

San Pedro

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO.

MARY A. TOBIN, widow,
Plaintiff,

--vs--

HENRY WARD BROWN, JANE DOE BROWN,
C. V. B. McCULLOUGH, M. BLISS,
W. ISHAM, MARY MATTHEWS, J. J. ROONEY,
SAN PEDRO LAND & DAIRY CO., a Corporation,
E. KIRKPATRICK, AUGUSTA BYRNE, MARY J. E.
ORIAN, THERESA STONE, C. VENTURI, L. RICCI,
A. MORTI, A. PUCCINELLI, SAN MATEO PRODUCE
CO., a Corporation, C. MICHELUCCI,
FRANCESCO LUNARDINI, L. FRANCESCONI,
M. FRANCESCONI, G. BROCCINI, A. BERTOLUCCI,
FIRST DOE, SECOND DOE, THIRD DOE, FOURTH DOE,
FIFTH DOE, SIXTH DOE, SEVENTH DOE, EIGHTH DOE,
NINTH DOE, AND TENTH DOE,
Defendants.

D E C R E E
NO. 4807

This cause having been referred to the State Water Commission
as Referee, the parties hereto having thereafter stipulated that the said
Referee might report, for the approval of this Court, a decree containing
provisions set forth in said stipulation, and the State Water Commission,
as Referee, having filed its report herein, which report embodied said
stipulation of the parties, and said matter being finally submitted to
the Court on said report, including said stipulation, the Court hereby
renders judgment, and it is hereby ORDERED, ADJUDGED AND DECREED, That

That four one-hundredths (4/100) second feet of the water
of the South fork of San Pedro Creek shall be allowed to flow down the
natural channel of said South fork, past the intake of the irrigation system,

1 hereinafter mentioned, on the property of said Mary J. E. Cryan, at all times.
 2 That said four one-hundredths ($\frac{4}{100}$) second feet is to be reserved for
 3 use on the lands of the said Mary J. E. Cryan and J. J. Rooney two one-
 4 hundredths ($\frac{2}{100}$) second feet to be used on the lands of each.

5 The entire flow of the said South Fork, with the exception of said
 6 four-one-hundredths ($\frac{4}{100}$) second feet, may be diverted into and through
 7 the flume now existing on the property of said Mary J. E. Cryan, in the
 8 flumes and ditches used in connection with said flume, by the parties hereto,
 9 for irrigation and domestic purposes, and distributed through such distribu-
 10 tion system now in use or such other distribution system as may hereafter be
 11 substituted therefor; said distribution to be in accordance with the schedule
 12 as follows:

| 13 | PARTY | PROPERTY | HOURS OF FLOW PER WEEK |
|----|---|--|------------------------|
| 14 | | | |
| 15 | W. Isham | W. Isham | 9 |
| 16 | Mary J. E. Cryan | Mary J. E. Cryan | 8 |
| 17 | J. J. Rooney | J. J. Rooney | 9 $\frac{1}{2}$ |
| 18 | Margaret Pauline Henderson | Abutting North Fork of San Pedro Creek | 11 |
| 19 | | | |
| 20 | Successor to Margaret Pauline Henderson | Abutting main San Pedro Creek | 46 $\frac{3}{4}$ |
| 21 | Theresa Stone | Theresa Stone | 16 |
| 22 | Successors to Mary A. Tobin | Upper Tobin Tract | 12 |
| 23 | | | |
| 24 | E. Kirkpatrick | E. Kirkpatrick | 16 |
| 25 | Successors to Mary A. Tobin | Lower Tobin Tract | 39 $\frac{3}{4}$ |

26 Said W. Isham, Mary J. E. Cryan, J. J. Rooney, Margaret Pauline
 27 Henderson and her successor, and Theresa Stone (for convenience hereinafter
 28 styled the "upper owners"), and said successors to Mary A. Tobin and E.
 29 Kirkpatrick (for convenience hereinafter styled the "lower owners"), may
 30 use and impound upon their respective properties hereinafter described all
 31

