

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RIGHTS
HAROLD CONKLING, Chief of Division

WHITEWATER RIVER ADJUDICATION PROCEEDINGS

ORDER DETERMINING AND ESTABLISHING
THE SEVERAL RIGHTS BY APPROPRIATION
TO THE USE OF THE WATERS OF THE

WHITEWATER RIVER
STREAM SYSTEM

SAN BERNARDINO AND RIVERSIDE
COUNTIES, CALIFORNIA

Order entered April 23, 1928, in Book 1 of
Orders of Determination, page 426



BEFORE THE DIVISION OF WATER RIGHTS

Department of Public Works

STATE OF CALIFORNIA

IN THE MATTER OF THE DETERMINATION OF THE RELATIVE RIGHTS, BASED UPON PRIOR APPROPRIATION, OF THE VARIOUS CLAIMANTS TO THE WATERS OF WHITEWATER RIVER AND ITS TRIBUTARIES, IN SAN BERNARDINO AND RIVERSIDE COUNTIES, CALIFORNIA.

ORDER DETERMINING AND ESTABLISHING THE SEVERAL RIGHTS BY APPROPRIATION IN AND TO THE USE OF THE WATERS OF SAID STREAM SYSTEM.

This matter coming before the Division of Water Rights of the Department of Public Works of the State of California pursuant to the petition of the Coachella Valley County Water District, filed herein on June 29, 1922, all notices having been given and all proceedings having been taken as provided by law, and the said Division of Water Rights being fully advised in the premises,

It is hereby ordered, that the several rights by appropriation in and to the use of the waters of Whitewater River and its tributaries, in San Bernardino and Riverside counties, California, as of October 31, 1924, the date on which the extended period for filing proofs of appropriation in the above entitled matter expired, be and hereby are determined and established as hereinafter set forth:

GENERAL PROVISIONS AND DEFINITIONS

1. All allotments of water hereinafter provided for direct application to beneficial use are expressed in terms of continuous flow, but it is recognized that irrigation does not, in general, require a continuous use of water upon a specific parcel of land, and nothing herein contained shall be construed as limiting or restricting the rights of any parties to rotate in the use of water, or the right of any party to divert for limited periods of time convenient "irrigation heads" and thus apply water to his lands at a greater rate than indicated by his continuous flow allowance; *provided*, that such practice of rotation or such use of "irrigation heads" shall not result in the use by any party of a total quantity of water during any thirty-day period in excess of the equivalent of his continuous flow allotment for thirty days; *and provided, further*, that such practice of rotation or such use of "irrigation heads" shall not impair or infringe any other vested water rights.

2. The points of measurement of all allotments of water hereinafter provided shall be at the respective points of diversion from the stream system.

3. The term "directly apply to beneficial use" as herein used shall be construed to designate the direct conveyance and application of water diverted to beneficial use, without intermediate storage, except such regulatory storage as may be practiced for the purpose of equalizing the flow of water diverted to a convenient "irrigation head."

4. The term "natural flow" as herein used shall be construed to designate such surface and subsurface flow as will naturally occur at any given point in a stream from the run-off of the watershed which it drains, from springs which naturally contribute to the stream, from seepage, and from waste and return flow from dams, conduits and irrigated lands: as distinguished from released stored water and from "foreign water" directly conveyed to the stream from another watershed.

5. The "Division of Water Rights Map" herein referred to is the map prepared by the Division of Water Rights of the Department of Public Works of the State of California from its 1923 survey, which map is entitled "Map of Whitewater River Watershed Showing Diversion Systems and Irrigated Areas, San Bernardino and Riverside Counties, California," and is dated 1923.

DEFINITION OF VARIOUS WATER RIGHTS

Subject to the foregoing general provisions and definitions, the several owners of rights in and to the use of the waters of said stream system are entitled to divert and use such water as follows:

6. Stuart D. Allen

is entitled to divert from the natural flow of Blaisdell Creek, through the Allen Blaisdell Pipe Line,

0.025 cubic foot per second—priority July 2, 1924,

or as much thereof as he directly applies to beneficial use for the purpose hereinafter set forth, throughout the entire year; said water to be diverted from said Blaisdell Creek at a point situated approximately 2000 feet south from the northwest corner of Sec. 36, T. 3 S., R. 3 E., S. B. B. and M., being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 36, and said water to be used for domestic purposes within the

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 3 S., R. 4 E., S. B. B. and M.

7. Stuart D. Allen

will be entitled to divert from the natural flow of Whitewater River, through the Allen Whitewater Conduit,

0.50 cubic foot per second—priority June 19, 1922,

or as much thereof as he directly applies to beneficial use for the purpose hereinafter set forth, throughout the entire year; said water to be diverted from said Whitewater River at a point situated approximately 4000 feet north of the southeast corner of Sec. 24, T. 3 S., R. 3 E., S. B. B. and M., being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 24, and said water to be used for the irrigation of the following described lands:

25.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 3 S., R. 4 E., S. B. B. and M.
15.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 3 S., R. 4 E., S. B. B. and M.

40.0 acres—Total.

provided, that prior to December 1, 1929, said Stuart D. Allen shall have completed the above appropriation and applied said water to beneficial use in accordance with the terms of Division of Water Rights Permit 1723, and shall have submitted evidence of such completed appropriation and use to the Division of Water Rights of the Department of Public Works of the State of California. Upon receipt of such evidence of such completed appropriation and use, the said Division of Water Rights will act thereupon as provided in section 36f of the Water Commission Act, and in accordance with said evidence will enter findings supplemental hereto, determining and establishing the above described right by appropriation in so far as the same shall have been completed.

8. R. E. Bailiff

will be entitled to divert from the natural flow of the stream flowing in Water Canyon, through the Bailiff Water Canyon Pipe Line,

(a) during the period between March first and November first of each year,

0.37 cubic foot per second—priority March 12, 1924,

or as much thereof as he directly applies to beneficial use for domestic and stock watering purposes and for the irrigation of his lands hereinafter described;

(b) during the period between November first of each year and March first of the succeeding year,

45 acre-feet per season—priority March 12, 1924,

or as much thereof as he impounds in the proposed Bailiff Storage Reservoir to be constructed in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 18, T. 3 S., R. 2 E., S. B. B. and M., and thereafter withdraws from said reservoir and applies to beneficial use for domestic and stock watering purposes and for the irrigation of his lands hereinafter described;

all of said water to be diverted from said stream at a point which bears approximately N. 77° 00' W., approximately 310 feet distant from the southwest corner of Sec. 18, T. 3 S., R. 2 E., S. B. B. and M., being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18,

T. 3 S., R. 1 E., S. B. B and M., and all of said water to be used upon the following described lands:

25.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 3 S., R. 2 E., S. B. B. and M.
5.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 3 S., R. 2 E., S. B. B. and M.

30.0 acres—Total.

provided, that prior to December 1, 1929, said R. E. Bailiff shall have completed the above appropriation and applied said water to beneficial use in accordance with the terms of Division of Water Rights Permit 1855, and shall have submitted evidence of such completed appropriation and use to the Division of Water Rights of the Department of Public Works of the State of California. Upon receipt of such evidence of such completed appropriation and use the said Division of Water Rights will act thereupon as provided in section 36f of the Water Commission Act, and in accordance with said evidence will enter findings supplemental hereto, determining and establishing the above described right by appropriation in so far as the same shall have been completed.

9. R. E. Bailiff

will be entitled to divert from the natural or developed flow of two unnamed springs; the upper (Spring No. 1) being situated approximately S. 13° 30' W., approximately 3960 feet distant from the northeast corner of Sec. 23, T. 3 S., R. 1 E., S. B. B. and M., being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 23; and the lower (Spring No. 2) being situated approximately S. 77° 00' W., approximately 310 feet distant from the southwest corner of Sec. 18, T. 3 S., R. 2 E., S. B. B. and M., being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13, T. 3 S., R. 1 E., S. B. B. and M.; through the Bailiff West Spring Pipe Line,

(a) during the period between March first and November first of each year,

0.11 cubic foot per second—priority March 14, 1924,

from Spring No. 1, and

0.02 cubic foot per second—priority March 14, 1924,

from Spring No. 2,

or as much of said amounts as he directly applies to beneficial use for domestic and stock watering purposes and for the irrigation of his lands hereinafter described;

(b) during the period between November first of each year and March first of the succeeding year, a total of

0.025 cubic foot per second—priority March 14, 1924,

from either, or in part from each of said springs, or as much thereof as he directly applies to beneficial use for domestic and stock watering purposes;

(c) during the period between November first of each year and March first of the succeeding year, a total of

6 acre-feet per season—priority March 14, 1924,

from either, or in part from each of said springs, or as much thereof as he impounds in the proposed Bailiff Storage Reservoir to be constructed in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 18, T. 3 S., R. 2 E., S. B. B. and M., and thereafter withdraws from said reservoir and applies to beneficial use for domestic and stock watering purposes and for the irrigation of his lands hereinafter described:

all of said water to be diverted at the above described springs and used upon the following described lands:

8.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 3 S., R. 2 E., S. B. B. and M.
2.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 3 S., R. 2 E., S. B. B. and M.

10.0 acres—Total.

provided, that prior to December 1, 1929, said R. E. Bailiff shall have completed the above appropriation and applied said water to beneficial use in accordance with the

terms of Division of Water Rights Permit 1856, and shall have submitted evidence of such completed appropriation and use to the Division of Water Rights of the Department of Public Works of the State of California. Upon receipt of such evidence of such completed appropriation and use, the said Division of Water Rights will act thereupon as provided in section 36f of the Water Commission Act, and in accordance with said evidence will enter findings supplemental hereto, determining and establishing the above described right by appropriation in so far as the same shall have been completed.

10. R. E. Bailiff

is entitled to divert from the natural or developed flow of an unnamed spring situated approximately N. 70° 00' W., approximately 2330 feet distant from the southeast corner of Sec. 19, T. 3 S., R. 2 E., S. B. B. and M., being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 19, through the Bailiff East Spring Pipe Line,

(a) during the period between March first and November first of each year,

0.05 cubic foot per second—priority April 24, 1924,

or as much thereof as he directly applies to beneficial use for domestic and stock watering purposes and for the irrigation of his lands hereinafter described;

(b) during the period between November first of each year and March first of the succeeding year,

0.025 cubic foot per second—priority April 24, 1924,

or as much thereof as he directly applies to beneficial use for domestic and stock watering purposes;

all of said water to be diverted at said spring and to be used upon the following described land:

7.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, T. 3 S., R. 2 E., S. B. B. and M.

11. The Banning Heights Mutual Water Company, the Banning Water Company and the San Gorgonio Power Company,

jointly, are entitled to divert from the natural flow of the South Fork of Whitewater River, through the Consolidated Reservoir and Power Company Canal, a total of

13.26 cubic feet per second—priority October 31, 1906,

or as much thereof as they apply to beneficial use for the purposes hereinafter set forth, throughout the entire year; said total quantity of water to be diverted from said South Fork of Whitewater River, all or in part, at any of the following described points:

(1) At a point on the East Branch of said South Fork of Whitewater River (designated on Division of Water Rights Map as Diversion 1) which bears approximately N. 26° 45' E., approximately 11,709 feet distant from the northeast corner of Sec. 1, T. 2 S., R. 1 E., S. B. B. and M., being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 19, T. 1 S., R. 2 E., S. B. B. and M.

