

1 Henry Holsinger  
Mark C. Nosler  
2 Gavin M. Craig  
401 Public Works Bldg.  
3 Sacramento, California  
Tel. Gilbert 2-4711, Ext. 2300

4 Attorneys for State Engineer  
5  
6  
7  
8  
9

10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 IN AND FOR THE COUNTY OF LASSEN

12  
13 IN THE MATTER OF THE DETERMINATION )  
OF THE RIGHTS OF THE VARIOUS CLAIMANTS )  
14 TO THE WATER OF PARKER CREEK STREAM )  
SYSTEM IN LASSEN COUNTY, CALIFORNIA )

NO. 8175

DECREE

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

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

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

6  
7 GENERAL DEFINITIONS, LIMITATIONS, AND PROVISIONS

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

13 2. Although all quantities of water allotted to the several claimants  
14 for direct application to beneficial use are severally expressed in terms  
15 of continuous flow, nevertheless, nothing herein contained shall be con-  
16 strued as limiting or restricting the right of any claimants to rotate  
17 in the use of water or the right of any claimant to divert for limited  
18 periods of time convenient "irrigation heads", and thus apply water to  
19 his lands at a greater rate than indicated by the quantity of continuous  
20 flow so allotted; provided, that such practice of rotation or use of  
21 "irrigation heads" shall not result in the use by any claimant of a total  
22 quantity of water during any 30-day period in excess of the equivalent  
23 of claimant's continuous flow allowance for 30 days; and provided further,  
24 that this practice of rotation or use of "irrigation heads" shall not  
25 impair or infringe the rights of any other claimant.

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

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

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

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

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

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

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

3  
4 DEFINITIONS OF WATER RIGHTS

5 8. The several claimants in the proceeding are entitled to rights  
6 in and to the water, and in and to the use thereof, from the stream  
7 system in four priority classes as set forth in Schedule 3 and one right  
8 in surplus class as set forth in Paragraph 12.

9 9. The several claimants in the proceeding are entitled to use  
10 of the water from the stream system upon the places of use described  
11 under their names in Schedule 1, and are entitled to divert water at  
12 the points of diversion from the stream system as named, numbered, and  
13 described in Schedule 2. The points of measurement of the quantities  
14 of water allotted are at their points of diversion from the stream system.

15 10. All allotments in Schedule 3 shall be for continuous usage  
16 without regard to season, but shall be limited during the period from  
17 November 1 of each year to the last day of February of the succeeding  
18 year, to the amount required for domestic and stock water use.

19 11. The several claimants enumerated in Schedule 3 are entitled to  
20 rights in "first priority class", "second priority class", "third priority  
21 class", and "fourth priority class", in and to the use of the natural  
22 flow of Parker Creek stream system during the seasons stated in Paragraph  
23 10 for domestic, stockwatering, and irrigation purposes upon their lands  
24 as shown on the D.W.R. Map and as described under their names in  
25 Schedule 1, in accordance with acreages to be supplied, priorities and  
26 quantities of water allotted, at the points of diversion as numbered and  
27 shown after their names in Schedule 3. The rights in "first priority

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

1 Creek stream system is inadequate to supply all rights in "fourth priority  
2 class", then during the continuance of such shortage the owners of such  
3 rights shall prorate the available water supply, if any, in excess of the  
4 quantity required to supply prior rights, in accordance with their allot-  
5 ments in "fourth priority class" as set forth in Schedule 3; provided,  
6 however, that whenever the flow of Parker Creek at Diversion 15 recedes  
7 to 0.10 cubic foot per second or less, Ervy B. George and Marie George  
8 shall not apply water to any portion of their lands described in Schedule  
9 1, except those usually referred to as bottom lands, and which insofar  
10 as diversion from the West Fork of Parker Creek is concerned, do not  
11 contribute drainage to the East Fork of Parker Creek above Diversion 11;  
12 and provided further, that between June 1 and October 31, both dates  
13 inclusive, of each and every year, Clarence Hoffman and Wilma Hoffman  
14 are entitled to divert through the Hoffman Ditch (Diversion 13) 0.45  
15 cubic foot per second as a right in the "second priority class" in lieu  
16 of an equal amount in "third priority class" as set forth in Schedule 3,  
17 and said right in "second priority class" shall not be subject to proration  
18 until the flow of Parker Creek at the south line of SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 15,  
19 T 28 N, R 13 E recedes to 0.90 cubic foot per second and thereafter  
20 this right is entitled to one-half the flow available in the "second  
21 priority class".

