

TULE LAKE RESERVOIR SYSTEM ADJUDICATION

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LASSEN**

DECREE NO. 17327

**Tule Lake Reservoir System
In Lassen County, California**

1986



CALIFORNIA STATE WATER RESOURCES CONTROL BOARD



FILED

FEB 20 1986

JACQUELYN FULLER
LASSEN COUNTY CLERK

By BRUCE D. DYER

TULE LAKE RESERVOIR SYSTEM ADJUDICATION

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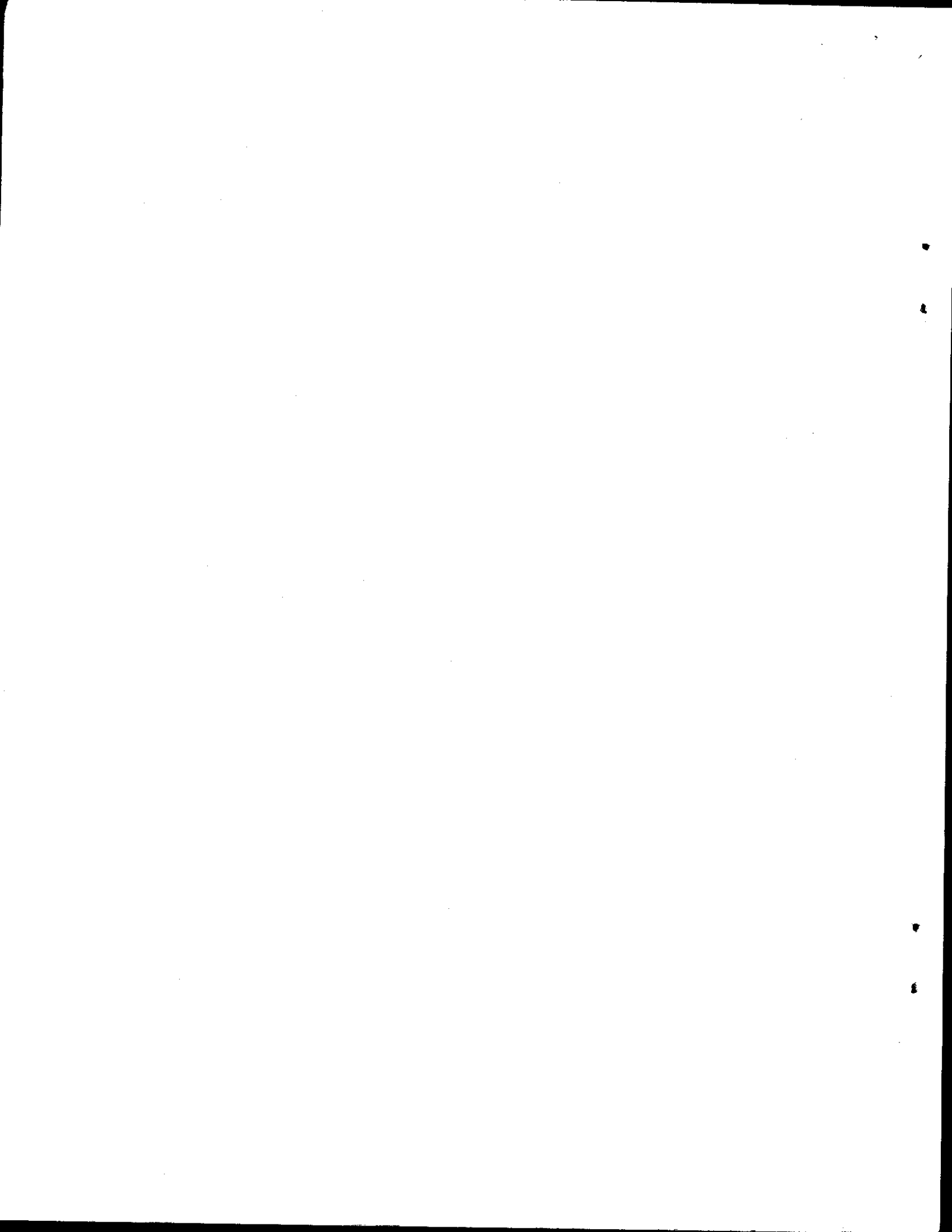
IN AND FOR THE COUNTY OF LASSEN

In the Matter of the Determination of the
Rights of the Various Claimants to the
Waters of Tule Lake Reservoir System
in Lassen County, California

FEBRUARY 1986

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

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5 Attorneys for the State Water
Resources Control Board
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8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF LASSEN
10

11 In the Matter of the)
12 DETERMINATION OF THE RIGHTS)
OF THE VARIOUS CLAIMANTS)
13 TO THE WATER OF THE)
TULE LAKE RESERVOIR SYSTEM)
14 in Lassen County, California.)
15

NO. 17327

DECREE

16 The above-entitled cause having come on regularly for
17 hearing and determination on December 16, 1985 before this court;
18 all parties in interest having been duly and regularly notified of
19 said hearing; the State Water Resources Control Board (hereinafter
20 referred to as the "Board") having filed with the clerk of this
21 court a certified copy of the Order of Determination together with
22 the original evidence filed with or taken before the Board and
23 certified by it; no exceptions having been filed; the Court now
24 affirms said Order of Determination and renders this decree
25 determining the rights of all parties involved in this proceeding
26 as follows:

27 IT IS ORDERED, ADJUDGED, and DECREED that the several
28 rights in and to the use of water of Tule Lake Reservoir System, in

1 Lassen County, California are determined and established as
2 hereinafter set forth.

3 Definitions

4 1. "Water Code" means the State of California Water Code.

5 2. "Reservoir System" means the Tule Lake Reservoir
6 System. It includes Tule Lake Reservoir, Madeline Reservoir and
7 the distribution system which supplies water to the lands of the
8 various claimants.

9 3. "Claimant" means a party who has filed a proof of
10 claim of water right in and to the use of water of the Tule Lake
11 Reservoir System, or who, having failed or refused to file such a
12 proof of claim properly, has had his right determined pursuant to
13 provisions of Water Code Section 2577.

14 4. "Directly apply to beneficial use" means the direct
15 conveyance and application of water diverted to beneficial use
16 without intermediate storage, except reasonable regulatory storage
17 used to create a convenient head for irrigation or other beneficial
18 use allowed herein.

19 5. "Seasonal storage" is defined as the collection of
20 natural flow in a reservoir during a time of high stream flow, such
21 as the winter and spring months, where such water is held and used
22 during a time of deficient stream flow, such as the summer and fall
23 months.

24 6. "Regulatory storage" is the collection of a direct
25 diversion allotment in a reservoir in which water is held in
26 storage for the purpose of creating a convenient head for irriga-
27 tion or other beneficial use allowed herein, for less than 30 days
28 before being withdrawn.

1 7. "Natural flow" means flow which occurs at the point in
2 a stream from the runoff of the watershed which it drains, from
3 springs and seepage which naturally contribute to the stream, and
4 from waste and return flow from dams, conduits, and irrigated
5 land. Natural flow is distinguished from water released directly
6 from storage for redirection and use, or water imported from
7 another watershed which is released directly to the natural channel
8 for conveyance to the place of beneficial use.

9 8. "Watershed" means the drainage area or region which
10 contributes to the water supply of a stream or lake.

11 9. "1945 agreement" means the agreement between George
12 E. Williams, Jr. and Myrtle F. Williams, his wife; Ethel M. Plasil
13 and Albert Plasil, her husband, parties of the first part; and
14 State of California, party of the second part, entered into on
15 July 9, 1945.

16 State Water Resources Control Board Map

17 10. The State Water Resources Control Board map (SWRCB
18 map) is prepared by the Board from investigations made in 1978,
19 1979 and 1980. It is entitled "Tule Lake Reservoir Diversion
20 System, Showing Tributaries, Reservoirs, Diversions and Irrigated
21 Lands, Lassen County, dated 1983" and is on file in this proceed-
22 ing. The SWRCB map comprises four sheets which are incorporated
23 and included in this decree.