(2) At a point on the West Branch of said South Fork of Whitewater River (designated on Division of Water Rights Map as Diversion 2) which bears approximately N. 11° 48' E., approximately 10,351 feet distant from the northeast corner of Sec. 1, T. 2 S., R. 1 E., S. B. B. and M., being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 30, T. 1 S., R. 2 E., S. B. B. and M.

(3) At a point on the Blackwheel Canyon Branch of the West Branch of said South Fork of Whitewater River (designated on Division of Water Rights Map as Diversion 3) which bears N. 12° 19 $\frac{1}{2}$ ' E., approximately 9882 feet distant from the northeast corner of Sec. 1, T. 2 S., R. 1 E., S. B. B. and M., being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 30, T. 1 S., R. 2 E., S. B. B. and M.;

and said water to be used first by said San Gorgonio Power Company for the purpose of generating electric energy at two power plants, the upper of said plants being situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 2, T. 2 S., R. 1 E., S. B. B. and M., and the lower of said plants being situated in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8, T. 2 S., R. 1 E.,

S. B. B. and M.; and said water to be used thereafter by said Banning Heights Mutual Water Company and by said Banning Water Company for the purpose of supplying water for domestic, stock watering and irrigation uses within the respective territories served by said companies as hereinafter described. During the winter months, at times when the entire quantity of water available under this right may not be required for direct application to use for domestic, stock watering and irrigation purposes as hereinabove provided for, the Banning Water Company is entitled to spread and store underground in San Gorgonio Canyon, above the mouth of said canyon in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 33, T. 2 S., R. 1 E., S. B. B. and M., all surplus water available over and above the quantity required for direct application to use for domestic, stock watering and irrigation purposes:

provided, that all water so spread and stored is subsequently withdrawn from said underground storage and applied to beneficial use by said Banning Water Company as hereinafter provided in paragraph 13. The joint diversion and use of water under this right by said Banning Heights Mutual Water Company, said Banning Water Company, and said San Gorgonio Power Company, is subject to the provisions of the following agreements and deeds:

(a) Agreement dated January 10, 1913, between the Consolidated Reservoir and Power Company and the Banning Water Company, recorded October 14, 1913, in Book No. 380 of Deeds, page 337 *et seq.*, records of Riverside County, California.

(b) Instrument dated December 30, 1913, between the Consolidated Reservoir and Power Company and the Banning Heights Mutual Water Company, recorded December 14, 1922, in Book No. 561 of Deeds, page 543 *et seq.*, records of Riverside County, California.

(c) Deed dated August 7, 1922, between the Consolidated Reservoir and Power Company and the San Gorgonio Power Company, recorded February 1, 1923, in Book No. 564 of Deeds, page 383 *et seq.*, records of Riverside County, California.

The territory served by said Banning Heights Mutual Water Company includes approximately 1500 acres of land, situated within the following described parcels:

All of lots 1, 2, 3, 4, 5, 6, 7, 7A, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 55A, 55B, 56, 57, 57A, 58, 58A, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89 and 90 of the Banning Heights Subdivision, situate in Riverside County, California, as said lots are delineated on the "Map of Banning Heights" recorded in the office of the county recorder of Riverside County, California, in Book 9 of Maps, at pages 37 to 51 thereof.

60.0 acres in block 1 of the Ginzell-Montgomery Tract, situate in Riverside County, California, as said block is delineated on the map of said Ginzell-Montgomery Tract recorded in the office of the county recorder of Riverside County, California, in Book 8 of Maps, at page 64 thereof.

48.0 acres in S $\frac{1}{2}$ S $\frac{1}{2}$, Sec. 5, T. 3 S., R. 1 E., S. B. B. and M.
 10.0 acres in S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 5, T. 3 S., R. 1 E., S. B. B. and M.
 65.0 acres in S $\frac{1}{2}$ S $\frac{1}{2}$, Sec. 6, T. 3 S., R. 1 E., S. B. B. and M.

The territory served by said Banning Water Company includes approximately 3745 acres of land, situated within the following described parcels:

All of blocks 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 25 $\frac{1}{2}$, 27, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 125, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184; 2.1 acres in block 2; 0.7 acre in block 26 $\frac{1}{2}$; 0.8 acre in block 28 $\frac{1}{2}$; 0.7 acre in block 31 $\frac{1}{2}$; 2.0 acres in block 32; 1.0 acre in block 32 $\frac{1}{2}$; 3.3 acres in block 90; 8.0 acres in block 91; 6.5 acres in block 92; 7.1 acres in block 93; 8.7 acres in block 94; 8.5 acres in block 95; 8.4 acres in block 96; 4.8 acres in block 101; 4.3 acres in block 102; 3.0 acres in block 103; 2.9 acres in block 104; E $\frac{1}{2}$ of block 124; and W $\frac{1}{4}$ of block 126; all within the Banning Colony Subdivision, situate in Riverside County, California, as said blocks are delineated on the map entitled

"Map of Part of Banning Colony Lands" recorded in the office of the county recorder of Riverside County, California, in Book 5 of Maps, at page 186 thereof.

All of blocks 1 to 20, both inclusive, of the San Jose Tract, situate in Riverside County, California, as said blocks are delineated on the map of said San Jose Tract recorded in the office of the county recorder of San Diego County, California, in Book 1 of Maps, at page 55 thereof.

All of blocks 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19; and 4.6 acres in block 6; all within the Waverly Tract, situate in Riverside County, California, as said blocks are delineated on the map of said Waverly Tract recorded in the office of the county recorder of Riverside County, California, in Book 8 of Maps, at page 44 thereof.

All of blocks A, B, C, D, E, F, G, H, I, J, K, L; 6.0 acres in block M; and 5.1 acres in block N; all within the North Side Tract, situate in Riverside County, California, as said blocks are delineated on the map of said North Side Tract recorded in the office of the county recorder of Riverside County, California, in Book 1 of Maps, at page 28 thereof.

All of blocks 202, 214, 226, 242, 243, 245, 248, 249, 252, 254, 255, 256, 261, 262, 263, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284 and 285; 1.7 acres in block 207; 6.4 acres in block 208; 1.0 acre in block 209; 2.6 acres in block 225; 0.9 acre in block 227; $W\frac{1}{2}$ of block 236; $N\frac{1}{2}$ of block 238; $W\frac{1}{2}$ of block 240; $W\frac{1}{2}$ of block 241; 4.0 acres in block 260; and 5.15 acres in block 264; all within the town of Banning, Riverside County, California, as said blocks are delineated on the "Amended Map of Banning Land Company" recorded in the office of the county recorder of San Bernardino County, California, in Book 9 of Maps, at page 44 thereof.

All of blocks 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 311, 312, 313, 314, 317 and 318; 5.0 acres in block 310; 6.6 acres in block 315; and 7.1 acres in block 316; all within the "Subdivision of Lands Adjoining Banning on the Southwest," situate in Riverside County, California, as said blocks are delineated on the map of said subdivision recorded in the office of the county recorder of San Diego County, California, in Book 14 of Maps, at page 662 thereof.

All of blocks 1 to 10, both inclusive, of "C. O. Barker's Subdivision of a Portion of Section 8," situate in Riverside County, California, as said blocks are delineated on the map of said subdivision recorded in the office of the county recorder of Riverside County, California, in Book 6 of Maps, at page 14 thereof.

All of blocks 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, 31, 32, 35 and 36 of "C. O. Barker's Subdivision of a Portion of Sections 8 and 17," situate in Riverside County, California, as said blocks are delineated on the map of said subdivision recorded in the office of the county recorder of Riverside County, California, in Book 7 of Maps, at page 21 thereof.

All of blocks 50 to 71, both inclusive, of the Almcot Tract, situate in Riverside County, California, as said blocks are delineated on the map of said Almcot Tract recorded in the office of the county recorder of Riverside County, California, in Book 4 of Record of Surveys, at page 15 thereof.

All of blocks 5, 6, 7, 8, 9, 11, 12, 13, 14, 15 and 16; 18.0 acres in block 3; 1.2 acres in block 4; and 1.0 acre in block 17; all within the Ginzell-Montgomery Tract, situate in Riverside County, California, as said blocks are delineated on the map of said Ginzell-Montgomery Tract recorded in the office of the county recorder of Riverside County, California, in Book 8 of Maps, at page 64 thereof.

All of blocks 1 to 5, both inclusive, of the Beverly Tract, situate in Riverside County, California, as said blocks are delineated on the map of said Beverly Tract recorded in the office of the county recorder of Riverside County, California, in Book 9 of Maps, at page 55 thereof.

50.0 acres in Sec. 29, T. 2 S., R. 1 E., S. B. B. and M.
60.0 acres in Sec. 33, T. 2 S., R. 1 E., S. B. B. and M.
18.5 acres in $E\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T. 3 S., R. 1 E., S. B. B. and M.
72.6 acres in $S\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 3 S., R. 1 E., S. B. B. and M.
233.3 acres in $N\frac{1}{2}$ Sec. 8, T. 3 S., R. 1 E., S. B. B. and M.
3.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 3 S., R. 1 E., S. B. B. and M.
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 3 S., R. 1 E., S. B. B. and M.

258.0 acres in W $\frac{1}{4}$	Sec. 16, T. 3 S., R. 1 E., S. B. B. and M.
89.4 acres in NE $\frac{1}{4}$	Sec. 16, T. 3 S., R. 1 E., S. B. B. and M.
25.5 acres in NE $\frac{1}{4}$	SE $\frac{1}{4}$, Sec. 16, T. 3 S., R. 1 E., S. B. B. and M.
10.5 acres in NE $\frac{1}{4}$	NE $\frac{1}{4}$, Sec. 18, T. 3 S., R. 1 E., S. B. B. and M.

12. The Banning Water Company

is entitled to divert from the natural flow of San Gorgonio River and its tributaries, through its system of spreading ditches shown as diversion ditches numbered 1 to 7, both inclusive, on the "Map Showing System of the Banning Water Company in San Gorgonia Canyon," prepared by J. F. Davidson, Civil Engineer, and dated January, 1923.

20,000 acre-feet per annum—priority January 1, 1887,

or as much thereof as it spreads and stores underground in San Gorgonio Canyon; said quantity of water to be so diverted, spread and stored during the period from January first to December thirty-first of each year, both dates inclusive: *provided*, that said water is subsequently withdrawn from said underground storage and applied to beneficial use by said Banning Water Company as hereinafter provided in paragraph 13.

