 22.31 acres in Lot 54 of Durham State Land Settlement.
 17.70 acres in Lot 55 of Durham State Land Settlement.
 17.97 acres in Lot 56 of Durham State Land Settlement.
 9.41 acres in Lot 57 of Durham State Land Settlement.
 18.92 acres in Lot 58 of Durham State Land Settlement.
 20.70 acres in Lot 59 of Durham State Land Settlement.
 30.00 acres in Lot 59A of Durham State Land Settlement.
 21.52 acres in Lot 60 of Durham State Land Settlement.
 38.80 acres in Lot 60A of Durham State Land Settlement.
 52.78 acres in Lot 61 of Durham State Land Settlement.
 5.17 acres in Lot 62 of Durham State Land Settlement.
 9.77 acres in Lot 63 of Durham State Land Settlement.
 39.14 acres in Lot 64 of Durham State Land Settlement.
 47.56 acres in Lot 65 of Durham State Land Settlement.
 41.65 acres in Lot 66 of Durham State Land Settlement.
 22.03 acres in Lot 67 of Durham State Land Settlement.
 10.00 acres in Lot 67A of Durham State Land Settlement.
 10.00 acres in Lot 67B of Durham State Land Settlement.
 41.27 acres in Lot 68 of Durham State Land Settlement.
 39.43 acres in Lot 69 of Durham State Land Settlement.
 .97 acre in Lot 82 of Durham State Land Settlement.
 2.10 acres in Lot 69A of Durham State Land Settlement.
 33.63 acres in Lot 70 of Durham State Land Settlement.
 22.40 acres in Lot 71 of Durham State Land Settlement.
 50.00 acres in Projected Sections 20 & 21, T 21 N, R 2 E,
 M.D.B. & M.
 31.19 acres in Lot 72 of Durham State Land Settlement.
 31.02 acres in Lot 73 of Durham State Land Settlement.
 37.02 acres in Lot 74 of Durham State Land Settlement.
 33.08 acres in Lot 75 of Durham State Land Settlement.
 24.25 acres in Lot 76 of Durham State Land Settlement.
 34.54 acres in Lot 77 of Durham State Land Settlement.
 40.00 acres in Lot 78 of Durham State Land Settlement.
 40.00 acres in Lot 79 of Durham State Land Settlement.
 30.35 acres in Lot 80 of Durham State Land Settlement.
 21.64 acres in Lot 80A of Durham State Land Settlement.
 22.96 acres in Lot 80B of Durham State Land Settlement.
 21.57 acres in Lot 81 of Durham State Land Settlement.
 26.53 acres in Lot 81A of Durham State Land Settlement.
 37.90 acres in Lot 82 of Durham State Land Settlement.
 80.00 acres in Lot 83 of Durham State Land Settlement.

5.00 acres in Lot 31 of Durham State Land Settlement.
 84.91 acres in Lot 84 of Durham State Land Settlement.
 80.00 acres in Lot 85 of Durham State Land Settlement.
 80.00 acres in Lot 86 of Durham State Land Settlement.
 80.00 acres in Lot 87 of Durham State Land Settlement.
 8.68 acres in Lot 88 of Durham State Land Settlement.
 8.75 acres in Lot 89 of Durham State Land Settlement.
 20.66 acres in Lot 90 of Durham State Land Settlement.
 13.95 acres in Projected Section 29, T 21 N, R 2 E, M.D.B. & M.
 9.63 acres in Lot 92 of Durham State Land Settlement.
 9.19 acres in Lot 93 of Durham State Land Settlement.
 15.23 acres in Lot 94 of Durham State Land Settlement.
 13.62 acres in Lot 95 of Durham State Land Settlement.
 25.45 acres in Lot 97 of Durham State Land Settlement.
 22.42 acres in Lot 98 of Durham State Land Settlement.
 12.65 acres in Lot 99 of Durham State Land Settlement.
 48.22 acres in Lot 100 of Durham State Land Settlement.
 2.64 acres in Lot 103 of Durham State Land Settlement.
 3.14 acres in Lot 104 of Durham State Land Settlement.
 2.23 acres in Lot 105 of Durham State Land Settlement.
 2.09 acres in Lot 106 of Durham State Land Settlement.
 2.12 acres in Lot 107 of Durham State Land Settlement.
 5.01 acres in Lot 108 of Durham State Land Settlement.
 7.34 acres in Lot 109 of Durham State Land Settlement.
 7.38 acres in Lot 110 of Durham State Land Settlement.
 6.37 acres in Lot 111 of Durham State Land Settlement.
 10.12 acres in Lot 112 of Durham State Land Settlement.
 1.71 acres in Lot A of Durham State Land Settlement.
 1.72 acres in Lot B of Durham State Land Settlement.
 1.72 acres in Lot C of Durham State Land Settlement.
 1.72 acres in Lot D of Durham State Land Settlement.
 .86 acre in Lot E of Durham State Land Settlement.
 .86 acre in Lot E-1 of Durham State Land Settlement.
 1.72 acres in Lot F of Durham State Land Settlement.
 1.72 acres in Lot G of Durham State Land Settlement.
 1.72 acres in Lot H of Durham State Land Settlement.
 1.72 acres in Lot I of Durham State Land Settlement.
 1.72 acres in Lot J of Durham State Land Settlement.
 1.72 acres in Lot K of Durham State Land Settlement.
 1.72 acres in Lot L of Durham State Land Settlement.
 1.72 acres in Lot M of Durham State Land Settlement.
 1.72 acres in Lot N of Durham State Land Settlement.
 1.72 acres in Lot O of Durham State Land Settlement.
 1.72 acres in Lot P of Durham State Land Settlement.
 2.00 acres in Lot Q of Durham State Land Settlement.
 2.00 acres in Lot R of Durham State Land Settlement.
 2.00 acres in Lot S of Durham State Land Settlement.
 2.00 acres in Lot T of Durham State Land Settlement.
 2.00 acres in Lot U of Durham State Land Settlement.
 1.72 acres in Lot V of Durham State Land Settlement.
 1.72 acres in Lot "a" of Durham State Land Settlement.
 1.90 acres in Lot W of Durham State Land Settlement.
 1.90 acres in Lot X of Durham State Land Settlement.
 1.90 acres in Lot Y of Durham State Land Settlement.
 1.90 acres in Lot Z of Durham State Land Settlement.
 20.00 acres in Projected Sections 20 & 29, T 21 N, R 2 E,
 M.D.B. & M.
 3,566.23 acres - Total (All in Rancho Esquon)

(b) By riparian right.

The same amounts of water, seasons of use, and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimant refers to judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claims that the rights above set forth in said Proof No. 45 are equal in priority and correlative in right with 38.0 cubic feet per second allocated from said source by said decree.

(3) Claims prescription for said amounts of water as against all claimants from Butte Creek below Durham Colony.

PROOF No. 46.

Claims water from Butte Creek through the Colony Lower Ditch (Diversion 59, Division of Water Resources Map) as follows:

20.00 cubic feet per second - priority February 10, 1939 during the period from June 1 to August 15 of each year for irrigation purposes. Claims that Application No. 9504 was filed February 10, 1939 under the provisions of the Water Commission Act, and that it is proposed to use the existing Colony Lower Ditch to supply supplemental water to that portion of the acreage hereinbefore set forth under Proof No. 45, described as follows:

33.75 acres in Lot 4	of Durham State Land Settlement.
47.88 acres in Lot 5	of Durham State Land Settlement.
29.31 acres in Lot 6	of Durham State Land Settlement.
21.99 acres in Lot 7	of Durham State Land Settlement.
19.45 acres in Lot 8	of Durham State Land Settlement.
32.03 acres in Lot 9	of Durham State Land Settlement.
41.91 acres in Lot 10	of Durham State Land Settlement.
20.26 acres in Lot 11	of Durham State Land Settlement.
30.27 acres in Lot 12	of Durham State Land Settlement.
31.23 acres in Lot 13	of Durham State Land Settlement.
23.07 acres in Lot 14	of Durham State Land Settlement.

17.82 acres in Lot 15	of Durham State Land Settlement.
27.17 acres in Lot 16	of Durham State Land Settlement.
18.46 acres in Lot 18	of Durham State Land Settlement.
20.00 acres in Lot 34	of Durham State Land Settlement.
22.39 acres in Lot 35	of Durham State Land Settlement.
23.97 acres in Lot 36	of Durham State Land Settlement.
22.09 acres in Lot 37	of Durham State Land Settlement.
43.97 acres in Lot 38	of Durham State Land Settlement.
15.35 acres in Lot 39	of Durham State Land Settlement.
40.00 acres in Lot 39A	of Durham State Land Settlement.
3.78 acres in Lot 42	of Durham State Land Settlement.
.82 acre in Lot 43A	of Durham State Land Settlement.
.82 acre in Lot 43B	of Durham State Land Settlement.
.42 acre in Lot 43D	of Durham State Land Settlement.
7.16 acres in Lot 44	of Durham State Land Settlement.
5.35 acres in Lot 44A	of Durham State Land Settlement.
4.34 acres in Lot 44B	of Durham State Land Settlement.
15.05 acres in Lot 44C	of Durham State Land Settlement.
24.27 acres in Lot 45	of Durham State Land Settlement.
11.89 acres in Lot 46	of Durham State Land Settlement.
25.00 acres in Lot 46A	of Durham State Land Settlement.
28.53 acres in Lot 47	of Durham State Land Settlement.
41.19 acres in Lot 48	of Durham State Land Settlement.
31.12 acres in Lot 49	of Durham State Land Settlement.
40.17 acres in Lot 50	of Durham State Land Settlement.
49.53 acres in Lot 51	of Durham State Land Settlement.
31.12 acres in Lot 52	of Durham State Land Settlement.
29.43 acres in Lot 53	of Durham State Land Settlement.
22.31 acres in Lot 54	of Durham State Land Settlement.
17.70 acres in Lot 55	of Durham State Land Settlement.
17.97 acres in Lot 56	of Durham State Land Settlement.
9.41 acres in Lot 57	of Durham State Land Settlement.
18.92 acres in Lot 58	of Durham State Land Settlement.
20.70 acres in Lot 59	of Durham State Land Settlement.
30.00 acres in Lot 59A	of Durham State Land Settlement.
21.52 acres in Lot 60	of Durham State Land Settlement.
38.80 acres in Lot 60A	of Durham State Land Settlement.
52.78 acres in Lot 61	of Durham State Land Settlement.
5.17 acres in Lot 62	of Durham State Land Settlement.
9.77 acres in Lot 63	of Durham State Land Settlement.
25.45 acres in Lot 97	of Durham State Land Settlement.
22.42 acres in Lot 98	of Durham State Land Settlement.
12.65 acres in Lot 99	of Durham State Land Settlement.
48.22 acres in Lot 100	of Durham State Land Settlement.
2.64 acres in Lot 103	of Durham State Land Settlement.
3.14 acres in Lot 104	of Durham State Land Settlement.
2.23 acres in Lot 105	of Durham State Land Settlement.
2.09 acres in Lot 106	of Durham State Land Settlement.
2.12 acres in Lot 107	of Durham State Land Settlement.
5.01 acres in Lot 108	of Durham State Land Settlement.
7.34 acres in Lot 109	of Durham State Land Settlement.
7.38 acres in Lot 110	of Durham State Land Settlement.
6.37 acres in Lot 111	of Durham State Land Settlement.
10.12 acres in Lot 112	of Durham State Land Settlement.
2.00 acres in Lot Q	of Durham State Land Settlement.
2.00 acres in Lot R	of Durham State Land Settlement.
2.00 acres in Lot S	of Durham State Land Settlement.
2.00 acres in Lot T	of Durham State Land Settlement.
2.00 acres in Lot U	of Durham State Land Settlement.
1364.59 acres - Total	(All in Rancho Esquon)

Remarks.

Claims that the continuous flow equivalent of the right above set forth in said Proof No. 46 is 4.00 cubic feet per second, because water for said right is available for only twenty per cent of the normal irrigation season. Claims a maximum rate of diversion for 20.00 cubic feet per second for twenty per cent of the normal irrigation season.

ELECTRIC MINING COMPANY, c/o DeSabra Stage, Chico, California.

PROOF No. 15.

Claims water from Butte Creek through the Electric Mining Company system (Diversion 49, Division of Water Resources Map) by riparian right as follows:

0.10 cubic foot per second

for domestic purposes, and

350.0 cubic feet per second

for power purposes, during the period from January 1 to December 31 of each year on the following described land:

$S\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 22 N, R 3 E, M.D.B.& M.

Claims that said land is contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken prior to 1872. The water claimed, except the amount consumed for domestic purposes and necessarily lost in transportation, is returned to Butte Creek on the above described land.

CLARENCE S. ENTILER AND MARY E. ROTH, c/o Jerome D. Peters, Attorney at Law, Chico, California.

PROOF No. 50.

Claim water from Butte Creek through the Compton-Entler Ditch (Diversion 54, Division of Water Resources Map) as follows:

(a) By appropriation.

1.67 cubic feet per second - priority 1851

during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claim that construction was commenced and completed in 1849; and that the water claimed has been applied to beneficial use for said purposes on the following described lands:

Lands of Clarence S. Entler

10.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
6.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
19.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
3.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
18.9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
3.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B.& M.
13.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B.& M.
75.0 acres - Total

Lands of Mary E. Roth

3.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
3.4 acres - Total (Section lines have been projected)

(b) By riparian right.

The same amount of water, season of use and purposes of use as are set forth under (a) above for use on all the riparian lands of claimants described as follows:

13.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B.& M.
4.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B.& M.
45.0 acres in S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
15.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
125.0 acres in S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
10.0 acres in S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
65.0 acres in SW $\frac{1}{4}$ of Section 5, T 21 N, R 2 E, M.D.B.& M.
277.0 acres - Total (Section lines have been projected)

Claim that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimants refer to judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920 and amended on November 4, 1920.

(2) Claim 1.67 cubic feet per second when the natural flow of Butte Creek is 78.0 cubic feet per second, otherwise 1.67/78ths of the natural flow.

(3) Claim that the right above set forth in said Proof No. 50 is equal in priority and correlative in right with 76.33 cubic feet per second allocated from said source by said decree when the natural flow is 108 cubic feet per second, otherwise with 76.33/108ths of the natural flow.

(4) Claim prescription for said amount of water as against all claimants from Butte Creek below Durham Colony.

(5) Claim that one-third of the water right above set forth in said Proof No. 50 attaches to the lands of claimant Mary E. Roth and the remaining two-thirds to the lands of claimant Clarence S. Entler.

(6) A portion of the above described lands of Clarence S. Entler is under an agreement to sell to Yuba Consolidated Gold Fields and all of the water right owned by said Clarence S. Entler has been retained by him. Claimants refer to an agreement dated March 18, 1939, and a supplemental agreement dated September 22, 1939.

HAROLD D. ESTES, P.O. Box 911, Chico, California.

PROOF No. 28.

Claims water from the natural flows of Butte Creek and Edgar Slough, and from the foreign waters delivered into said Butte Creek by Pacific Gas and Electric Company through the Parrott Ditch, Crouch Lateral and Edgar Slough (Diversion 50, Division of Water Resources Map) and by rediversion through the Estes Dam, Pump and Ditch as follows:

(a) By appropriation.

1.333 cubic feet per second (measured at the place of use) - priority July 1, 1904

during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claims that the dates of commencement and completion of construction are unknown to claimant, but that said dates are the same as for appropriations made by Dayton Mutual Water Company, Ltd., M. & T. Incorporated and

Parrott Investment Company and their predecessors from said sources, as determined by judgment and decree in the case of James D. Phelan, et al. v. El Oro Dredging Company, et al., No. 11483, Superior Court, Butte County, entered in March 1931; and that the water claimed has been applied to beneficial use on the following described lands:

13.4 acres in Lot 10 of McIntosh Tract.
10.0 acres in Lot 13 of McIntosh Tract.
14.0 acres in Lot 14 of McIntosh Tract.
10.2 acres in Lot 15 of McIntosh Tract.
8.8 acres in Lot 16 of McIntosh Tract.
6.6 acres in Lot 19 of McIntosh Tract.
3.2 acres in Lot 12 of McIntosh Tract.
66.2 acres - Total (All in NE $\frac{1}{4}$ of Section 2, T 21 N, R 1 E, M.D.B. & M.)

(b) By riparian right.

The same amount of water from Edgar Slough for the same season of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Edgar Slough and that the first valid step to withdraw the same from the public domain was taken at a time unknown to claimant.

Remarks.

(1) Claims a riparian right upon all of the waters of Edgar Slough.

(2) Claims prescription for said amount of water as against Dayton Mutual Water Company, Ltd., M. & T. Incorporated, and Parrott Investment Company, and the same basic titles of appropriations as for said companies.

(3) Claims adjudicated rights as set forth in the judgment and decree mentioned under (a) above.

ELLA G. EVERS, c/o DeSabra Stage, Chico, California.

PROOF No. 31.

Claims water from Little Butte Creek through the Todd (Evers) Ditch (Diversion 30, Division of Water Resources Map) as follows:

(a) By appropriation.

1.00 cubic foot per second - priority March 1, 1881

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

1.00 cubic foot per second - priority March 1, 1881

during the period from April 1 to October 15 of each year for irrigation purposes. Claims that construction was commenced March 1, 1881, and completed May 1, 1881; and that the water claimed has been applied to beneficial use since May 1, 1881 for said purposes on the following described land:

$\frac{13.6 \text{ acres in SW}\frac{1}{4} \text{ SE}\frac{1}{4} \text{ of Section 17, T 22 N, R 3 E, M.D.B. \& M.}}{13.6 \text{ acres - Total}}$

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claims that said land is contiguous to Little Butte Creek and that the first valid step to withdraw the same from the public domain was taken on June 26, 1880.

Remarks.

Claims prescription for said amounts of water as against all down-stream claimants in the Butte Creek stream system.

THE FEDERAL LAND BANK OF BERKELEY, Berkeley, California.

PROOF No. 74.

Claims water from Butte Creek through the Ollinger Pump (Diversion 57, Division of Water Resources Map) as follows:

(a) By appropriation.

0.25 cubic foot per second - priority July 26, 1886

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

2.00 cubic feet per second - priority July 26, 1886

during the period from April 1 to October 15 of each year for irrigation purposes. Claims that a notice of appropriation was posted July 26, 1886; that said notice was recorded July 30, 1886, in Book "C" of Mining and Water Claims, page 303, Records of Butte County; that construction was commenced July 26, 1886, and completed April 1,

1887; and that the water claimed has been applied to beneficial use since April 1, 1887 for said purposes on the following described lands:

26.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B. & M.
27.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B. & M.
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B. & M.
28.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
1.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
24.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
 $\frac{7.6 \text{ acres in NE}\frac{1}{4} \text{ NE}\frac{1}{4} \text{ of Section 18, T 21 N, R 2 E, M.D.B. \& M.}}{156.5 \text{ acres - Total}}$ (All lying north of the Chico-Oroville Road and west of Butte Creek)

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken on April 11, 1871.

Remarks.

(1) Claimant refers to judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920, which as amended November 4, 1920 eliminated claimant therefrom.

(2) Claims a right to use an irrigation head of 4.50 cubic feet per second for such period or periods during any 30-day period of time that will result in the diversion of a quantity of water equal to the continuous flow equivalent during any 30-day period as hereinabove set forth in said Proof No. 74.

E. L. FRANKS AND IDA MAY FRANKS, Route 4, Box 287, Chico, California.

PROOF No. 32.

Claim water from Butte Creek through the Stephenson Upper and Stephenson Lower Ditches (Divisions 7 and 8, Division of Water Resources Map) as follows:

(a) By appropriation.