1 of the water flowing through said flume or in the channel of San Pedro Creek
2 at the location of impounding or diverting dam on said respective properties
3 excepting therefrom the said four one-hundredths (4/100) of a second foot
4 as hereinbefore specified, for domestic use and irrigation of their respec-
5 tive properties, as follows:

6 Said upper owners shall have the use of the full flow of said
7 stream, other than said four one-hundredths (4/100) second feet, in
8 accordance with and subject to the following schedule of hours:

| | | | | | | |
|----|-----------|------|-------|----|------|-------|
| 9 | Monday | 5:30 | A. M. | to | 8 | P. M. |
| 10 | Tuesday | 5 | A. M. | to | 8 | P. M. |
| 11 | Wednesday | 5 | A. M. | to | 7:30 | P. M. |
| 12 | Thursday | 5 | A. M. | to | 7:30 | P. M. |
| 13 | Friday | 5 | A. M. | to | 7:45 | P. M. |
| 14 | Saturday | 5 | A. M. | to | 8 | P. M. |
| 15 | Sunday | 5 | A. M. | to | 5 | P. M. |

16 Said lower owners shall have the use of the full flow of said
17 stream, other than said four one-hundredths (4/100) second feet, at all
18 times other than as hereinabove set forth.

19 That said W. Isham is entitled to all of said water from 5:30
20 o'clock A. M. to 2:30 o'clock P. M. of each Monday, for domestic use and
21 the irrigation of lands described as follows:

22 All that certain parcel of land, comprising 21.18
23 acres, in the County of San Mateo, State of California,
24 being Lot Number Twelve (12), as laid down on a certain
25 Map of a portion of the San Pedro Rancho, which said Map
26 was filed in the office of the County Recorder of the
27 County of San Mateo, State of California, June 25, 1879,
28 in Book 1, on Page 25, of the records.

29 That said Mary J. E. Cryan is entitled to all of said water from
30 2:30 o'clock P. M. to 8 o'clock P. M. each Monday, and from 5 o'clock A. M.
31 to 7:30 o'clock A. M. each Tuesday, for domestic use and the irrigation of
lands described as follows:

All those pieces or parcels of land situate, lying, and being in
the County of San Mateo, State of California, more particularly described
as follows, to wit:

1 The South Half of the Southeast Quarter ($S\frac{1}{2}$ of $SE\frac{1}{4}$)
2 and Lots One (1), Two (2), Three (3) and Four (4) of Sec-
3 tion Thirteen (13), Township Four (4) South, Range Six (6)
4 West; the North Half of the Northwest Quarter, ($N\frac{1}{2}$ of $NW\frac{1}{4}$):
5 the Northeast Quarter ($NE\frac{1}{4}$) and the Northeast Quarter of
6 the Southeast Quarter ($NE\frac{1}{4}$ of $SE\frac{1}{4}$) of Section Twenty-Four
7 (24), Township Four (4) South, Range Six (6) West, Mount
8 Diablo Base and Meridian: containing four hundred and
9 seventy-three (473) acres of land.

10 That said J. J. Rooney is entitled to all the water flowing
11 through said flume from 7:30 o'clock A. M. to 5 o'clock P. M. each Tuesday,
12 for domestic use and the irrigation of lands described as follows:

13 That certain piece or Parcel of land situate, lying,
14 and being in the County of San Mateo, State of California,
15 more particularly described as follows, to-wit:

16 BEGINNING at stake Number 11 on the West side of the
17 creek near the bridge; thence $S\ 34^{\circ}\ W\ 8.90$ chains to
18 stake Number 13 on the West side of the road crossing;
19 thence $S\ 47^{\circ}\ E\ 6.20$ chains; thence $S\ 51^{\circ}\ E\ 7.85$ chains
20 to a stake No. 19 on top of spur sloping Northeast; thence
21 $N\ 58\frac{1}{4}^{\circ}\ E\ 41.30$ chains to stake No. 12 at foot of hill;
22 thence $N\ 55^{\circ}\ 40'\ E\ 14.60$ chains to stake No. 11, the
23 point of beginning, being Lot Number 11 as laid down on
24 a certain Map of Portion of Rancho made by V. Wachenrender
25 in October, 1878, now on file in the office of the County
26 Recorder of San Mateo County, and containing 40.25 acres.