13. The Banning Water Company

is entitled to divert from the natural flow of San Gorgonio River, or from its underground storage in San Gorgonia Canyon as hereinabove provided for in paragraphs 11 and 12, or in part from both of said sources, through the Main Stone Lined Conduit of said Banning Water Company's System, and through the various ditches and pipe lines leading thereto hereinafter mentioned, a total of

14,000 acre-feet per annum—priority March 17, 1875,

or as much thereof as it directly applies to beneficial use for the purpose of supplying water for domestic, stock watering and irrigation uses within the territory served by said company as hereinabove described in paragraph 11, for the purpose of supplying water for domestic and municipal uses within the city of Banning, Riverside County, California, and for the purpose of driving water wheels connected with pumps at three pumping plants operated by said company, located as follows:

- (1) In the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 17, T. 2 S., R. 1 E., S. B. B. and M.,
- (2) In the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 29, T. 2 S., R. 1 E., S. B. B. and M.,
- (3) In the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 33, T. 2 S., R. 1 E., S. B. B. and M.;

said total quantity of water to be diverted from said sources, all or in part, at any of the following described points:

(a) At the upper intake of said Stone Lined Conduit situated at a point which bears approximately N. 35° 10' E., approximately 720 feet distant from the southwest corner of Sec. 4, T. 2 S., R. 1 E., S. B. B. and M., being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 4,

(b) At the intake of a ditch leading to said Stone Lined Conduit and known as Diversion Ditch No. 11, situated at a point which bears approximately N. 51° 24' E., approximately 1424 feet distant from the southwest corner of Sec. 17, T. 2 S., R. 1 E., S. B. B. and M., being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 17,

(c) At the lower intake of said Stone Lined Conduit situated at a point which bears approximately S. 86° 03' E., approximately 1232 feet distant from the northwest corner of Sec. 20, T. 2 S., R. 1 E., S. B. B. and M., being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 20,

(d) At the intake of a twenty-inch pipe line leading to said Stone Lined Conduit, situated at a point which bears approximately N. 15° 34' W., approximately 3200 feet distant from the southeast corner of Sec. 29, T. 2 S., R. 1 E., S. B. B. and M., being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 29,

(e) At the intake of a twelve-inch pipe line leading to said twenty-inch pipe line, situated at a point which bears approximately N. 11° 30' W., approximately 3188 feet distant from the southeast corner of Sec. 29, T. 2 S., R. 1 E., S. B. B. and M., being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 29,

(f) At the intake of a ten-inch pipe line leading to said Stone Lined Conduit, situated at a point which bears approximately N. 45° 45' W.,

approximately 2538 feet distant from the southeast corner of Sec. 33, T. 2 S., R. 1 E., S. B. B. and M., being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 33,

(g) At the intake of an iron flume leading to said Stone Lined Conduit, situated at a point which bears approximately N. 8° 05' W., approximately 1165 feet distant from the southeast corner of Sec. 33, T. 2 S., R. 1 E., S. B. B. and M., being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 33,

(h) At the intake of a short stone lined ditch leading to said iron flume, situated at a point which bears approximately N. 15° 49' W., approximately 1659 feet distant from the southeast corner of Sec. 33, T. 2 S., R. 1 E., S. B. B. and M., being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 33;

and said total quantity of water to be diverted at such times and at such rates throughout the year as may be necessary in order that said Banning Water Company may adequately supply the requirements of water for domestic, stock watering and irrigation purposes within the territory which it serves as hereinabove described in paragraph 11, and the requirements of water for domestic and municipal purposes within the city of Banning.

14. Donald M. Bedwell

will be entitled to divert from the natural or developed flow of Thousand Palms Canyon Creek, through the Bedwell and Richey Ditch and Pipe Line,

1.00 cubic foot per second—priority January 31, 1913,

or as much thereof as he directly applies to beneficial use for the purposes herein-after set forth, throughout the entire year: said water to be diverted from said Thousand Palms Canyon Creek at a point (designated on Division of Water Rights Map as Diversion 63) which bears approximately S. 77° 11' E., approximately 2345 feet distant from the west quarter corner of Sec. 12, T. 4 S., R. 6 E., S. B. B. and M., being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 12, and said water to be used for domestic and stock watering purposes and for the irrigation of at least 80 acres of land in the N $\frac{1}{2}$ of Sec. 22, T. 4 S., R. 6 E., S. B. B. and M.:

provided, that prior to December 1, 1929, said Donald M. Bedwell shall have completed the above appropriation and applied said water to the beneficial use above specified, and shall have submitted evidence of such completed appropriation and use to the Division of Water Rights of the Department of Public Works of the State of California. Upon receipt of such evidence of such completed appropriation and use, the said Division of Water Rights will act thereupon as provided in section 36f of the Water Commission Act, and in accordance with said evidence will enter findings supplemental hereto, determining and establishing the above described right by appropriation in so far as the same shall have been completed.

15. The Cabazon Water Company

is entitled to divert from the natural flow of Millard Creek, through the Cabazon Water Company Conduit,

4.67 cubic feet per second—priority January 1, 1885,

2.50 cubic feet per second—priority July 22, 1915,

7.17 cubic feet per second—Total,

or as much thereof as said company directly applies to beneficial use for the purposes hereinafter set forth, throughout the entire year: said water to be diverted from said Millard Creek at a point (designated on Division of Water Rights Map as Diversion 27) situated approximately 272 feet southwesterly from a point which bears approximately S. 0° 13' W., approximately 510.5 feet distant from the east quarter corner of Sec. 20, T. 2 S., R. 2 E., S. B. B. and M., being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 20; and said water to be used by said Cabazon Water Company for the purpose of supplying water for domestic, stock watering and irrigation purposes within the territory served by said company, which territory includes approximately 2560 acres of land, situated within the following described parcels:

NW $\frac{1}{4}$ of Sec. 5, T. 3 S., R. 2 E., S. B. B. and M.

S $\frac{1}{2}$ of Sec. 5, T. 3 S., R. 2 E., S. B. B. and M.

W $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 5, T. 3 S., R. 2 E., S. B. B. and M.

AH of Sec. 15, T. 3 S., R. 2 E., S. B. B. and M.

All of Sec. 16, T. 3 S., R. 2 E., S. B. B. and M., except that portion of said section occupied by the right of way of the Southern Pacific Railroad Company.

All of Sec. 17, T. 3 S., R. 2 E., S. B. B. and M., except that portion of said section occupied by the right of way of the Southern Pacific Railroad Company.

N $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 21, T. 3 S., R. 2 E., S. B. B. and M.

16. The Coachella Valley County Water District

will be entitled to divert from the natural flow of Whitewater River by means of its spreading dams, ditches and other spreading works, all situated along the channel of said Whitewater River east of the west line of Secs. 20 and 29, T. 3 S., R. 4 E., S. B. B. and M., and west of the west line of Secs. 30 and 31, T. 3 S., R. 5 E.,

80,000 acre-feet per annum—priority October 25, 1918,

or as much thereof as it spreads and stores underground in the basin underlying Coachella Valley, situate in Riverside County, California; said quantity of water to be so diverted, spread and stored during the period between January first and December thirty-first of each year, both dates inclusive:

provided, that said water is subsequently withdrawn from said underground storage by the inhabitants of said Coachella Valley and applied by said inhabitants to beneficial use for domestic, stock watering, municipal and industrial purposes and for the irrigation of 25,000 acres of land lying within the 195,000-acre area included within the confines of the yellow border line on Coachella Valley County Water District Map No. 2, dated September, 1918, and filed by said Coachella Valley Water District with the State Water Commission with its Application 1122, and which map is now on file and of record in the office of the Division of Water Rights of the Department of Public Works of the State of California; and

provided, further, that prior to July 1, 1932, said Coachella Valley County Water District shall have completed the above appropriation and applied said water to beneficial use in accordance with the terms of Division of Water Rights Permit 536, and shall have submitted evidence of such completed appropriation and use to said Division of Water Rights. Upon receipt of such evidence of such completed appropriation and use, the said Division of Water Rights will act thereupon as provided in section 367 of the Water Commission Act, and in accordance with said evidence will enter findings supplemental hereto, determining and establishing the above described right by appropriation in so far as the same shall have been completed.

17. The Coachella Valley County Water District

will be entitled to divert from the natural flows of Whitewater River, Snow Creek, Falls Creek, Tahquitz Creek, Andreas Creek, Murray Creek, and Palm Canyon Creek, by means of spreading dams, ditches and other spreading works,

20,000 acre-feet per annum from Whitewater River,
8,000 acre-feet per annum from Snow Creek,
2,000 acre-feet per annum from Falls Creek,
5,000 acre-feet per annum from Tahquitz Creek,
1,000 acre-feet per annum from Andreas Creek,
1,000 acre-feet per annum from Murray Creek,
2,000 acre-feet per annum from Palm Canyon Creek,

39,000 acre-feet per annum—Total—priority July 8, 1922,

or as much of said quantities of water as it spreads and stores underground in the basin underlying Coachella Valley, situate in Riverside County, California; said quantities of water to be diverted from said streams at the respective points described as follows:

(1) From Whitewater River at a point situated approximately 3450 feet south and approximately 1750 feet east from the south quarter corner of Sec. 2, T. 3 S., R. 3 E., S. B. B. and M., being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 11, T. 3 S., R. 3 E., S. B. B. and M.:

(2) From Snow Creek at a point situated approximately 3645 feet north and approximately 2115 feet east from the section corner common to Secs. 20,

21, 28 and 29, T. 3 S., R. 3 E., S. B. B. and M., being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 21, T. 3 S., R. 3 E., S. B. B. and M.;

(3) From Falls Creek at a point situated approximately 1280 feet south and approximately 1110 feet east from the south quarter corner of Sec. 28, T. 3 S., R. 3 E., S. B. B. and M., being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 33, T. 3 S., R. 3 E., S. B. B. and M.;

(4) From Tahquitz Creek at a point situated approximately 2130 feet south and approximately 2950 feet west from the section corner common to Secs. 14, 15, 22 and 23, T. 4 S., R. 4 E., S. B. B. and M., being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, T. 4 S., R. 4 E., S. B. B. and M.;

(5) From Andreas Creek at a point situated approximately 3440 feet north and approximately 255 feet east from the west quarter corner of Sec. 11, T. 5 S., R. 4 E., S. B. B. and M., being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 2, T. 5 S., R. 4 E., S. B. B. and M.;

(6) From Murray Creek at a point situated approximately 690 feet north and approximately 75 feet east from the west quarter corner of Sec. 11, T. 5 S., R. 4 E., S. B. B. and M., being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 11;

(7) From Palm Canyon Creek at a point situated approximately 1330 feet south and approximately 3400 feet east from the west quarter corner of Sec. 11, T. 5 S., R. 4 E., S. B. B. and M., being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 11;

said quantities of water to be so diverted, spread and stored during the period between January first and December thirty-first of each year, both dates inclusive;

provided, that said water is subsequently withdrawn from said underground storage by the inhabitants of said Coachella Valley and applied by said inhabitants to beneficial use for domestic, stock watering, municipal and industrial purposes and for the irrigation of 25,000 acres of land lying within the 195,000-acre area included within the confines of the yellow border line on Coachella Valley County Water District Map No. 2, dated September, 1918, and filed by said Coachella Valley County Water District with the State Water Commission with its Application 1122, and which map is now on file and of record in the office of the Division of Water Rights of the Department of Public Works of the State of California; and

provided, further, that prior to July 1, 1932, said Coachella Valley County Water District shall have completed the above appropriation and applied said water to beneficial use in accordance with the terms of Division of Water Rights Permit 3011, and shall have submitted evidence of such completed appropriation and use to said Division of Water Rights. Upon receipt of such evidence of such completed appropriation and use, the said Division of Water Rights will act thereupon as provided in section 36f of the Water Commission Act, and in accordance with said evidence will enter findings supplemental hereto, determining and establishing the above described right by appropriation in so far as the same shall have been completed.