0.20 cubic foot per second - priority September 24, 1900

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

1.80 cubic feet per second - priority September 24, 1900 during the period from May 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced on September 24, 1900, and completed on May 1, 1901; and that the water claimed has been applied to beneficial use since May 1, 1901 for said purposes on the following described lands:

2.9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T 26 N, R 5 E, M.D.B.& M.
20.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 5 E, M.D.B.& M.
6.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 5 E, M.D.B.& M.
19.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T 26 N, R 5 E, M.D.B.& M.
34.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T 26 N, R 5 E, M.D.B.& M.
11.9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T 26 N, R 5 E, M.D.B.& M.
7.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T 26 N, R 5 E, M.D.B.& M.
<u>103.4</u> acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Butte Creek and that the first valid steps to withdraw the same from the public domain were taken for parcels embracing said lands on July 31, 1880 and September 24, 1900, respectively.

Remarks.

Claim prescription for said amounts of water as against all claimants in the Butte Creek stream system below Butte Creek House

ISABELLE A. GOODSPEED AND ESTATE OF VERA E. UPPHOFF, deceased, Durham, California.

PROOF No. 77.

Claim water from Butte Creek, both natural flow and foreign water, through the Goodspeed Pumps, (Diversion 63, Division of Water Resources Map) by riparian right as follows:

1.00 cubic foot per second
for domestic and stock-watering purposes, and
23.00 cubic feet per second
for irrigation purposes, during the period from May 1 to September 30, of each year, on the following described lands:

320.0 acres in N $\frac{1}{2}$ of Section 22, T 20 N, R 1 E, M.D.B.& M.
115.0 acres in S $\frac{1}{2}$ S $\frac{1}{2}$ of Section 14, T 20 N, R 1 E, M.D.B.& M.
83.7 acres in that portion of S $\frac{1}{2}$ S $\frac{1}{2}$ of Section 13, T 20 N, R 1 E, M.D.B.& M., lying West of Butte Creek.
320.0 acres in N $\frac{1}{2}$ of Section 23, T 20 N, R 1 E, M.D.B.& M.
233.6 acres in N $\frac{1}{2}$ of Section 24, T 20 N, R 1 E, M.D.B.& M.
<u>1072.3</u> acres - Total (All in Rancho Aguas Frias) (Section lines have been projected)

Claim that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken many years ago by virtue of a Spanish Land Grant.

Remarks.

(1) Claimants refer to the judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claimants refer to an agreement dated March 31, 1927, recorded April 19, 1927 in Book 226 at page 333, Records of Butte County, which agreement recognized right of access of claimants to the shifting channel of Butte Creek.

(3) Claim that the interest of Vera E. Upphoff, deceased, in said Proof No. 77 is now vested in Isabelle A. Goodspeed and Hugo Upphoff in equal shares.

(4) Claim that the continuous flow equivalent of the rights herein set forth in said Proof No. 77 is 9.60 cubic feet per second because water is available from Butte Creek for only forty per cent of the irrigation season, and that the maximum rate of diversion is 24.00 cubic feet per second whenever water is available therefor.

ROLAND C. GOODSPEED AND MARIAN L. GOODSPEED, Box 69, Durham, California.

PROOF No. 105.

Claim water from Butte Creek, through the Goodspeed Pumps (Diversion 63, Division of Water Resources Map) by riparian right as follows:

2.40 cubic feet per second
during the period from January 1 to December 31 of each year for

domestic and stock-watering purposes, and

21.00 cubic feet per second

during the period from April 1 to October 15 of each year for irrigation purposes on the following described lands:

320.0 acres in $N\frac{1}{2}$ of Section 14, T 20 N, R 1 E, M.D.B.& M.
160.0 acres in $N\frac{1}{2}$ $S\frac{1}{2}$ of Section 14, T 20 N, R 1 E, M.D.B.& M.
45.0 acres in $S\frac{1}{2}$ $S\frac{1}{2}$ of Section 14, T 20 N, R 1 E, M.D.B.& M.
320.0 acres in $N\frac{1}{2}$ of Section 13, T 20 N, R 1 E, M.D.B.& M.
160.0 acres in $N\frac{1}{2}$ $S\frac{1}{2}$ of Section 13, T 20 N, R 1 E, M.D.B.& M.
30.0 acres in $S\frac{1}{2}$ $S\frac{1}{2}$ of Section 13, T 20 N, R 1 E, M.D.B.& M.
1035.0 acres - Total (All in Rancho Aguas Frias)
(Section lines have been projected)

Claim that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimants refer to the judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claim that the continuous flow equivalent of the rights herein set forth in said Proof No. 105 is 9.36 cubic feet per second because water is available from Butte Creek for only forty per cent of the irrigation season, and that the maximum rate of diversion is 23.40 cubic feet per second whenever water is available therefor.

RALPH C. GORRILL, 521 Arcadian Ave., Chico, California.

PROOF No. 40.

Claims water from Hamlin Slough through the Gorrill-Hamlin Ditch (Diversion 66, Division of Water Resources Map) as follows:

(a) By appropriation.

1.00 cubic foot per second - priority March 6, 1922 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes,

14.00 cubic feet per second - priority March 6, 1922 during the period from April 15 to June 30 of each year for irrigation purposes, and

22.50 cubic feet per second - priority June 30, 1925 during the period from April 1 to September 15 of each year for irrigation purposes. Claims that Application Nos. 2777 and 4664 were

respectively filed March 6, 1922 and June 30, 1925, and that Permit Nos. 1779 and 2448, respectively, have been issued thereon, all in accordance with the provisions of the Water Commission Act; that construction was commenced August 1, 1924, and completed April 1, 1925; and that the water claimed has been applied to beneficial use for said purposes on the following described lands:

*57.8 acres in Section 7, T 20 N, R 2 E, MDB&M, since May 1, 1925
*7.3 acres in Section 8, T 20 N, R 2 E, MDB&M, since May 1, 1925
*427.0 acres in Section 18, T 20 N, R 2 E, MDB&M, since May 1, 1925
*148.0 acres in Section 17, T 20 N, R 2 E, MDB&M, since May 1, 1925
*515.0 acres in Section 19, T 20 N, R 2 E, MDB&M, since May 1, 1926
*335.3 acres in Section 20, T 20 N, R 2 E, MDB&M, since May 1, 1926
*442.7 acres in Section 29, T 20 N, R 2 E, MDB&M, since May 1, 1927
*58.2 acres in Section 30, T 20 N, R 2 E, MDB&M, since May 1, 1927
20.2 acres in Lot 1 of Section 29, T 20 N, R 2 E, MDB&M, since May 1, 1927
38.2 acres in Lot 5 of Section 30, T 20 N, R 2 E, MDB&M, since May 1, 1927
34.5 acres in Lot 6 of Section 30, T 20 N, R 2 E, MDB&M, since May 1, 1927
34.5 acres in Lot 7 of Section 30, T 20 N, R 2 E, MDB&M, since May 1, 1927
20.0 acres in Lot 8 of Section 30, T 20 N, R 2 E, MDB&M, since May 1, 1927
23.3 acres in Lot 9 of Section 30, T 20 N, R 2 E, MDB&M, since May 1, 1927
40.0 acres in $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Section 30, T 20 N, R 2 E, MDB&M, since May 1, 1927
40.0 acres in $NW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 30, T 20 N, R 2 E, MDB&M, since May 1, 1927
40.0 acres in $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 30, T 20 N, R 2 E, MDB&M, since May 1, 1927
2282.0 acres - Total (*All in Rancho Esquon)
(Section lines have been projected)

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Hamlin Slough and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claims prescription for said amounts of water as against all down-stream claimants on Hamlin Slough.

(2) Claims a continuous flow equivalent of 5.60 cubic feet per second for the 14.00 cubic feet per second above set forth because said right is for only forty per cent of the normal irrigation season;

that the continuous flow equivalent for the 22.50 cubic feet per second above set forth is 11.25 cubic feet per second because water is available for said right for only one-half of the normal irrigation season; and that the combined continuous flow equivalent for all rights above set forth in said Proof No. 40 is 17.85 cubic feet per second and the maximum rate of diversion prior to June 1 is 37.50 cubic feet per second.

PROOF No. 43.

Claims water from Butte Creek through the Gorrill Ditch (Diversion 61, Division of Water Resources Map) as follows:

(a) By appropriation.

1.00 cubic foot per second - priority March 6, 1922 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes,

14.00 cubic feet per second - priority March 6, 1922 during the period from July 1 to September 30 of each year for irrigation purposes, and

15.00 cubic feet per second - priority June 30, 1925 during the period from April 1 to September 30 of each year for irrigation purposes. Claims that Application Nos. 2777 and 4665 were respectively filed March 6, 1922 and June 30, 1925, and that Permit Nos. 1779 and 2449 respectively have been issued thereon, all in accordance with the provisions of the Water Commission Act; that construction was commenced August 1, 1924, and completed April 1, 1925; and that the water claimed has been applied to beneficial use as a supplemental supply for said purposes on the 2282.0 acres of land hereinbefore described in (a) under Proof No. 40 since the times set forth after said descriptions.

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Butte Creek and that the first valid step to withdraw

the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimant states that riparian rights are waived by claimant to the extent of 78.0 cubic feet per second in favor of upstream users as set forth in the judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claims prescription for said amounts of water as against all claimants down-stream from said lands of claimant.

(3) Claims a continuous flow equivalent for the 14.00 cubic feet per second above set forth in said Proof No. 43 of 7.00 cubic feet per second, because said right is for only one-half of the normal irrigation season; and that the combined continuous flow equivalent of all rights above set forth in said Proof No. 43 is 22.00 cubic feet per second and the maximum rate of diversion after July 1 is 30.00 cubic feet per second.

FRANK GRAHAM, Paradise, California.

PROOF No. 27.

Claims water from Butte Creek through the Butte Creek Canal (Diversion 45, Division of Water Resources Map) by appropriation as follows:

0.10 cubic foot per second (measured at place of use) - priority prior to 1900 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes including house, garden and orchard irrigation. Claims that construction was commenced and completed prior to 1900; and that the water claimed has been applied to beneficial use since prior to 1900 for said purposes on the following described land:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T 23 N, R 3 E, M.D.B.& M.

Remarks.

Claims prescription for said amount of water as against all claimants from Butte Creek below the Butte Creek Canal.

DONALD HALE AND ALICE HILBY HALE, c/o DeSabra Stage, Chico, California.

PROOF No. 76.

Claim water from Butte Creek through the Hale Ditch (Diversión 51, Division of Water Resources Map) as follows:

(a) By appropriation.

1.00 cubic foot per second - priority prior to 1880 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

2.00 cubic feet per second - priority prior to 1880 during the period from April 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced and completed prior to 1880; and that the water claimed has been applied to beneficial use since prior to 1880 for said purposes on the following described lands:

0.2 acre	in SW $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 4, T 21 N, R 2 E, M.D.B. & M.
0.4 acre	in NE $\frac{1}{4}$ NW $\frac{1}{4}$	of Section 4, T 21 N, R 2 E, M.D.B. & M.
3.5 acres	in SE $\frac{1}{4}$ NW $\frac{1}{4}$	of Section 4, T 21 N, R 2 E, M.D.B. & M.
10.3 acres	in SW $\frac{1}{4}$ NW $\frac{1}{4}$	of Section 4, T 21 N, R 2 E, M.D.B. & M.
12.0 acres	in NW $\frac{1}{4}$ NW $\frac{1}{4}$	of Section 4, T 21 N, R 2 E, M.D.B. & M.
24.1 acres	in NE $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 5, T 21 N, R 2 E, M.D.B. & M.
16.0 acres	in SE $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 5, T 21 N, R 2 E, M.D.B. & M.
10.4 acres	in SW $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 5, T 21 N, R 2 E, M.D.B. & M.
26.0 acres	in NW $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 5, T 21 N, R 2 E, M.D.B. & M.
<u>92.9</u>	acres - Total	

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above for use on all the riparian lands of claimants described as follows:

116.8 acres	in NE $\frac{1}{4}$	of Section 5, T 21 N, R 2 E, M.D.B. & M.
17.2 acres	in NE $\frac{1}{4}$	of Section 4, T 21 N, R 2 E, M.D.B. & M.
<u>134.0</u>	acres - Total	

Claim that said lands are contiguous to Butte Creek and that the first valid steps to withdraw the same from the public domain were taken for five parcels embracing said lands on April 19, 1870,

November 17, 1870, December 13, 1871, May 21, 1884, and by virtue of a Spanish Land Grant in 1851.

Remarks.

(1) Claimants refer to judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claim that the rights above set forth in said Proof No. 76 are equal in priority and correlative in right with 75.0 cubic feet per second allocated from said source by said decree.

(3) Claims prescription for said amounts of water as against all claimants from Butte Creek below Durham Colony.

FRANCES B. HAMILTON, A. C. MUSSELMAN, AND GEORGE P. MORSE, c/o A. C. Musselman, Stirling City, California.

PROOF No. 21.

Claim water from Reilly Ravine, Musselman Creek and all springs tributary to said Musselman Creek through the Coutolenc (Hamilton or Musselman) Ditches and Pipe Line (Diversions 16A and 18, Division of Water Resources Map) as follows:

(a) By appropriation.

0.30 cubic foot per second - priority April 4, 1873 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.20 cubic foot per second - priority April 4, 1873 during the period from May 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced April 4, 1873, and completed June 1, 1873; and that the water claimed has been applied to beneficial use since June 1, 1873 for said purposes on the following described lands:

30.0 acres	in NE $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 12, T 23 N, R 3 E, M.D.B. & M.
30.0 acres	in SE $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 12, T 23 N, R 3 E, M.D.B. & M.
30.0 acres	in SE $\frac{1}{4}$ SE $\frac{1}{4}$	of Section 1, T 23 N, R 3 E, M.D.B. & M.
10.0 acres	in SW $\frac{1}{4}$ SE $\frac{1}{4}$	of Section 1, T 23 N, R 3 E, M.D.B. & M.
<u>100.0</u>	acres - Total	

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use from Musselman Creek and tributary springs on all lands of claimants riparian thereto, described as follows:

80.0 acres in S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, T 23 N, R 3 E, M.D.B.& M.
80.0 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 12, T 23 N, R 3 E, M.D.B.& M.
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 23 N, R 4 E, M.D.B.& M.
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 23 N, R 4 E, M.D.B.& M.
240.0 acres - Total

Claim that said lands are contiguous to Musselman Creek and tributary springs and that the first valid steps to withdraw the same from the public domain were taken for parcels embracing said lands on April 4, 1873 and June 25, 1883.

Remarks.

(1) Claim the entire water supplies of Reilly Ravine, Musselman Creek and tributary springs are fully utilized on above described lands of claimants and that the deficiency is made up by diversion from the Feather River stream system.

(2) Claim the rights above set forth in said Proof No. 21 are superior in priority and in right to all other rights in the Butte Creek stream system both by prior appropriation and by prescription.

D. A. HOOK AND W. S. HOOK, Durham, California.

PROOF No. 4.

Claim water from Butte Creek through the Colony Upper Ditch (Diversion 56, Division of Water Resources Map) as follows:

(a) By appropriation.

0.09 cubic foot per second (measured at place of use) - priority January 1, 1911 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.30 cubic foot per second (measured at place of use) - priority January 1, 1911 during the period from April 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced January 1,

1911, and completed April 1, 1911; and that the water claimed has been applied to beneficial use since prior to 1914 for said purposes on the following described land:

30.0 acres in Lots 8, 9, 10 and 11 of the Ackerman Tract in projected Section 17, T 21 N, R 2 E, M.D.B.& M.
30.0 acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said land is contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claim the rights above set forth in said Proof No. 4 are equal in priority and correlative in right with 78.0 cubic feet per second allocated from said source to Durham Colony and other users above said colony by the decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claim prescription for said amounts of water as against all claimants from Butte Creek below Durham Colony.

(3) Claim a right to an irrigation head of 1.00 cubic foot per second measured at the place of use for a correspondingly shorter time so as to result in a continuous flow equivalent as above set forth in said Proof No. 4.

D. A. HOOK, W. S. HOOK AND LILLIAN M. HOOK, Durham, California.

PROOF No. 3.

Claim water from Middle Butte Creek through the Hook Dam (Diversion 24A, Division of Water Resources Map) by riparian right as follows:

0.10 cubic foot per second during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.10 cubic foot per second during the period from April 1 to October 15 of each year for irrigation purposes on the following described land:

3.0 acres in $N\frac{1}{2}$ $N\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B.& M. Claim that said land is contiguous to Middle Butte Creek and that the first valid step to withdraw the same from the public domain was taken on June 26, 1880.

Remarks.

Claim that water has been used only for domestic and recreational purposes and that it is proposed to irrigate 3.0 acres above described.

ELMO JACKS AND LOUISE JACKS, Durham, California.

PROOF No. 8.

Claim water from Butte Creek through the Colony Upper Ditch (Diversion 56, Division of Water Resources Map) as follows:

(a) By appropriation.

0.06 cubic foot per second (measured at place of use) -
priority prior to 1914

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.25 cubic foot per second (measured at place of use) -
priority prior to 1914

during the period from April 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced and completed prior to 1914 under what was originally the Lott-Hegan Ditch, which was taken over by Durham Colony in 1918 and designated the Colony Upper Ditch; and that the water claimed has been applied to beneficial use since prior to 1914 for said purposes on the following described land:

24.9 acres in Lot 7 of the Ackerman Tract in projected Section 17,
T 21 N, R 2 E, M.D.B.& M.

24.9 acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of

use as are set forth under (a) above. Claim that said land is contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimants refer to an agreement dated December 15, 1894, and recorded December 27, 1894, in Book 39 of Deeds, at page 574, Records of Butte County.

(2) Claim the rights above set forth in said Proof No. 8 are equal in priority and correlative in right with 78.0 cubic feet per second allocated from said source to Durham Colony and other users above said colony by the decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(3) Claim prescription for said amounts of water as against all claimants from Butte Creek below Durham Colony.

(4) Claim that rotation in the use of water, above set forth in said Proof No. 8, is practiced with Durham Mutual Water Company, Ltd.

THOS. H. JACOBS AND DOROTHY L. JACOBS, c/o DeSabra Stage, Chico, California.

PROOF No. 81.

Claim water from Butte Creek through the Butte Creek and Upper Centerville Canals (Diversion 45, Division of Water Resources Map) by appropriation as follows:

0.25 cubic foot per second (measured at place of use) -
priority prior to 1900

during the period from January 1 to December 31 of each year for domestic, stock-watering, and irrigation purposes. Claim that construction was commenced and completed prior to 1900; and that the water claimed has been applied to beneficial use since prior to 1900 for said purposes on the following described lands:

6.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, T 23 N, R 3 E, M.D.B.& M.
 10.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T 23 N, R 3 E, M.D.B.& M.
 16.6 acres - Total

Remarks.

- (1) Claim that transportation losses in the above stated diversion system are borne by Pacific Gas and Electric Company.
- (2) Claim prescription for said amount of water as against all claimants in the Butte Creek stream system below DeSabra, except S. A Vandegrift, Ellenore K. Robbins, Carl Nelson Swartz, L. C. Bonham, and C. M. Archer, and as to the rights of said parties, the rights of claimants are equal in priority and correlative in right.

A. P. KUNDERT, Mendocino City, California.

PROOF No. 61.