24 General Entitlement

25 11. The claimants found in this proceeding to possess
26 water rights are entitled to the use of water of the Tule Lake
27 Reservoir System on their lands described under their respective
28 names in Schedule 1, and shown on the SWRCB map, from points of

1 diversion and rediversion described in Schedule 2, during the
2 periods of time specified in Paragraph 13 entitled "Seasons of Use"
3 and in the amounts allotted and for the uses set forth after their
4 respective names in Schedule 3 ~~and 4~~. The amount of water allotted
5 to each claimant shall be measured at the nearest point of rediver-
6 sion as described in Schedule 2. Nothing contained herein shall be
7 construed to allocate to any claimant a right to divert at any time
8 from Tule Lake Reservoir System more water than reasonably neces-
9 sary for that claimant's beneficial use, nor to permit that
10 claimant a right to unreasonably impair the quality of the water.

11 Season of Storage

12 12. The season for diversion to storage of water in Tule
13 Lake Reservoir and Madeline Reservoir under appropriative right
14 initiated prior to December 19, 1914 shall be from January 1 to
15 December 31 of each year.

16 Seasons of Use

17 13. Allotments for irrigation shall be for use as required
18 from April 1 to November 1 of each year. Allotments for domestic
19 and stockwatering purposes shall be for use as required throughout
20 the year.

21 Domestic Use

22 14. Domestic use is limited to water applied exclusively
23 for household purposes, watering of domestic animals and irrigation
24 of up to one-half acre of yard, garden and/or family orchard.

25 Stockwatering Use

26 15. Stockwatering use is limited to water required by
27 commercial livestock.

28 //

1 Irrigation Use

2 16. Irrigation use is limited to the application of water
3 for the purpose of meeting moisture requirements of growing crops.

4 17. Claimants diverting water under allotments for irriga-
5 tion use are entitled to use water for domestic and stockwatering
6 purposes incidental to irrigation.

7 Domestic and Stockwatering Uses During the Non-Irrigation Season

8 18. To provide water at the various places of use in the
9 Madeline Plains area for domestic and stockwatering purposes during
10 the non-irrigation season from November 1 to about April 1, all
11 claimants in Schedule 3 are entitled to divert a sufficient amount
12 of water to offset reasonable conveyance losses and to deliver
13 0.01 cfs at the place of use.

14 Minimum Pool

15 19. A dead storage pool of 3000 acre-feet has been histor-
16 ically maintained in Tule Lake Reservoir. In addition, annual
17 carry over of 3190 acre-feet is required for orderly year-to-year
18 management of the storage facility and to assure an irrigation
19 supply during the following year if runoff is deficient. For these
20 and the additional purposes of wildlife maintenance and enhancement
21 and recreational purposes, a minimum pool of 6190 acre-feet (dead
22 storage plus annual carry over) shall be maintained in Tule Lake
23 Reservoir subject to irrigation allocations as provided in the 1945
24 agreement. No modification of the outlet facilities shall be made
25 which would infringe or encroach on the minimum pool.

26 Right to Water from Madeline Reservoir

27 20. Santa S. Mann and Balbir K. Mann have the right to use
28 the maximum yield of Madeline Reservoir. The maximum yield is

1 quantified at 300 acre-feet per annum.

2 Reserved Jurisdiction

3 21. The court reserves continuing jurisdiction, upon
4 application of any party hereto, or successor in interest thereto,
5 or upon its own motion or the motion of the State Water Resources
6 Control Board to review its decree and to change or modify the same
7 as the interests of justice may require.

8 Changes in Exercise of Rights

9 22. Any party who wishes to change or modify the exercise
10 of his rights set forth in the decree may request the Board to
11 investigate said change or modification. The Board shall notify
12 affected parties of its investigation and provide an opportunity to
13 object to the proposed change. If any affected party objects to the
14 proposed change or modification, the Board shall hold a hearing or
15 other proceeding in lieu of hearing. Following its investigation,
16 the Board shall file its report which determines whether the
17 proposed change or modification is in accordance with applicable law
18 and which makes a recommendation regarding changes or modifications
19 of the decree. Any changes or modifications of the decree
20 recommended by the Board shall be entered, subject to court review
21 and approval, as a supplemental decree. The Board shall be entitled
22 to receive reimbursement for its expenses of such investigation.
23 Proceedings on the apportionment of the expense shall closely con-
24 form to the provisions of Article 13, Chapter 3, Part 3, Division 2
25 of the Water Code, commencing with Section 2850. Nothing in this
26 paragraph shall restrict any right which any person may have under
27 any statute or common law to change or modify the exercise of his
28 rights set forth in the decree.

1 Water Right Disputes in Watermaster Service Area

2 23. If a watermaster service area is created in accordance
3 with applicable law, the watermaster shall distribute the water in
4 accordance with the decree. If a water right dispute arises
5 between users, the watermaster shall regulate those diversions as
6 set forth in the decree as necessary to settle the dispute. Any
7 party who alleges that the watermaster is not regulating his water
8 right in accordance with the decree may apply to the Board to
9 investigate said allegations. The Board shall notify all affected
10 parties of its investigation and give them an opportunity to
11 respond to the allegations. If any affected party requests a
12 hearing or other proceedings in lieu of hearing, the Board shall
13 duly notice and schedule a hearing or other proceedings in lieu of
14 hearing. Following its investigation, the Board shall file its
15 report which determines whether the watermaster has regulated the
16 water right in accordance with the decree and which makes its
17 recommendation to the court for any change, modification, or
18 clarification of the decree. Any change, modification, or
19 clarification of the decree recommended by the Board shall be
20 entered, subject to court review and approval, as a supplemental
21 decree. The Board shall be entitled to receive reimbursement for
22 its expense of such investigation. Proceedings on the
23 apportionment of expenses shall closely conform to the provisions
24 of Article 13, Chapter 3, Part 3, Division 2 of the Water Code,
25 commencing with Section 2850. Nothing in this paragraph shall
26 restrict any right which any person may have under statute or
27 common law to seek enforcement of this decree or to seek any other
28 relief.

1 Effects of the Decree

2 24. Each and every claimant, his or her agents,
3 successors, grantees and assigns, shall be and hereby are
4 perpetually enjoined and restrained from doing anything in
5 violation of the terms or provisions of the judgment and decree,
6 and from diverting any water from said Tule Lake Reservoir System
7 as defined in this decree at any time in excess of a quantity
8 reasonably necessary for, and actually applied to, reasonable
9 beneficial use by reasonable methods of diversion and use, and from
10 doing anything, directly and indirectly, that will obstruct or
11 interfere with any right of another adjudged and decreed in this
12 action.

13 25. This decree is conclusive as to the rights of all
14 existing claimants in the Tule Lake Reservoir System as defined
15 herein.

16 26. This decree supersedes and modifies all inconsistent
17 former judgments and decrees as to the rights to the water of the
18 Tule Lake Reservoir System. However, it does not supersede
19 rotation or ditch agreements consistent herewith.

20 27. Any claimant who has failed to appear and submit proof
21 of his claim as provided in Chapter 3, Part 3 of Division 2 of the
22 Water Code, shall be barred and estopped from subsequently
23 asserting any rights heretofore acquired upon the Tule Lake
24 Reservoir System as defined herein. Such claimants forfeit all
25 rights to water heretofore claimed by him on said stream system,
26 other than as provided in the decree, unless entitled to relief
27 under the laws of this state.

28 //

1 Statements of Diversion and Use

2 28. All persons diverting water under water rights other
3 than appropriative water rights initiated after December 19, 1914,
4 are required to file Statements of Water Diversion and Use with the
5 Board in accordance with Part 5.1 of Diversion 2 of the Water Code
6 commencing with Section 5100.