X 18. Nellie N. Coffman, Cornelia B. White, Florilla M. White, Lavina F. Crocker, Helen Coffman, Pearl McCallum McManus, Isabel White Chase, George Wellwood Murray, Ruth J. Orr, T. L. Douglas, C. A. Abbott, and Charles Powers,

jointly, are entitled to divert from the natural flow of Tahquitz Creek, through the Agua Caliente Ditch,

1.36 cubic feet per second—priority April 26, 1884,

or as much thereof as they directly apply to beneficial use for the purpose herein-after set forth, throughout the entire year; said water to be diverted from said Tahquitz Creek at a point (designated on Division of Water Rights Map as Diversion 61) which bears approximately S. 49° 30' W., approximately 5400 feet distant from the northeast corner of Sec. 22, T. 4 S., R. 4 E., S. B. B. and M., being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 22, and said water to be used for the irrigation of the respective lands of said parties as follows:

Nellie N. Coffman:

2.6 acres in a parcel bounded as follows: Beginning at the northwesterly corner of Spring Street and Main Avenue in the town of Palm Springs, Riverside County, California; thence west along the northerly line of Spring Street 290.4 feet; thence at right angles northerly 355.0 feet; thence at right angles

easterly 290.4 feet to westerly boundary line of Main Avenue; thence southerly along said westerly boundary of Main Avenue 355.0 feet to point of beginning.

0.6 acre in lots 22, 23 and 24 of block 8 of said town of Palm Springs.
6.9 acres in blocks 1, 6 and 8 of said town of Palm Springs bounded as follows: Beginning at a point in block 8 where the westerly side of the Whitewater or Palm Valley Water Company's Ditch intersects a line 150.0 feet north of and parallel with the north line of Park Street; thence N. 30° 58' W., 327.0 feet; thence N. 0° 23' W., 174.0 feet; thence west 40.0 feet; thence N. 0° 08' W., 103.0 feet; thence S. 79° 10' W., 335.7 feet; thence S. 84° 08' W., 217.0 feet; thence S. 3° 40' E., 264.25 feet; thence N. 89° 50' E., 60.0 feet; thence S. 0° 08' E., 210.0 feet; thence N. 89° 50' E., 678.3 feet to point of beginning.

1.2 acres in lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 32 and 33, all in Block 20 of said town of Palm Springs.

0.4 acre in block 27 of said town of Palm Springs bounded as follows: Beginning at the southwest corner of said block; thence northerly on the easterly line of Main Avenue 100.0 feet; thence at right angles easterly and parallel with Park Street 145.0 feet; thence at right angles southerly 100.0 feet to northerly line of Park Street; thence westerly 145.0 feet to point of beginning.

11.7 acres—Total.

Cornelia B. White:

4.0 acres constituting all of block 27 of said town of Palm Springs, except the parcel last above described under Nellie N. Coffman, and except a parcel 80.0 feet square situate in the northwest corner of said block.

4.0 acres—Total.

Cornelia B. White and Florilla M. White:

4.1 acres constituting all of block 26 of said town of Palm Springs, except lots 1, 2, 3 and 4 thereof, and except a rectangular parcel having a frontage of 50.0 feet on Main Avenue, a depth of 100.0 feet, and situate south and contiguous to lot 4 of said block.

4.1 acres—Total.

Lavina F. Crocker:

1.6 acres in a parcel bounded as follows: Beginning at a point on the northerly line of Spring Street in said town of Palm Springs, 290.4 feet westerly from the northwest corner of Spring Street and Main Avenue; thence westerly along the said line of Spring Street 323.5 feet; thence N. 0° 08' W., 204.0 feet; thence N. 89° 50' E., 323.5 feet; thence S. 0° 08' E., 204.0 feet to point of beginning; said description containing within its boundaries lots 9 to 20, both inclusive, of block 14 of said town of Palm Springs.

1.6 acres—Total.

Helen Coffman:

0.3 acre in lots 1, 2 and 3 of block 8 of said town of Palm Springs.

0.3 acre—Total.

Pearl McCallum McManus:

3.7 acres in lots 1, 2, 3 and 4 of block 1,
10.4 acres in lots 1, 2, 3 and 4 of block 2,
0.6 acre in lots 22, 23 and 24 of block 7,
2.2 acres in lots 4 to 9, both inclusive, and lots 14 to 21, both inclusive, of block 8,
2.6 acres in lots 1 to 16, both inclusive, and lots 26 to 28, both inclusive, of block 15,

0.3 acre in lots 11 and 12 of block 16.
0.6 acre in lots 9 to 12, both inclusive, of block 19,
1.5 acres in lots 1 to 12, both inclusive, of block 20,
all in said town of Palm Springs.

21.9 acres—Total.

Isabel White Chase:

1.1 acres constituting the west 250 feet of lot 4 of block 1 of said town of Palm Springs.

1.1 acres —Total.

George Wellwood Murray:

0.2 acre constituting a parcel of land 80.0 feet square situate in the northwest corner of block 27 of said town of Palm Springs.

0.2 acre—Total.

Ruth J. Orr:

0.5 acre in lots 34, 35 and 36 of block 20 of said town of Palm Springs.

0.5 acre—Total.

T. L. Douglas:

0.6 acre constituting the east 150 feet of lot 1 of block 2 of said town of Palm Springs.

0.6 acre—Total.

C. A. Abbott:

1.9 acres constituting the east 250 feet of lots 3 and 4 of block 2 of said town of Palm Springs.

1.9 acres—Total.

Charles Powers:

1.0 acre in lots 1, 2, 3, 4 and 5 of block 5 of said town of Palm Springs.

1.0 acre—Total.

The joint diversion and use of water under this right by the parties hereinabove enumerated is subject to the provisions of that certain agreement dated February 10, 1911, between the United States of America (Indian Service) and George Wellwood Murray et al., recorded March 11, 1911, in Book No. 325 of Deeds, page 260 *et seq.*, records of Riverside County, California.

19. Nellie N. Coffman, Prescott T. Stevens, Zaddie R. Bunker, T. A. Gray, Pearl McCallum McManus, Lavina F. Crocker, Ruth J. Orr, Helen Coffman, George Wellwood Murray, Trustees of Palm Springs Presbyterian Church, Cornelia B. White, Florilla M. White, Owen Earl Coffman and George B. Robertson,

jointly, are entitled to divert from the natural flow of Whitewater River, through the Palm Valley Water Company System (now generally known as the "Stevens Pipe Line"),

1.60 cubic feet per second—priority November 11, 1884,

or as much thereof as they directly apply to beneficial use for the purpose herein-after set forth, throughout the entire year; said water to be diverted from said Whitewater River, all or in part, through any of the following described works:

(1) Through the main intake ditch leading to the "Stevens Pipe Line," the head of which ditch is situated at a point which bears approximately S. 84° 30' E., approximately 440 feet distant from the northwest corner of lot 2 of Sec. 2, T. 3 S., R. 3 E., S. B. B. and M., being within said lot 2,

(2) Through Infiltration Pipe Line "A" as shown on the map prepared by Davidson and Fulmor, Engineers, dated April, 1927, and entitled "Map Showing the Prescott T. Stevens Intake and Infiltration Pipe Lines from Whitewater River, Riverside County, Cal.," the head of which pipe line is situated approximately 727 feet due east of the northwest corner of lot 2 of Sec. 2, T. 3 S., R. 3 E., S. B. B. and M., and approximately on the north line of said Sec. 2,

(3) Through Infiltration Pipe Line "B" as shown on said map prepared by Davidson and Fulmor, the head of which pipe line is situated approximately 122 feet due east of the northwest corner of lot 2 of Sec. 2, T. 3 S., R. 3 E., S. B. B. and M., and approximately on the north line of said Sec. 2,

(4) Through Infiltration Pipe Line "C" as shown on said map prepared by Davidson and Fulmor, the head of which pipe line is situated at a point which bears approximately S. 62° 15' W., approximately 278 feet distant from the northeast corner of lot 3 of Sec. 2, T. 3 S., R. 3 E., S. B. B. and M., being within said lot 3;

and said water to be used for the irrigation of the respective lands of said parties as follows:

Nellie N. Coffman:

13.2 acres in a parcel bounded as follows: Beginning at the intersection of the center lines of Main Avenue and Spring Street in the town of Palm Springs, Riverside County, California; thence northerly along the center line of Main Avenue 453.0 feet; thence westerly at right angles to said center line 330.4 feet; thence at right angles northerly 146.0 feet; thence easterly at right angles 330.4 feet to center line of said Main Avenue; thence northerly along said center line 38.0 feet; thence at right angles westerly 618.88 feet; thence at right angles northerly 200.0 feet; thence at right angles westerly 491.12 feet to Palm Valley Water Company Ditch; thence southerly along line of said ditch 600 feet more or less to a point on said ditch 237.0 feet northerly of the center line of said Spring Street; thence easterly and parallel with the center line of Spring Street 669.6 feet more or less to a point 330.4 feet westerly from the center line of Main Avenue; thence at right angles southerly 237.0 feet to center line of said Spring Street; thence easterly along said center line of Spring Street 330.4 feet to point of beginning.

0.4 acre in block 27 of said town of Palm Springs bounded as follows: Beginning at the southwest corner of said block; thence northerly on the easterly line of Main Avenue 100.0 feet; thence at right angles easterly and parallel with Park Street 145.0 feet; thence at right angles southerly 100.0 feet to northerly line of Park Street; thence westerly 145.0 feet to point of beginning.

1.2 acres in lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 32 and 33, all in block 20 of said town of Palm Springs.

0.6 acre in lots 22, 23 and 24 of block 8 of said town of Palm Springs.

6.9 acres in blocks 1, 6 and 8 of said town of Palm Springs bounded as follows: Beginning at a point in block 8 where the westerly side of the Whitewater or Palm Valley Water Company's Ditch intersects a line 150.0 feet north of and parallel with the north line of Park Street; thence N. 30° 58' W., 327.0 feet; thence N. 0° 23' W., 174.0 feet; thence west 40.0 feet; thence N. 0° 08' W., 103.0 feet; thence S. 79° 10' W., 335.7 feet; thence S. 84° 08' W., 217.0 feet; thence S. 3° 40' E., 264.25 feet; thence N. 89° 50' E., 60.0 feet; thence S. 0° 08' E., 210.0 feet; thence N. 89° 50' E., 678.3 feet to point of beginning.

22.3 acres—Total.

Prescott T. Stevens:

7.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 15, T. 4 S., R. 4 E., S. B. B. and M.

7.0 acres—Total.

Zaddie R. Bunker:

1.0 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 15, T. 4 S., R. 4 E., S. B. B. and M.

1.0 acre—Total.

T. A. Gray:

1.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 15, T. 4 S., R. 4 E., S. B. B. and M.

1.3 acres—Total.

Pearl McCallum McManus:

16.2 acres in E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 15, T. 4 S., R. 4 E., S. B. B. and M.

16.2 acres—Total.

Lavina F. Crocker:

1.6 acres in a parcel bounded as follows: Beginning at a point on the northerly line of Spring street in said town of Palm Springs, 290.4 feet westerly from the northwest corner of Spring Street and Main Avenue; thence westerly along the said line of Spring Street 323.5 feet; thence N. 0° 08' W., 204.0 feet; thence N. 89° 50' E., 323.5 feet; thence S. 0° 08' E., 204.0 feet to point of beginning; said description containing within its boundaries lots 9 to 20, both inclusive, of block 14 of said town of Palm Springs.

1.6 acres—Total.

Ruth J. Orr:

0.5 acre in lots 34, 35 and 36 of block 20 of said town of Palm Springs.

0.5 acre—Total.

Helen Coffman:

0.3 acre in lots 1, 2 and 3 of block 8 of said town of Palm Springs.