Claims water from Hupp Springs (including Sawmill, Cantwell, Goat Ranch and Doolittle Springs) through the Hupp Ditch (Diversion 25, Division of Water Resources Map) by appropriation as follows:

0.05 cubic foot per second (measured at place of use)
 priority March 1, 1891

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.05 cubic foot per second (measured at place of use)
 priority March 1, 1891

during the period from April 1 to October 15 of each year for irrigation purposes. Claims that construction was commenced March 1, 1891, and completed May 1, 1894; and that the water claimed has been applied to beneficial use since May 1, 1894 for said purposes on the following described land:

1.0 acre in Lot 11 of Section 34, T 23 N, R 3 E, M.D.B.& M.
 1.0 acre - Total

Remarks.

Claims prescription for said amounts of water as against all claimants in the Butte Creek stream system, except F. E. Whitlock, Roy L. Pearson, Orval L. Pearson, Eunice Cartwright and Mildred Laughlin.

A. F. LIEURANCE AND LENORE LIEURANCE, 830 Chester Ave.,
 San Marino, California.

PROOF No. 29.

Claim water from Butte Creek through the Marybill Ditch (Diversion 55, Division of Water Resources Map) as follows:

(a) By appropriation.

1.00 cubic foot per second - priority May 29, 1880

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

4.00 cubic feet per second - priority May 29, 1880

during the period from April 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced and completed prior to May 29, 1880; and that the water claimed has been applied to beneficial use since June 1, 1880 for said purposes on the following described lands:

10.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 21 N, R 2 E, M.D.B.& M.
 38.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 21 N, R 2 E, M.D.B.& M.
 * 0.8 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
 * 30.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
 * 0.9 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
 * 40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B.& M.
 * 40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B.& M.
 * 40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B.& M.
 * 34.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B.& M.
 * 40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B.& M.
 * 40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B.& M.
 * 9.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B.& M.
 * 9.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B.& M.
 * 15.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B.& M.
 33.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B.& M.
 22.1 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B.& M.
 40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B.& M.
 40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B.& M.
 2.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B.& M.
 40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B.& M.
 527.1 acres - Total (*Section lines in Sections 6 and 7 have been projected)

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken prior to June 1, 1874.

Remarks.

(1) Claimants refer to judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claimants refer to an unrecorded agreement dated September 20, 1939 with Yuba Consolidated Gold Fields relating to dredging the northeasterly portion of the above described lands.

(3) Claim the rights above set forth in said Proof No. 29 are equal in priority and correlative in right with 74.0 cubic feet per second allocated from said source by said decree.

(4) Claim prescription for said amounts of water as against all claimants from Butte Creek below Durham Colony.

(5) The rights above set forth in said Proof No. 29 are to supply the water claimed in Proof No. 25 as hereinafter set forth under the name of Yuba Consolidated Gold Fields.

J. H. LUCAS, 229 Orient St., Chico, California.

PROOF No. 57.

Claims water from Lomo Springs through the Lomo Springs Ditch and Pipe (Diversion 67, Division of Water Resources Map) as follows:

(a) By appropriation.

0.25 cubic foot per second - priority May 1, 1879 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.15 cubic foot per second - priority May 1, 1879 during the period from May 1 to October 15 of each year for irrigation purposes. Claims that construction was commenced May 1, 1879, and completed May 1, 1880; and that the water claimed has been applied to beneficial use since May 1, 1880 on the following described land:

2.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T 25 N, R 3 E, M.D.B.& M.
2.0 acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use

as are set forth under (a) above for use on all the riparian lands of claimant described as follows:

40.0 acres in W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 11, T 25 N, R 3 E, M.D.B.& M.
37.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T 25 N, R 3 E, M.D.B.& M.
77.0 acres - Total

Claims that said lands are contiguous to Lomo Spring Channel and that the first valid step to withdraw the same from the public domain is unknown to claimant.

Remarks.

Claims prescription for said amounts of water from Lomo Springs as against all claimants in the Butte Creek stream system.

J. H. LUCAS, G. W. LUCAS, AND C. F. LUCAS, c/o J. H. Lucas, 229 Orient St., Chico, California.

PROOF No. 53.

Claim water from Butte Creek through the Lucas Ditch (Diversion 36A, Division of Water Resources Map) as follows:

(a) By appropriation.

0.20 cubic foot per second - priority October 21, 1876 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.50 cubic foot per second - priority October 21, 1876 during the period from May 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced October 21, 1876, and completed May 1, 1877; and that the water claimed has been applied to beneficial use since May 1, 1877 for said purposes on the following described lands:

15.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B.& M.
10.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B.& M.
5.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B.& M.
30.0 acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Butte Creek and that the first valid steps to withdraw the same

from the public domain were taken for parcels embracing said lands on October 21, 1876 and November 19, 1878.

Remarks.

Claim the rights above set forth in said Proof No. 53 are superior in priority and in right to all other rights in the Butte Creek stream system both by prior appropriation and by prescription.

PROOF No. 54.

Claim water from Lucas Springs and McGann Springs through the Lucas Springs and McGann Springs Spreading Dams (Divisions 9 and 9A, Division of Water Resources Map) as follows:

(a) By appropriation.

0.20 cubic foot per second - priority October 21, 1876 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.60 cubic foot per second - priority October 21, 1876 during the period from May 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced October 21, 1876, and completed May 1, 1877; and that the water claimed has been applied to beneficial use since May 1, 1877 on the following described lands:

9.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B.& M.
2.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B.& M.
6.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B.& M.
6.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B.& M.
4.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B.& M.
4.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B.& M.
<u>32.9</u> acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Lucas Springs and McGann Springs and that the first valid steps to withdraw the same from the public domain were taken for parcels embracing said lands on October 21, 1876 and November 19, 1878.

Remarks.

Claim the rights above set forth in said Proof No. 54 are

superior in priority and in right to all other rights in the Butte Creek stream system both by appropriation and by prescription.

J. H. LUCAS AND ESTATE OF WILLIAM JOHNSON, deceased, c/o J. H. Lucas, 229 Orient St., Chico, California.

PROOF No. 52.

Claim water from Willow Creek and springs tributary thereto in the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12, T 26 N, R 4 E, M.D.B.& M., through the Willow Creek System (Diversion 5A, Division of Water Resources Map) as follows:

(a) By appropriation.

0.25 cubic foot per second - priority August 17, 1905 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.35 cubic foot per second - priority August 17, 1905 during the period from May 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced August 17, 1905, and completed May 1, 1906; and that the water claimed has been applied to beneficial use since May 1, 1906 for said purposes on the following described lands:

30.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T 26 N, R 4 E, M.D.B.& M.
10.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T 26 N, R 4 E, M.D.B.& M.
<u>40.0</u> acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above for use on all the riparian lands of claimants described as follows:

40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T 26 N, R 4 E, M.D.B.& M.
20.0 acres in S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T 26 N, R 4 E, M.D.B.& M.
10.0 acres in S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T 26 N, R 4 E, M.D.B.& M.
<u>70.0</u> acres - Total

Claim that said lands are contiguous to Willow Creek and Spring Channel and that the time of the first valid step to withdraw the same from the public domain, as Swamp and Overflow Land, is unknown to claimants.

Remarks.

Prescription is claimed for said amounts of water from said sources as against all down-stream claimants in the Butte Creek stream system.

PROOF No. 55.

Claim water from Jones Creek through the Lucas-Jones Ditch (Diversion 5, Division of Water Resources Map) as follows:

(a) By appropriation.

0.20 cubic foot per second - priority August 17, 1905 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.50 cubic foot per second - priority August 17, 1905 during the period from May 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced August 17, 1905, and completed May 1, 1906; and that the water claimed has been applied to beneficial use since May 1, 1906 for said purposes on the following described lands:

20.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B.& M.
17.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T 26 N, R 4 E, M.D.B.& M.
38.3 acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Jones Creek and that the first valid step to withdraw the same from the public domain was taken on August 17, 1905.

Remarks.

Prescription is claimed for said amounts of water as against all down-stream claimants in the Butte Creek stream system.

PROOF No. 56.

Claim water from Colby Creek and tributary springs rising on lands of claimants as hereinafter described in said Proof No. 56, through the Colby Creek System (Diversion 5B, Division of Water

Resources Map) by riparian right as follows:

0.50 cubic foot per second during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

1.50 cubic feet per second during the period from May 1 to October 15 of each year for irrigation purposes on the following described lands:

3.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T 26 N, R 4 E, M.D.B.& M.
12.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T 26 N, R 4 E, M.D.B.& M.
20.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T 26 N, R 4 E, M.D.B.& M.
10.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 26 N, R 4 E, M.D.B.& M.
22.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T 26 N, R 4 E, M.D.B.& M.
8.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T 26 N, R 4 E, M.D.B.& M.
14.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T 26 N, R 4 E, M.D.B.& M.
6.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T 26 N, R 4 E, M.D.B.& M.
6.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T 26 N, R 4 E, M.D.B.& M.
24.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T 26 N, R 4 E, M.D.B.& M.
20.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T 26 N, R 4 E, M.D.B.& M.
5.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T 26 N, R 4 E, M.D.B.& M.
150.0 acres - Total

Claim that said lands are contiguous to Colby Creek and tributary springs and that the time of the first valid step to withdraw the same from the public domain, as Swamp and Overflow Land, is unknown to claimants.

Remarks.

Claim a right as a riparian owner to improve the irrigation system from time to time to effectively use water for said purposes on the above described lands.

M. & T. INCORPORATED, 353 Sacramento St., San Francisco, California.

PROOF No. 99.

Claims water from Butte Creek through the Parrott Ditch (Diversion 50, Division of Water Resources Map) by appropriation as follows:

5.00 cubic feet per second - priority February 27, 1936 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

45.00 cubic feet per second - priority February 27, 1936

during the period from April 1 to October 15 of each year for irrigation purposes. Claims that construction was commenced and completed prior to 1912; that Application No. 8565 was filed February 27, 1936, that Permit No. 4744 has been issued thereon, and that Application No. 9735 was filed September 23, 1939, all in accordance with the provisions of the Water Commission Act; and that the water claimed has been applied to beneficial use since 1928 for said purposes on the following described lands:

17.0 acres in Section 6, T 21 N, R 1 E, M.D.B.& M.
127.5 acres in Section 7, T 21 N, R 1 E, M.D.B.& M.
173.0 acres in Section 18, T 21 N, R 1 E, M.D.B.& M.
320.0 acres in Section 19, T 21 N, R 1 E, M.D.B.& M.
14.5 acres in Section 30, T 21 N, R 1 E, M.D.B.& M.
0.7 acre in Section 1, T 21 N, R 1 W, M.D.B.& M.
481.4 acres in Section 12, T 21 N, R 1 W, M.D.B.& M.
380.4 acres in Section 13, T 21 N, R 1 W, M.D.B.& M.
290.0 acres in Section 24, T 21 N, R 1 W, M.D.B.& M.
193.0 acres in Section 25, T 21 N, R 1 W, M.D.B.& M.
1997.5 acres - Total (All in Rancho de Farwell)
(Section lines have been projected)

Remarks.

- (1) Claims that the right above set forth is in the process of consummation under the provisions of the Water Commission Act, and that the ultimate irrigable acreage will be 3620 acres.
- (2) Claims the continuous flow equivalent of the rights above set forth in said Proof No. 99 is 25.0 cubic feet per second because water is ordinarily available for about one-half the irrigation season, and that the maximum rate of diversion is 50.0 cubic feet per second for one-half the time between April 1 and October 15, whenever water is available, and 5.00 cubic feet per second for the remainder of the year.
- (3) Claims prescription for said amounts of water as against all claimants from Butte Creek below the Parrott Dam.
- (4) Claims to have used since 1928 a major portion of the 24.0 cubic feet per second not otherwise allotted by judgment in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920, and other waters allotted by said judgment but subsequently abandoned.

PROOF No. 100

Claims water from the foreign water delivered into Butte Creek from West Branch of Feather River by Pacific Gas and Electric Company by rediversion through the Parrott Ditch (Diversion 50, Division of Water Resources Map) by appropriation as follows:

one-half of the entire flow delivered, except 3.33 cubic feet per second-priority prior to May 25, 1920

during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claims that construction was commenced and completed prior to the initiation of said right; that Application Nos. 5109 and 8188 were respectively filed July 1, 1926 and December 1, 1934, and that Permit Nos. 3210 and 4700, respectively, have been issued thereon, all in accordance with the provisions of the Water Commission Act; and that the water claimed has been applied to beneficial use since prior to May 25, 1920 as a supplemental supply on the lands of claimant hereinbefore described under Proof No. 99.

Remarks.

- (1) Claimant refers to the judgments and decrees in the cases of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920, and James D. Phelan, et al., v. El Oro Dredging Company, et al., Superior Court, Butte County, entered in March, 1931, as the bases of the right above set forth in said Proof No. 100.
- (2) Claims a right to use said amount of water on 3620 acres of claimant in Rancho de Farwell.
- (3) Claims a right to at all times, when Parrott Investment Company is not taking and using the remaining one-half of said foreign water delivered into Butte Creek, except 3.33 cubic feet per second, to divert and use such water not so taken by said Parrott Investment Company, in addition to the one-half owned by claimant.
- (4) Claims that said foreign water is subject to a five per cent deduction for transportation losses.

JOHN J. MAHAN AND WILLIAM J. DOYLE, c/o John J. Mahan, 424 - 8th St.,
Sacramento, California.

PROOF No. 38.

Claim water from Cirby Creek, through the Cirby Ditches
(Diversion 6, Division of Water Resources Map) as follows:

(a) By appropriation.

0.20 cubic foot per second - priority June 26, 1885
during the period from January 1 to December 31 of each year for
domestic and stock-watering purposes, and

0.30 cubic foot per second - priority June 26, 1885
during the period from May 1 to October 1 of each year for irrigation
purposes. Claim that construction was commenced June 26, 1885, and
completed August 1, 1885; and that the water claimed has been applied
to beneficial use since August 1, 1885 for said purposes on the follow-
ing described lands:

14.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, T 26 N, R 5 E, M.D.B.& M.
6.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, T 26 N, R 5 E, M.D.B.& M.
21.3 acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of
use as are set forth under (a) above. Claim that said lands are
contiguous to Cirby Creek and that the first valid step to withdraw
the same from the public domain was taken on June 26, 1885.

Remarks.

Claim prescription for said amounts of water as against all
claimants in the Butte Creek stream system.

ELSIE HUME MANN, c/o DeSabra Stage, Chico, California.

PROOF No. 62.

Claims water from Mann Spring through the Mann Spring Pipe
Line (Diversion 35, Division of Water Resources Map) as follows:

(a) By appropriation.

0.01 cubic foot per second - priority March 1, 1900
during the period from January 1 to December 31 of each year for

domestic and stock-watering purposes, and

0.01 cubic foot per second - priority March 1, 1900
during the period from April 1 to October 15 of each year for irri-
gation purposes. Claims that construction was commenced on March 1,
1900, and completed May 1, 1900; and that the water claimed has been
applied to beneficial use since May 1, 1900 for said purposes on the
following described land:

1.0 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 22 N, R 3 E, M.D.B.& M.
1.0 acre - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of
use as are set forth in (a) above. Claims that said land is con-
tiguous to Mann Spring and that the first valid step to withdraw the
same from the public domain was taken February 1, 1884.

Remarks.

Claims prescription for said amounts of water as against all
claimants in the Butte Creek stream system.

H. D. MARCH AND HENRIETTA MARCH, P.O. Box 524, Chico, California.

PROOF No. 14.

Claim water from Little Butte Creek through the Burke Ditch
(Diversion 31, Division of Water Resources Map) as follows:

(a) By appropriation.

1.33 cubic feet per second - priority September 1, 1879
during the period from March 15 to November 1 of each year for irri-
gation purposes. Claim that construction was commenced September 1,
1879 and completed February 1, 1883; that a notice of appropriation
was posted February 6, 1883, and recorded February 7, 1883 in Book
"C" Mining and Water Claims, page 99, Records of Butte County; and
that the water claimed has been applied to beneficial use for said
purposes since March 15, 1883 on the following described lands:

5.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 22 N, R 3 E, M.D.B.& M.
8.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, T 22 N, R 3 E, M.D.B.& M.
14.4 acres - Total

(b) By riparian right.

The same amount of water, season of use and purpose of use as are set forth under (a) above. Claim that said lands are contiguous to Little Butte Creek and that the first valid step to withdraw the same from the public domain was taken February 1, 1884.

Remarks.

(1) Claimants refer to judgment and decree in the case of William Burke v. Ann J. Burke, et al., No. 2378, Superior Court, Butte County, entered December 1, 1892.

(2) Claim a one-third interest in the Burke Ditch and that under the above mentioned decree claimants are entitled to receive full flow in the Burke Ditch of 4.00 cubic feet per second on Wednesday and Thursday of each week and one-third flow in said ditch or 1.33 cubic feet per second on Sunday of each week.

(3) Claim prescription for said amount of water as against all claimants in the Butte Creek stream system below the head of the Burke Ditch.

FANNIE M. McENESPY, 271 East 8th St., Chico, California.

PROOF No. 19.

Claims water from Honey Run Creek through the McEnespy North and McEnespy Main Ditches (Divisions 33 and 34, Division of Water Resources Map) as follows:

(a) By appropriation.

0.40 cubic foot per second - priority June 24, 1882 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.60 cubic foot per second - priority June 24, 1882 during the period from April 1 to October 15 of each year for irrigation purposes. Claims that construction was commenced June 24, 1882 and completed April 1, 1883; and that the water claimed has been applied to beneficial use since April 1, 1883 for said purposes on

the following described lands:

1.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, T 22 N, R 3 E, M.D.B.& M.
14.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, T 22 N, R 3 E, M.D.B.& M.
7.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, T 22 N, R 3 E, M.D.B.& M.
6.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, T 22 N, R 3 E, M.D.B.& M.
<u>30.1</u> acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth in (a) above. Claims that said lands are contiguous to Honey Run Creek and that the first valid steps to withdraw the same from the public domain were taken June 24, 1882 and June 19, 1884, respectively.

Remarks.

Claims prescription for said amounts of water as against all claimants in the Butte Creek stream system.

PROOF No. 68.

Claims water from McEnespy Spring through McEnespy Pipe (Diversion 34A, Division of Water Resources Map) as follows:

(a) By appropriation.

0.02 cubic foot per second - priority June 24, 1882 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.08 cubic foot per second - priority June 24, 1882 during the period from April 1 to October 15 of each year for irrigation purposes as a supplemental supply on that portion of the lands of claimant hereinbefore set forth under Proof No. 19, described as follows:

1.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, T 22 N, R 3 E, M.D.B.& M.
14.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, T 22 N, R 3 E, M.D.B.& M.
<u>16.0</u> acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above for use on all of the riparian lands of claimant described as follows:

80.0 acres in $N\frac{1}{2}$ SW $\frac{1}{4}$ of Section 20, T 22 N, R 3 E, M.D.B.& M.
80.0 acres in $S\frac{1}{2}$ NW $\frac{1}{4}$ of Section 20, T 22 N, R 3 E, M.D.B.& M.
160.0 acres - Total

• Claims that said lands are contiguous to McEnespy Spring and that the first valid step to withdraw the same from the public domain was taken June 24, 1882.

Remarks.

Claims the rights above set forth in said Proof No. 68 are superior in priority and right to all other rights in Butte Creek stream system, both under the paramount right of an upper riparian proprietor for domestic purposes and by virtue of prescription.

W. J. McGANN AND ELIZABETH T. CUSSICK, c/o P. M. Barceloux, Attorney at Law, 341 Broadway, Chico, California.

PROOF No. 41.