7 Conveyance Loss

8 29. In any change of place of use in which water is
9 conveyed to a location farther than the Madeline Plains from Tule
10 Lake Reservoir, conveyance loss shall be measured and rediversion
11 at the place of use shall be reduced from the amount diverted at
12 Tule Lake Reservoir by the amount of the loss.

13 Dated: **FEB 19 1986**

14
15 JOSEPH B. HARVEY
16 Judge of the Superior Court

17
18 *The foregoing instrument is a correct*
19 *copy of the original on file in this office.*

20 Date: FEB 20 1986

21 JACQUELYN FULLER¹⁹

22 County Clerk and Clerk of the
23 Superior Court in and for the County of
24 Lassen, State of California.

25 By Steve D. J. J.
26 Deputy
27
28

SCHEDULE 1

DESCRIPTION OF PLACES OF USE OF WATER FROM TULE LAKE RESERVOIR SYSTEM

| Name | Acres | Subdivision | Section | Township:Range | |
|--|-----------|--|---------|----------------|-----|
| | | | | MDB&M | |
| Bell, H. & L. | 20 | W ₂ of SE ₄ of NE ₄ | 24 | 37N | 12E |
| Boepple, W. S. & V. M. | 20 | E ₂ of SW ₄ of SW ₄ | 18 | 37N | 13E |
| Bradford, J. & W. | 5 | S ₂ of NE ₄ of SW ₄ | 19 | 37N | 13E |
| Childers, C. D. & D. H. | 20 | N ₂ of SE ₄ of NW ₄ | 19 | 37N | 13E |
| Christian, G. & C. | 20 | W ₂ of NW ₄ of NE ₄ | 24 | 37N | 12E |
| Cordero, G. & C. and Roberts, J. P. | 20 | W ₂ of NE ₄ of SE ₄ | 13 | 37N | 12E |
| Costa, J. & M. | 10 | E ₂ of NE ₄ of NW ₄ | 18 | 37N | 13E |
| Crosthwaite, R. P. and J. | 20 | S ₂ of SE ₄ of SW ₄ | 18 | 37N | 13E |
| Croushore, A. F. & M. L. | 20 | S ₂ of SE ₄ of NW ₄ | 18 | 37N | 13E |
| Davis, J. J. and Davis, J. J. Jr. | 20 | S ₂ of SE ₄ of NW ₄ | 19 | 37N | 13E |
| Day, C & R. F. | 5 | E ₂ of SW ₄ of SW ₄ | 19 | 37N | 13E |
| Fredette, B. & M. | 20 | S ₂ of NE ₄ of SW ₄ | 18 | 37N | 13E |
| Frierson, R. & Cogburn O. | 20 | E ₂ of NW ₄ of NE ₄ | 24 | 37N | 12E |
| Gafford, C. D. & J. R. | 20 | E ₂ of NW ₄ of SE ₄ | 13 | 37N | 12E |
| Gilmore, F. & E. | 20 | N ₂ of SE ₄ of SW ₄ | 18 | 37N | 13E |
| Gutierrez, C. | 20 | W ₂ of NW ₄ of SW ₄ | 18 | 37N | 13E |
| Hackney, C. D. & V. M. | 20 | N ₂ of NE ₄ of NW ₄ | 19 | 37N | 13E |
| Hooper, R. et al. | 20 | W ₂ of NE ₄ of NE ₄ | 24 | 37N | 12E |
| Illing, I. & K. | 20 | E ₂ of NE ₄ of NE ₄ | 24 | 37N | 12E |
| Jackson, J. & R. | 20 | E ₂ of NE ₄ of SE ₄ | 13 | 37N | 12E |
| Jones, Barbara Dean | 38 | NE ₄ of NW ₄ | 22 | 37N | 13E |
| | 25 | NW ₄ of NE ₄ | 22 | 37N | 13E |
| | 25 | NE ₄ of NE ₄ | 22 | 37N | 13E |
| | 10 | NW ₄ of NW ₄ | 23 | 37N | 13E |
| | <u>98</u> | | | | |
| Jones, David | 20 | E ₂ of NW ₄ of NW ₄ | 19 | 37N | 13E |

SCHEDULE 1 (continued)

DESCRIPTION OF PLACES OF USE OF WATER FROM TULE LAKE RESERVOIR SYSTEM

| Name | Acres | Subdivision | Section | Township:Range | |
|---|---|---|---------|----------------|-------|
| | | | | MDB&M | MDB&M |
| Mann, Santa | 25 | NE $\frac{1}{4}$ of NW $\frac{1}{4}$ | 13 | 37N | 12E |
| | 30 | SE $\frac{1}{4}$ of NW $\frac{1}{4}$ | 13 | 37N | 12E |
| | 35 | NE $\frac{1}{4}$ of SW $\frac{1}{4}$ | 13 | 37N | 12E |
| | 10 | NW $\frac{1}{4}$ of SW $\frac{1}{4}$ | 13 | 37N | 12E |
| | 40 | SW $\frac{1}{4}$ of SW $\frac{1}{4}$ | 13 | 37N | 12E |
| | 40 | SE $\frac{1}{4}$ of SW $\frac{1}{4}$ | 13 | 37N | 12E |
| | <u>160</u> | NE $\frac{1}{4}$ | 1 | 36N | 12E |
| | 340 | | | | |
| Matteson, D. M. & D. F. | 20 | W $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ | 18 | 37N | 13E |
| | <u>20</u> | E $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ | 13 | 37N | 12E |
| | 40 | | | | |
| McGarva, Anita | 15 | SE $\frac{1}{4}$ of NE $\frac{1}{4}$ | 15 | 37N | 13E |
| McKee, F. & L. | 20 | W $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ | 19 | 37N | 13E |
| Meeks, A. & T. | 20 | E $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ | 13 | 37N | 12E |
| Mendiboure, P. & E. M. & Mendiboure Ranches Inc. | 7 | NE $\frac{1}{4}$ of SE $\frac{1}{4}$ | 31 | 37N | 13E |
| | 15 | SE $\frac{1}{4}$ of SE $\frac{1}{4}$ | 31 | 37N | 13E |
| | 7 | SW $\frac{1}{4}$ of NW $\frac{1}{4}$ | 32 | 37N | 13E |
| | 12 | SE $\frac{1}{4}$ of NW $\frac{1}{4}$ | 32 | 37N | 13E |
| | 12 | SW $\frac{1}{4}$ of NE $\frac{1}{4}$ | 32 | 37N | 13E |
| | 10 | SE $\frac{1}{4}$ of NE $\frac{1}{4}$ | 32 | 37N | 13E |
| | 27 | NE $\frac{1}{4}$ of SE $\frac{1}{4}$ | 32 | 37N | 13E |
| | 40 | NW $\frac{1}{4}$ of SE $\frac{1}{4}$ | 32 | 37N | 13E |
| | 40 | NE $\frac{1}{4}$ of SW $\frac{1}{4}$ | 32 | 37N | 13E |
| | 40 | NW $\frac{1}{4}$ of SW $\frac{1}{4}$ | 32 | 37N | 13E |
| | 40 | SW $\frac{1}{4}$ of SW $\frac{1}{4}$ | 32 | 37N | 13E |
| | 40 | SE $\frac{1}{4}$ of SW $\frac{1}{4}$ | 32 | 37N | 13E |
| | 40 | SW $\frac{1}{4}$ of SE $\frac{1}{4}$ | 32 | 37N | 13E |
| | 25 | SE $\frac{1}{4}$ of SE $\frac{1}{4}$ | 32 | 37N | 13E |
| | 14 | SW $\frac{1}{4}$ of NW $\frac{1}{4}$ | 33 | 37N | 13E |
| | 40 | NW $\frac{1}{4}$ of SW $\frac{1}{4}$ | 33 | 37N | 13E |
| | 11 | NE $\frac{1}{4}$ of SW $\frac{1}{4}$ | 33 | 37N | 13E |
| | 40 | SW $\frac{1}{4}$ of SW $\frac{1}{4}$ | 33 | 37N | 13E |
| | 11 | SE $\frac{1}{4}$ of SW $\frac{1}{4}$ | 33 | 37N | 13E |
| | 8 | NW $\frac{1}{4}$ of NW $\frac{1}{4}$ | 4 | 37N | 13E |
| 1 | NE $\frac{1}{4}$ of NW $\frac{1}{4}$ | 4 | 36N | 13E | |
| 20 | W $\frac{1}{2}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ | 18 | 37N | 13E | |
| 20 | N $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ | 18 | 37N | 13E | |
| 20 | E $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ | 18 | 37N | 13E | |
| 15 | W $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ | 18 | 37N | 13E | |
| 20 | N $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ | 18 | 37N | 13E | |