0.3 acre—Total.

George Wellwood Murray:

0.2 acre constituting a parcel of land 80.0 feet square situate in the northwest corner of block 27 of said town of Palm Springs.

0.2 acre—Total.

Trustees of Palm Springs Presbyterian Church:

0.4 acre constituting a rectangular parcel of land in the northwest corner of block 26 of said town of Palm Springs.

0.4 acre—Total.

Cornelia B. White:

4.0 acres in block 27 of said town of Palm Springs.

4.0 acres—Total.

Cornelia B. White and Florilla M. White:

4.1 acres in block 26 of said town of Palm Springs.

4.1 acres—Total.

Owen Earl Coffman:

0.5 acre in a parcel bounded as follows: Beginning at a point 470.0 feet westerly from the westerly line of Main Avenue in said town of Palm Springs and 604.0 feet northerly from the northerly property line of Spring Street; thence N. 0° 08' W., 200.0 feet; thence westerly at right angles 108.88 feet; thence at right angles southerly 200.0 feet; thence easterly at right angles 108.88 feet to point of beginning.

0.5 acre—Total.

George B. Robertson:

0.4 acre in a parcel bounded as follows: Beginning at a point on the westerly property line of Main Avenue 566.0 feet northerly of the northerly property line of Spring Street in said town of Palm Springs; thence at right angles westerly to said line of Main Avenue 290.4 feet; thence at right angles southerly 61.0 feet; thence at right angles easterly 290.4 feet to the westerly property line of Main Avenue; thence northerly 61.0 feet to point of beginning.

0.4 acre—Total.

provided, however, that the lands described in this paragraph to which the water right hereinabove provided from Tahquitz Creek, by paragraph 18, is also appurtenant, shall only be entitled to water from Whitewater River under this right at such times and to such extent as the water supply available from Tahquitz Creek under the right provided in paragraph 18 may be inadequate for the irrigation of said lands. The joint diversion and use of water under this right by the parties hereinabove enumerated is subject to the provisions of that certain stipulation dated March 17, 1926, between the Banning Water Company, Banning Heights Mutual Water Company and San Gorgonio Power Company on the one part, and Nellie N. Coffman et al., on the other part, which stipulation is on file and of record in these proceedings, and by the terms of which stipulation said Nellie N. Coffman et al., recognize that said Banning Water Company, Banning Heights Mutual Water Company and San Gorgonio Power Company are the owners of the paramount right to divert water from the South Fork of Whitewater River through the Consolidated Reservoir and Power Company Canal as hereinbefore set forth in paragraph 11, regardless of the fact that the priority of said right set forth in said paragraph 11 is subsequent to the priority of the right of said Nellie N. Coffman et al., as set forth in this paragraph.

20. W. V. Covington

is entitled to divert from the natural flow of Lower Big Morongo Creek through the Covington West Ditch,

0.14 cubic foot per second—priority January 1, 1873,

or as much thereof as he directly applies to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said Lower Big Morongo Creek at a point (designated on Division of Water Rights Map as Diversion 55) which bears approximately N. 56° 30' W, approximately 2410 feet distant from the southeast corner of Sec. 28, T. 1 S., R. 4 E., S. B. B. and M., being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 28, and said water to be used for domestic and stock watering purposes and for the irrigation of the following described land:

3.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 1 S., R. 4 E., S. B. B. and M.

21. W. V. Covington

is entitled to divert from the natural flow of an unnamed stream rising in a meadow in Lower Big Morongo Wash, through the Covington East Ditch,

0.50 cubic foot per second—priority January 1, 1873,

or as much thereof as he directly applies to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said

unnamed stream at a point (designated on Division of Water Rights Map as Diversion 56) which bears approximately N. 38° 00' W., approximately 2030 feet distant from the southeast corner of Sec. 28, T. 1 S., R. 4 E., S. B. B. and M., being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 28, and said water to be used for domestic and stock watering purposes and for the irrigation of the following described land:

13.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 1 S., R. 4 E., S. B. B. and M.

22. W. V. Covington

is entitled to divert from the natural flow of an unnamed stream rising in a meadow in Lower Big Morongo Wash, by means of a series of dykes and short spreading ditches,

0.74 cubic foot per second—priority January 1, 1873,

or as much thereof as he directly applies to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said unnamed stream between the head of the Covington East Ditch, as hereinabove described in the preceding paragraph, and the point where said unnamed stream crosses the south boundary line of the NE $\frac{1}{4}$ of Sec. 33, T. 1 S., R. 4 E., S. B. B. and M., and said water to be used for stock watering purposes and for the irrigation of the following described lands:

35.0 acres in SE $\frac{1}{4}$, Sec. 28, T. 1 S., R. 4 E., S. B. B. and M.

30.0 acres in E $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 1 S., R. 4 E., S. B. B. and M.

65.0 acres—Total.

23. Annie B. Fick

is entitled to divert from the natural or developed flow of an unnamed spring (designated on Division of Water Rights Map as Diversion 5) situated approximately N. 35° 00' W., approximately 1000 feet distant from the east quarter corner of Sec. 5, T. 2 S., R. 1 E., S. B. B. and M., being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 5, through the Fick East Pipe Line,

(a) during the period between March first and November first of each year,

0.07 cubic foot per second—priority July 31, 1913,

or as much thereof as she directly applies to beneficial use for domestic and stock watering purposes and for the irrigation of her lands hereinafter described;

(b) during the period between November first of each year and March first of the succeeding year,

0.025 cubic foot per second—priority July 31, 1913,

or as much thereof as she directly applies to beneficial use for domestic and stock watering purposes;

all of said water to be diverted at said spring, and to be used upon the following described lands:

3.3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4, T. 2 S., R. 1 E., S. B. B. and M.

2.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 2 S., R. 1 E., S. B. B. and M.

5.5 acres—Total.

24. Annie B. Fick

is entitled to divert from the natural or developed flow of two unnamed springs (designated on Division of Water Rights Map as Diversion 6) situated approximately S. 70° 00' W., approximately 1600 feet distant from the east quarter corner of Sec. 32, T. 1 S., R. 1 E., S. B. B. and M., being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 32, through the Fick West Pipe Line,

(a) during the period between March first and November first of each year,

0.033 cubic foot per second—priority October 23, 1916,

or as much thereof as she directly applies to beneficial use for domestic and stock watering purposes and for the irrigation of her lands hereinafter described;

(b) during the period between November first of each year and March first of the succeeding year,

0.025 cubic foot per second—priority October 23, 1916,

or as much thereof as she directly applies to beneficial use for domestic and stock watering purposes;

all of said water to be diverted at said springs and to be used upon the following described land:

4.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 2 S., R. 1 E., S. B. B. and M.

25. The Gilman Home Company

is entitled to divert from the natural flow of the stream flowing in Gilman Canyon No. 1, through an unnamed flume,

(a) during the period between March first and November first of each year,

0.10 cubic foot per second—priority March 1, 1869,

0.09 cubic foot per second—priority March 1, 1882,

0.06 cubic foot per second—priority March 1, 1892,

0.25 cubic foot per second—Total,

or as much thereof as said company directly applies to beneficial use for domestic and stock watering purposes and for the irrigation of its lands hereinafter described,

(b) during the period between November first of each year and March first of the succeeding year,

0.025 cubic foot per second—priority March 1, 1869,

or as much thereof as said company directly applies to beneficial use for domestic and stock watering purposes;

all of said water to be diverted at a point (designated on Division of Water Rights Map as Diversion 11) which bears approximately S. 76° 30' W, approximately 1860 feet distant from the east quarter corner of Sec. 5, T. 3 S., R. 1 E., S. B. B. and M., being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 5, and all of said water to be used upon the following described lands:

24.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 3 S., R. 1 E., S. B. B. and M.

26. The Gilman Home Company

is entitled to divert from the natural flow of the stream flowing in Gilman Canyon No. 2, through an unnamed pipe line,

0.125 cubic foot per second—priority March 1, 1892,

or as much thereof as said company directly applies to beneficial use for the purpose hereinafter set forth during the period between March first and November first of each year; said water to be diverted at a point (designated on Division of Water Rights Map as Diversion 12) which bears approximately N. 85° 00' W., approximately 1420 feet distant from the east quarter corner of Sec. 5, T. 3 S., R. 1 E., S. B. B. and M., being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 5 and said water to be used for the irrigation of the following described lands:

2.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 3 S., R. 1 E., S. B. B. and M.

10.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 3 S., R. 1 E., S. B. B. and M.

12.0 acres—Total.

27. The Gilman Home Company

is entitled to divert from the natural flow of the stream flowing in Gilman Canyon No. 3, through an unnamed pipe line,

0.25 cubic foot per second—priority March 1, 1891,*

or as much thereof as said company directly applies to beneficial use for the purpose hereinafter set forth, during the period between March first and November first of each year; said water to be diverted at a point (designated on Division of Water Rights Map as Diversion 13) which bears approximately N. 52° 30' W., approximately 970 feet distant from the east quarter corner of Sec. 5, T. 3 S., R. 1 E., S. B. B. and M., being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 5, and said water to be used for the irrigation of the following described land:

24.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 3 S., R. 1 E., S. B. B. and M.

28. George R. Hicks

will be entitled to divert from the natural flow of Upper Little Morongo Creek, through the Hicks Pipe Line and Ditch,

(a) during the period between March first and November first of each year,

2.50 cubic feet per second—priority April 24, 1917,

or as much thereof as he directly applies to beneficial use for domestic and stock watering purposes and for the irrigation of the lands hereinafter described in this paragraph;

(b) during the period between November first of each year and March first of the succeeding year,

0.50 cubic foot per second—priority April 24, 1917,

or as much thereof as he directly applies to beneficial use for domestic and stock watering purposes;

all of said water to be diverted at a point (designated on Division of Water Rights Map as Diversion 57) which bears approximately N. 30° 00' E., approximately 3600 feet distant from the southwest corner of Sec. 2, T. 1 S., R. 4 E., S. B. B. and M., being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 2, and all of said water to be used upon the following described lands:

80.0 acres in N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, T. 1 S., R. 4 E., S. B. B. and M.

80.0 acres in S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 14, T. 1 S., R. 4 E., S. B. B. and M.

80.0 acres in N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, T. 1 S., R. 4 E., S. B. B. and M.

240.0 acres—Total.

provided, that prior to December 1, 1929, said George R. Hicks shall have completed the above appropriation and applied said water to beneficial use in accordance with the terms of Division of Water Rights Permit 768, and shall have submitted evidence of such completed appropriation and use to the Division of Water Rights of the Department of Public Works of the State of California. Upon receipt of such evidence of such completed appropriation and use, the said Division of Water Rights will act thereupon as provided in section 36f of the Water Commission Act, and in accordance with said evidence will enter findings supplemental hereto, determining and establishing the above described right by appropriation in so far as the same shall have been completed.

29. Marshall G. Jost

is entitled to divert from the natural or developed flow of an unnamed spring situated in Dunlap Canyon at a point which bears approximately N. 14° 30' E., approximately 125 feet distant from the west quarter corner of Sec. 32, T. 2 S., R. 1 E., S. B. B. and M., being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 32, through the Marshall Jost Pipe Line,

0.04 cubic foot per second—priority July 31, 1900,

or as much thereof as he directly applies to beneficial use for the purpose hereinafter set forth, throughout the entire year; said water to be diverted at said spring, and to be used for stock watering purposes in the

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 2 S., R. 1 E., S. B. B. and M.