Claim water from McGann Springs through the McGann Springs System (Diversion 9A, Division of Water Resources Map) as follows:

(a) By appropriation.

0.20 cubic foot per second - priority prior to 1870 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.80 cubic foot per second - priority prior to 1870 during the period from May 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced and completed prior to 1870; and that the water claimed has been applied to beneficial use since prior to 1870 on the following described lands:

* 4.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B.& M.
* 4.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B.& M.
2.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T 26 N, R 4 E, M.D.B.& M.
23.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T 26 N, R 4 E, M.D.B.& M.
17.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T 26 N, R 4 E, M.D.B.& M.
14.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T 26 N, R 4 E, M.D.B.& M.
0.8 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T 26 N, R 4 E, M.D.B.& M.
66.8 acres - Total (*Denotes land on Lucas Ranch, which is also included in Proof No. 54)

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are con-

tiguous to McGann Springs and that the time of the first valid step to withdraw the same from the public domain is unknown to claimants.
Remarks.

Claim the rights above set forth in said Proof No. 41 are superior in priority and in right to all other rights in the Butte Creek stream system both by prior appropriation and by virtue of prescription.

PROOF No. 42.

Claim water from Butte Creek through the Davis Ditch (Diversion 36, Division of Water Resources Map) as follows:

(a) By appropriation.

0.25 cubic foot per second - priority prior to 1870 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.10 cubic foot per second - priority prior to 1870 during the period from May 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced and completed prior to 1870; and that the water claimed has been applied to beneficial use since prior to 1870 on the following described lands:

0.6 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T 26 N, R 4 E, M.D.B.& M.
0.9 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B.& M.
1.5 acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above for use on all the riparian lands of claimants described as follows:

160.0 acres in NE $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B.& M.
40.0 acres in W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 28, T 26 N, R 4 E, M.D.B.& M.
200.0 acres - Total

Claim that said lands are contiguous to Butte Creek and that the time of the first valid step to withdraw the same from the public domain is unknown to claimants.

Remarks.

(1) Claim the rights above set forth in said Proof No. 42

are superior in priority and in right to all other rights in the Butte Creek stream system both by prior appropriation and by virtue of prescription.

(2) Claim a right to divert an additional 0.50 cubic foot per second to provide a fresh supply of domestic water, said additional water to be spilled into the Thomas Ditch and returned to Butte Creek within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B. & M.

GEORGE E. McLAIN, P.O. Box 134, Chico, California.

PROOF No. 11.

Claims water from Butte Creek through the Parrott Ditch and Crouch Lateral (Diversion 50, Division of Water Resources Map) by appropriation as follows:

0.05 cubic foot per second (measured at place of use) -
priority prior to 1914

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.05 cubic foot per second (measured at place of use) -
priority prior to 1914

during the period from April 1 to October 15 of each year for irrigation purposes. Claims that construction was commenced and completed prior to 1914, and that the water claimed has been applied to beneficial use since prior to 1914 for said purposes on the following described land:

6.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T 22 N, R 2 E, M.D.B. & M.
6.0 acres - Total

Remarks.

Claims to be successor to a portion of the right allocated to Ben E. Crouch by judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

GEORGE E. McLAIN AND C. J. McLAIN, P.O. Box 134, Chico, California.

PROOF No. 12.

Claim water from Little Butte Creek through the McLain Ditch (Diversion 32, Division of Water Resources Map) as follows:

(a) By appropriation.

0.10 cubic foot per second - priority January 1, 1878 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

3.00 cubic feet per second - priority January 1, 1878 during the period from April 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced January 1, 1878, and completed prior to January 24, 1878; and that the water claimed has been applied to beneficial use since April 1, 1880 for said purposes on the following described lands:

0.4 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, T 22 N, R 2 E, M.D.B. & M.
8.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, T 22 N, R 2 E, M.D.B. & M.
6.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, T 22 N, R 2 E, M.D.B. & M.
1.9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T 22 N, R 2 E, M.D.B. & M.
17.1 acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Little Butte Creek and that the first valid step to withdraw the same from the public domain was taken January 24, 1880.

Remarks.

(1) Claim that the rights herein set forth in said Proof No. 12 are equal in priority and correlative in right with all rights on Little Butte Creek below the Magalia Reservoir.

(2) Claim prescription for said amounts of water as against all claimants to water from the Butte Creek stream system below the confluence of Butte Creek and Little Butte Creek.

L. H. McLAIN AND C. J. McLAIN, Magalia, California.

PROOF No. 2.

Claim water from West Branch of Butte Creek through the Butte Bell and McLain Sluice Ditches (Diversions 45A and 45B, Division of Water Resources Map) as follows:

(a) By appropriation.

0.10 cubic foot per second - priority April 1, 1905 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.90 cubic foot per second - priority April 1, 1905 during the period from January 1 to December 31 of each year for mining purposes. Claim that construction was commenced April 1, 1905 and completed April 1, 1906; and that the water claimed has been applied to beneficial use since April 1, 1906 for said purposes on the following described land:

NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, T 24 N, R 3 E, M.D.B. & M.

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to the West Branch of Little Butte Creek and that the first valid step to withdraw the same from the public domain was taken February 9, 1875.

Remarks.

(1) Claim that the mine served is a placer drift and that the methods of utilizing the water claimed herein are Pelton power wheel and sluicing.

(2) Claim that the water used under rights set forth above, except for the amount consumed for domestic and stock-watering purposes and the quantity necessarily lost in transportation is returned to the natural channel of the West Branch of Little Butte Creek at a point within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, T 24 N, R 3 E, M.D.B. & M., and above Diversion 46 (Division of Water Resources Map).

B. A. MERRIFIELD AND ELIZABETH C. MERRIFIELD, P.O. Box 57, Durham, California.

PROOF No. 104.

Claim water from Butte Creek through the Merrifield Pump (Diversion 59A, Division of Water Resources Map) by riparian right as follows:

0.25 cubic foot per second

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

1.00 cubic foot per second

during the period from April 1 to October 15 of each year for irrigation purposes. Claim said amounts of water for use for said purposes on the following described land:

50.5 acres in north part of Lot 35A of Durham State Land Settlement.
50.5 acres - Total

Claim that said land is contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claim that land of claimants was served by Colony Lower Ditch (Diversion 59, Division of Water Resources Map) prior to 1937.

(2) Claim that the rights hereinabove set forth are equal in priority and correlative in right with the rights to 78.0 cubic feet per second allocated from the natural flow of Butte Creek to upstream claimants by the judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

F. K. MICKEY AND J. H. MINDERMANN, P.O. Box 943, Chico, California.

PROOF No. 17.

Claim water from Jones Creek and Mickey-Mindermann Spring through the Mickey and Mickey-Mindermann Ditches and the Mickey-Mindermann Pipeline (Diversions 3, 4 and 2, respectively, Division

of Water Resources Map) as follows:

(a) By appropriation.

0.80 cubic foot per second - priority prior to January 16, 1884 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.77 cubic foot per second - priority prior to January 16, 1884 during the period from May 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced prior to January 16, 1884 and completed prior to May 1, 1884; and that the water claimed has been applied to beneficial use since prior to May 1, 1884 for said purposes on the following described lands:

19.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B.& M.
*10.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B.& M.
29.4 acres - Total (*10.2 acres in Lassen National Forest under lease by claimants).

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above for use on all the riparian lands of claimants described as follows:

40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B.& M.
40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B.& M.
35 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B.& M.
115 acres - Total

Claim that said lands are contiguous to Jones Creek and Mickey-Minderman Spring and that the first valid step to withdraw the same from the public domain was taken January 16, 1884.

Remarks.

- (1) Claims that domestic water for cabin sites is used on all of the riparian land described under (b) above.
- (2) Claim prescription for said amounts of water as against all down-stream rights in the Butte Creek stream system.

MERRITT MUSSELMAN AND FLORENCE V. MUSSELMAN, Stirling City, California.

PROOF No. 106.

Claim water from Musselman Springs through the ditches leading from said springs as follows:

(a) By appropriation.

0.05 cubic foot per second - priority June 1, 1875 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.05 cubic foot per second - priority June 1, 1875 during the period from January 1 to December 31 of each year for irrigation purposes. Claim that construction was commenced June 1, 1875 and completed July 1, 1875; and that the water claimed has been applied to beneficial use since July 1, 1875 for said purposes on the following described land:

2.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 23 N, R 4 E, M.D.B.& M.
2.0 acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above for use on all the riparian lands of claimants described as follows:

40.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 23 N, R 4 E, M.D.B.& M.
40.0 acres - Total

Claim that said land is contiguous to Musselman Springs and that the first valid step to withdraw the same from the public domain was taken June 26, 1880.

Remarks.

- (1) Claims the right to said amounts of water is superior in priority and in right to all other rights in the Butte Creek stream system for three reasons as follows:
 - (a) As a prior appropriator dated back to June 1, 1875,
 - (b) Under the paramount right of an upper riparian owner to the use of water for domestic and stock-watering purposes, and
 - (c) As an adverse user for more than the statutory period of five years.

PACIFIC GAS AND ELECTRIC COMPANY, San Francisco, California.

PROOF No. 90.

Claims water from Butte Creek through the Centerville Canal (Diversion 47, Division of Water Resources Map) by appropriation as follows:

0.50 cubic foot per second - priority August 30, 1897 during the period from January 1 to December 31 of each year for domestic purposes, and

60.00 cubic feet per second - priority June 17, 1875
59.50 cubic feet per second - priority August 30, 1897
60.00 cubic feet per second - priority September 29, 1903

during the period from January 1 to December 31 of each year for the generation of electrical energy. Claims that notices of appropriation were posted June 17, 1875, August 30, 1897 and September 29, 1903; that said notices were respectively recorded in the Records of Butte County, June 28, 1875, in Book "B" of Mining and Water Appropriations Claims at page 197, October 25, 1897, in Book "E" of Mining and Water Claims at page 528, and September 30, 1903, in Liber "I" of Mining and Water Claims at page 342; that construction was commenced in 1899 and completed in May 1900; that the water claimed has been applied to beneficial use since May 1900 for said purposes at the Centerville Power Plant in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 22 N, R 3 E, M.D.B. & M.; and that the water claimed, except the amount consumed for domestic use and the quantity that is necessarily lost in transportation, is returned to the natural channel of Butte Creek at a point within the said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5.

Remarks.

(1) Claims, in addition to the amounts of water set forth under (a) above, the right to divert the entire flow of Helltown Ravine up to the available capacity of the Centerville Canal at the junction of said ravine and said canal. Claims that all of the useful flow of said ravine at said point has been diverted into said canal since the year 1900.

(2) Claimant has submitted photostat drawings Nos. 30725, 30726 and 30727 with Proof No. 90 and claims that the exact locations of the works described in said proof are shown thereon, rather than on the Division of Water Resources Map.

PROOF No. 91.

Claims water from Butte Creek through the Butte Creek Canal (Diversion 45, Division of Water Resources Map) by appropriation as follows:

1.50 cubic feet per second - priority November 1, 1871 during the period from January 1 to December 31 of each year for domestic use, and

48.50 cubic feet per second - priority November 1, 1871
40.00 cubic feet per second - priority September 29, 1903

during the period from January 1 to December 31 of each year for the generation of electrical energy. Claims that notices of appropriation were posted on November 1, 1871 and September 28, 1903; that said notices were respectively recorded in the Records of Butte County, November 2, 1871, in Book "A" of Mining and Water Appropriations Claims at page 711, and September 30, 1903 in Book "I" of Mining and Water Appropriations Claims at page 344; that construction was commenced in 1871 and completed in 1872; that construction on the enlargement of the works was commenced in 1902 and completed in October 1903; that the water claimed has been applied to beneficial use since October 10, 1903 for said purposes at the DeSabra Power Plant in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T 23 N, R 3 E, M.D.B. & M., and that the water claimed, except the amount consumed for domestic use and the quantity necessarily lost in transportation, is returned to the natural channel of Butte Creek at a point within the said NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10.

Remarks.

(1) Claims, in addition to the amounts of water set forth under (a) above, the right to divert the seasonal flow of three side

streams, up to the capacity of their respective diversion conduits, which feed the Butte Creek Canal, as follows:

- (a) North Fork of Stevens Creek by means of a flume 3.0 feet wide by 3.0 feet deep,
- (b) South Fork of Stevens Creek by means of a flume 1.5 feet wide by 1.5 feet deep, and
- (c) Clear Creek by means of a flume 3.0 feet wide by 3.0 feet deep.

(2) Claimant has submitted photostat drawings Nos. 30715, 30716 and 30717 with Proof No. 91 and claims that the exact locations of the works described in said proof are shown thereon, rather than on the Division of Water Resources Map.

PARADISE IRRIGATION DISTRICT, c/o D. C. Peck, Secretary, Paradise, California.

PROOF No. 44.

Claims water from Little Butte Creek through the Magalia and Princess Reservoirs and the Nickerson Ditch (Divisions 22 and 23, Division of Water Resources Map) as follows:

(a) By appropriation.

8.00 cubic feet per second - priority prior to 1900 during the period from January 1 to December 31 of each year for irrigation purposes,

4148 acre-feet per annum - priority July 31, 1915, and 9500 acre-feet per annum - priority September 21, 1916

to be collected during the period from November 1 of each year to May 1 of the succeeding year and later applied to beneficial use for irrigation purposes. Claims that Application Nos. 92 and 476 were respectively filed July 31, 1915 and September 21, 1916, and that Permit Nos. 271 and 2326, respectively, have been issued thereon, all in accordance with the provisions of the Water Commission Act; that construction was commenced and completed on the Nickerson Ditch prior to 1900; that construction was commenced on the Magalia Reservoir June 1, 1917 and has been partially completed to store 3400 acre-feet

per annum; and that said direct diversion of 8.00 cubic feet per second and 3400 acre-feet per annum have been applied to beneficial use for said purposes on the following described lands:

1.0 acre	in SE $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 36,	T 23 N,	R 3 E,	M.D.B.& M.
25.4 acres	in NE $\frac{1}{4}$	NE $\frac{1}{4}$	of Section 1,	T 22 N,	R 3 E,	M.D.B.& M.
31.5 acres	in SE $\frac{1}{4}$	NE $\frac{1}{4}$	of Section 1,	T 22 N,	R 3 E,	M.D.B.& M.
2.5 acres	in SW $\frac{1}{4}$	NE $\frac{1}{4}$	of Section 1,	T 22 N,	R 3 E,	M.D.B.& M.
3.5 acres	in NW $\frac{1}{4}$	NE $\frac{1}{4}$	of Section 1,	T 22 N,	R 3 E,	M.D.B.& M.
22.4 acres	in NE $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 1,	T 22 N,	R 3 E,	M.D.B.& M.
9.4 acres	in SE $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 1,	T 22 N,	R 3 E,	M.D.B.& M.
25.5 acres	in SW $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 1,	T 22 N,	R 3 E,	M.D.B.& M.
18.6 acres	in NW $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 1,	T 22 N,	R 3 E,	M.D.B.& M.
5.9 acres	in NE $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 1,	T 22 N,	R 3 E,	M.D.B.& M.
2.6 acres	in SE $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 1,	T 22 N,	R 3 E,	M.D.B.& M.
13.6 acres	in SW $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 1,	T 22 N,	R 3 E,	M.D.B.& M.
7.7 acres	in NE $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 6,	T 22 N,	R 4 E,	M.D.B.& M.
23.2 acres	in SE $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 6,	T 22 N,	R 4 E,	M.D.B.& M.
26.3 acres	in SW $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 6,	T 22 N,	R 4 E,	M.D.B.& M.
27.2 acres	in NW $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 6,	T 22 N,	R 4 E,	M.D.B.& M.
17.0 acres	in SW $\frac{1}{4}$	NW $\frac{1}{4}$	of Section 6,	T 22 N,	R 4 E,	M.D.B.& M.
8.5 acres	in NW $\frac{1}{4}$	NW $\frac{1}{4}$	of Section 6,	T 22 N,	R 4 E,	M.D.B.& M.
17.9 acres	in SE $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 7,	T 22 N,	R 4 E,	M.D.B.& M.
23.8 acres	in SW $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 7,	T 22 N,	R 4 E,	M.D.B.& M.
2.6 acres	in NE $\frac{1}{4}$	NW $\frac{1}{4}$	of Section 7,	T 22 N,	R 4 E,	M.D.B.& M.
21.3 acres	in SE $\frac{1}{4}$	NW $\frac{1}{4}$	of Section 7,	T 22 N,	R 4 E,	M.D.B.& M.
28.1 acres	in SW $\frac{1}{4}$	NW $\frac{1}{4}$	of Section 7,	T 22 N,	R 4 E,	M.D.B.& M.
40.0 acres	in NW $\frac{1}{4}$	NW $\frac{1}{4}$	of Section 7,	T 22 N,	R 4 E,	M.D.B.& M.
8.5 acres	in NE $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 18,	T 22 N,	R 4 E,	M.D.B.& M.
2.1 acres	in NE $\frac{1}{4}$	NW $\frac{1}{4}$	of Section 18,	T 22 N,	R 4 E,	M.D.B.& M.
4.2 acres	in SE $\frac{1}{4}$	NW $\frac{1}{4}$	of Section 18,	T 22 N,	R 4 E,	M.D.B.& M.
1.0 acre	in SW $\frac{1}{4}$	NW $\frac{1}{4}$	of Section 18,	T 22 N,	R 4 E,	M.D.B.& M.
6.4 acres	in NW $\frac{1}{4}$	NW $\frac{1}{4}$	of Section 18,	T 22 N,	R 4 E,	M.D.B.& M.
3.0 acres	in SW $\frac{1}{4}$	NE $\frac{1}{4}$	of Section 10,	T 22 N,	R 3 E,	M.D.B.& M.
2.3 acres	in NE $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 10,	T 22 N,	R 3 E,	M.D.B.& M.
22.1 acres	in SE $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 10,	T 22 N,	R 3 E,	M.D.B.& M.
17.3 acres	in SW $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 10,	T 22 N,	R 3 E,	M.D.B.& M.
4.0 acres	in NW $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 10,	T 22 N,	R 3 E,	M.D.B.& M.
13.6 acres	in NE $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 10,	T 22 N,	R 3 E,	M.D.B.& M.
25.5 acres	in SE $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 10,	T 22 N,	R 3 E,	M.D.B.& M.
16.2 acres	in SW $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 10,	T 22 N,	R 3 E,	M.D.B.& M.
23.0 acres	in NE $\frac{1}{4}$	NE $\frac{1}{4}$	of Section 11,	T 22 N,	R 3 E,	M.D.B.& M.
2.0 acres	in SE $\frac{1}{4}$	NE $\frac{1}{4}$	of Section 11,	T 22 N,	R 3 E,	M.D.B.& M.
14.5 acres	in SW $\frac{1}{4}$	NE $\frac{1}{4}$	of Section 11,	T 22 N,	R 3 E,	M.D.B.& M.
20.0 acres	in NW $\frac{1}{4}$	NE $\frac{1}{4}$	of Section 11,	T 22 N,	R 3 E,	M.D.B.& M.
3.4 acres	in NE $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 11,	T 22 N,	R 3 E,	M.D.B.& M.
10.2 acres	in SE $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 11,	T 22 N,	R 3 E,	M.D.B.& M.
6.8 acres	in SW $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 11,	T 22 N,	R 3 E,	M.D.B.& M.
2.8 acres	in NW $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 11,	T 22 N,	R 3 E,	M.D.B.& M.
4.1 acres	in SE $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 11,	T 22 N,	R 3 E,	M.D.B.& M.
9.4 acres	in SW $\frac{1}{4}$	SW $\frac{1}{4}$	of Section 11,	T 22 N,	R 3 E,	M.D.B.& M.
24.0 acres	in SE $\frac{1}{4}$	NW $\frac{1}{4}$	of Section 11,	T 22 N,	R 3 E,	M.D.B.& M.
25.5 acres	in SW $\frac{1}{4}$	NW $\frac{1}{4}$	of Section 11,	T 22 N,	R 3 E,	M.D.B.& M.
10.2 acres	in NE $\frac{1}{4}$	NE $\frac{1}{4}$	of Section 12,	T 22 N,	R 3 E,	M.D.B.& M.
40.0 acres	in SE $\frac{1}{4}$	NE $\frac{1}{4}$	of Section 12,	T 22 N,	R 3 E,	M.D.B.& M.
21.3 acres	in SW $\frac{1}{4}$	NE $\frac{1}{4}$	of Section 12,	T 22 N,	R 3 E,	M.D.B.& M.
2.1 acres	in NW $\frac{1}{4}$	NE $\frac{1}{4}$	of Section 12,	T 22 N,	R 3 E,	M.D.B.& M.
40.0 acres	in NE $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 12,	T 22 N,	R 3 E,	M.D.B.& M.
28.5 acres	in SE $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 12,	T 22 N,	R 3 E,	M.D.B.& M.
23.8 acres	in SW $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 12,	T 22 N,	R 3 E,	M.D.B.& M.
22.1 acres	in NW $\frac{1}{4}$	SE $\frac{1}{4}$	of Section 12,	T 22 N,	R 3 E,	M.D.B.& M.