22 12. RUTH LAGIER, DAN L. DIETER, ESTHER E. SMITH AND WILMA HOFFMAN  
23 c/l LLOYD HOFFMAN, collectively, are entitled to divert as a right in  
24 "surplus class", subject to all rights as hereinafter defined in Schedule  
25 3, from the natural flow of Parker Creek, at a point designated on D.W.R.  
26 Map as Diversion 14, described in Schedule 2 hereof, through the Dieter  
27 Reservoir Ditch;

1           (1) 0.20 cubic foot per second, by direct diversion during  
2 the period from about January 1 to June 1 of each year for irrigation  
3 purposes, and  
4           (2) 12 acre-feet per annum by storage to be collected from  
5 about January 1 to about June 1 of each year for irrigation and stock-  
6 watering purposes as a supplemental supply for use on 140.0 acres of  
7 their lands, described under their names in Schedule 1, all in accordance  
8 with the beneficial use made by claimant, of unappropriated water  
9 pursuant to Permit 8461 issued by the Department on Application 13925.  
10 No further right shall accrue under the permit.

SCHEDULE 1

DESCRIPTION OF PLACES OF USE OF ALLOCATIONS FROM  
PARKER CREEK STREAM SYSTEM

1  
2  
3 William Ahern and Zella J. Ahern

4 Domestic purposes in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of  
5 Section 21, T 28 N, R 13 E, MDB&M

6 William T. Bailey and Lenora M. Bailey, George B. Bailey and Annie K. Bailey

7 Domestic purposes in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of  
8 Section 21, T 28 N, R 13 E, MDB&M

9 W. T. Bailey and Lenora M. Bailey

10 15.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 13, T 28 N, R 13 E, MDB&M  
11 20.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 13, T 28 N, R 13 E, MDB&M  
12 1.4 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 13, T 28 N, R 13 E, MDB&M  
13 2.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
14 33.4 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
15 29.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
16 38.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
17 7.0 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
18 23.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
19 2.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
20 170.8 acres - Total

21 W. T. Bailey and Lenora M. Bailey

22 22.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 13, T 28 N, R 13 E, MDB&M  
23 19.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 13, T 28 N, R 13 E, MDB&M  
24 17.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 13, T 28 N, R 13 E, MDB&M  
25 6.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 13, T 28 N, R 13 E, MDB&M  
26 5.3 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
27 1.7 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
28 71.0 acres - Total

29 Warren E. Bass and Hilda R. Bass

30 40.0 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 11, T 28 N, R 13 E, MDB&M  
31 5.2 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 12, T 28 N, R 13 E, MDB&M  
32 40.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 12, T 28 N, R 13 E, MDB&M  
33 12.8 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 12, T 28 N, R 13 E, MDB&M  
34 10.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 13, T 28 N, R 13 E, MDB&M  
35 30.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
36 138.0 acres - Total

37 A. Ross Cutter and Emma C. Cutter

38 15.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 21, T 28 N, R 13 E, MDB&M  
39 15.0 acres - Total

Sheet 1



SCHEDULE 1 (Cont'd)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

Ervy B. George and Marie George

\*0.6 acre in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 15, T 28 N, R 13 E, MDB&M  
 \*2.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 22, T 28 N, R 13 E, MDB&M  
 27.1 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 22, T 28 N, R 13 E, MDB&M  
 24.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 22, T 28 N, R 13 E, MDB&M  
 \*4.5 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 22, T 28 N, R 13 E, MDB&M  
58.2 acres - Total