SCHEDULE 1 (continued)

DESCRIPTION OF PLACES OF USE OF WATER FROM TULE LAKE RESERVOIR SYSTEM

| Name | Acres | Subdivision | Section | Township:Range MDB&M | |
|---|------------|---|---------|-------------------------|-----|
| Mendiboure (Cont.) | 36 | NW $\frac{1}{4}$ of NW $\frac{1}{4}$ | 18 | 37N | 13E |
| | 40 | SW $\frac{1}{4}$ of NW $\frac{1}{4}$ | 19 | 37N | 13E |
| | 20 | E $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ | 13 | 37N | 12E |
| | 20 | E $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ | 13 | 37N | 12E |
| | 20 | W $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ | 13 | 37N | 12E |
| | 20 | E $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ | 13 | 37N | 12E |
| | 20 | W $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ | 13 | 37N | 12E |
| | 20 | W $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ | 13 | 37N | 12E |
| | 40 | SW $\frac{1}{4}$ of NE $\frac{1}{4}$ | 24 | 37N | 12E |
| | <u>20</u> | E $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ | 24 | 37N | 12E |
| | 831 | | | | |
| Mortby, A. & L. | 20 | E $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ | 18 | 37N | 13E |
| Nottingham | 7 | SE $\frac{1}{4}$ of SE $\frac{1}{4}$ | 9 | 37N | 13E |
| Novy, Lowell | 340 | | 26 | 37N | 12E |
| | 437 | | 35 | 37N | 12E |
| | 405 | | 2 | 36N | 12E |
| | 450 | | 11 | 36N | 12E |
| | 538 | | 12 | 36N | 12E |
| | <u>320</u> | | 7 | 36N | 13E |
| | 2,490 | | | | |
| Olsen, Rex | 30 | SW $\frac{1}{4}$ of SW $\frac{1}{4}$ | 15 | 37N | 13E |
| | 30 | SE $\frac{1}{4}$ of SW $\frac{1}{4}$ | 15 | 37N | 13E |
| | 30 | SW $\frac{1}{4}$ of SE $\frac{1}{4}$ | 15 | 37N | 13E |
| | 35 | SE $\frac{1}{4}$ of SE $\frac{1}{4}$ | 15 | 37N | 13E |
| | 13 | NE $\frac{1}{4}$ of SE $\frac{1}{4}$ | 15 | 37N | 13E |
| | <u>5</u> | SW $\frac{1}{4}$ of SW $\frac{1}{4}$ | 14 | 37N | 13E |
| | 143 | | | | |
| Peterson, J. & E. | 20 | W $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ | 13 | 37N | 12E |
| John Hancock Mutual Life Insurance Co. | | Stockwatering within all or portions of Sections 3,4,9,10,13,14,15,22,23,24, 25,26,27,34,36; | | 36N | 12E |
| | | and Sections 17,18,19,20, 29,30,31,32 | | 36N | 13E |
| Rathke, R. & J. E. | 20 | E $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ | 24 | 37N | 12E |
| Ratliff-Wool | 3 | SW $\frac{1}{4}$ of NE $\frac{1}{4}$ | 3 | 37N | 13E |
| | 18 | SW $\frac{1}{4}$ of NE $\frac{1}{4}$ | 3 | 37N | 13E |
| | 35 | NW $\frac{1}{4}$ of SE $\frac{1}{4}$ | 3 | 37N | 13E |
| | 3 | NE $\frac{1}{4}$ of SE $\frac{1}{4}$ | 3 | 37N | 13E |

SCHEDULE 1 (continued)

DESCRIPTION OF PLACES OF USE OF WATER FROM TULE LAKE RESERVOIR SYSTEM

| Name | Acres | Subdivision | Section | Township:Range | |
|--------------------------|-----------|---|---------|----------------|-----|
| | | | | MDB&M | |
| Ratliff-Wool (cont). | 13 | SW $\frac{1}{2}$ of SE $\frac{1}{2}$ | 3 | 37N | 13E |
| | 2 | NW $\frac{1}{2}$ of SW $\frac{1}{2}$ | 10 | 37N | 13E |
| | 6 | NE $\frac{1}{2}$ of SW $\frac{1}{2}$ | 10 | 37N | 13E |
| | 35 | SW $\frac{1}{2}$ of SW $\frac{1}{2}$ | 10 | 37N | 13E |
| | 35 | SE $\frac{1}{2}$ of SW $\frac{1}{2}$ | 10 | 37N | 13E |
| | 40 | NW $\frac{1}{2}$ of NW $\frac{1}{2}$ | 15 | 37N | 13E |
| | 40 | NE $\frac{1}{2}$ of NW $\frac{1}{2}$ | 15 | 37N | 13E |
| | 22 | NW $\frac{1}{2}$ of NE $\frac{1}{2}$ | 15 | 37N | 13E |
| | 40 | SW $\frac{1}{2}$ of NW $\frac{1}{2}$ | 15 | 37N | 13E |
| | 40 | SE $\frac{1}{2}$ of NW $\frac{1}{2}$ | 15 | 37N | 13E |
| | 40 | SW $\frac{1}{2}$ of NE $\frac{1}{2}$ | 15 | 37N | 13E |
| | 40 | NW $\frac{1}{2}$ of SW $\frac{1}{2}$ | 15 | 37N | 13E |
| | 40 | NE $\frac{1}{2}$ of SW $\frac{1}{2}$ | 15 | 37N | 13E |
| | 40 | NW $\frac{1}{2}$ of SE $\frac{1}{2}$ | 15 | 37N | 13E |
| | <u>35</u> | (leased) | 16 | 37N | 13E |
| | 527 | | | | |
| Reaney, H. W. & V. M. | 10 | W $\frac{1}{2}$ of SW $\frac{1}{2}$ of SW $\frac{1}{2}$ | 19 | 37N | 13E |
| | <u>2</u> | SE $\frac{1}{2}$ of SE $\frac{1}{2}$ | 9 | 37N | 13E |
| | 12 | | | | |
| Rosenthal, J. E. & M. E. | 20 | E $\frac{1}{2}$ of SE $\frac{1}{2}$ of SE $\frac{1}{2}$ | 13 | 37N | 12E |
| Smith, W. W. | 20 | S $\frac{1}{2}$ of NE $\frac{1}{2}$ of NW $\frac{1}{2}$ | 19 | 37N | 13E |
| Souza, P. G. & Mary E. | 20 | W $\frac{1}{2}$ of NW $\frac{1}{2}$ of SE $\frac{1}{2}$ | 13 | 37N | 12E |
| Thomas, R. L. & E. | 15 | E $\frac{1}{2}$ of NW $\frac{1}{2}$ of SW $\frac{1}{2}$ | 19 | 37N | 13E |
| Thomas, J. M. & R. L. | 20 | W $\frac{1}{2}$ of NW $\frac{1}{2}$ of SW $\frac{1}{2}$ | 19 | 37N | 13E |
| Thomson, O. L. | 40 | NE $\frac{1}{2}$ of SE $\frac{1}{2}$ | 25 | 37N | 12E |
| | 20 | N $\frac{1}{2}$ of SE $\frac{1}{2}$ of SE $\frac{1}{2}$ | 25 | 37N | 12E |
| | <u>60</u> | | | | |
| Zeits, K. & J. | 10 | N $\frac{1}{2}$ of NE $\frac{1}{2}$ of SW $\frac{1}{2}$ | 19 | 37N | 13E |
| Unknown Party A | 20 | W $\frac{1}{2}$ of SW $\frac{1}{2}$ of SE $\frac{1}{2}$ | 13 | 37N | 12E |
| Unknown Party B | 20 | E $\frac{1}{2}$ of NE $\frac{1}{2}$ of SE $\frac{1}{2}$ | 24 | 37N | 12E |