Remarks.

(1) Claims prescription for 8.00 cubic feet per second (originally through the Nickerson Ditch) as against all down-stream claimants in the Butte Creek stream system.

(2) Claims that the storage rights above set forth are in the process of consummation under the provisions of the Water Commission Act, and that the ultimate irrigated acreage will be 11,000 acres, all included within the established boundaries of the Paradise Irrigation District.

PARROTT INVESTMENT COMPANY, 155 Montgomery Street, San Francisco, California.

PROOF No. 94.

Claims water from the foreign water delivered into Butte Creek from West Branch of Feather River by Pacific Gas and Electric Company by rediversion through the Parrott Ditch (Diversion 50, Division of Water Resources Map) by appropriation as follows:

one-half of the entire flow delivered, except 3.33 cubic feet per second - priority prior to May 25, 1920

during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claims that construction was commenced and completed prior to the initiation of said right; that Application Nos. 5110 and 8187 were respectively filed July 1, 1926 and December 1, 1934, and that Permit Nos. 3211 and 4699, respectively, have been issued thereon, all in accordance with the provisions of the Water Commission Act; and that the water claimed has been applied to beneficial use since prior to May 25, 1920, as a supplemental supply on the following described lands:

197.0 acres in Section 31, T 21 N, R 1 E, M.D.B.& M.
178.1 acres in Section 36, T 21 N, R 1 W, M.D.B.& M.
280.6 acres in Section 6, T 20 N, R 1 E, M.D.B.& M.
272.2 acres in Section 7, T 20 N, R 1 E, M.D.B.& M.
270.5 acres in Section 18, T 20 N, R 1 E, M.D.B.& M.
179.8 acres in Section 19, T 20 N, R 1 E, M.D.B.& M.
13.5 acres in Section 30, T 20 N, R 1 E, M.D.B.& M.
60.5 acres in Section 31, T 20 N, R 1 E, M.D.B.& M.
356.2 acres in Section 1, T 20 N, R 1 W, M.D.B.& M.

75.6 acres in Section 10, T 20 N, R 1 W, M.D.B.& M.
176.4 acres in Section 11, T 20 N, R 1 W, M.D.B.& M.
174.7 acres in Section 12, T 20 N, R 1 W, M.D.B.& M.
93.6 acres in Section 13, T 20 N, R 1 W, M.D.B.& M.
375.0 acres in Section 14, T 20 N, R 1 W, M.D.B.& M.
306.6 acres in Section 15, T 20 N, R 1 W, M.D.B.& M.
56.3 acres in Section 16, T 20 N, R 1 W, M.D.B.& M.
62.6 acres in Section 21, T 20 N, R 1 W, M.D.B.& M.
70.5 acres in Section 22, T 20 N, R 1 W, M.D.B.& M.
534.2 acres in Section 23, T 20 N, R 1 W, M.D.B.& M.
264.6 acres in Section 24, T 20 N, R 1 W, M.D.B.& M.
462.0 acres in Section 25, T 20 N, R 1 W, M.D.B.& M.
542.0 acres in Section 26, T 20 N, R 1 W, M.D.B.& M.
148.7 acres in Section 27, T 20 N, R 1 W, M.D.B.& M.
20.1 acres in Section 34, T 20 N, R 1 W, M.D.B.& M.
573.9 acres in Section 35, T 20 N, R 1 W, M.D.B.& M.
396.0 acres in Section 36, T 20 N, R 1 W, M.D.B.& M.
10.9 acres in Section 2, T 19 N, R 1 W, M.D.B.& M.
7.1 acres in Section 3, T 19 N, R 1 W, M.D.B.& M.
6159.2 acres - Total (All in Llano Seco Rancho)
(Section lines have been projected)

Remarks.

(1) Claimant refers to the judgments and decrees in the cases of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920, and James D. Phelan, et al., v. El Oro Dredging Company, et al., Superior Court, Butte County, entered in March, 1931, as the bases of the right above set forth in said Proof No. 94.

(2) Claims a right to use said amount of water on 17,427 acres of claimant in the Llano Seco Rancho.

(3) Claims a right to at all times, when M. & T. Incorporated is not taking and using the remaining one-half of said foreign water delivered into Butte Creek, except 3.33 cubic feet per second, to divert and use such water not so taken by said M. & T. Incorporated, in addition to the one-half owned by claimant.

(4) Claims that said foreign water is subject to a five per cent deduction for transportation losses.

PROOF No. 95.

Claims water from Butte Creek through the Parrott Ditch (Diversion 50, Division of Water Resources Map) by appropriation as follows:

5.00 cubic feet per second - priority February 19, 1936

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

45.00 cubic feet per second - priority February 19, 1936 during the period from April 1 to October 15 of each year for irrigation purposes. Claims that construction was commenced and completed prior to 1912; that Application No. 8559 was filed February 19, 1936, and Permit No. 4743 has been issued thereon, and that Application No. 9736 was filed September 23, 1939, all in accordance with the provisions of the Water Commission Act; and that the water claimed has been applied to beneficial use since 1928 for said purposes on the lands of claimant hereinbefore described under Proof No. 94.

Remarks.

(1) Claims that the right above set forth is in the process of consummation under the provisions of the Water Commission Act, and that the ultimate irrigable acreage will be 17,427 acres.

(2) Claims the continuous flow equivalent of the rights above set forth in said Proof No. 95 is 25.0 cubic feet per second because water is ordinarily available for about one-half the irrigation season, and that the maximum rate of diversion is 50.0 cubic feet per second for one-half the time between April 1 and October 15, whenever water is available, and 5.00 cubic feet per second for the remainder of the year.

(3) Claims prescription for said amounts of water as against all claimants from Butte Creek below the Parrott Dam.

(4) Claims to have used since 1928 a major portion of the 24.0 cubic feet per second not otherwise allotted by judgment in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920, and other waters allotted by said judgment but subsequently abandoned.

PROOF No. 96.

Claims water from Butte Creek through the Colony Upper Ditch (Diversion 56, Division of Water Resources Map) as follows:

(a) By appropriation.

0.50 cubic foot per second - priority prior to 1914 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

1.50 cubic feet per second - priority prior to 1914 during the period from April 1 to October 15 of each year for irrigation purposes. Claims that construction was commenced and completed prior to 1914; and that the water has been applied to beneficial use since prior to 1914 for said purposes on the following described lands:

119.0 acres in Section 8, T 21 N, R 2 E, M.D.B.& M.
83.5 acres in Section 17, T 21 N, R 2 E, M.D.B.& M.
8.5 acres in Section 16, T 21 N, R 2 E, M.D.B.& M.
211.0 acres - Total (All in Rancho Esquon)
(Section lines have been projected)

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claims the rights above set forth in said Proof No. 96 are equal in priority and correlative in right with 76.0 cubic feet per second allocated from said source to Durham Colony and other users above said colony by the decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claims prescription for said amounts of water as against all claimants from Butte Creek below the Durham Colony.

ROY L. PEARSON, ORVAL L. PEARSON, EUNICE A. CARTWRIGHT AND MILDRED LAUGHLIN, c/o Roy L. Pearson, 1057 Hazel Street, Chico, California.

PROOF No. 69.

Claim water from Hupp Springs (including Sawmill, Cantwell, Goat Ranch and Doolittle Springs) through the Hupp Ditch (Diversion No. 25, Division of Water Resources Map) by appropriation as follows:

0.05 cubic foot per second (measured at place of use) -
priority March 1, 1891

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.05 cubic foot per second (measured at place of use) -
priority March 1, 1891

during the period from April 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced March 1, 1891, and completed May 1, 1894; and that the water claimed has been applied to beneficial use since May 1, 1894 for said purposes on the following described land:

$\frac{3.0}{3.0}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T 23 N, R 3 E, M.D.B.& M.
3.0 acres - Total

Remarks.

Claim prescription for said amounts of water as against all claimants in the Butte Creek stream system, except A. P. Kundert and F. E. Whitlock.

JACK L. POST, Park Hotel, Chico, California.

PROOF No. 23.

Claims water from Little Butte Creek and tributaries through the Mineral Slide (La Monte) Ditch (Diversion 28, Division of Water Resources Map) as follows:

(a) By appropriation.

0.10 cubic foot per second - priority July 3, 1934

for domestic and stock-watering purposes, and

12.90 cubic feet per second - priority July 3, 1934

for mining purposes, during the period from January 1 to December 31

of each year. Claims that Application No. 8006 was filed July 3, 1934, and that Permit No. 4662 has been issued thereon, all in accordance with the provisions of the Water Commission Act; that construction was commenced July 3, 1934, and completed June 1, 1936; and that 6.50 cubic feet per second of water has been applied to beneficial use since March 1, 1936 for said purposes on the Mineral Slide Mine located on the following described land:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above for use on all the riparian lands of claimant described as follows:

NW $\frac{1}{4}$ of Section 10, T 22 N, R 3 E, M.D.B.& M.
NE $\frac{1}{4}$ of Section 10, T 22 N, R 3 E, M.D.B.& M.
S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.

Claims that said lands are contiguous to Little Butte Creek and that the first valid steps to withdraw the same from the public domain were taken for parcels embracing said lands on July 27, 1881 and September 30, 1886.

Remarks:

(1) Water is utilized both for milling and sluicing in quartz and placer mines.

(2) The water claimed, except the amount consumed for domestic and stock-watering purposes and the quantity necessarily lost in transportation is returned to Little Butte Creek in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.

(3) The right by appropriation above set forth in said Proof No. 23 is in the process of consummation under the provisions of the Water Commission Act.

PROOF No. 24.

Claims water from Little Butte Creek below the confluence of Middle Butte Creek through the proposed Post Pumping Plant

(Diversion 28B, Division of Water Resources Map) by riparian right as follows:

0.05 cubic foot per second

for domestic and stock-watering purposes, and

0.85 cubic foot per second

for mining purpose during the period from January 1 to December 31 of each year for supplemental use on the same lands hereinbefore described under (b) in Proof No. 23. Claims that said lands are contiguous to Little Butte Creek and that the first valid steps to withdraw the same from the public domain were taken for parcels embracing said lands on July 27, 1881 and September 30, 1886.

Remarks.

Claimant proposes to install a 4-inch pump to utilize said amounts of water as a supplemental supply for the rights hereinbefore set forth under Proof No. 23.

HAROLD B. RATHWELL, 427 Lupin Way, Ventura, California.

PROOF No. 82.

Claims water from an unnamed spring tributary to Little Butte Creek through the Ripley Spring Ditch (Diversion 27, Division of Water Resources Map) as follows:

(a) By appropriation.

0.20 cubic foot per second - priority April 25, 1936 during the period from January 1 to December 31 of each year for domestic purposes and for the generation of electrical energy. Claims that Application No. 8646 was filed April 25, 1936, and Permit No. 4788 has been issued thereon all in accordance with the provisions of the Water Commission Act; that construction was commenced September 1, 1936, and has not yet been completed; and that the water claimed will be used for said purposes on the following described land:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 22 N, R 3 E, M.D.B.& M.

(b) By riparian right.

The same amount of water, season of use and purposes of use as are set forth under (a) above. Claims that said land is contiguous to said unnamed spring and that the first valid step to withdraw the same from the public domain was taken on November 20, 1890.

Remarks.

(1) Claims that the right above set forth under said Proof No. 82 is in the process of consummation under the provisions of the Water Commission Act.

(2) Claimant proposes to return the water claimed, except the amount consumed for domestic use and the quantity necessarily lost in transportation, to Little Butte Creek in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 22 N, R 3 E, M.D.B.& M.

ELLENORE K. ROBBINS AND SAMUEL P. ROBBINS, c/o Jerome D. Peters, Attorney at Law, Chico, California.

PROOF No. 93.

Claim water from Butte Creek through the Butte Creek and Upper Centerville Canals (Diversion 45, Division of Water Resources Map) by appropriation as follows:

0.20 cubic foot per second (measured at the place of use) - priority prior to 1900

during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claim that construction was commenced prior to 1900 and that the water claimed has been applied to beneficial use since prior to 1900 for said purposes on the following described lands:

$\frac{7.3}{7.3}$ acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T 23 N, R 3 E, M.D.B.& M.
7.3 acres - Total

Remarks.

(1) Claim that transportation losses in the above stated diversion system are borne by the Pacific Gas and Electric Company.

(2) Claim prescription as against all claimants in the Butte

Creek stream system below DeSabra, except S. A Vandegrift, Dorothy L. Jacobs, Carl Nelson Swartz, L. C. Bonham, and C. M. Archer, and as to the rights of said parties, the rights of said claimants are equal in priority and correlative in right.

JOE A. SAGI, DeSabra, California.

PROOF No. 108.

Claims water from Sagi Springs through the three Sagi Pipe Lines (Diversion 24, Division of Water Resources Map) as follows:

(a) By appropriation.

0.15 cubic foot per second - priority prior to 1914 during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claims that construction was commenced and completed prior to 1914; and that the water claimed has been applied to beneficial use since prior to 1914 for said purposes on the following described land:

11.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T 23 N, R 3 E, M.D.B.& M.
11.6 acres - Total

(b) By riparian right.

The same amount of water, season of use and purposes of use as are set forth under (a) above. Claims that said land is contiguous to said springs and that the first valid step to withdraw the same from the public domain was taken prior to November 8, 1881.

Remarks.

(1) Claims prescription for said amount of water from Sagi Springs as against all claimants in the Butte Creek stream system.

(2) Claims a paramount right as upper riparian proprietor to said amount of water claimed from Sagi Springs for domestic purposes.

GEORGE SETKA, ANNA SETKA, STEVE VLATKOVICH, SAM BEBICH, AND JOE BEBICH,
c/o Joe Bebich, Durham, California.

PROOF No. 18. (The right set forth in Proof No. 18 has also been included in Proof No. 49 of Corporation of America.)

Claims water from Butte Creek through the Colony Upper Ditch (Diversion 56, Division of Water Resources Map) as follows:

(a) By appropriation.

0.24 cubic foot per second -- priority January 1, 1900 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

1.10 cubic feet per second - priority January 1, 1900 during the period from April 1 to November 1 of each year for irrigation purposes. Claim that construction on the original diversion system from the west side of Butte Creek, known as the Hegan Ditch, was commenced January 1, 1900 and completed April 1, 1901; that the Hegan Ditch was abandoned and the point of diversion changed to the Colony Upper Ditch May 1, 1918; and that the water claimed has been applied to beneficial use since April 1, 1901 for said purposes on the following described lands:

14.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B.& M.
31.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B.& M.
1.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B.& M.
9.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B.& M.
0.2 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B.& M.
3.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B.& M.
36.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B.& M.
0.2 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B.& M.
96.7 acres - Total (All in Spanish Land Grant)
(Section lines have been projected)

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth above. Claim that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimants refer to judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claimants refer to agreement dated October 7, 1937 and recorded November 17, 1937, at page 233, Book 191 of Official Records, Butte County.

(3) Claim that the rights above set forth in said Proof No. 18 are equal in priority and correlative in right with 76.66 cubic feet per second allocated from said source by said judgment and decree.

(4) Claim prescription for said amounts of water as against all claimants from Butte Creek below Durham Colony.

H. W. SKILLIN AND ALICE SKILLIN, c/o DeSabra Stage, Chico, California.

PROOF No. 9.

Claim water from Little Butte Creek through the Burke Ditch (Diversion 31, Division of Water Resources Map) as follows:

(a) By appropriation.

1.33 cubic feet per second - priority September 1, 1879 during the period from March 15 to November 1 of each year for irrigation purposes. Claim construction was commenced September 1, 1879 and completed February 1, 1883; that a notice of appropriation was posted February 6, 1883, and recorded February 7, 1883 in Book C Mining and Water Claims, page 99, Records of Butte County; and that the water claimed has been applied to beneficial use for said purpose since March 15, 1883 on the following described lands:

2.3 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 22 N, R 3 E, M.D.B. & M.
5.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 22 N, R 3 E, M.D.B. & M.
2.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 22 N, R 3 E, M.D.B. & M.
9.4 acres - Total

(b) By riparian right.

The same amount of water, season of use and purpose of use as are set forth under (a) above. Claim that said lands are contiguous to Little Butte Creek and that the first valid step to withdraw the same from the public domain was taken February 1, 1884.

Remarks.

(1) Claimants refer to judgment and decree in the case of William Burke v. Ann J. Burke, et al., No. 2378, Superior Court, Butte County, entered on December 1, 1892.

(2) Claim a one-third interest in the Burke Ditch and that

under the above mentioned decree claimants are entitled to receive full flow in the Burke Ditch of 4.00 cubic feet per second on Monday and Tuesday of each week and one-third flow in said ditch or 1.33 cubic feet per second on Sunday of each week.

(3) Claim prescription as against all claimants in the Butte Creek stream system below the head of the Burke Ditch.

ALMON E. SMITH, Magalia, California.

PROOF No. 98.

Claims water from Middle Butte Creek through the Ethel Ditch (Diversion 26, Division of Water Resources Map) by appropriation as follows:

0.10 cubic foot per second - priority February 3, 1923 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

1.90 cubic feet per second - priority February 3, 1923 during the period from January 1 to December 31 of each year for mining purposes. Claims that Application No. 3250 was filed February 3, 1923, and Permit No. 1437 and License No. 606 have been issued thereon, all in accordance with the provisions of the Water Commission Act; that construction was commenced May 29, 1923, and completed July 1, 1923; and that the water claimed has been applied to beneficial use since July 1, 1923 for said purposes at the Mammoth and Ethel Mines located on the following described lands:

N $\frac{1}{2}$ of Section 3, T 22 N, R 3 E, M.D.B. & M.
N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B. & M.
N $\frac{1}{2}$ of S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B. & M.

Remarks.

The water claimed, except the amount consumed for domestic use and the quantity necessarily lost in transportation is returned to Middle Butte Creek in the NW $\frac{1}{4}$ NE $\frac{1}{2}$ of Section 3, T 22 N, R 3 E, M.D.B. & M.

MARGARET A. SMITH, Route 4, Box 165, Chico, California.

PROOF No. 20.