27 That said Margaret Pauline Henderson (who appeared in said action
28 under the name of Margaret Pauline Brown) is entitled to all of said water
29 from 6 o'clock A. M. to 5 o'clock P. M. each Sunday, for domestic use and
30 the irrigation of property abutting the North Fork of San Pedro Creek,
31 described as follows:

That certain lot, piece or parcel of land, situate,
lying and being in the County of San Mateo, State of
California, being a part of the San Pedro Rancho, and
particularly described as follows, to wit:

COMMENCING at a stake marked Number Eight (8) on
the South side of the Creek near the bridge; thence
North two and three-fourths ($2\text{-}3/4^{\circ}$) degrees East eighteen
and forty one-hundredths ($18\text{-}40/100$) chains to stake
number five (No. 5) on top of a stone ledge; thence North
seventy-three degrees (73) and ten minutes ($10'$) West
fifteen and fifty one-hundredths ($15\text{-}50/100$) chains to
stake number four (No. 4) on North side of creek; thence
South fourteen degrees (14°) East twenty-five and twenty
one-hundredths ($25\text{-}20/100$) chains to stake number nine
(No. 9) on the South side of the junction of two creeks;
thence North seventy-nine degrees (79°) East eight (8)

1 chains to the point of beginning; containing twenty-four
2 and thirty one-hundredths (24-30/100) acres, more or less,
3 and being the lot and premises known and marked as Lot
4 Six (6) on a certain map made in October 1878, for Charles
5 Page by Vitus Wachenreuder of a portion of the "San Pedro
6 Rancho," which said map is on file in the office of the
7 County Recorder of San Mateo County, and is hereby re-
ferred to and made a part hereof; and being a part of the
land conveyed by Charles Page to Samuel McCullough, by
deed dated June 24th, 1879, which deed is recorded in the
office of the County Recorder of San Mateo County, State
of California, in Book thirty of Deeds, at Page four
hundred and ninety-nine (499).

8 That the successor in interest to Margaret Pauline Henderson (who
9 appeared in said action under the name of Margaret Pauline Brown), E.
10 Barsotti is entitled to all of said water from 5 o'clock P. M. to 8 o'clock
11 P. M. each Tuesday, 5 o'clock A. M. to 7:30 o'clock P. M. each Wednesday;
12 from 5 o'clock A. M. to 7:30 o'clock P. M. each Thursday, and from 5 o'clock
13 A. M. to 7:45 o'clock P. M. each Friday, for domestic use and the irrigation
14 of property abutting the main channel of San Pedro Creek, described as
15 follows:

16 All that real property situated in the County of San
17 Mateo, State of California, and particularly described as
18 follows, to wit:

19 PARCEL ONE. Lot 8, as designated on the Map entitled
20 "Map of Part of the San Pedro Rancho, forming the Mahoney
Interest", which Map was filed in the office of the Recorder
of the County of San Mateo, State of California, June 25,
1879, in Volume A of Maps, at Page 56, and a copy thereof
entered in Volume 1 of Maps, at page 25, described as:-
21 COMMENCING at a stake marked F on the top of stoney knoll;
22 thence South 34-3/4° West 34 chains to Stake No. 17 on the
West side of the Creek; thence South 73° 40' East 18.60
23 chains to stake No. 16 on the East side of creek near bridge;
thence North 21 3/4° East 24.80 chains to stake No. 7 on top
24 of knoll; thence North 37° West 13.10 chains to the point of
commencement; containing 44.34 acres.