SCHEDULE 2

LOCATION OF POINTS OF DIVERSION AND REDIVERSION

| Name of Diversion of Rediversion System | Diversion or Rediversion Number on SWRCB Maps | Legal Subdivision in Which Diversion Occurs MDB&M | Reference Corner for Distances MDB&M | Distance From Reference Corner North or South | Distance From Reference Corner East or West |
|--|---|--|---|--|--|
| Point of Diversion - Cedar Creek | -- | NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 33 T38N, R14E | Southeast Corner, Section 33 | 2,000 ft. North | 2,200 ft. West |
| Pt. of Rediversion - Ratliff-Wool | 1 | SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 2 T37N, R13E | Southeast Corner, Section 3 | 2,700 ft. North | 500 ft. East |
| Pt. of Rediversion - East-Side Ditch from Madeline Reservoir | 2 | NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 10 T37N, R13E | Southwest Corner, Section 10 | 2,450 ft. North | 1,500 ft. East |
| Pt. of Rediversion - West-Side Ditch from Madeline Reservoir | 3 | NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 10 T37N, R13E | Southwest Corner, Section 10 | 2,375 ft. North | 1,420 ft. East |
| Pt. of Rediversion - Fish and Game | 4 | On section line between Secs. 8 & 9 T37N, R13E | Southeast Corner, Section 8 | 825 ft. North | 0 |
| Pt. of Rediversion - Williams Rd. crossing West Side Ditch | 5 | NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 18 T37N, R13E | North $\frac{1}{2}$ Corner, Section 18 | 300 ft. South | 200 ft. West |

SCHEDULE 3

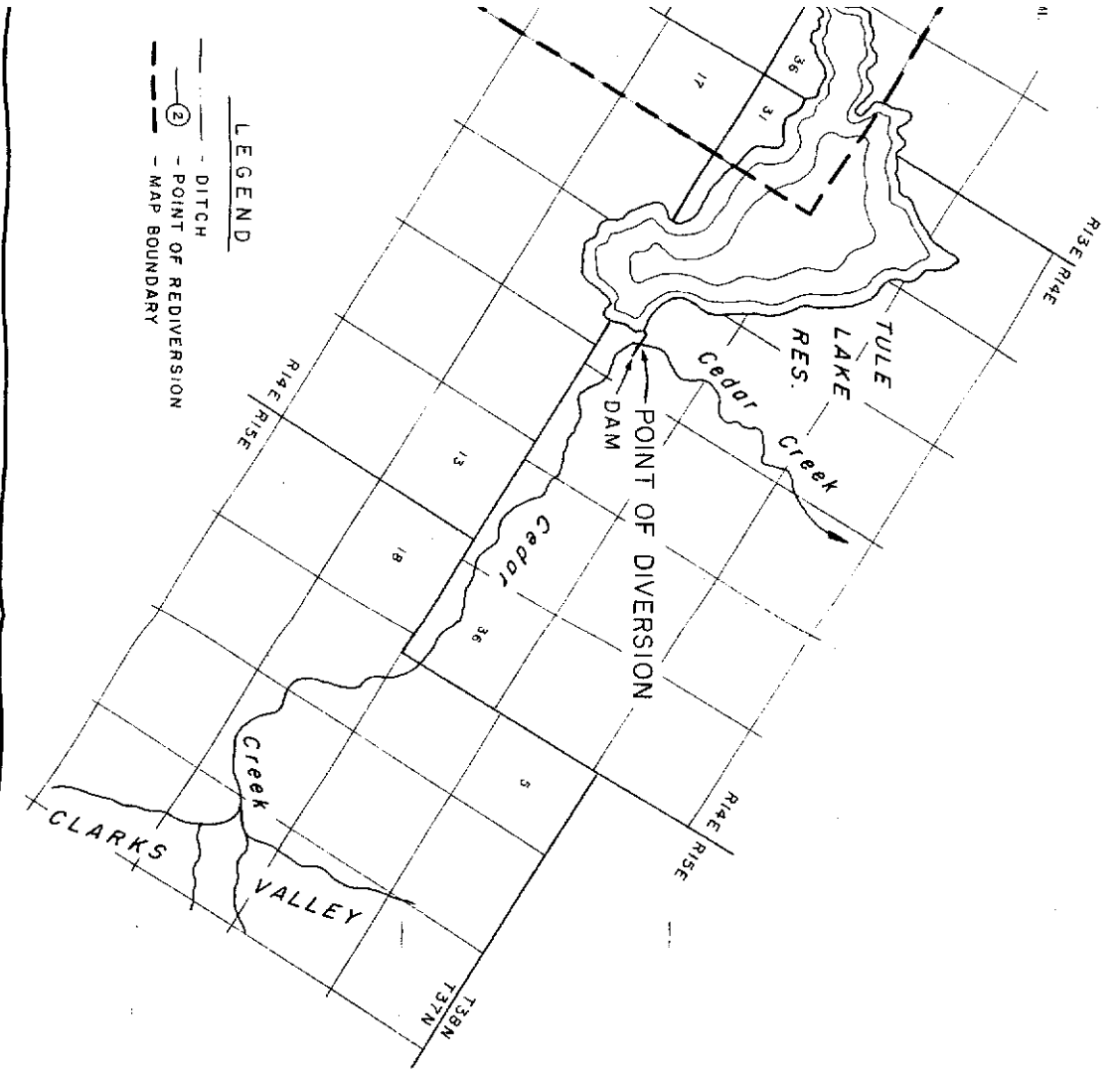
ALLOTMENTS TO VARIOUS CLAIMANTS
FROM TULE LAKE RESERVOIR*

| <u>Claimant</u> | <u>Amount/Annum (Acre-feet)</u> |
|-------------------------------------|-------------------------------------|
| Bell, H. and L. | 20 |
| Boepple, W. S. and V. M. | 20 |
| Bradford, J. and W. | 5 <i>AA 30t '14</i> |
| Childers, C. D. and D. H. | 20 |
| Christian, G. and C. | 20 |
| Cordero, G. C., and Roberts, J. P. | 20 ✓ |
| Costa, J. and M. | 10 ✓ |
| Crosthwaite, R. P. and J. | 20 ✓ |
| Croushore, A. F. and M. L. | 20 |
| Davis, J. J., and Davis, J. J. Jr. | 20 ✓ |
| Day, C. L. and R. F. | 5 ✓ |
| Fredette, B. and M. | 20 |
| Frierson, Retha G., and Cogburn, O. | 20 ✓ |
| Gafford, C. D. and J. R. | 20 ✓ |
| Gilmore, F. and E. | 20 |
| Gutierrez, C. | 20 ✓ |
| Hackney, C. D. and V. M. | 20 |
| Hooper, R. | 20 |
| Illing, I. and K. | 20 ✓ |
| Jackson, J. and R. | 20 |
| Jones, Barbara Dean | 35 ✓ |

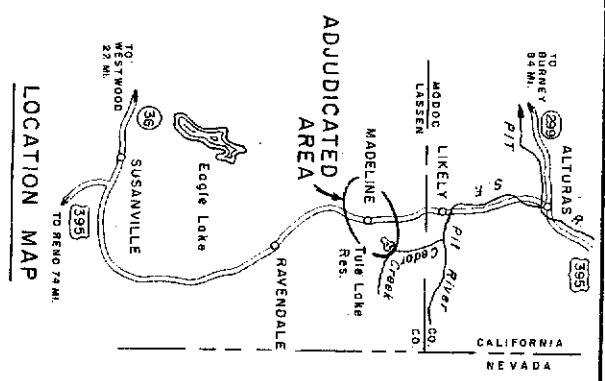
*For irrigation unless otherwise noted.