Claims water from the West Branch of Butte Creek through the Smith Ditch (Diversion 46, Division of Water Resources Map) by appropriation as follows:

0.03 cubic foot per second - priority April 7, 1926 for domestic and stock-watering purposes, and

2.50 cubic feet per second - priority April 7, 1926 for the development of hydro-mechanical power, during the period from January 1 to December 31 of each year. Claims that Application No. 4989 was filed April 7, 1926, and Permit No. 2706 and License No. 837 have been issued thereon, all in accordance with the provisions of the Water Commission Act; that construction was commenced June 26, 1927, and completed September 1, 1927; and that the water claimed has been applied to beneficial use since September 1, 1927 for said purposes at the Dix Mine Plant located on the following described land:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T 24 N, R 3 E, M.D.B.& M.

Remarks.

The water claimed, except the amount consumed for domestic use and the quantity necessarily lost in transportation is returned to the West Branch of Butte Creek in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, T 24 N, R 3 E, M.D.B.& M.

ANNA SPANGLER, 1441 Elm Street, Chico, California.

PROOF No. 65.

Claims water from Little Butte Creek and Spangler Springs through the two Spangler Pipe Lines which respectively divert from Little Butte Creek, S. 45° E., approximately 650 feet distant from the NW corner of Section 36, T 24 N, R 3 E, M.D.B.& M., and from Spangler Springs, S. 70° E., approximately 1100 feet distant from the NW corner of said Section 36, both points being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36, as follows:

(a) By appropriation.

0.25 cubic foot per second - priority February 1, 1905 during the period from January 1 to December 31 of each year for domestic, stock-watering and industrial purposes. Claims that construction was commenced February 1, 1905, and completed May 1, 1905; and that the water claimed has been applied to beneficial use since May 1, 1905 for said purposes on the following described lands:

N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B.& M.
N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B.& M.
N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B.& M.

(b) By riparian right.

The same amount of water, season of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Little Butte Creek and Spangler Springs and that the first valid step to withdraw the same from the public domain was taken February 1, 1905.

Remarks.

(1) Claims that the water is used for a swimming pool, boiler use at the Spangler Mill, and domestic use including irrigation on about 1.0 acre of garden and orchard.

(2) Claims a paramount right as an upper riparian owner to the use of the water claimed for domestic and stock-watering purposes.

(3) Claims prescription for said amount of water as against all down-stream claimants.

L. B. STEPHENSON, Route 4, Box 288, Chico, California.

PROOF No. 10.

Claims water from Butte Creek, Salt Lick Springs and Willow Creek through the Abietene Ditches (Divisions 8A, 8B and 8C, Division of Water Resources Map) as follows:

(a) By appropriation.

0.50 cubic foot per second - priority October 1, 1890 during the period from January 1 to December 31 of each year for do-

mestic and stock-watering purposes, and

0.50 cubic foot per second - priority October 1, 1890 during the period from May 1 to October 1 of each year for irrigation purposes. Claims that construction was commenced May 1, 1890, and completed July 1, 1890; and that the water claimed has been applied to beneficial use since May 1, 1890 for said purposes on the following described land:

25.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, T 26 N, R 5 E, M.D.B. & M.
25.0 acres - Total

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Butte Creek, Salt Lick Springs and Willow Creek and that the first valid step to withdraw the same from the public domain was taken August 3, 1885.

Remarks.

(1) Claims that domestic and stock-water use extends into the S $\frac{1}{2}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, and N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 20, all in T 26 N, R 5 E, M.D.B. & M.

(2) Claims prescription for said amounts of water as against all downstream users from Butte Creek and its tributaries.

(3) Claims that water was formerly used for industrial purposes in manufacturing abietene.

CARL NELSON SWARTZ AND ESTHER M. SWARTZ, 129 W. 12th Street, Chico, California.

PROOF No. 58.

Claim water from Evers Spring (Diversion 25A, Division of Water Resources Map) by riparian right as follows:

0.15 cubic foot per second during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claim said amount of water is presently used for domestic and stock-watering purposes

on the following described lands:

47.63 acres in Lot 7, Section 22, T 23 N, R 3 E, M.D.B. & M.
44.0 acres in Lot 6, Section 22, T 23 N, R 3 E, M.D.B. & M.
20.4 acres in Lot 1, Section 22, T 23 N, R 3 E, M.D.B. & M.
112.03 acres - Total

Claimants propose to install a hydraulic ram and pipe line to provide irrigation water for 2.0 acres of the above described lands.

Claim the above described lands are contiguous to Evers Spring and that the first valid step to withdraw the same from the public domain was taken July 3, 1885.

PROOF No. 71.

Claim water from Butte Creek through the Butte Creek and Upper Centerville Canals (Diversion 45, Division of Water Resources Map) by appropriation as follows:

0.25 cubic foot per second (measured at the place of use) - priority prior to 1900

during the period from January 1 to December 31 of each year for domestic, stock-watering, and irrigation purposes. Claim that construction was commenced and completed prior to 1900; and that the water claimed has been applied to beneficial use since prior to 1900 for said purposes on the following described lands:

4.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T 23 N, R 3 E, M.D.B. & M.
11.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T 23 N, R 3 E, M.D.B. & M.
15.0 acres - Total

Remarks.

(1) Claim that transportation losses in the above stated diversion system are borne by Pacific Gas and Electric Company.

(2) Claim prescription as against all claimants in the Butte Creek stream system below DeSabra, except S. A Vandegrift, Dorothy L. Jacobs, Ellenore K. Robbins, L. C. Bonham, and C. M. Archer, and as to the rights of said parties, the rights of claimants are equal in priority and correlative in right.

GRACE D. TAYLOR, Route 3, Box 296, Chico, California.

PROOF No. 26.

Claims water from Butte Creek through the Thomas Ditch (Diversion 37, Division of Water Resources Map) as follows:

(a) By appropriation.

0.25 cubic foot per second - priority October 23, 1876 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.25 cubic foot per second - priority October 23, 1876 during the period from April 15 to October 15 of each year for irrigation purposes. Claims that construction was commenced October 23, 1876, and was completed May 1, 1877; and that the water claimed has been applied to beneficial use since May 1, 1877 for said purposes on the following described lands:

Domestic use in fractional SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B.& M.
4.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B.& M.
1.0 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B.& M.
5.0 acres - Total (All in the townsite of Butte Meadows)

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken on October 23, 1876.

Remarks.

(1) Claim a right to divert an additional 0.50 cubic foot per second over and above the amount claimed above to insure a fresh domestic supply, said additional water to be returned to Butte Creek within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B.& M.

(2) Claims prescription for said amounts of water as against all claimants to water from the Butte Creek stream system below Butte Meadows.

LESTER K. THOMASSON, N. H. THOMASSON, BERYL V. THOMASSON, ZELMA L. STEVENS AND EFFIE M. BRUCE, c/o Lester K. Thomasson, Chico, California.

PROOF No. 13.

Claim water from the foreign water delivered into Butte Creek from West Branch of Feather River by Pacific Gas and Electric Company by redirection through the Parrott Ditch and Edgar Slough (Diversion 50, Division of Water Resources Map) by appropriation as follows:

0.125 cubic foot per second (measured at place of use) -
priority January 3, 1905

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.50 cubic foot per second (measured at place of use) -
priority January 3, 1905

during the period from April 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced January 3, 1905, and completed in April, 1905; and that the water claimed has been applied to beneficial use since April, 1905 for said purposes on the following described lands:

15.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, T 22 N, R 1 E, M.D.B.& M.
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, T 22 N, R 1 E, M.D.B.& M.
20.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, T 22 N, R 1 E, M.D.B.& M.
6.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, T 22 N, R 1 E, M.D.B.& M.
80.0 acres in N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 1, T 21 N, R 1 E, M.D.B.& M.
38.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, T 21 N, R 1 E, M.D.B.& M.
3.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, T 21 N, R 1 E, M.D.B.& M.
6.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, T 21 N, R 1 E, M.D.B.& M.
35.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, T 21 N, R 1 E, M.D.B.& M.
38.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, T 21 N, R 1 E, M.D.B.& M.
18.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 21 N, R 1 E, M.D.B.& M.
6.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, T 21 N, R 1 E, M.D.B.& M.
305.0 acres - Total

Remarks.

(1) Claimants refer to decree in case of James D. Phelan, et al. v. El Oro Dredging Company, et al., Number 11483, Superior Court, Butte County, entered in March, 1931.

(2) Claimants refer to agreement dated January 3, 1905, and recorded January 23, 1905 in Book 75 of Deeds at page 382, Records of Butte County.

(3) Claim a right to use the amounts of water above set forth on any 50.0 acres during any one year within the above described 305.0 acres.

UNITED STATES DEPARTMENT OF AGRICULTURE, BUREAU OF PLANT INDUSTRY,
DIVISION OF PLANT EXPLORATION & INTRODUCTION, PLANT INTRODUCTION
GARDEN, CHICO, CALIFORNIA, c/o H. P. Dechant, Regional Law Officer,
Wells Fargo Building, San Francisco, California.

PROOF No. 102.

Claims water from the foreign water delivered into Butte Creek from West Branch of Feather River by Pacific Gas and Electric Company by rediversion through the Parrott Ditch and Edgar Slough (Diversion 50, Division of Water Resources Map) by appropriation as follows:

0.125 cubic foot per second (measured at place of use) -
priority prior to 1914

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.50 cubic foot per second (measured at place of use) -
priority prior to 1914

during the period from April 1 to October 15 of each year for irrigation purposes. Claims that construction was commenced and completed prior to 1914; and that the water claimed has been applied to beneficial use since prior to 1914 for said purposes as a supplemental supply on the following described lands:

0.5 acre	in SW $\frac{1}{4}$ SW $\frac{1}{4}$	of Section 32, T 22 N, R 2 E, M.D.B.& M.
27.8 acres	in NW $\frac{1}{4}$ NW $\frac{1}{4}$	of Section 5, T 21 N, R 2 E, M.D.B.& M.
24.7 acres	in NE $\frac{1}{4}$ NW $\frac{1}{4}$	of Section 5, T 21 N, R 2 E, M.D.B.& M.
40.0 acres	in SE $\frac{1}{4}$ NW $\frac{1}{4}$	of Section 5, T 21 N, R 2 E, M.D.B.& M.
38.0 acres	in SW $\frac{1}{4}$ NW $\frac{1}{4}$	of Section 5, T 21 N, R 2 E, M.D.B.& M.
14.5 acres	in NE $\frac{1}{4}$ SW $\frac{1}{4}$	of Section 5, T 21 N, R 2 E, M.D.B.& M.
3.0 acres	in NW $\frac{1}{4}$ SW $\frac{1}{4}$	of Section 5, T 21 N, R 2 E, M.D.B.& M.
2.3 acres	in NW $\frac{1}{4}$ SE $\frac{1}{4}$	of Section 5, T 21 N, R 2 E, M.D.B.& M.
1.4 acres	in NW $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 5, T 21 N, R 2 E, M.D.B.& M.
2.3 acres	in SW $\frac{1}{4}$ NE $\frac{1}{4}$	of Section 5, T 21 N, R 2 E, M.D.B.& M.
154.5 acres	- Total	

Remarks.

(1) Claimant refers to agreement dated August 12, 1904 and recorded September 24, 1904 in Book 74 of Deeds at page 71, Records of Butte County.

(2) Claims that right is also based upon deed from Butte County Power, Light and Water Company.

PROOF No. 103.

Claims water from Butte Creek through the Plant Garden Pump (Diversion 53, Division of Water Resources Map) as follows:

(a) By appropriation.

0.20 cubic foot per second - priority prior to 1914 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

1.80 cubic feet per second - priority prior to 1914 during the period from April 1 to October 15 of each year for irrigation purposes. Claims that construction was commenced and completed prior to 1914; and that the water claimed has been applied to beneficial use since prior to 1914 for said purposes on the lands of claimant hereinbefore described under Proof No. 102.

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claim that the rights above set forth in Proof No. 103 are equal in priority and correlative in right with 76.0 cubic feet per second allocated from Butte Creek to Durham Colony and other users above said colony by decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1900.

(2) Claim prescription for said amounts of water as against all claimants below Durham Colony.

UNITED STATES DEPARTMENT OF AGRICULTURE - LASSEN NATIONAL FOREST,
c/o H. P. Dechant, Regional Law Officer, Wells Fargo Bank Building,
San Francisco, California, or c/o P. D. Hanson, Forest Supervisor,
Susanville, California.

PROOF No. 59.

Claims water from Jones Creek and tributary springs through Jonesville Block 1 Pipelines and Mickey (Jones) Ditch (Diversions 1 and 3, Division of Water Resources Map) as follows:

(a) By appropriation.

0.25 cubic foot per second - priority after 1914 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.25 cubic foot per second - priority prior to 1905 during the period from May 1 to October 15 of each year for irrigation purposes. Claim that construction was commenced and completed on the Mickey Ditch prior to 1905, and that the Jonesville Block 1 Pipelines were commenced after 1914 and have been added to at intervals; and that the water claimed has been applied to beneficial use since prior to 1905 in the Mickey Ditch and subsequent to 1914 in the Jonesville Block 1 Pipelines for said purposes on the following described lands:

Domestic use in

S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 7, T 26 N, R 5 E, M.D.B.& M.,
N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 18, T 26 N, R 5 E, M.D.B.& M.,
S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B.& M.; and

irrigation use and stock-water on

10.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B.& M.

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Jones Creek and are included within the Lassen National Forest.

Remarks.

(1) Claim a paramount right as an upper riparian proprietor for 0.25 cubic foot per second for domestic and stock-watering purposes.

(2) Claim prescription for 0.25 cubic foot per second for irrigation purposes as against all downstream users in the Butte Creek stream system.

(3) The irrigation use above set forth in said Proof No. 59

has been included in Proof No. 17 of F. K. Mickey and J. H. Minderman.

PROOF No. 60.

Claims water from Butte Creek through the Butte Meadows Pipes (Diversion 44, Division of Water Resources Map) as follows:

(a) By appropriation.

0.10 cubic foot per second - priority prior to 1914 during the period from January 1 to December 31 of each year for domestic purposes. Claim that construction was commenced and completed prior to 1914; and that the water claimed has been applied to beneficial use since prior to 1914 for said purpose upon the following described land:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, T 26 N, R 4 E, M.D.B.& M.

(b) By riparian right.

The same amount of water, season of use and purpose of use as are set forth under (a) above. Claim that said land is contiguous to Butte Creek and is included within the Lassen National Forest.

Remarks.

(1) Claim a paramount right as an upper riparian proprietor for said amount of water for domestic purposes.

(2) Claim prescription for said amount of water as against all downstream users in the Butte Creek stream system.

S. A VANDEGRIFT, c/o Meadowbrook Ranch, DeSabra, California.

PROOF No. 33.

Claims water from Middle Butte Creek and West Branch of Middle Butte Creek through the Vandegrift Middle Butte and the Vandegrift West Branch Diversions (Diversions 24B and 24D, respectively, Division of Water Resources Map) by riparian right as follows:

1.00 cubic foot per second from Middle Butte Creek during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

1.00 cubic foot per second

from West Branch of Middle Butte Creek during the period from January 1 to December 31 of each year for domestic and stock-watering purposes. Claims said amounts of water for use on the following described lands:

Section 26, T 23 N, R 3 E, M.D.B. & M.
W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
W $\frac{1}{2}$ E $\frac{1}{2}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.

Claims the above described lands are contiguous to Middle Butte Creek and West Branch of Middle Butte Creek and that the first valid steps to withdraw the same from the public domain were taken for parcels embracing said lands on June 26, 1880 and July 17, 1886.

PROOF No. 34.

Claims water from Vandegrift Spring and Little Butte Creek through the Vandegrift Spring and Little Butte Diversions (Diversions 24C and 23A, respectively, Division of Water Resources Map) by riparian right as follows:

0.50 cubic foot per second

from Vandegrift Spring during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.50 cubic foot per second

from Little Butte Creek during the period from January 1 to December 31 of each year for domestic and stock-watering purposes. Claims said amounts of water for use on the following described lands:

W $\frac{1}{2}$ of Section 25, T 23 N, R 3 E, M.D.B. & M.
W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 36, T 23 N, R 3 E, M.D.B. & M.

Claims the above described lands are contiguous to Vandegrift Spring and Little Butte Creek and that the first valid steps to withdraw the same from the public domain were taken for parcels embracing said lands on June 26, 1880 and July 6, 1885.

PROOF No. 35.

Claims water from Michaels Spring through the Michaels Dpring Ditch (Diversion 24E, Division of Water Resources Map) by riparian right as follows:

0.15 cubic foot per second

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes. Claims said amount of water for use on the following described land:

S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 35, T 23 N, R 3 E, M.D.B. & M.

Claims the above described land is contiguous to Michaels Spring and that the first valid step to withdraw the same from the public domain was taken on June 26, 1880.

Remarks.

Claims that said amount of water is at present utilized for domestic and stock-watering purposes including 2.0 acres of garden and orchard irrigation within the above described area.

PROOF No. 36.

Claims water from Butte Creek through the Butte Creek Canal and the Upper Centerville Canal (Diversion 45, Division of Water Resources Map) by appropriation as follows:

0.50 cubic foot per second (measured at place of use) -
priority December 31, 1899

during the period from January 1 to December 31 of each year for domestic, stock-watering and industrial purposes. Claims that construction was commenced and completed prior to 1900; and that the water claimed has been applied to beneficial use since January 1, 1900 for said purposes on the following described lands:

S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 11, T 23 N, R 3 E, M.D.B. & M.
E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 11, T 23 N, R 3 E, M.D.B. & M.
W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 11, T 23 N, R 3 E, M.D.B. & M.

Remarks.

(1) Claims that transportation losses in the diversion system herein set forth are borne by Pacific Gas and Electric Company.

(2) Claims prescription for said amount of water as against

all claimants in the Butte Creek stream system below DeSabra.

VANDEGRIFT TRUST, 1501 Harrison Street, Oakland, California.

PROOF No. 37.

Claims water from Little Butte Creek and Meadow Brook (sometimes known as Hupp Creek) and all springs rising in the SE $\frac{1}{4}$ of Section 2 and N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11, both in T 23 N, R 3 E, M.D.B.& M. through the Richardson Ditches and the Meadowbrook Ditch (Diversions 20, 20A and 21, respectively, Division of Water Resources Map) as follows:

(a) By appropriation.

1.00 cubic foot per second - priority January 1, 1865 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

3.00 cubic feet per second - priority January 1, 1865 during the period from April 1 to December 1 of each year for irrigation purposes. Claims that construction was commenced January 1, 1865 and completed May 1, 1865; and that the water claimed has been applied to beneficial use since May 1, 1865 for said purposes on the following described lands:

15.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 23 N, R 3 E, M.D.B.& M.
35.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 23 N, R 3 E, M.D.B.& M.
1.0 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 23 N, R 3 E, M.D.B.& M.
35.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T 23 N, R 3 E, M.D.B.& M.
<u>87.0 acres - Total</u>

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Little Butte Creek, Meadow Brook and springs above described and that the first valid steps to withdraw the same from the public domain were taken for parcels embracing said lands on January 24, 1880 and November 24, 1891.

Remarks.

(1) Refers to notice posted in 1865 and recorded July 1, 1871, Records of Butte County.

(2) Claims prescription for said amounts of water as against all other claimants in the Butte Creek stream system below Meadowbrook Farm.

(3) Claims said amounts of water in whole or in part from each of the sources hereinabove named.

STEPHEN VERNOGA, Durham, California.

PROOF No. 5.

Claims water from Butte Creek through the Colony Upper Ditch (Diversion 56, Division of Water Resources Map) as follows:

(a) By appropriation.