30. Charles C. Leary

is entitled to divert from the natural or developed flow of an unnamed spring situated at a point (designated on Division of Water Rights Map as Diversion 33) which bears approximately S. 7° 30' E., approximately 1780 feet distant from the west quarter corner of Sec. 20, T. 3 S., R. 2 E., S. B. B. and M., being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 20, through the Leary Pipe Line,

0.025 cubic foot per second—priority October 18, 1913,

or as much thereof as he directly applies to beneficial use for the purpose herein-after set forth, during the period between March first and November first of each year: said water to be diverted at said spring, and to be used for the irrigation of the following described land:

7.0 acres in Lot 4 of NW $\frac{1}{4}$ of Sec. 20, T. 3 S., R. 2 E., S. B. B. and M.

31. Charles C. Leary

is entitled to divert from the natural or developed flow of an unnamed spring situated at a point (designated on Division of Water Rights Map as Diversion 32) which bears approximately S. 14° 00' E., approximately 1420 feet distant from the west quarter corner of Sec. 20, T. 3 S., R. 2 E., S. B. B. and M., being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 20, through the Leary Pipe Line.

(a) during the period between March first and November first of each year,

0.05 cubic foot per second—priority October 18, 1913,

or as much thereof as he directly applies to beneficial use for domestic and stock watering purposes and for the irrigation of his lands hereinafter described;

(b) during the period between November first of each year and March first of the succeeding year.

0.025 cubic foot per second—priority October 18, 1913,

or as much thereof as he directly applies to beneficial use for domestic and stock watering purposes:

all of said water to be diverted at said spring, and to be used upon the following described land:

14.0 acres in Lot 4 of NW $\frac{1}{4}$ of Sec. 20, T. 3 S., R. 2 E., S. B. B. and M.

32. Herman Luhrman (successor in interest to C. F. Jost)

is entitled to divert from the natural flow of the West Fork of Stubby Creek, through the Jost West Ditch and Pipe Line,

0.10 cubic foot per second—priority April 23, 1886,

or as much thereof as he directly applies to beneficial use for the purposes herein-after set forth, throughout the entire year: said water to be diverted from said West Fork of Stubby Creek at a point (designated on Division of Water Rights Map as Diversion 36) which bears approximately S. 69° 00' W., approximately 1950 feet distant from the northeast corner of Sec. 36, T. 2 S., R. 2 E., S. B. B. and M., being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 36, and said water to be used for domestic, stock watering, irrigation and bee culture purposes within the

S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 36, T. 2 S., R. 2 E., S. B. B. and M.

33. Herman Luhrman (successor in interest to C. F. Jost)

is entitled to divert from the natural flow of the East Fork of Stubby Creek, through the Jost East Ditch.

0.10 cubic foot per second—priority April 23, 1886,

or as much thereof as he directly applies to beneficial use for the purposes herein-after set forth, throughout the entire year: said water to be diverted from said East Fork of Stubby Creek at a point (designated on Division of Water Rights Map as Diversion 37) which bears approximately S. 82° 30' W., approximately 1050 feet

distant from the northeast corner of Sec. 36, T. 2 S., R. 2 E., S. B. B. and M., being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 36, and said water to be used for domestic, stock watering, irrigation and bee culture purposes within the

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 2 S., R. 2 E., S. B. B. and M.

✓ 34. **Mayme V. Matthay** (successor in interest to H. F. Nelles)

will be entitled to divert from the natural flow of Cottonwood Creek, through the Matthay Pipe Line,

0.25 cubic foot per second—priority February 6, 1923,

or as much thereof as she directly applies to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said Cottonwood Creek at a point situated approximately 6319 feet upstream from a point approximately 2600 feet westerly of the east quarter corner of Sec. 32, T. 2 S., R. 3 E., S. B. B. and M.; said point of diversion being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 30, T. 2 S., R. 3 E., S. B. B. and M.; and said water to be used for domestic and stock watering purposes and for the irrigation of the following described land:

320 acres in S $\frac{1}{2}$, Sec. 9, T. 3 S., R. 3 E., S. B. B. and M. (or as much of said tract as it is possible to irrigate with said quantity of water);

provided, that prior to December 1, 1928, said Mayme V. Matthay shall have completed the above appropriation and applied said water to beneficial use in accordance with the terms of Division of Water Rights Permit 1858, and shall have submitted evidence of such completed appropriation and use to the Division of Water Rights of the Department of Public Works of the State of California. Upon receipt of such evidence of such completed appropriation and use, the said Division of Water Rights will act thereupon as provided in section 36f of the Water Commission Act, and in accordance with said evidence will enter findings supplemental hereto, determining and establishing the above described right by appropriation in so far as the same shall have been completed.

35. **The Morongo Valley Mutual Water Company**

is entitled to divert from the natural flow of Big Morongo Creek, through the Morongo Valley Mutual Water Company Pipe Line,

0.14 cubic foot per second—priority June 14, 1915,

or as much thereof as said company directly applies to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said Big Morongo Creek at a point (designated on Division of Water Rights Map as Diversion 54) which bears approximately N. 30° 20' W., approximately 1575 feet distant from the southeast corner of Sec. 18, T. 1 S., R. 4 E., S. B. B. and M., being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 18, and said water to be used for domestic and stock watering purposes and for the irrigation of the following described lands:

160.0 acres in NW $\frac{1}{4}$,	Sec. 28, T. 1 S., R. 4 E., S. B. B. and M.
80.0 acres in W $\frac{1}{2}$ SW $\frac{1}{4}$,	Sec. 28, T. 1 S., R. 4 E., S. B. B. and M.
40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$,	Sec. 28, T. 1 S., R. 4 E., S. B. B. and M.
80.0 acres in E $\frac{1}{2}$ SE $\frac{1}{4}$,	Sec. 29, T. 1 S., R. 4 E., S. B. B. and M.
40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$,	Sec. 29, T. 1 S., R. 4 E., S. B. B. and M.
80.0 acres in N $\frac{1}{2}$ NE $\frac{1}{4}$,	Sec. 32, T. 1 S., R. 4 E., S. B. B. and M.
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$,	Sec. 33, T. 1 S., R. 4 E., S. B. B. and M.

520.0 acres—Total.

36. **The Palm Valley Water Company**

is entitled to divert from the natural flow of Chino Creek, through the Chino Creek Pipe Line,

2.00 cubic feet per second—priority October 2, 1897,

or as much thereof as said company applies to beneficial use for the purpose hereinafter set forth, throughout the entire year; said water to be diverted from said

Chino Creek at a point (designated on Division of Water Rights Map as Diversion 59) which bears approximately S. 60° 30' W., approximately 725 feet distant from the northeast corner of Sec. 7, T. 4 S., R. 4 E., S. B. B. and M., being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 7, and said water to be used by said company for the purpose of supplying water for domestic and municipal uses in the territory within and adjacent to the town of Palm Springs, Riverside County, California.

37. George W. Parker and F. E. Matthews,

jointly, are entitled to divert from the natural flow of the stream flowing in Water Canyon, through the Parker and Matthews Water Canyon Pipe Line,

0.04 cubic foot per second—priority January 1, 1909,

or as much thereof as they directly apply to beneficial use for the purpose hereinafter set forth, throughout the entire year; said water to be diverted from said stream at a point which bears approximately S. 78° 30' W., approximately 2080 feet distant from the northeast corner of Sec. 24, T. 3 S., R. 1 E., S. B. B. and M., being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 24, and said water to be used for the irrigation of the following described land:

8.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 3 S., R. 1 E., S. B. B. and M.

38. George W. Parker and F. E. Matthews,

jointly, are entitled to divert from the natural or developed flow of Tunnel No. 1 Spring, through the Tunnel No. 1 Pipe Line,

0.04 cubic foot per second—priority October 20, 1894,

or as much thereof as they directly apply to beneficial use for the purpose hereinafter set forth, throughout the entire year; said water to be diverted from said spring at a point (designated on Division of Water Rights Map as Diversion 24) which bears approximately N. 87° 00' W., approximately 1280 feet distant from the southeast corner of Sec. 13, T. 3 S., R. 1 E., S. B. B. and M., being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 13, and said water to be used for the irrigation of the following described lands:

2.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 3 S., R. 1 E., S. B. B. and M.

4.3 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 3 S., R. 1 E., S. B. B. and M.

6.5 acres—Total.

39. George W. Parker and F. E. Matthews,

jointly, are entitled to divert from the natural or developed flow of Newland Spring, through the Newland Spring Pipe Line,

0.08 cubic foot per second—priority January 3, 1898,

or as much thereof as they directly apply to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said spring at a point (designated on Division of Water Rights Map as Diversion 23) which bears approximately N. 71° 00' W., approximately 2450 feet distant from the southeast corner of Sec. 13, T. 3 S., R. 1 E., S. B. B. and M., being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 13, and said water to be used for domestic and stock watering purposes and for the irrigation of the following described lands:

2.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 3 S., R. 1 E., S. B. B. and M.

1.0 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 3 S., R. 1 E., S. B. B. and M.

7.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 3 S., R. 1 E., S. B. B. and M.

10.6 acres—Total.

40. George W. Parker and F. E. Matthews,

jointly, are entitled to divert from the natural or developed flow of South Spring, through the South Spring Pipe Line,

0.06 cubic foot per second—priority January 3, 1898,

or as much thereof as they directly apply to beneficial use for the purpose hereinafter set forth, throughout the entire year; said water to be diverted from said

spring at a point (designated on Division of Water Rights Map as Diversion 26) which bears approximately S. 2° 30' W., approximately 1340 feet distant from the northeast corner of Sec. 24, T. 3 S., R. 1 E., S. B. B. and M., being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 24, and said water to be used for the irrigation of the following described lands:

- 1.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 3 S., R. 1 E., S. B. B. and M.
- 9.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 3 S., R. 1 E., S. B. B. and M.

10.6 acres—Total.

41. George W. Parker and F. E. Matthews,

jointly, are entitled to divert from the natural or developed flow of Head Spring, through the Head Spring Pipe Line.

0.02 cubic foot per second—priority June 20, 1894,

or as much thereof as they directly apply to beneficial use for the purpose hereinafter set forth, throughout the entire year; said water to be diverted from said spring at a point (designated on Division of Water Rights Map as Diversion 25) which bears approximately S. 67° 00' W., approximately 3050 feet distant from the northeast corner of Sec. 24, T. 3 S., R. 1 E., S. B. B. and M., being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 24, and said water to be used for the irrigation of the following described lands:

- 1.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 3 S., R. 1 E., S. B. B. and M.
- 2.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 3 S., R. 1 E., S. B. B. and M.

3.4 acres—Total.

42. H. C. Ratcliff (successor in interest to H. P. Jensen and H. C. Ratcliff)

is entitled to divert from the natural or developed flow of Jensen's Spring, through the Jensen West Pipe Line,

0.06 cubic foot per second—priority June 17, 1911,

or as much thereof as he directly applies to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said spring at a point (designated on Division of Water Rights Map as Diversion 34) which bears approximately S. 29° 30' W., approximately 2930 feet distant from the southeast corner of the NE $\frac{1}{4}$ of Sec. 22, T. 3 S., R. 2 E., S. B. B. and M., being within Lot 11 of said Sec. 22, and said water to be used for domestic and stock watering purposes and for the irrigation of the following described land:

- 5.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 3 S., R. 2 E., S. B. B. and M.