25 PARCEL TWO. Lot 9, as designated on the Map entitled
26 "Map of Part of the San Pedro Rancho, forming the Mahoney
Interest," which Map was filed in the office of the Recorder
of the County of San Mateo, State of California, June 25,
1879, in Volume "A" of Maps, at Page 56, and a copy thereof
27 entered in Volume 1 of Maps, at Page 25, described as:-
28 COMMENCING at stake No. 7 on the top of knoll; thence South
29 21 3/4° West 24.80 chains to stake No. 16 on North side of
creek near bridge; thence South 60 1/2° East 5.40 chains to
30 stake on South side of creek; thence South 81 1/2° East 12.35
chains to stake No. 14 on South side of Creek; thence

1 North $42\frac{1}{2}^{\circ}$ East 17.80 chains to stake No. 10 on the
2 East side of the junction of two creeks; thence North
3 $54\frac{1}{2}^{\circ}$ West 24.75 chains to the point of commencement;
4 containing 44.24 acres.

5 PARCEL THREE. Lot 10, as designated on the Map en-
6 titled "Map of Part of the San Pedro Rancho, forming the
7 Mahoney Interest", which Map was filed in the office of the
8 Recorder of the County of San Mateo, State of California,
9 June 25, 1879, in Volume "A" of Maps, at page 56, and a
10 copy thereof entered in Volume 1 of Maps, at Page 25, de-
11 scribed as:-- COMMENCING at a stake No. 10 on the East side
12 of the junction of two creeks, thence South $42\frac{1}{2}^{\circ}$ West 17.80
13 chains to stake No. 14; thence in the same direction South
14 $42\frac{1}{2}^{\circ}$ West 28.50 chains to the top of a spur sloping
15 West; thence South 47° East 5.30 chains to stake No. 20 on
16 top of hill; thence North $50-3/4^{\circ}$ East 36.80 chains to stake
17 No. 13 on West side of a road crossing; thence North 34°
18 East 8.90 chains to stake No. 11 on West side of creek
19 near bridge; thence North 41° West 9.60 chains to the point
20 of commencement; containing 38.38 acres.

21 PARCEL FOUR. Lot 13, as designated on the Map entitled
22 "Map of Part of the San Pedro Rancho, forming the Mahoney
23 Interest", which map was filed in the office of the
24 Recorder of the County of San Mateo, State of California,
25 June 25, 1879, in Volume "A" of Maps, at Page 56, and a
26 copy thereof entered in Volume 1 of Maps, at Page 25,
27 described as:-- Commencing at a stake No. 16 on the East
28 bank of creek near bridge; thence South $47^{\circ} 40'$ West 20.20
29 chains to stake No. 18 on top of hill spur sloping West;
30 thence South 47° East 17.40 chains; thence North $42\frac{1}{2}^{\circ}$ East
31 28.50 chains to stake No. 14 on West side of Creek; thence
North $81\frac{1}{2}^{\circ}$ West 12.35 chains to stake No. 15 on West bank
of creek; thence North $60\frac{1}{2}^{\circ}$ West 5.40 chains to the point
of commencement; containing 38.43 acres.

And in addition to water above stated said E. Barsotti may impound and
divert at the dam on said property, and use for domestic and irrigation
purposes on said property, such other water as may flow in the creek at
this point from 8 o'clock A. M. to 7 o'clock P. M. each day of the week
except Sunday, and then only from eight o'clock A. M. to five o'clock P. M.

That said Theresa Stone is entitled to all of said water
from 5 o'clock A. M. to 8 o'clock P. M. each Saturday and from 5 o'clock
A. M. to 6 o'clock A. M. each Sunday for domestic use and the irrigation of
lands described as follows:

All those pieces or parcels of land situate, lying
and being in the County of San Mateo, State of California,
described as follows, to wit:

FIRST: COMMENCING at a stake marked "A" on the North
side of a dry ravine which stake marks the most Northerly

1 point of what was known as Mahoneys part of the San Pedro
2 Rancho; thence running S. 52° 50' E. 13.50 chains, to a stake
3 No. 1 on the South side of a creek; thence S. 22-3/4°
4 West 24.70 chains to a stake No. 4 on the North side of a
5 Creek; thence North 73° 10' W. 19.20 chains to a stake No. 6
6 on top of Spur sloping Easterly; thence N. 34-3/4° E. 30.50
7 chains to the point of beginning, containing 44.18 acres.