1.00 cubic foot per second - priority January 1, 1900 during the period from April 1 to October 15 of each year for irrigation purposes. Claims that construction was commenced on the original diversion system, known as the Hegan Ditch, from the west side of Butte Creek, January 1, 1900 and completed April 1, 1901; that the Hegan Ditch was abandoned and the point of diversion changed to the Colony Upper Ditch on May 1, 1918; and that the water claimed has been applied to beneficial use since April 1, 1901, for said purposes on the following described lands:

0.2 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B.& M.
16.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B.& M.
1.0 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B.& M.
4.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B.& M.
<u>25.0 acres in NW$\frac{1}{4}$ SE$\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B.& M.</u>
47.3 acres - Total (All in Spanish Land Grant)
(Section lines have been projected)

(b) By riparian right.

The same amount of water, season of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimant refers to judgment and decree in the case of Central California Investment Company v. John Crouch Land Company,

et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claims that the rights above set forth in said Proof No. 5 are equal in priority and correlative in right with 77.0 cubic feet per second allocated from said source by said decree to Durham Colony and other users above said colony.

(3) Claims prescription for said amounts of water as against all claimants from Butte Creek below Durham Colony.

(4) Claims that rotation in the use of water is practiced with the Durham Mutual Water Company, Ltd.

VARNEY F. WAKEFIELD, c/o Jerome D. Peters, Attorney at Law,
Chico, California

PROOF No. 72.

Claims water from Butte Creek through the Wakefield Pump (Diversion 58, Division of Water Resources Map) as follows:

(a) By appropriation.

0.18 cubic foot per second - priority prior to 1914 during the period from January 1 to December 31 of each year for domestic, stock-watering and irrigation purposes. Claims that construction was commenced and completed prior to 1914; and that the water claimed has been applied to beneficial use since prior to 1914 for said purposes on the following described lands:

0.2 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
3.9 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
7.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
2.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
14.0 acres - Total (All in Spanish Land Grant)
(Section lines have been projected)

(b) By riparian right.

The same amount of water, season of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claims that the right above set forth in said Proof No. 72 is equal in priority and correlative in right with 78.0 cubic feet per second allocated from said source in the decree in the case of Central California Investment Company v. John Crouch Land Company, Superior Court, Sutter County, entered on May 25, 1920.

(2) Claims prescription for said amount of water as against all claimants from Butte Creek below Durham Colony.

(3) Claims a right to operate the Wakefield Pump, jointly with Samuel A. Atkins and Barbara Ina Atkins (under Proof No. 73), 50.4 hours per week at a maximum rate of diversion of 2.00 cubic feet per second.

(4) Claimant refers to agreement dated May 19, 1939 and recorded February 5, 1940, at page 364 in Book 231 of Official Records, Butte County.

DAVID S. WEBB AND MARY D. WEBB, DeSabra, California.

PROOF No. 7.

Claim water from Little Butte Creek through the Webb Ditch (Diversion 13, Division of Water Resources Map) as follows:

(a) By appropriation.

0.10 cubic foot per second - priority March 1, 1895 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.15 cubic foot per second priority March 1, 1895 during the period from January 1 to December 31 of each year for mining purposes. Claim that construction was commenced March 1, 1895 and completed May 1, 1895; and that the water claimed has been applied to beneficial use since May 1, 1895 for said purposes on the following described land:

S $\frac{1}{2}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 24, T 24 N, R 3 E, M.D.B. & M.

(b) By riparian right.

The same amounts of water, seasons of use and purposes of

use as are set forth under (a) above. Claim that said lands are contiguous to Little Butte Creek and that the first valid step to withdraw the same from the public domain was taken September 27, 1930.

Remarks.

Claim prescription for said amounts of water as against all other claimants in the Butte Creek stream system.

ELEANOR PROPFE WELCH, Princeton, California.

PROOF No. 80.

Claims water from Butte Creek through the Welch Domestic Plant (Diversion 39, Division of Water Resources Map) as follows:

(a) By appropriation.

0.01 cubic foot per second - priority 1876

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes. Claims that construction was commenced and completed in about 1876 under the Davis Ditch (Diversion 36, Division of Water Resources Map); that the point of diversion was changed to its present location in 1925; and that the water claimed has been applied to beneficial use since about 1876 for said purposes on the following described lands:

Lots 26, 32 and 33 of 1st Subdivision of Davis Tract in NE $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B. & M.

(b) By riparian right.

The same amount of water, season of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken October 23, 1876.

Remarks.

(1) Claims that the right above set forth in said Proof No. 80 is superior in priority and in right to the rights of all downstream claimants on Butte Creek because of the paramount right of an upper riparian owner for domestic water and by virtue of prescription.

WESTERN CANAL COMPANY, San Francisco, California.

PROOF No. 89.

Claims water from Butte Creek through the Western Canal (Diversion 63, Division of Water Resources Map) by appropriation as follows:

100.0 cubic feet per second - priority 1914

during the period from April 1 to June 15 of each year for irrigation purposes. Claims that construction was commenced in 1915 and completed in April 1916; and that the water claimed has been applied to beneficial use since 1916 for said purposes on the following described lands:

30.0 acres in SE $\frac{1}{4}$ Section 35, T 20 N, R 1 W, M.D.B. & M.
319.0 acres in S $\frac{1}{2}$ Section 36, T 20 N, R 1 W, M.D.B. & M.
70.0 acres in E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 6, T 20 N, R 1 E, M.D.B. & M.
472.0 acres in E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$ of Section 7, T 20 N, R 1 E, M.D.B. & M.
640.0 acres in Section 9, T 20 N, R 1 E, M.D.B. & M.
126.0 acres in E $\frac{1}{2}$ of Section 10, T 20 N, R 1 E, M.D.B. & M.
620.0 acres in Section 13, T 20 N, R 1 E, M.D.B. & M.
427.0 acres in Section 14, T 20 N, R 1 E, M.D.B. & M.
620.0 acres in Section 15, T 20 N, R 1 E, M.D.B. & M.
640.0 acres in Section 16, T 20 N, R 1 E, M.D.B. & M.
640.0 acres in Section 17, T 20 N, R 1 E, M.D.B. & M.
480.0 acres in E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$ of Section 18, T 20 N, R 1 E, M.D.B. & M.
480.0 acres in Section 19, T 20 N, R 1 E, M.D.B. & M.
640.0 acres in Section 20, T 20 N, R 1 E, M.D.B. & M.
640.0 acres in Section 21, T 20 N, R 1 E, M.D.B. & M.
640.0 acres in Section 22, T 20 N, R 1 E, M.D.B. & M.
600.0 acres in Section 23, T 20 N, R 1 E, M.D.B. & M.
150.0 acres in N $\frac{1}{2}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, T 20 N, R 1 E, M.D.B. & M.
125.0 acres in NE $\frac{1}{4}$ of Section 26, T 20 N, R 1 E, M.D.B. & M.
640.0 acres in Section 27, T 20 N, R 1 E, M.D.B. & M.
630.0 acres in Section 28, T 20 N, R 1 E, M.D.B. & M.
320.0 acres in N $\frac{1}{2}$ of Section 29, T 20 N, R 1 E, M.D.B. & M.
390.0 acres in E $\frac{1}{2}$ and Fctl. E $\frac{1}{2}$ W $\frac{1}{2}$ of Section 30, T 20 N, R 1 E, M.D.B. & M.
640.0 acres in Section 33, T 20 N, R 1 E, M.D.B. & M.
315.0 acres in N $\frac{1}{2}$ and SW $\frac{1}{4}$ of Section 34, T 20 N, R 1 E, M.D.B. & M.
550.0 acres in Section 1, T 19 N, R 1 W, M.D.B. & M.
595.0 acres in Section 2, T 19 N, R 1 W, M.D.B. & M.
145.0 acres in Fctl. E $\frac{1}{2}$ of Section 3, T 19 N, R 1 W, M.D.B. & M.
45.0 acres in Fctl. NE $\frac{1}{4}$ of Section 10, T 19 N, R 1 W, M.D.B. & M.
625.0 acres in Section 11, T 19 N, R 1 W, M.D.B. & M.
560.0 acres in Section 12, T 19 N, R 1 W, M.D.B. & M.
570.0 acres in Section 13, T 19 N, R 1 W, M.D.B. & M.
585.0 acres in Section 14, T 19 N, R 1 W, M.D.B. & M.
115.0 acres in Fctl. E $\frac{1}{2}$ E $\frac{1}{2}$ of Section 15, T 19 N, R 1 W, M.D.B. & M.
400.0 acres in Section 23, T 19 N, R 1 W, M.D.B. & M.
360.0 acres in N $\frac{1}{2}$, SE $\frac{1}{4}$ and Fctl. SW $\frac{1}{4}$ of Section 24, T 19 N, M.D.B. & M.
315.0 acres in Section 25, T 19 N, R 1 W, M.D.B. & M.
80.0 acres in Fctl. NW $\frac{1}{4}$ of Section 26, T 19 N, R 1 W, M.D.B. & M.
70.0 acres in Fctl. NE $\frac{1}{4}$ of Section 36, T 19 N, R 1 W, M.D.B. & M.
320.0 acres in E $\frac{1}{2}$ of Section 5, T 19 N, R 1 E, M.D.B. & M.
320.0 acres in Section 6, T 19 N, R 1 E, M.D.B. & M.

640.0 acres in Section 7, T 19 N, R 1 E, M.D.B.& M.
 223.0 acres in projected Section 8, T 19 N, R 1 E, M.D.B.& M.
 497.0 acres in projected Section 17, T 19 N, R 1 E, M.D.B.& M.
 640.0 acres in Section 18, T 19 N, R 1 E, M.D.B.& M.
 640.0 acres in Section 19, T 19 N, R 1 E, M.D.B.& M.
 620.0 acres in projected Section 20, T 19 N, R 1 E, M.D.B.& M.
 60.0 acres in projected Section 28, T 19 N, R 1 E, M.D.B.& M.
 395.0 acres in projected Section 29, T 19 N, R 1 E, M.D.B.& M.
 640.0 acres in Section 30, T 19 N, R 1 E, M.D.B.& M.
 400.0 acres in N $\frac{1}{2}$ and Fctl. SW $\frac{1}{4}$ of Section 31, T 19 N, R 1 E,
 M.D.B.& M.
 20.0 acres in SW $\frac{1}{4}$ of projected Section 33, T 19 N, R 1 E, M.D.B.& M.
 225.0 acres in E $\frac{1}{2}$ of Section 5, T 18 N, R 1 E, M.D.B.& M.
 180.0 acres in E $\frac{1}{2}$ of Section 8, T 18 N, R 1 E, M.D.B.& M.
 22,129.0 acres - Total.

Remarks.

(1) Claims that the right above set forth in said Proof No. 89 is for the equivalent of a continuous flow of 75.0 cubic feet per second during the period from April 1 to June 15 of each year and that claim is made only to such water as may be available at the diversion dams in Butte Creek as described in said proof.

(2) Claims prescription for said amount of water as against all down-stream claimants on Butte Creek.

L. E. WHEELOCK AND NELLIE WHEELOCK, Durham, California.

PROOF No. 22. (The right set forth in Proof No. 22 has also been included in Proof No. 49 of Corporation of America)

Claim water from Butte Creek through the Colony Upper Ditch (Diversion 56, Division of Water Resources Map) as follows:

(a) By appropriation.

0.06 cubic foot per second - priority prior to 1914 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.20 cubic foot per second - priority prior to 1914 during the period from April 1 to October 15 of each year for irrigation purposes. Claim that construction on the original diversion system from the west side of Butte Creek, known as the Hegan Ditch, was commenced and completed prior to 1914; that the Hegan Ditch was abandoned and the point of diversion changed to the Colony Upper Ditch May 1, 1918; and that the water claimed has been applied to beneficial

use since prior to 1914 for said purposes on the following described land:

13.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B.& M.
 13.0 acres - Total (All in Spanish Land Grant)
 (Section lines have been projected)

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth above. Claim that said land is contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimants refer to judgment and decree in the case of California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claimants refer to agreement dated March 23, 1939 and recorded October 27, 1939, at page 388, in Book 229 of Official Records, Butte County.

(3) Claim that the rights above set forth in said Proof No. 22 are equal in priority and correlative in right with 77.74 cubic feet per second allocated from said source by said judgment and decree.

(4) Claim prescription for said amounts of water as against all claimants from Butte Creek below Durham Colony.

(5) Claim that rotation in the use of water herein claimed is practiced with the Durham Water Company, Ltd.

E. E. WHITE, Nelson, California.

PROOF No. 64.

Claims water from Butte Creek through the White Pumps (Diversion 62, Division of Water Resources Map) and by means of dams at various points along Butte Creek in its course through lands of claimant as follows:

(a) By appropriation.

1.00 cubic foot per second - priority August 18, 1886

for domestic and stock-watering purposes, and

21.00 cubic feet per second - priority August 18, 1886 for irrigation purposes, during the period from April 1 to September 30 of each year. Claims that a notice of appropriation was posted August 18, 1886; that said notice was recorded August 19, 1886, in Book "C" Mining and Water Claims, page 309, Records of Butte County; that construction was commenced and completed immediately after the posting of said notice; and that the water claimed has been applied to beneficial use since August 18, 1886 for said purposes on the following described lands:

About 40.0 acres in the SE $\frac{1}{4}$ of Section 13, T 20 N, R 1 E, M.D.B.& M.
About 6.64 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T 20 N, R 1 E, M.D.B.& M.
About 455.0 acres in the Section 24, T 20 N, R 1 E, M.D.B.& M.
About 40.0 acres in the NE $\frac{1}{4}$ of Section 26, T 20 N, R 1 E, M.D.B.& M.
541.64 acres - Total

(b) By riparian right.

The same amounts of water, season of use and purposes of use as are set forth above. Claims that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken August 5, 1869.

Remarks.

Claims that the continuous flow equivalent of the rights above set forth in said Proof No. 64 is 10.5 cubic feet per second and that the maximum rate of diversion claimed under said proof is 21.0 cubic feet per second.

ROY WHITE, Durham, California.

PROOF No. 78.

Claims water from Butte Creek through the Roy White Pump (Diversion 60A, Division of Water Resources Map) by riparian right as follows:

0.06 cubic foot per second during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.60 cubic foot per second

during the period from April 1 to October 15 of each year for irrigation purposes. Claims said amounts of water for use for said purposes on the following described lands:

32.0 acres in Lot 62B of Durham State Land Settlement.
21.0 acres in Lot 62A of Durham State Land Settlement.
53.0 acres - Total

Claims that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claims that the rights above set forth in said Proof No. 78 are equal in priority and correlative in right with 78.0 cubic feet per second allocated from said source to Durham Colony and other users above said colony in the judgment and decree in the case of California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claims the right to rotate in the use of the water claimed in said proof with a maximum irrigation head of 2.25 cubic feet per second, provided however, that the continuous flow equivalent of the amount of water so diverted during any 30-day period shall not exceed 0.66 cubic foot per second.

F. E. WHITLOCK, P.O. Box 126, Chico, California.

PROOF No. 6.

Claims water from Hupp Springs (including Sawmill, Cantwell, Goat Ranch and Doolittle Springs) through the Hupp Ditch (Diversion 25, Division of Water Resources Map) by appropriation as follows:

0.20 cubic foot per second (measured at place of use) -
priority April 13, 1890

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.40 cubic foot per second (measured at place of use) -
priority April 13, 1890

during the period from April 15 to October 15 of each year for irrigation purposes. Claims that construction was commenced April 13, 1890 and completed May 1, 1891; and that the water claimed has been applied to beneficial use since May 1, 1891 for said purposes on the following described land:

10.0 acres in Lot 6 of Section 34, T 23 N, R 3 E, M.D.B.& M., lying South and East of the Upper Centerville Canal.
10.0 acres - Total

Remarks.

Claims prescription for said amounts of water as against all claimants in the Butte Creek stream system, except Orval Pearson. Claims exclusive control of diversion and distribution works.

HERBERT W. WHITTEN AND MARJORIE C. WHITTEN, Chico, California.

PROOF No. 83.

Claim water from Butte Creek through the Adams Ditch and Colony Ditch (Divisions 60 and 56, Division of Water Resources Map) as follows:

(a) By appropriation.

0.75 cubic foot per second - priority March 24, 1922 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes,

3.45 cubic feet per second - priority March 24, 1922 during the period from April 1 to September 30 of each year for irrigation purposes, and

6.00 cubic feet per second - priority June 27, 1922 during the period from April 1 to June 15 of each year for irrigation purposes. Claim that Application No. 2805 was filed March 24, 1922, and Permit No. 1872 and License No. 1028 have been issued thereon, and that Application No. 2909 was filed June 27, 1922, and Permit No. 2027 and License No. 1029 have been issued thereon, all in accordance with the provisions of the Water Commission Act; that construction was commenced May 14, 1924 and completed April 1, 1925; and that

the water claimed has been applied to beneficial use since April 1, 1925 for said purposes on the following described lands:

13.6 acres in $N\frac{1}{2}$ NW $\frac{1}{4}$ of Section 15, T 20 N, R 2 E, M.D.B.& M.
27.2 acres in that portion of $N\frac{1}{2}$ N $\frac{1}{2}$ of Section 16, T 20 N, R 2 E, M.D.B.& M., lying NE of Northern Electric Railroad.
94.0 acres in SW $\frac{1}{4}$ of Section 10, T 20 N, R 2 E, M.D.B.& M.
54.0 acres in NW $\frac{1}{4}$ of Section 10, T 20 N, R 2 E, M.D.B.& M.
15.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B.& M.
160.0 acres in SE $\frac{1}{4}$ of Section 9, T 20 N, R 2 E, M.D.B.& M.
187.0 acres in N $\frac{1}{2}$ of Section 9, T 20 N, R 2 E, M.D.B.& M.
114.5 acres in that portion of SW $\frac{1}{4}$ of Section 9, T 20 N, R 2 E, M.D.B.& M., lying NE of Northern Electric Railroad.
665.3 acres - Total (All in Rancho Esquon)
(Section lines have been projected)

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimants state that riparian rights are waived by claimants to the extent of 78.0 cubic feet per second in favor of upstream users as set forth in the judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 25, 1920.

(2) Claim prescription for said amounts of water as against all claimants from Butte Creek below Durham Colony Upper Dam, except Ralph C. Gorrill, E. L. Adams and Lou R. Adams, and the owners of 78.0 cubic feet per second allocated from said source by said decree to water users upstream from lands of claimants as above described.

(3) Claim a continuous flow equivalent of 2.40 cubic feet per second for the 6.00 cubic feet per second claimed herein for the limited season April 1 to June 15, because said right is for only 40 per cent of the normal irrigation season; and that the combined continuous flow equivalent of all rights herein claimed is 6.60 cubic feet per second and the maximum rate of diversion prior to June 15 is 10.20 cubic feet per second.

PROOF No. 84.

Claim water from Hamlin Slough through the Adams Hamlin Slough and Adams Hamlin Pump (Diversions 64 and 65, Division of Water Resources Map) as follows:

(a) By appropriation.

0.60 cubic feet per second - priority February 5, 1920 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes,

3.00 cubic feet per second - priority February 5, 1920 during the period from May 1 to October 1 of each year for irrigation purposes, and

4.14 cubic feet per second - priority June 30, 1925 during the period from April 1 to September 15 of each year for irrigation purposes. Claim that Application No. 1656 was filed February 5, 1920 and Permit No. 794 and License No. 880 have been issued thereon, and that Application No. 4663 was filed June 30, 1925 and Permit No. 2447 and License No. 1030 have been issued thereon, all in accordance with the provisions of the Water Commission Act; that construction was commenced February 1, 1921 and completed May 1, 1921; and that the water claimed has been applied to beneficial use since April 1, 1925 for said purposes on the 665.3 acres of land hereinbefore described under Proof No. 83.