SCHEDULE 3 (Continued)

| <u>Claimant</u> | <u>Amount/Annum (Acre-feet)</u> |
|---|--|
| Jones, David | 20 ✓ |
| Mann, Santa | 380 ✓ |
| Matteson, D. M. and D. F. | 40 ✓ |
| McGarva, Anita | 2 ✓ |
| McKee, F. and L. | 20 |
| Meeks, A. and T. | 20 ✓ |
| Mendiboure, P. & E. M. & Mendiboure Ranches Inc. | 751 ✓ <i>less that claim but much less ground water</i> |
| Mortby, A. and L. | 20 ✓ |
| Nottingham, K. and I. | 7 ✓ |
| Novy, Lowell | 130 ✓ |
| Olsen, Rex | 123 ✓ |
| Peterson, John E. and Ethyl L. | 20 ✓ |
| John Hancock Mutual Life Insurance Co. | 25 ✓ |
| Rathke, R. and J. E. | 20 ✓ |
| Ratliff-Wool | 630 ✓ |
| Reaney, H. W. and V. M. | 12 ✓ |
| Rosenthal, J. E. and M. E. | 20 |
| Smith, W. W. | 20 |
| Souza, P. G. and Mary E. | 20 ✓ |
| Thomas, R. L. and E. | 15 |
| Thomas, J. M. and R. L. | 20 |
| Thomson, O. L. | 60 ✓ |
| Zeits, K. J. and J. L. | 10 ✓ |
| Unknown Party A | 20 |
| Unknown Party B | 20 |
| | <u>2,820</u> |



LEGEND
 - DITCH
 (2) - POINT OF REDIVERSION
 - MAP BOUNDARY



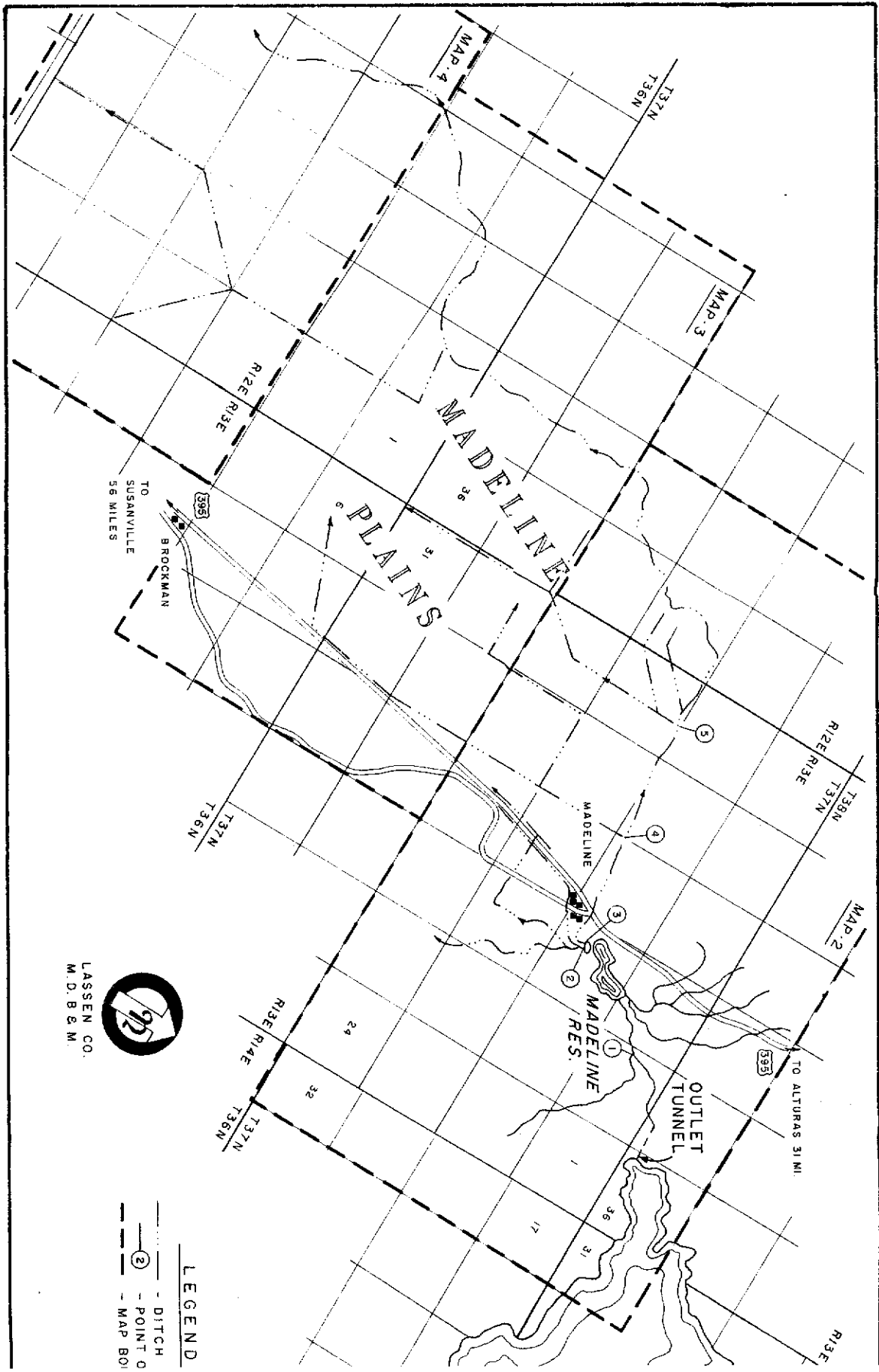
State of California
 THE RESOURCES AGENCY
 STATE WATER RESOURCES CONTROL BOARD