Clarence Hoffman and Wilma Hoffman

17.5 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 15, T 28 N, R 13 E, MDB&M  
 3.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 15, T 28 N, R 13 E, MDB&M  
 6.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 15, T 28 N, R 13 E, MDB&M  
26.5 acres - Total

Ruth Lagier, Dan L. Dieter, Esther E. Smith and Wilma Hoffman

20.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 11, T 28 N, R 13 E, MDB&M  
 40.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, T 28 N, R 13 E, MDB&M  
 40.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, T 28 N, R 13 E, MDB&M  
 11.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
 40.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
 40.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
 22.6 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
 0.3 acre in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
35.4 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 14, T 28 N, R 13 E, MDB&M  
 249.3 acres - Total

Gladys Servilcan Mankins

12.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 21, T 28 N, R 13 E, MDB&M  
12.0 acres - Total

F. J. Zepensky

4.6 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 21, T 28 N, R 13 E, MDB&M  
4.6 acres - Total

Almon L. Row

Domestic purposes in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 21, T 28 N, R 13 E,  
 MDB&M

\*Denotes irrigated land outside of property line.

SCHEDULE 2

POINTS OF DIVERSION FROM PARKER CREEK  
STREAM SYSTEM

Name of diversion system	Number of diversion on D.W.R. Map	Approximate location of point of diversion				
		Legal subdivision in which diversion occurs M.D.B.&M.	Reference corner for distance and bearing M.D.B.&M.	Bearing from reference corner	Distance in feet from reference corner	
Ahern	1a	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21 T 28 N, R 13 E,	SW Cor. Sec. 21 T 28 N, R 13 E	N 44° E	2000	
Bailey West Fork	1b	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21 T 28 N, R 13 E	SW Cor. Sec. 21 T 28 N, R 13 E	N 44° E	2520	
Row	1c	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21 T 28 N, R 13 E	SW Cor. Sec. 21 T 28 N, R 13 E	N 44° E	3780	
Cutter	1d	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21 T 28 N, R 13 E	SW Cor. Sec. 21 T 28 N, R 13 E	N 44° E	3940	
Zepensky Spring	2	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21 T 28 N, R 13 E	W $\frac{1}{2}$ Cor. Sec. 21 T 28 N, R 13 E	N 79° E	1050	
Mankins Ditch	3	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21 T 28 N, R 13 E	NE Cor. Sec. 21 T 28 N, R 13 E	S 27° W	700	
Mankins Reservoir Spring	4	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21 T 28 N, R 13 E	NE Cor. Sec. 21 T 28 N, R 13 E	S 47° W	600	
Mankins Reservoir	5	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21 T 28 N, R 13 E	NE Cor. Sec. 21 T 28 N, R 13 E	S 38° W	550	
George South Ditch	6	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22 T 28 N, R 13 E	NW Cor. Sec. 22 T 28 N, R 13 E	S 3° E	530	
George North Ditch	7	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22 T 28 N, R 13 E	NW Cor. Sec. 22 T 28 N, R 13 E	S 3° E	500	
George Springs	8	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22 T 28 N, R 13 E	NW Cor. Sec. 22 T 28 N, R 13 E	S 70° E	1100	
George West Ditch	9	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22 T 28 N, R 13 E	W $\frac{1}{2}$ Cor. Sec. 22 T 28 N, R 13 E	S 70° E	300	
George Upper East Ditch	10	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22 T 28 N, R 13 E	W $\frac{1}{2}$ Cor. Sec. 22 T 28 N, R 13 E	S 70° E	300	
George Middle East Ditch	11	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22 T 28 N, R 13 E	NW Cor. Sec. 22 T 28 N, R 13 E	S 50° E	1450	

SCHEDULE 2 (Cont'd)