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claim that said lands are contiguous to Hamlin Slough and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claim prescription for said amounts of water as against all claimants to water from said source, down-stream from the above stated diversions, except Ralph C. Corrill and E. L. Adams and Lou R. Adams.

(2) Claim that the 4.14 cubic feet per second above set forth is available for only one-third of the normal irrigation season and that the continuous flow equivalent thereof for the entire season is 1.38 cubic feet per second; and that the combined continuous flow equivalent of all rights above claimed is 4.98 cubic feet per second and the maximum rate of diversion claimed is 7.74 cubic feet per second.

HERBERT W. WHITTEN AND MARJORIE C. WHITTEN, OLIVE M. YOUNG, GEORGE MEAD AND ANNA MEAD, AND T. H. POLK AND LUCIA V. POLK,
c/o Herbert W. Whitten, Attorney at Law, Chico, California.

PROOF No. 79.

Claim water from Middle Butte Creek and Little Butte Creek through the Eureka Middle Ditch, Eureka Pump and Eureka Little Ditch (Diversions 26A, 26B and 28A, Division of Water Resources Map) as follows:

(a) By appropriation.

0.05 cubic foot per second - priority prior to 1890 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

0.45 cubic foot per second - priority prior to 1890 during the period from January 1 to December 31 of each year for mining purposes. Claim that construction was commenced and completed prior to 1890; and that the water claimed has been applied to beneficial use since prior to 1890 for said purposes on the following described lands:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M. and that portion of the following described land lying East of the Center of Middle Butte Creek:
NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.

(b) By riparian right.

0.05 cubic foot per second

during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, being the whole amount of water claimed under (a) above for said period for said purposes, and

3.45 cubic feet per second

during the period from January 1 to December 31 of each year for mining purposes, of which 0.45 cubic foot per second is claimed under (a) above for said period for said mining purposes. Claim said amounts of water for use on the lands described under (a) above. Claim said lands are contiguous to Middle Butte Creek and Little Butte Creek and that the first valid step to withdraw the same from the public domain was taken June 26, 1880.

Remarks.

(1) Claim the right to divert said 3.50 cubic feet per second set forth under (b) above, in whole or in part, from either Middle Butte Creek or Little Butte Creek, provided however, that the total quantity of water diverted from both of said sources shall not exceed 3.50 cubic feet per second.

(2) Claim that the interests in the right above set forth in said Proof No. 79 are owned as follows:

Herbert W. Whitten and Marjorie C. Whitten	5/8 interest
Olive M. Young	1/8 interest
George Mead and Anna Mead	1/8 interest
T. H. Polk and Lucia V. Polk	1/8 interest

YUBA CONSOLIDATED GOLD FIELDS, 351 California Street, San Francisco, California.

PROOF No. 25.

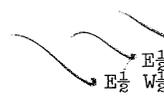
Claims water from Butte Creek through the Marybill Ditch (Diversion 55, Division of Water Resources Map) as follows:

(a) By appropriation.

0.50 cubic feet per second - priority prior to 1914 during the period from January 1 to December 31 of each year for domestic and stock-watering purposes, and

2.00 cubic feet per second - priority prior to 1914

during the period from January 1 to December 31 of each year for mining purposes. Claims that construction was commenced and completed prior to 1914, and that the water claimed has been applied to beneficial use for said purposes since prior to 1914 on the following described lands:



NW $\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B.& M.
SW $\frac{1}{4}$ of Section 5, T 21 N, R 2 E, M.D.B.& M.
SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
NE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
NE $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B.& M.

(b) By riparian right.

The same amounts of water, seasons of use and purposes of use as are set forth under (a) above. Claims that said lands are contiguous to Butte Creek and that the first valid step to withdraw the same from the public domain was taken in 1851 by virtue of a Spanish Land Grant.

Remarks.

(1) Claimant refers to judgment and decree in the case of Central California Investment Company v. John Crouch Land Company, et al., Superior Court, Sutter County, entered on May 20, 1925.

(2) Claimant refers to an unrecorded agreement dated September 20, 1939, between A. F. Lieurance and Lenore E. Lieurance, vendors, and Yuba Consolidated Gold Fields, vendee, under the terms of which the northeasterly portion of the lands described in Proof No. 29, under the name of A. F. Lieurance and Lenore E. Lieurance, have been purchased by Yuba Consolidated Gold Fields for dredging.

(3) Claims that all of the water claimed for mining under said Proof No. 25, in excess of the amount used for mining operations, is deliverable to said A. F. Lieurance and Lenore E. Lieurance for use on the Marybill Ranch.

(4) Claims the rights above set forth in said Proof No. 25 are equal in priority and correlative in right with 78.0 cubic feet per second allocated from said source by the above mentioned judgment and decree.

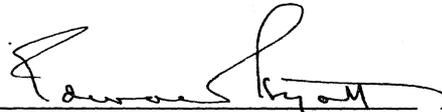
(5) Claims prescription for said amounts of water as against

all claimants from Butte Creek below Durham Colony.

(6) The amounts of water above set forth under (a) and (b) of said Proof No. 25 are to be supplied from the amounts of water claimed under said Proof No. 29 of said A. F. Lieurance and Lenore E. Lieurance.

I, Edward Hyatt, State Engineer and Chief of the Division of Water Resources, Department of Public Works, State of California, hereby certify that the foregoing is an abstract of all those claims to the waters of that portion of Butte Creek and its tributaries situate above the Western Dam near Nelson, in Butte County, California, which have been evidenced by the filing of "proofs of claim of water right" with said Division of Water Resources "In the Matter of the Determination of the Rights of the Various Claimants to the Waters of Butte Creek and its Tributaries Situate Above the Western Dam Near Nelson, in Butte County, California".

Dated at Sacramento, California, December 30, 1940.



State Engineer and Chief of the
Division of Water Resources,
Department of Public Works,
State of California.



affort:
Chas. E. ...
Jun ...

APPENDIX

SCHEDULE 1

Nonconsumptive claims on Butte Creek and Tributaries
(Listed in order down-stream)

Claimant	Proof No.	Source	Amount Cu. Ft. per Sec.	Purpose	Basis of Claim		Prescription ion Claimed
					Date of Approp.	Riparian	
Harold B. Rathwell	82	Unnamed spring	0.20	Power	4/25/36	Yes	No
Almon E. Smith	98	Middle Butte	2.00	Mining	2/3/23	No	No
David S. Webb and Mary D. Webb	7	Little Butte	0.25	Mining	3/1/95	Yes	Yes
Herbert W. Whitten, et al.	79	Middle Butte & Little Butte	3.50	Mining	Prior to 1890	Yes	No
Jack L. Post	23) 24)	Little Butte Little Butte	13.00 0.90	Mining Mining	7/3/34 None	Yes Yes	No No
L. H. McLain and C. J. McLain	2	West Branch of Butte	1.00	Mining	4/1/05	Yes	No
Margaret A. Smith	20	West Branch of Butte	2.53	Power	4/7/26	No	No
Pacific Gas and Electric Company	90) 91)	Butte Butte	180.0 90.0	Power Power	6/17/75 11/1/71	No No	No No
Electric Mining Company	15	Butte	305.1	Power	None	Yes	No
Yuba Consolidated Gold Fields	25	Butte	*2.50	Mining	Prior to 1914	Yes	Yes
		Total	600.98				

*Same water included in Proof No. 29 of
A. F. Lieurance in Schedule 4

SCHEDULE 2

Irrigation Claims on Little Butte Creek and Tributaries
(Listed in order down-stream)

Claimant	Proof No.	Source	Amount Claimed:		Basis of Claim		Prescription Claimed
			Cu. Ft. per Sec.	Acreage Irrigated	Date of Approp.	Riparian	
Lovie L. Downs	66	Downs Spring	0.05	0.8	Prior to 1914	Yes	Yes
Frances B. Hamilton, A. C. Musselman & George P. Morse	21	Reilly Ravine, Musselman Creek & Tributary Springs	0.50	100.0	4/4/73	Yes	Yes
Joe A. Sagi	108	Sagi Springs	0.15	11.6	Prior to 1914	Yes	Yes
Merritt Musselman & Florence V. Musselman	106	Musselman Springs	0.05	2.0	6/1/75	Yes	Yes
Elsie Hume Mann	62	Mann Spring	0.02	1.0	3/1/00	Yes	Yes
F. E. Whitlock	6	Hupp Springs	0.60	10.0	4/13/90	No	Yes
Roy L. Pearson, et al.	69	Hupp Springs	0.10	3.0	3/1/91	No	Yes
A. P. Kundert	61	Hupp Springs	0.10	1.0	3/1/91	No	Yes
Fannie M. McEnespy	19, 68	Honey Run, McEnespy Spring	1.00, 0.10	30.1	6/24/82, 6/24/82	Yes, Yes	Yes, Yes
D. A. Hook, et al.	3	Middle Butte	0.20	3.0	None	Yes	No
S. A. Vandegrift	33, 34, 35	Middle Butte & W. Br. of Middle Butte, Vandegrift Spring & Little Butte, Michaels Spring	2.00, 1.00, 0.15	Domestic, Domestic, 2.0	None, None, None	Yes, Yes, Yes	No, No, No
Anna Spangler	65	Little Butte & Spangler Spring	0.25	1.0	2/1/05	Yes	Yes
Estate of Ernest Duensing	109, 63	Duensing Spring, Little Butte	0.15, 0.50	4.0, 11.8	2/26/83, 2/26/83	Yes, Yes	Yes, Yes
Vandegrift Trust	37	Little Butte & Meadow Brook	4.00	87.0	1/1/65	Yes	Yes
Paradise Irrigation Dist.	44*	Little Butte	8.00	3229.4	Prior to 1900	No	Yes
Ella G. Evers	31	Little Butte	2.00	13.6	3/1/81	Yes	Yes
H. W. Skillin and Alice Skillin	9	Little Butte	1.33	9.4	9/1/79	Yes	Yes
H. D. March and Henrietta March	14	Little Butte	1.33	14.4	9/1/79	Yes	Yes
Warren P. Clark and Ida B. Clark	30	Little Butte	1.33	6.0	9/1/79	Yes	Yes
George E. McLain and C. J. McLain	12	Little Butte	3.10	17.1	1/1/78	Yes	Yes
Totals			27.99	3396.2			

*Note: Proof No. 44 also includes storage claims of 13,648 acre-feet.

SCHEDULE 3

Irrigation Claims on Butte Creek Above Little Butte Creek
(Listed in order down-stream)

Claimant	Proof No.	Source	Amount Claimed:		Basis of Claim		Prescription Claimed
			Cu. Ft. per Sec.	Acreage Irrigated	Date of Approp.	Riparian	
John J. Mahan and Wm. J. Doyle	38	Cirby	0.50	21.3	6/26/85	Yes	Yes
The Diamond Match Company	75	Malloy Creek, Maple Spring, Bull Creek, Mud Cut, and Unnamed Spring	2.00	Domestic Industrial	Prior to 1914	Yes	Yes
Richard A. Colgan, Jr.	70	Cold Spring	0.14	Domestic	Prior to 1914	No	Yes
F. K. Mickey and J. H. Minderman	17	Jones Creek & M. & M. Spring	1.57	29.4	Prior to 1/16/84	Yes	Yes
Edwin B. Copeland	101	Jones & Butte Creeks & Tributary Springs	1.00	4.0	Prior to 1/16/84	Yes	Yes
Lassen National Forest	59	Jones & Spring	0.50	Domestic	Prior to 1905	Yes	Yes
J. H. Lucas and Estate of Wm. Johnson	55, 56, 52	Jones, Colby & Springs, Willow & Springs	0.70, 2.00, 0.60	38.3, 150.0, 40.0	8/17/05, None, 8/17/05	Yes, Yes, Yes	Yes, No, Yes
Anne Kennedy Anderson, et al.	67	Willow Creek Spring	0.25	8.0	8/17/05	Yes	Yes
J. H. Lucas	57	Lomo Spring	0.40	2.0	5/1/79	Yes	Yes
J. H. Lucas, G. W. Lucas, and C. F. Lucas	54	Lucas and McGann Springs	0.80	32.2	10/21/76	Yes	Yes
W. J. McGann and Elizabeth T. Cussick	41	McGann Springs	1.00	57.9	Prior to 1870	Yes	Yes
Carl Nelson Swartz and Esther M. Swartz	58	Evers Spring	0.15	Domestic	None	Yes	No
L. B. Stephenson	10	Salt Lick Springs, Willow & Butte	1.00	25.0	10/1/90	Yes	Yes
E. L. Franks and Ida May Franks	32	Butte	2.00	103.4	9/24/00	Yes	Yes
J. H. Lucas, G. W. Lucas, and C. F. Lucas	53	Butte	0.70	30.0	10/21/76	Yes	Yes
W. J. McGann and Elizabeth T. Cussick	42	Butte	0.35	1.5	Prior to 1870	Yes	Yes
Grace D. Taylor	26	Butte	0.50	5.0	10/23/76	Yes	Yes
Eleanor Propfe Welch	80	Butte	0.01	Domestic	1876	Yes	Yes
Lassen National Forest	60	Butte	0.10	Domestic	Prior to 1914	Yes	Yes
S. A. Vandegrift	36	Butte	0.50	Domestic	12/31/99	No	Yes
Frank Graham	27	Butte	0.10	Domestic	Prior to 1900	No	Yes
Carl Nelson Swartz and Esther M. Swartz	71	Butte	0.25	15.0	Prior to 1900	No	Yes
Thos. H. Jacobs and Dorothy L. Jacobs	81	Butte	0.25	16.6	Prior to 1900	No	Yes
Ellenore K. Robbins and Samuel P. Robbins	93	Butte	0.20	7.3	Prior to 1900	No	Yes
L. C. Bonham	97	Butte	0.225	8.3	Prior to 1900	No	Yes
C. M. Archer	92	Butte	0.15	11.9	Prior to 1900	No	Yes
Totals			17.945	607.8			

SCHEDULE 4

Irrigation Claims on Butte Creek Below Little Butte Creek
(Listed in order down-stream)

Claimant	Proof No.	Source	Amount		Basis of Claim		Prescription Claimed
			Cu. Ft. per Sec.	Acreage Irrigated	Date of Approp.	Riparian	
George E. McLain	11	Butte	0.10	6.0	Prior to 1914	No	No
Dayton Mutual Water Company, Ltd.	47	Butte	16.00	1796.3	Prior to 1880	No	Yes
M. & T. Incorporated	99	Butte	25.00	1997.5	2/27/36	No	Yes
Harold D. Estes	28	Edgar Slough, Butte and Foreign Water	1.33	66.2	7/1/04	Edgar Slough	Yes
Parrott Investment Company	95	Butte	25.00	6159.2	2/19/36	No	Yes
	96	Butte	2.00	211.0	Prior to 1914	Yes	Yes
Donald Hale and Alice Hilby Hale	76	Butte	3.00	92.9	Prior to 1880	Yes	Yes
Bureau of Plant Industry	103	Butte	2.00	154.5	Prior to 1914	Yes	Yes
Durham Mutual Water Company, Ltd.	45	Butte	44.70	3566.2	1/1/11	Yes	Yes
	46	Butte	4.00		2/10/39	No	No
Clarence S. Entler and Mary E. Roth	50	Butte	1.67	78.4	1851	Yes	Yes
Bee P. Compton	51	Butte	3.33	228.4	1849	Yes	Yes
A. F. Lieurance and Lenore E. Lieurance	29	Butte	5.00	527.1	2/29/80	Yes	Yes
The Federal Land Bank of Berkeley	74	Butte	2.25	156.5	7/26/86	Yes	No
Edwin A. Carlson and Gladys Carlson	1	Butte	0.48	36.7	1/1/11	Yes	Yes
D. A. Hook and W. S. Hook	4	Butte	0.39	30.0	1/1/11	Yes	Yes
Elmo Jacks and Louise Jacks	8	Butte	0.31	24.9	Prior to 1914	Yes	Yes
Samuel A. Atkins and Barbara Ina Atkins	73	Butte	0.80	64.0	Prior to 1914	Yes	Yes
Varney F. Wakefield	72	Butte	0.18	14.0	Prior to 1914	Yes	Yes
Corporation of America	49		0.40	20.0	Prior to 1900	Yes	Yes
George Setka, et al.	18	Butte	1.34	96.7	1/1/00	Yes	Yes
L. E. Wheelock	22		0.26	13.0	Prior to 1914	Yes	Yes
California Lands, Inc.	107	Butte	2.50	(200 proposed)	None	Yes	No
Stephen Vernoga	5	Butte	1.00	47.3	4/1/00	Yes	Yes
Ralph J. Baxter, et al.	39	Butte	2.00	12.3 (165.7 proposed)	1/1/00	Yes	Yes
B. A. Merrifield and Elizabeth C. Merrifield	104	Butte	1.25	50.5	None	Yes	No
George Brandt and Edna May Brandt	16	Butte	0.39	50.0	Prior to 1914	Yes	Yes
E. L. Adams and Lou R. Adams	85	Butte	6.08	1191.2	10/6/21	Yes	Yes
	86	Hamlin Slough	3.82		2/5/20	Yes	Yes
	87	Hamlin Slough	7.80		2/5/20	Yes	Yes
	88	Butte	15.32		10/6/21	Yes	Yes
Herbert W. Whitten and Marjorie C. Whitten	83	Butte	6.60	665.3	3/24/22	Yes	Yes
	84	Hamlin Slough	4.98		2/5/20	Yes	Yes
Roy White	78	Butte	0.66	53.0	None	Yes	No
Ralph C. Gorrill	40	Hamlin Slough	17.85	2282.0	3/6/22	Yes	Yes
	43	Butte	22.00		3/6/22	Yes	Yes
E. E. White	64	Butte	10.50	541.6	8/18/86	Yes	No
Ryland C. Goodspeed and Marian L. Goodspeed	105	Butte	9.36	1035.0	None	Yes	No
Isabelle A. Goodspeed and Est. of Vera E. Upphoff	77	(Butte and Foreign Water)	9.60	1072.3	None	Yes	No
Western Canal Company	89	Butte Creek	30.00	22,129.0	1914	No	Yes
Totals			291.25	47,002.2			

SCHEDULE 5

Rediversion Claims on Foreign Water Delivered into Butte Creek from West Branch of Feather River by Pacific Gas and Electric Company

Claimant	Proof No.	Rediversion System	Amount		Basis of Claim			Decree
			Cu. Ft. per Sec.	Acreage Irrigated	Date of Approp.	Riparian		
Dayton Mutual Water Company, Ltd.	48	Parrott Ditch and Crouch Lateral	3.33	(Incl. in Sched. 4)	1904	No	Yes	
M. & T. Incorporated	100	Parrott Ditch and Edgar Slough	3.33	except (Incl. in Sched. 4)	Prior to 1920	No	Yes	
Parrott Investment Company	94	Parrott Ditch and Edgar Slough	3.33	except (Incl. in Sched. 4)	8/1/04	No	Yes	
Bureau of Plant Industry	102	Parrott Ditch and Edgar Slough	0.625	(Incl. in Sched. 4)	Prior to 1914	No	No	
Lester K. Thomasson, et al.	13	Parrott Ditch and Edgar Slough	0.625	50.0	1/3/05	No	Yes	

Note: Harold D. Estes also claims foreign water in Proof No. 28 included in Schedule 4.