**TULE LAKE RESERVOIR
 &
 MADELINE RESERVOIR
 AREA**

SHOWING
 MAJOR DIVERSION DITCHES
 and INDEX OF MAPS
 LASSEN COUNTY
 1983

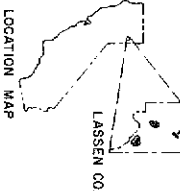
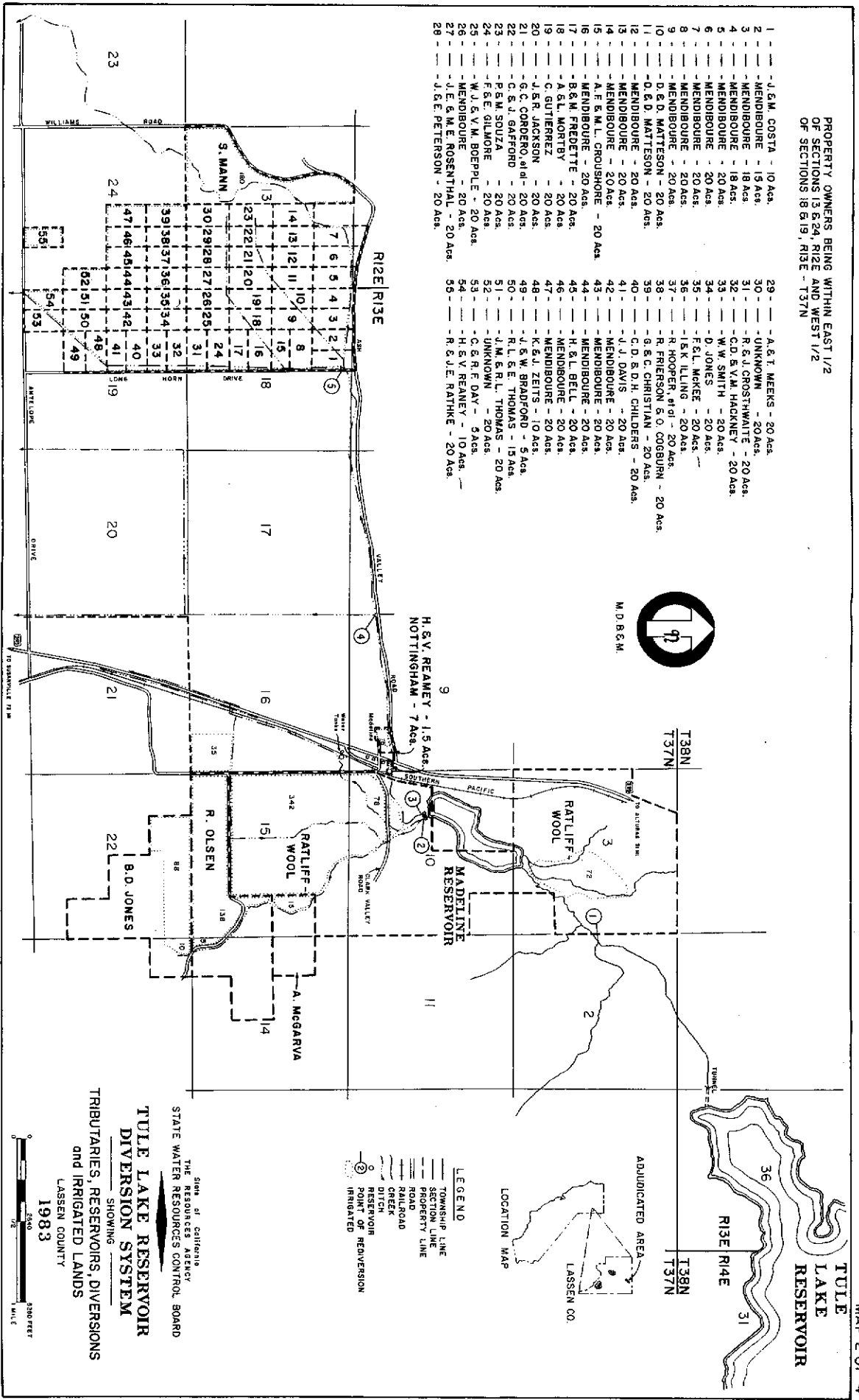


Page 1 of 1



PROPERTY OWNERS BEING WITHIN EAST 1/2
OF SECTIONS 13 6, 24, RIZE AND WEST 1/2
OF SECTIONS 18 6, 19, RIZE - T37N

- | | | | |
|----|---------------------------------|----|------------------------------------|
| 1 | J.M. COSTA - 10 Acs. | 29 | A.G.T. MEENS - 20 Acs. |
| 2 | MENDBOURE - 19 Acs. | 30 | UNKNOWN - 20 Acs. |
| 3 | MENDBOURE - 18 Acs. | 31 | R. & J. CROSTHWAITE - 20 Acs. |
| 4 | MENDBOURE - 18 Acs. | 32 | C.D. & V.M. HACKNEY - 20 Acs. |
| 5 | MENDBOURE - 20 Acs. | 33 | W.W. SMITH - 20 Acs. |
| 6 | MENDBOURE - 20 Acs. | 34 | D. JONES - 20 Acs. |
| 7 | MENDBOURE - 20 Acs. | 35 | F.E.L. MCKEE - 20 Acs. |
| 8 | MENDBOURE - 20 Acs. | 36 | I.S.K. ILLING - 20 Acs. |
| 9 | MENDBOURE - 20 Acs. | 37 | R. HOOPER, et al - 20 Acs. |
| 10 | D. & D. MATTESSON - 20 Acs. | 38 | R. FRIERSON & O. COGBURN - 20 Acs. |
| 11 | D. & D. MATTESSON - 20 Acs. | 39 | G.C. CHRISTIAN - 20 Acs. |
| 12 | MENDBOURE - 20 Acs. | 40 | C.D. & D.H. CHILDERS - 20 Acs. |
| 13 | MENDBOURE - 20 Acs. | 41 | J.J. DAVIS - 20 Acs. |
| 14 | MENDBOURE - 20 Acs. | 42 | MENDBOURE - 20 Acs. |
| 15 | A.F. & M.L. CROUSHORE - 20 Acs. | 43 | MENDBOURE - 20 Acs. |
| 16 | MENDBOURE - 20 Acs. | 44 | MENDBOURE - 20 Acs. |
| 17 | B.M. FREDETTE - 20 Acs. | 45 | H. & L. BELL - 20 Acs. |
| 18 | A.S.L. MORLEY - 20 Acs. | 46 | MENDBOURE - 20 Acs. |
| 19 | C. GUTIERREZ - 20 Acs. | 47 | MENDBOURE - 20 Acs. |
| 20 | J. & R. JACKSON - 20 Acs. | 48 | K. & U. ZEITS - 10 Acs. |
| 21 | G.C. CORRENO, et al - 20 Acs. | 49 | J. & W. BRADFORD - 5 Acs. |
| 22 | G. & J. GARFOND - 20 Acs. | 50 | R.L. & E. THOMAS - 13 Acs. |
| 23 | P. & M. SOLZA - 20 Acs. | 51 | J.M. & R.L. THOMAS - 20 Acs. |
| 24 | F. & E. GILMORE - 20 Acs. | 52 | UNKNOWN - 20 Acs. |
| 25 | W.J. & V.M. BOEPPLE - 20 Acs. | 53 | C. & R.F. DAY - 3 Acs. |
| 26 | MENDBOURE - 20 Acs. | 54 | H. & V. REANEY - 10 Acs. |
| 27 | J.E. & M.E. ROSENTHAL - 20 Acs. | 55 | R. & J.E. RATIKKE - 20 Acs. |



- LEGEND**
- TOWNSHIP LINE
 - SECTION LINE
 - PROPERTY LINE
 - == ROAD
 - == RAILROAD
 - CREEK
 - DIVERSION POINT OF RESERVOIR
 - IRRIGATED