POINTS OF DIVERSION FROM PARKER CREEK  
STREAM SYSTEM

Name of diversion system	Number of	Approximate location of point of diversion				Distance in feet from reference corner
		Legal subdivision in which diversion occurs	Reference corner for distance and bearing	Bearing from reference corner	Distance from reference corner	
D.W.R. : Map	:	M.D.B.&M. :	M.D.B.&M. :	M.D.B.&M. :	corner	corner
George Lower East Ditch	12	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22 T 28 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 22 T 28 N, R 13 E	S 84° W	1150	
Hoffman Ditch	13	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 15 T 28 N, R 13 E	E $\frac{1}{4}$ Cor. Sec. 15 T 28 N, R 13 E	N 87° W	2000	
Dieter Reservoir	14	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 15 T 28 N, R 13 E	NE Cor. Sec. 15 T 28 N, R 13 E	S 7° W	1250	
Dieter Ditch	15	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 15 T 28 N, R 13 E	NE Cor. Sec. 15 T 28 N, R 13 E	S 7° W	1250	
Bailey Upper Ditch	16	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 14 T 28 N, R 13 E	N 82° E	2250	
Bailey Middle Ditch	17	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14 T 28 N, R 13 E	E $\frac{1}{4}$ Cor. Sec. 14 T 28 N, R 13 E	S 86° W	2450	
Bailey North Spring	18	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14 T 28 N, R 13 E	E $\frac{1}{4}$ Cor. Sec. 14 T 28 N, R 13 E	N 73° W	1950	
Bailey Middle Springs	19	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14 T 28 N, R 13 E	E $\frac{1}{4}$ Cor. Sec. 14 T 28 N, R 13 E	S 78° W	1900	
Bailey South Springs	20	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14 T 28 N, R 13 E	E $\frac{1}{4}$ Cor. Sec. 14 T 28 N, R 13 E	S 58° W	1750	
Bailey Meadow Dam	21	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 13 T 28 N, R 13 E	S 33° E	700	
Bailey Meadow Dam	22	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 13 T 28 N, R 13 E	S 60° E	1100	
Bailey Meadow Dam	23	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 13 T 28 N, R 13 E	S 72° E	1700	

SCHEDULE 3

ALLOCATIONS TO VARIOUS CLAIMANTS  
FROM PARKER CREEK STREAM SYSTEM

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

Name of claimant	: Acreage:	: Diversion:		Allotments				: Total
		to be	as per	First	Second	Third	Fourth	
	supplied:	D.W.R.	Map	priority:	priority:	priority:	priority:	
				class	class	class	class	
William Ahern and Zella J. Ahern	Domestic	1a		0.01				0.01
W. T. Bailey and Lenora M. Bailey, George B. Bailey and Annie K. Bailey	Domestic	1b		.01				0.01
Almon L. Row	Domestic	1c		.01				0.01
A Ross Cutter and Emma C. Cutter	15.0	1d		.01			0.24	0.25
F. J. Zepensky	4.6	2		.10				0.10
Gladys Servilican Mankins	3.5 8.5	3,4, and 5		.07		0.13		0.20
Ervy B. George and Marie George	22.2	6,7, and 8		.34				0.34
Ervy B. George and Marie George	16.9 19.1	9, 10, 11 and 12		.26		0.29		0.55
Clarence Hoffman and Wilma Hoffman	26.5	13		*.05		0.45		0.50
Ruth Lagier, Dan L. Dieter, Esther E. Smith, and Wilma Hoffman c/o Clarence Hoffman	189.3 60.0	15		*.10	2.66		.88	3.64
Warren E. Bass and Hilda R. Bass	138.0	15			1.38			1.38
W. T. Bailey and Lenora M. Bailey	170.8	16, 17, 18 19 and 20			1.71		.	1.71
W. T. Bailey and Lenora M. Bailey	71.0	18, 21, 22, and 23			0.35			0.35
<b>TOTALS</b>	<b>745.4</b>			<b>0.96</b>	<b>4.04</b>	<b>2.93</b>	<b>1.12</b>	<b>9.05</b>

\* Subject to rights of Ervy B. George and Marie George as hereinbefore set forth in Paragraph 18.

1                   IT IS FURTHER ORDERED, ADJUDGED AND DECREED:

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

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

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

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

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

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

Done this 15th day of December, 1955

/s/ Ben V. Curler

---

Judge of the Superior Court