43. H. C. Ratcliff (successor in interest to H. P. Jensen and H. C. Ratcliff)

will be entitled to divert from the natural or developed flow of Jensen's Creek, through the Jensen East Pipe Line,

0.60 cubic foot per second—priority October 23, 1913,

or as much thereof as he directly applies to beneficial use for the purposes hereinafter set forth throughout the entire year: said water to be diverted from said Jensen's Creek at a point (designated on Division of Water Rights Map as Diversion 35) which bears approximately S. 28° 30' E., approximately 3100 feet distant from the southwest corner of the NW $\frac{1}{4}$ of Sec. 23, T. 3 S., R. 2 E., S. B. B. and M., being within Lot 11 of said Sec. 23, and said water to be used for domestic and stock watering purposes and for the irrigation of at least 50 acres of land within the following described tracts:

- S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 22, T. 3 S., R. 2 E., S. B. B. and M.
- Lot 8 of Sec. 22, T. 3 S., R. 2 E., S. B. B. and M.
- Lot 8 of Sec. 23, T. 3 S., R. 2 E., S. B. B. and M.

to Walter O. Edwards Dec 23, 1932
provided, that prior to December 1, 1929, said H. C. Ratcliff shall have completed the above appropriation and applied said water to the beneficial use above specified, and shall have submitted evidence of such completed appropriation and use to the

Division of Water Rights of the Department of Public Works of the State of California. Upon receipt of such evidence of such completed appropriation and use, the Division of Water Rights will act thereupon as provided in section 36f of the Water Commission Act, and in accordance with said evidence will enter findings supplemental hereto, determining and establishing the above described right by appropriation in so far as the same shall have been completed.

44. George D. Richey

will be entitled to divert from the natural or developed flow of Thousand Palms Canyon Creek, through the Bedwell and Richey Ditch and Pipe Line,

1.00 cubic foot per second—priority January 31, 1913,

or as much thereof as he directly applies to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said Thousand Palms Canyon Creek at a point (designated on Division of Water Rights Map as Diversion 63) which bears approximately S. 77° 11' E., approximately 2345 feet distant from the west quarter corner of Sec. 12, T. 4 S., R. 6 E., S. B. B. and M., being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 12, and said water to be used for domestic and stock watering purposes and for the irrigation of at least 80 acres of land in the S $\frac{1}{2}$ of Sec. 22, T. 4 S., R. 6 E., S. B. B. and M.;

provided, that prior to December 1, 1929, said George D. Richey shall have completed the above appropriation and applied said water to the beneficial use above specified, and shall have submitted evidence of such completed appropriation and use to the Division of Water Rights of the Department of Public Works of the State of California. Upon receipt of such evidence of such completed appropriation and use, the Division of Water Rights will act thereupon as provided in section 36f of the Water Commission Act, and in accordance with said evidence will enter findings supplemental hereto, determining and establishing the above described right by appropriation in so far as the same shall have been completed.

45. The Southern Pacific Company and the Southern Pacific Railroad Company,

jointly, are entitled to divert from the natural flow of Snow Creek, through the Southern Pacific Snow Creek Ditch and Pipe Line,

2.00 cubic feet per second—priority October 24, 1899,

or as much thereof as they apply to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said Snow Creek at a point (designated on Division of Water Rights Map as Diversion 39) which bears approximately S. 54° 52' E., approximately 1300 feet distant from the northwest corner of Sec. 33, T. 3 S., R. 3 E., S. B. B. and M., being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 33, and said water to be used for railroad and domestic purposes at and adjacent to Whitewater and Garnet stations on the Southern Pacific Railroad, in Riverside County, California, and for domestic, stock watering and irrigation purposes upon the following described lands:

7.8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 3 S., R. 3 E., S. B. B. and M.

7.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 3 S., R. 3 E., S. B. B. and M.

4.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 3 S., R. 3 E., S. B. B. and M.

20.9 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 3 S., R. 3 E., S. B. B. and M.

40.0 acres—Total.

46. The Southern Pacific Company and the Southern Pacific Railroad Company,

jointly, are entitled to divert from the natural or developed flow of springs rising in Millard Canyon near the center of Sec. 32, T. 2 S., R. 2 E., S. B. B. and M., through the Southern Pacific Millard Canyon Conduit,

0.23 cubic foot per second—priority January 1, 1877,

0.27 cubic foot per second—priority January 3, 1917,

0.50 cubic foot per second—Total.

or as much thereof as they apply to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said springs at a point (designated on Division of Water Rights Map as Diversion 28) which bears approximately N. 39° 53' E., approximately 3350 feet distant from the southwest corner of Sec. 32, T. 2 S., R. 2 E., S. B. B. and M., being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 32, and said water to be used for railroad and domestic purposes at and adjacent to Cabazon Station on the Southern Pacific Railroad, in Riverside County, California.

47. The Southern Pacific Land Company

is entitled to divert from the natural or developed flow of springs rising in Millard Canyon near the center of Sec. 32, T. 2 S., R. 2 E., S. B. B. and M., through the Southern Pacific Millard Canyon Conduit,

0.12 cubic foot per second—priority January 1, 1877,

0.16 cubic foot per second—priority January 3, 1917,

0.28 cubic foot per second—Total.

or as much thereof as said company applies to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said springs at a point (designated on Division of Water Rights Map as Diversion 28) which bears approximately N. 39° 53' E., approximately 3350 feet distant from the southwest corner of Sec. 32, T. 2 S., R. 2 E., S. B. B. and M., being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 32, and said water to be used for domestic, stock watering and irrigation purposes upon the following described lands:

18.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 2 S., R. 2 E., S. B. B. and M.

13.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 2 S., R. 2 E., S. B. B. and M.

0.8 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 2 S., R. 2 E., S. B. B. and M.

32.5 acres—Total.

48. The Southern Sierras Power Company

will be entitled to divert from the natural flows of Falls Creek, the East Fork of Snow Creek, and Snow Creek, through the Snow Creek Power Plant No. 1 Pipe Line,

10.00 cubic feet per second from Falls Creek,

10.00 cubic feet per second from East Fork of Snow Creek,

40.00 cubic feet per second from Snow Creek,

60.00 cubic feet per second—Total—priority November 9, 1920,

or as much of said quantities of water as said company applies to beneficial use for the purpose hereinafter set forth, throughout the entire year; said quantities of water to be diverted from said streams at the respective points of diversion described as follows:

(1) From Falls Creek either at a point which bears approximately S. 38° 09' E., approximately 8665 feet distant from the west quarter corner of Sec. 33, T. 3 S., R. 3 E., S. B. B. and M., being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, T. 4 S., R. 3 E., S. B. B. and M., or at a point which bears approximately S. 37° 14' E., approximately 8185 feet distant from said west quarter corner of Sec. 33, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 4, T. 4 S., R. 3 E., S. B. B. and M., or in part at each of said points;

(2) From the East Fork of Snow Creek at a point which bears approximately S. 28° 46' E., approximately 8123 feet distant from the west quarter corner of Sec. 33, T. 3 S., R. 3 E., S. B. B. and M., being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 4, T. 4 S., R. 3 E., S. B. B. and M.;

(3) From Snow Creek at a point which bears approximately S. 30° 34' W., approximately 8045 feet distant from the west quarter corner of Sec. 33, T. 3 S., R. 3 E., S. B. B. and M., being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 5, T. 4 S., R. 3 E., S. B. B. and M.;

and said quantities of water to be used for the purpose of generating electric energy at a power plant situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 33, T. 3 S., R. 3 E., S. B. B. and M.;

provided, that all water diverted under this right, with the exception of such quantity as may be necessarily lost in transportation, shall be returned to the natural channel of Snow Creek at a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 33, T. 3 S., R. 3 E., S. B. B. and M.; and

provided, further, that prior to December 1, 1929, said Southern Sierras Power Company shall have completed the above appropriation and applied said water to beneficial use in accordance with the terms of Division of Water Rights Permit 1008, and shall have submitted evidence of such completed appropriation and use to the Division of Water Rights of the Department of Public Works of the State of California. Upon receipt of such evidence of such completed appropriation and use, the said Division of Water Rights will act thereupon as provided in section 36f of the Water Commission Act, and in accordance with said evidence will enter findings supplemental hereto, determining and establishing the above described right by appropriation in so far as the same shall have been completed.

49. The Southern Sierras Power Company

will be entitled to divert from the natural flows of Snow Creek and the East Fork thereof, through the Snow Creek Power Plant No. 2 Pipe Line,

40.00 cubic feet per second from Snow Creek,
20.00 cubic feet per second from East Fork of Snow Creek,

60.00 cubic feet per second—Total—priority November 20, 1920,

or as much of said quantities of water as said company applies to beneficial use for the purpose hereinafter set forth, throughout the entire year; said quantities of water to be diverted from said streams at the respective points of diversion described as follows:

- (1) From Snow Creek at a point which bears approximately N. 50° 47' E., approximately 365 feet distant from the west quarter corner of Sec. 33, T. 3 S., R. 3 E., S. B. B. and M., being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 33;
- (2) From the East Fork of Snow Creek at a point which bears approximately N. 72° 52' E., approximately 1136 feet distant from the west quarter corner of Sec. 33, T. 3 S., R. 3 E., S. B. B. and M., being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 33;

and said quantities of water to be used for the purpose of generating electric energy at a power plant situated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 20, T. 3 S., R. 3 E., S. B. B. and M.;

provided, that all water diverted under this right, with the exception of such quantity as may be necessarily lost in transportation, shall be returned either to the natural channel of Snow Creek or to the existing Southern Pacific Company Ditch leading from Snow Creek, at respective points immediately below said power plant; and

provided, further, that prior to December 1, 1929, said Southern Sierras Power Company shall have completed the above appropriation and applied said water to beneficial use in accordance with the terms of Division of Water Rights Permit 1009, and shall have submitted evidence of such completed appropriation and use to the Division of Water Rights of the Department of Public Works of the State of California. Upon receipt of such evidence of such completed appropriation and use, the said Division of Water Rights will act thereupon as provided in section 36f of the Water Commission Act, and in accordance with said evidence will enter findings supplemental hereto, determining and establishing the above described right by appropriation in so far as the same shall have been completed.