State of California
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD

**TULE LAKE RESERVOIR
DIVERSION SYSTEM
SHOWING
TRIBUTARIES, RESERVOIRS, DIVERSIONS
AND IRRIGATED LANDS**

LASSEN COUNTY
1983

Scale: 1" = 200 FEET

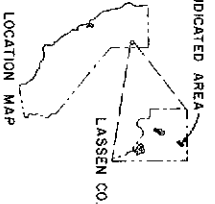
RI2E R13E

ANTWERP

ROAD

TO WADSWORTH 2.00

ADJUDICATED AREA



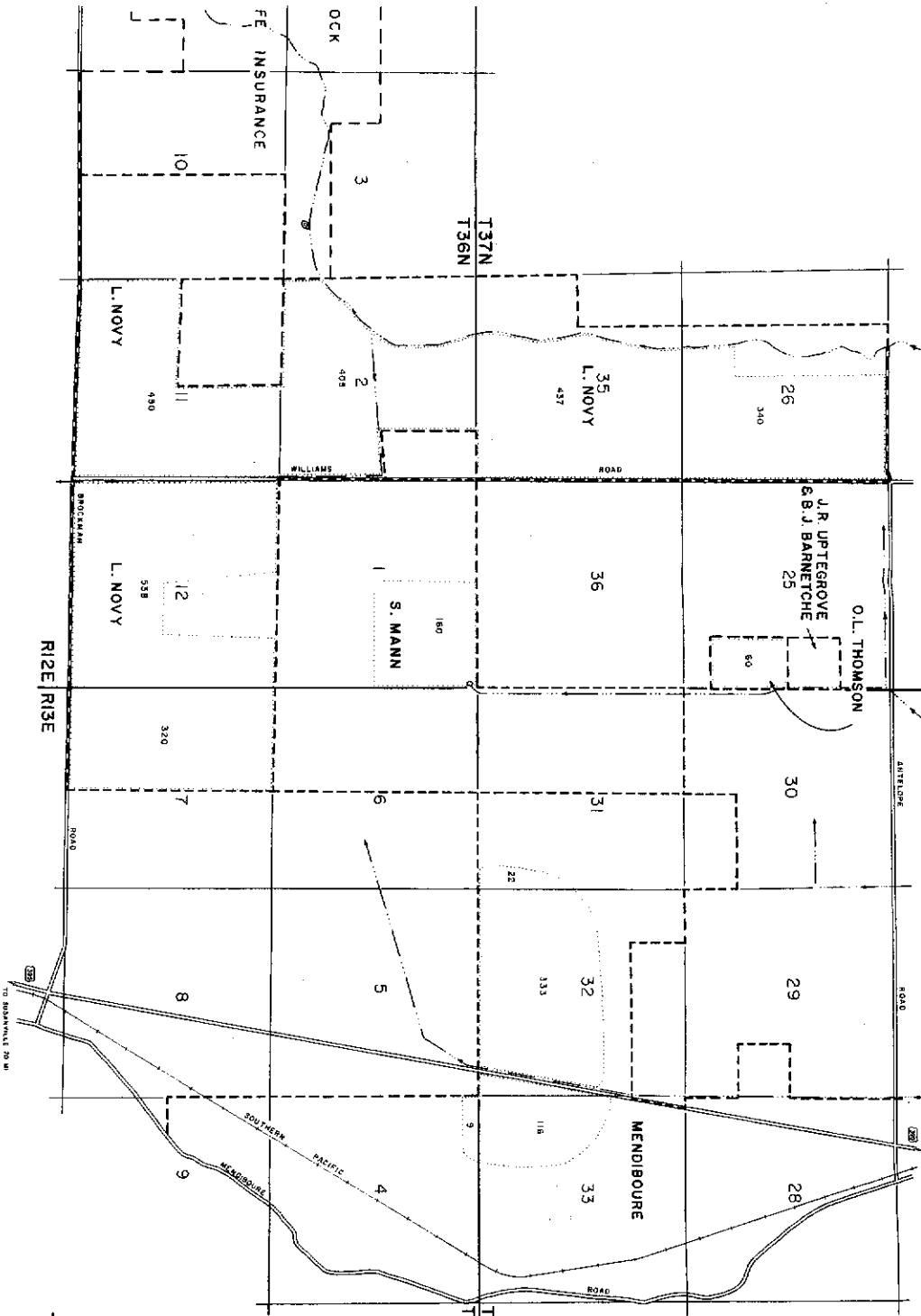
LOCATION MAP

LASSEN CO.



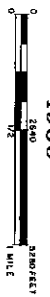
M.D.B. & M.

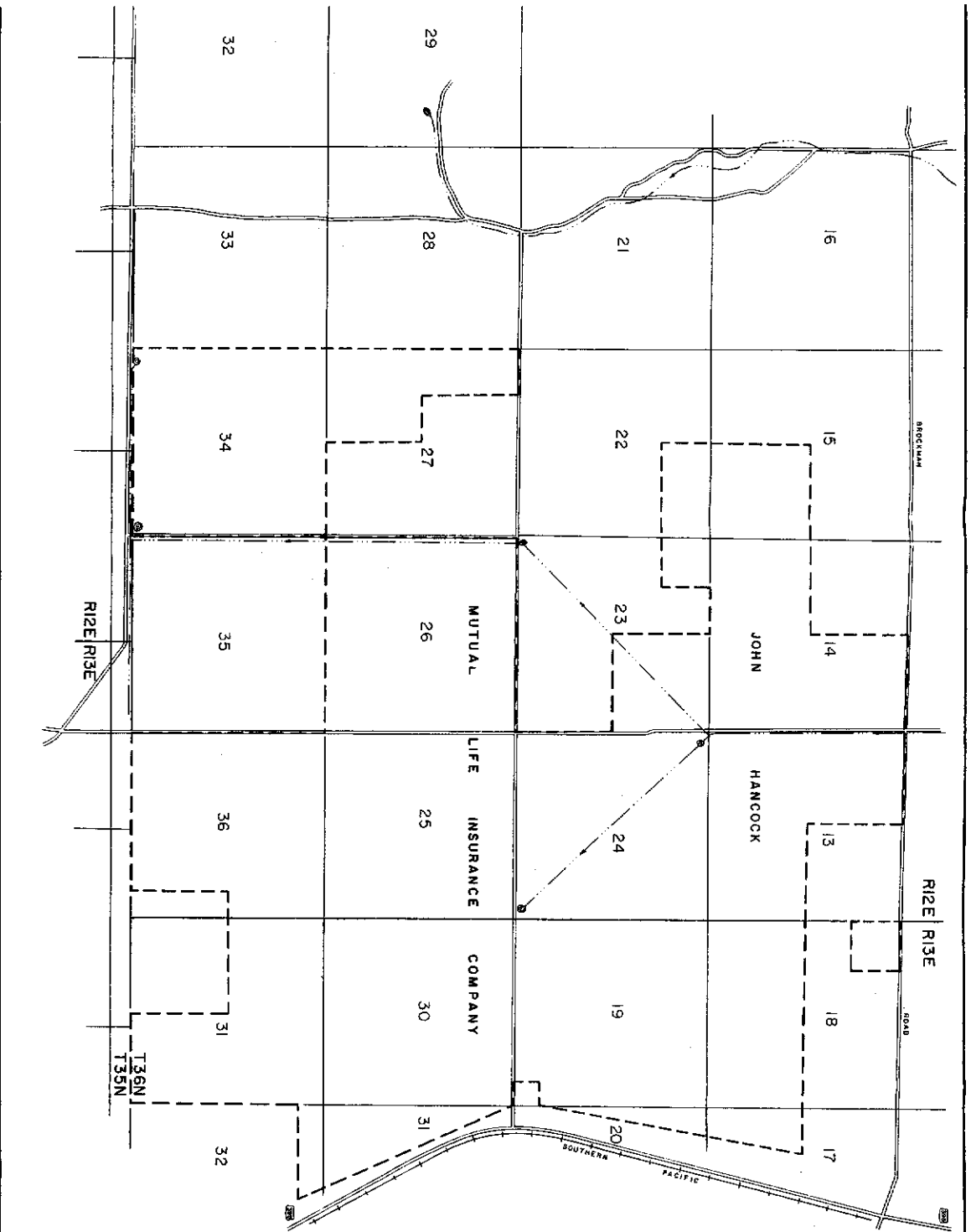
- LEGEND**
- TOWNSHIP LINE
 - SECTION LINE
 - COUNTY LINE
 - ROAD
 - RAILROAD
 - CREEK
 - DITCH
 - RESERVOIR
 - POINT OF REDIVERSION
 - IRRIGATED



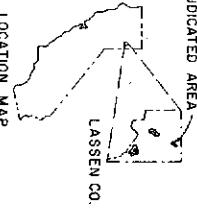
State of California
 THE RESOURCES AGENCY
 STATE WATER RESOURCES CONTROL BOARD

**TULE LAKE RESERVOIR
 DIVERSION SYSTEM**
 SHOWING
 TRIBUTARIES, RESERVOIRS, DIVERSIONS
 AND IRRIGATED LANDS
 LASSEN COUNTY
 1983





ADJUDICATED AREA



LOCATION MAP



M.D.B.S.M.

- LEGEND**
- TOWNSHIP LINE
 - SECTION LINE
 - SUBSECTION LINE
 - ROAD
 - RAILROAD
 - CREEK
 - DITCH
 - RESERVOIR
 - ⊙ POINT OF REDIVERSION
 - IRRIGATED



State of California
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