8 SECOND: BEGINNING at a stake No. 1 on South side of
9 a running Creek; thence running S. 52° 50' E. 20.00 chains
10 to a stake No. 2 on top of Spur sloping South; thence S.
11 34-3/4° W. 18.50 chains to a stake No. 5 on stone ridge;
12 thence No. 73° 10' W. 15.50 chains to stake No. 4 on North
13 side of Creek; thence N. 22-3/4° E. 24.10 chains to point
14 of beginning. Containing 37.94 acres.

15 THIRD: BEGINNING at stake No. 2 on top of a spur;
16 thence running S. 52° 50' E. 20.10 chains to stake No. 3
17 on the North side of Creek; thence S. 52° W. 35.20 chains
18 to a stake No. 8 on South side of Creek near a bridge;
19 thence N. 2-3/4° E. 18.40 chains to a stake No. 5 on top
20 of a stone ledge; thence N. 34-3/4° E. 18.50 chains to
21 stake No. 2. at point of beginning. Containing 43.19
22 acres.

23 FOURTH: BEGINNING at said stake No. 3 on the North
24 side of a creek; thence running S. 52° E. 27.00 chains to
25 stake "C" on the North Slope of a spur; thence S. 58 1/2° W.
26 14.50 chains to stake "D" on top of a spur sloping Westerly;
27 thence N. 86 1/2° W. 36.80 chains to a stake at or near a Creek;
28 thence N. 52° E. 35.20 chains to the point of beginning.
29 Containing 61.82 acres.

30 ALSO, Lot Number Seven (7) of Mahoneys part of San
31 Pedro Rancho as laid down on a certain Map of a portion
of said San Pedro Rancho made by V. Wackenruder in October,
1878, now on file in the office of the County Recorder
of San Mateo County, State of California, which said Lot
Number Seven contains 51.94 acres. The above lands are
laid down and designated on a certain map of a portion
of the San Pedro Rancho made by said V. Wackenruder in
October 1878, now of file in the office of the County
Recorder of San Mateo County, State of California. Said
Map is hereby referred to and made a part hereof for a
more definite description of said lands.

The above named parties shall open and close the headgate
of said flume promptly at the hours hereinabove set forth, or if water
is diverted from said stream by any of said parties by means of impounding
dam, the dam shall be closed and opened promptly at the hours named, and
the flow of the creek shall not be obstructed at other times, and no
water shall be diverted through said flume, or works substituted therefor,
or by means of any such dam, at any time other than as herein set forth,

1 but all water flowing in said South fork of San Pedro Creek, shall, at all
2 other times, be permitted to flow down said stream and may be impounded and
3 used by said "lower owners" as follows:

4 The successors of said plaintiff, Mary A. Tobin, are entitled to
5 impound and divert, at the dam on the upper Tobin Tract, all water flowing
6 in the creek at this point from 3 o'clock A. M. each Thursday to 6 o'clock
7 P. M. each Friday, for domestic use and the irrigation of the lands of the
8 Upper Tobin Tract, described as follows:

9 That certain piece or parcel of land situate, lying
10 and being in the County of San Mateo, State of California,
and particularly described as follows, to-wit:

11 BEGINNING at Stake No. 9 of the Partition Survey of
12 the San Pedro Ranch; thence S. $52^{\circ} 50'$ E. 23.50 chains;
13 thence S. $34^{\circ} 45'$ W. 118.79 chains; thence N. $55^{\circ} 15'$ W.
22.35 chains; thence N. $34^{\circ} 15'$ E. 116 chains to point of
14 beginning. Containing 276.56 acres.

15 The dam shall be closed and opened promptly at the hours named, and the
16 flow of the creek shall not be obstructed at other times.

17 Said E. Kirkpatrick is entitled to impound and divert at the dam
18 on the property of the said E. Kirkpatrick all water flowing in the creek
19 at this point from 12 o'clock noon each Tuesday to 6 o'clock P. M. each
20 Friday, for domestic use and the irrigation of lands described as follows:

21 All that piece or parcel of land situate, lying and
22 being in the County of San Mateo, State of California,
described as follows, to wit:

23 BEGINNING at Stake No. 9 of the partition survey of
the San Pedro Ranch; thence South $34^{\circ} 45'$ West 116 chains;
24 thence North $55^{\circ} 15'$ West 22.65 chains; thence North 34°
 $45'$ East 117.3 chains; thence South $52^{\circ} 50'$ East 22.68
25 chains to the point of beginning. Containing 263.81 acres.

26 The dam shall be closed and opened promptly at the hours named, and the
27 flow of the creek shall not be obstructed at other times.

28 The successors of said plaintiff, Mary A. Tobin, are entitled to
29 impound and divert at the dam on the Lower Tobin Tract all the water flowing
30 in the creek at this point for domestic use and the irrigation of the lands
of the Lower Tobin Tract described as follows:

31 That certain piece or parcel of land situate, lying
and being in the County of San Mateo, State of California,

1 and particularly described as follows, to wit:

2 BEGINNING at Stake No. 20 of the Partition Survey of
3 the San Pedro Ranch; thence S. 34 degrees 45 minutes W. 117.30
4 chains; thence S. 55 degrees 15 minutes E. 45 chains;
5 thence S. 57 degrees 30 minutes W. 44 chains to the
6 summit of ridge of the Montara Mountains; thence along
7 said summit line N. 54 degrees W. 46 chains and N. 29
8 degrees W. 39 chains; thence leaving said summit, W. 59
9 degrees E. 24 chains; thence N. 34 degrees 45 minutes
10 E. 72 chains; thence S. 77 degrees E. 23.5 chains; thence
11 N. 46 degrees E. 32 chains; thence S. 88 degrees 30 min-
12 utes E. 55.5 chains; thence S. 50 degrees E. 2.5 chains
13 to the point of beginning. Containing 711 acres.

14 The foregoing schedule of hours of use as between said groups of
15 upper owners and lower owners may be changed at any time and from time to
16 time, by written agreement of the owners of land entitled to ninety (90%)
17 per cent of the aggregate hours of use in both groups, and the foregoing
18 schedule of hours of use within either group may be changed at any time and
19 from time to time by written agreement of the owners of land entitled to
20 ninety (90%) per cent of the aggregate hours of use within said group. Any
21 such change of schedule shall be effective only when executed in duplicate
22 and one copy thereof filed with the clerk of the above entitled Court; and
23 the other copy filed with the State Water Commission. Nothing herein shall
24 be deemed to authorize any change in the length of time to which any of
25 said land is entitled to the use of said water.

26 The said Martha S. Bliss, or her successors in interest, and the
27 said Theresa Stone, may divert the entire flow of the North fork of San
28 Pedro Creek for use for domestic and irrigation purposes on their respective
29 lands, which are riparian to said North fork, at such times as they may
30 agree upon, and without either admitting or conceding any rights to the
31 other whatever. That the said lands of Theresa Stone are hereinabove
described, and that the lands of Martha S. Bliss, or her successors in
interest, are described as follows:

All that certain lot, piece or parcel of land, situ-
ate, lying and being in the San Pedro Rancho, County of
San Mateo, State of California, and bounded and particularly
described as follows, to wit:

1 BEGINNING at a point which is the most Easterly cor-
2 ner of Lot 4, as per Map of part of the San Pedro Rancho
3 forming the Mahoney Tract, which map was filed in the of-
4 fice of the Recorder of the County of San Mateo, State of
5 California, June 25, 1879, in Volume "A" of Maps, at Page
6 56, and a copy thereof entered in Volume 1, of Maps, at
7 Page 25, and said point of beginning being on the South
8 boundary of said San Pedro Rancho; thence from said point
9 of beginning along the North line of the said Mahoney Tract
10 and the continuation thereof, North 53° 25' West 70 feet;
11 thence North 20° 10' East 54.90 chains; thence South 67° 20'
12 East 35 chains; thence South 43° 45' East 31.40 chains to
13 said South boundary of the San Pedro Rancho; thence along
14 said South boundary South 58° 15' East 52 chains to the
15 point of beginning. Containing 551.50 acres of land, more
16 or less, and being the same tract of land as described in
17 deed from the Guardian of the Estate of Francisco Sanchez,
18 a minor, to John McHenry, dated January 24, 1878, and
19 recorded in the said Recorder's office February 1, 1878, in
20 Volume 29 of Deeds, at Page 215.

21 The water flowing in other tributaries of said San Pedro Creek
22 may be diverted by the owners of property through which said creeks flow
23 for domestic use and the irrigation of their said lands, the said Mary
24 J. E. Cryan being entitled to the use of the water flowing in the "East
25 Fork" of San Pedro Creek on her aforesaid lands.

26 The schedule of use, as herein set forth, shall be put into effect
27 each season on call of any one or more of the parties hereto, or their
28 successors in interest.

29 It is understood and agreed that the waters herein referred to are
30 such as flow in said San Pedro Creek, and its tributaries, during the
31 irrigation season. Nothing herein shall prevent the lawful appropriation
of any waters flowing in any of said streams and not being put to beneficial
use.

Upon request of any party hereto, the State Water Commission of
California, or in case the State Water Commission shall fail to act, then
the Judge of the Superior Court of San Mateo County, may appoint a water-
master to distribute the water on the terms herein mentioned in accordance
with the terms hereof, and said water-master, when so appointed, shall
have power and authority to inspect and regulate the diversions of all the
parties hereto in accordance herewith, and in the exercise of such authority

1 may enter upon the said lands of said parties for the purpose of such
2 inspection and regulation. The water-master, when appointed, shall
3 continue in authority during the irrigation season for which he was
4 appointed, unless otherwise agreed upon by all the parties hereto, or their
5 successors in interest, but shall not hold over from one irrigation season
6 to another.

7 All costs and expense of distribution of water through the agency
8 of such water-master shall be borne by the party or parties requesting such
9 appointment.

10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the parties herein,
11 and each of them, and their, and each of their, agents, servants, attorneys
12 and employees, forever desist and refrain from interrupting or in any way
13 interfering with the waters of any of the streams herein mentioned so as to
14 interrupt or in any way interfere with the beneficial use of such waters by
15 the others of said parties, or any of them, their respective heirs, successors
16 and assigns, according to their respective rights as herein set forth.

17 IT IS FURTHERMORE ORDERED, ADJUDGED AND DECREED, That the said
18 parties pay to the Clerk of this Court within thirty days from the date
19 hereof, their respective proportions of the cost of investigations made by
20 the State Water Commission as Referee herein as follows:

| | | |
|----|---------------------------------------|----------|
| 21 | W. Isham | \$ 15.60 |
| 22 | Mary J. E. Cryan | 13.90 |
| 23 | J. J. Rooney | 16.50 |
| 24 | Margaret Pauline Henderson | 19.10 |
| 25 | E. Barsotti | 81.30 |
| 26 | Theresa Stone | 27.80 |
| 27 | Harry Smisseart | |
| 28 | Successors to Mary A. Tobin | 90.00 |
| 29 | E. Kirkpatrick | 27.80 |

30 and that said Clerk transmit said sums, when so paid, to the State
31 Water Commission.

DATED: May 12th, 1921

(Endorsed)

Filed May 12, 1921
Elizabeth M. Nash, Clerk
By C. J. Nash, Deputy Clerk

Geo. H. Buck
Judge