50. Prescott T. Stevens

will be entitled to divert from the natural flow of Whitewater River, through the Palm Valley Water Company System (now generally known as the "Stevens Pipe Line"),

10.00 cubic feet per second—priority September 19, 1913,

1.60 from No 19

or as much thereof as he directly applies to beneficial use for the purpose hereinafter set forth, throughout the entire year; said water to be diverted from said Whitewater River, all or in part, through any of the following described works:

(1) Through the main intake ditch leading to the "Stevens Pipe Line", the head of which ditch is situated at a point which bears approximately S. 84° 30' E., approximately 440 feet distant from the northwest corner of Lot 2 of Sec. 2, T. 3 S., R. 3 E., S. B. B. and M., being within said Lot 2,

(2) Through Infiltration Pipe Line "A" as shown on the map prepared by Davidson & Fulmor, Engineers, dated April, 1927, and entitled "Map Showing the Prescott T. Stevens Intake and Infiltration Pipe Lines from Whitewater River, Riverside County, Cal.," the head of which pipe line is situated approximately 727 feet due east of the northwest corner of Lot 2 of Sec. 2, T. 3 S., R. 3 E., S. B. B. and M., and approximately on the north line of said Sec. 2,

(3) Through Infiltration Pipe Line "B" as shown on said map prepared by Davidson and Fulmor, the head of which pipe line is situated approximately 122 feet due east of the northwest corner of Lot 2 of Sec. 2, T. 3 S., R. 3 E., S. B. B. and M., and approximately on the north line of said Sec. 2,

(4) Through Infiltration Pipe Line "C" as shown on said map prepared by Davidson and Fulmor, the head of which pipe line is situated at a point which bears approximately S. 62° 15' W., approximately 278 feet distant from the northeast corner of Lot 3 of Sec. 2, T. 3 S., R. 3 E., S. B. B. and M., being within said Lot 3;

and said water to be used for the irrigation of approximately 725 acres of land within the following described tracts:

- SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 4 S., R. 4 E., S. B. B. and M.
- E $\frac{1}{4}$, Sec. 10, T. 4 S., R. 4 E., S. B. B. and M.
- N $\frac{1}{4}$, Sec. 11, T. 4 S., R. 4 E., S. B. B. and M.
- SW $\frac{1}{4}$, Sec. 11, T. 4 S., R. 4 E., S. B. B. and M.
- NE $\frac{1}{4}$, Sec. 15, T. 4 S., R. 4 E., S. B. B. and M.

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provided, that prior to January 1, 1930, said Prescott T. Stevens shall have completed the above appropriation and applied said water to the beneficial use above specified, and shall have submitted evidence of such completed appropriation and use to the Division of Water Rights of the Department of Public Works of the State of California. Upon receipt of such evidence of such completed appropriation and use, the Division of Water Rights will act thereupon as provided in section 367 of the Water Commission Act, and in accordance with said evidence will enter findings supplemental hereto, determining and establishing the above described right by appropriation in so far as the same shall have been completed.

NOTE.—The findings as to the claim of Prescott T. Stevens hereinabove set forth in this paragraph are based upon the *prima facie* case established by the "proof of appropriation" filed by the claimant and the field investigations of the Division of Water Rights, such findings being authorized by that certain stipulation dated February 13, 1928, and signed by W. G. Irving, attorney for the claimant and H. L. Carnahan, attorney for contestant Coachella Valley County Water District. In making said findings the Division of Water Rights has in no way considered or passed upon the objection raised by contestant Coachella Valley County Water District against the change in point of diversion made by the claimant, and said findings are made with the express intention that nothing therein contained shall be deemed prejudicial to either claimant or contestant in the event that either or both parties decide to file a notice of exception to this order of determination in the matter of said claim, and in the event of a hearing in the superior court upon the subject matter of said "proof of appropriation" and the "notice of contest" against the same filed herein by contestant Coachella Valley County Water District.

✓ 51. Frank W. Talmadge, John W. Talmadge and William S. Talmadge (hereinafter referred to as Talmadge Brothers),

jointly, are entitled to divert from the natural flow of Whitewater River, through the Whitewater Ranch Ditch,

3.75 cubic feet per second—priority January 1, 1850,

or as much thereof as they directly apply to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said

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Whitewater River at a point (designated on Division of Water Rights Map as diversion 44) which bears approximately S. 87° 30' W., approximately 1950 feet distant from the northeast corner of Sec. 11, T. 3 S., R. 3 E., S. B. B. and M., being within the NW¼ NE¼ of said Sec. 11, and said water to be used for domestic and stock watering purposes and for the irrigation of 100 acres of land within the following described tracts:

- SW¼, Sec. 10, T. 3 S., R. 3 E., S. B. B. and M.
- NW¼ NW¼, Sec. 15, T. 3 S., R. 3 E., S. B. B. and M.

Stip -
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The diversion and use of water under this right is subject to the provisions of that certain stipulation dated March 17, 1926, between the Banning Water Company, the Banning Heights Mutual Water Company and the San Geronio Power Company on the one part, and Julia B. Berry, Talmadge Brothers, and Andrew J. Warner and Clara J. Warner on the other part, which stipulation is on file and of record in these proceedings, and by the terms of which stipulation said Julia B. Berry, Talmadge Brothers, and Andrew J. Warner and Clara J. Warner recognize that said Banning Water Company, Banning Heights Mutual Water Company and San Geronio Power Company are the owners of the paramount right to divert water from the South Fork of Whitewater River through the Consolidated Reservoir and Power Company Canal as hereinbefore set forth in paragraph 11, regardless of the fact that the priority of said right set forth in said paragraph 11 is subsequent to the priority of the right of said Talmadge Brothers as set forth in this paragraph.

2. The United States of America

is entitled to divert from the natural flow of Hathaway Creek, through the Hathaway Canyon Pipe Line,

2.00 cubic feet per second—priority January 1, 1890,

as much thereof as it applies to beneficial use for the purposes hereinafter set forth, throughout the entire year, said water to be diverted from said Hathaway Creek at a point within the NW¼ NE¼ of Sec. 34, T. 2 S., R. 1 E., S. B. B. and M., and said water to be used for domestic, stock watering, power development and irrigation purposes within the Morongo Indian Reservation, comprising some 30,600 acres of land described as follows:

- All of Secs. 10, 12, 13, 14, 15, 22, 23, 25, 26, 27, 34, 35 and 36, T. 2 S., R. 1 E., S. B. B. and M.
- All of Secs. 8, 9, 17, 18, 25, 26, 27, 28, 30, 31, 33, 34 and 35, T. 2 S., R. 2 E., S. B. B. and M.
- E¼, Sec. 16, T. 2 S., R. 2 E., S. B. B. and M.
- N¼, Sec. 19, T. 2 S., R. 2 E., S. B. B. and M.
- SW¼, Sec. 19, T. 2 S., R. 2 E., S. B. B. and M.
- N¼, Sec. 20, T. 2 S., R. 2 E., S. B. B. and M.
- SW¼, Sec. 20, T. 2 S., R. 2 E., S. B. B. and M.
- N¼ SE¼, Sec. 20, T. 2 S., R. 2 E., S. B. B. and M.
- E¼, Sec. 21, T. 2 S., R. 2 E., S. B. B. and M.
- S¼ SW¼, Sec. 21, T. 2 S., R. 2 E., S. B. B. and M.
- E¼, Sec. 29, T. 2 S., R. 2 E., S. B. B. and M.
- W¼, Sec. 36, T. 2 S., R. 2 E., S. B. B. and M.
- SE¼, Sec. 36, T. 2 S., R. 2 E., S. B. B. and M.
- All of Secs. 2, 12, 22, 24 and 26, T. 3 S., R. 1 E., S. B. B. and M.
- N¼, Sec. 1, T. 3 S., R. 1 E., S. B. B. and M.
- NE¼, Sec. 6, T. 3 S., R. 1 E., S. B. B. and M.
- S¼ S¼, Sec. 14, T. 3 S., R. 1 E., S. B. B. and M.
- E¼, Sec. 34, T. 3 S., R. 1 E., S. B. B. and M.
- SW¼, Sec. 34, T. 3 S., R. 1 E., S. B. B. and M.
- NE¼ NW¼, Sec. 34, T. 3 S., R. 1 E., S. B. B. and M.
- N¼ NW¼ NW¼, Sec. 34, T. 3 S., R. 1 E., S. B. B. and M.
- All of Secs. 2, 4, 6, 8, 10, 12, 14 and 24, T. 3 S., R. 2 E., S. B. B. and M.
- S¼ SW¼ NE¼, Sec. 20, T. 3 S., R. 2 E., S. B. B. and M.
- S¼ NW¼, Sec. 20, T. 3 S., R. 2 E., S. B. B. and M.
- SW¼, Sec. 20, T. 3 S., R. 2 E., S. B. B. and M.

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 3 S., R. 2 E., S. B. B. and M.
E $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 3 S., R. 2 E., S. B. B. and M.
S $\frac{1}{2}$, Sec. 22, T. 3 S., R. 2 E., S. B. B. and M.
N $\frac{1}{2}$, Sec. 28, T. 3 S., R. 2 E., S. B. B. and M.
N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 32, T. 3 S., R. 2 E., S. B. B. and M.
SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 3 S., R. 2 E., S. B. B. and M.
S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 3 S., R. 2 E., S. B. B. and M.
NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 3 S., R. 2 E., S. B. B. and M.
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 3 S., R. 2 E., S. B. B. and M.
S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 32, T. 3 S., R. 2 E., S. B. B. and M.

53. The United States of America

is entitled to divert from the natural flow of Potrero Creek, through the Potrero Creek Ditch,

7.00 cubic feet per second—priority January 1, 1894,

or as much thereof as it applies to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said Potrero Creek, all or in part, at any of the following described points:

- (1) At the rock dam across Woods Canyon (Potrero Creek headwaters) in the SW $\frac{1}{4}$, Sec. 7, T. 2 S., R. 2 E., S. B. B. and M.
- (2) At the intake from Potrero Creek in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 2 S., R. 1 E., S. B. B. and M. (below Cienega).
- (3) At the intake from Potrero Creek in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 2 S., R. 1 E., S. B. B. and M. (below spring).
- (4) At the Infiltration Gallery from Potrero Creek in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 2 S., R. 1 E., S. B. B. and M.
- (5) At the earth dam across Potrero Creek in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 2 S., R. 1 E., S. B. B. and M.

and said water to be used for domestic, stock watering, power development and irrigation purposes within the Morongo Indian Reservation, comprising some 30,600 acres of land as hereinabove described in the preceding paragraph. During the winter months, at times when the entire quantity of water available under this right may not be required for direct application to the uses hereinabove specified, the said United States of America is entitled to spread and store underground in Potrero Canyon, above the lowest point of diversion hereinabove described, all surplus water over and above the quantity required for direct application to use; *provided*, that all water so spread and stored is subsequently withdrawn from said underground storage and applied to beneficial use for the purposes hereinabove specified.

54. The United States of America

is entitled to divert from the natural flow of Mission Creek, through the Mission Creek Pipe Line,

3.00 cubic feet per second—priority January 1, 1902,

or as much thereof as it applies to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said Mission Creek at a point (designated on Division of Water Rights Map as Diversion 49) which bears approximately S. 56° 30' W., approximately 2200 feet distant from the northeast corner of Sec. 2, T. 2 S., R. 3 E., S. B. B. and M., being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 2, and said water to be used for domestic, stock watering, power development and irrigation purposes within the Mission Creek Indian Reservation, comprising some 2560 acres of land described as follows:

- All of Secs. 12, 13 and 14, T. 2 S., R. 3 E., S. B. B. and M.
- S $\frac{1}{2}$ Sec. 1, T. 2 S., R. 3 E., S. B. B. and M.
- E $\frac{1}{2}$ Sec. 2, T. 2 S., R. 3 E., S. B. B. and M.

55. The United States of America

is entitled to divert from the natural flow of Andreas Creek, through the Andreas Creek Pipe Line.

6.00 cubic feet per second—priority January 1, 1893,

or as much thereof as it applies to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said Andreas Creek at a point (designated on Division of Water Rights Map as Diversion 62) which bears approximately S. 31° 00' W., approximately 1900 feet distant from the east quarter corner of Sec. 3, T. 5 S., R. 4 E., S. B. B. and M., being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 3. and said water to be used for domestic, stock watering, power development and irrigation purposes within the Agua Caliente Indian Reservation, comprising some 30,240 acres of land described as follows:

All of Secs. 2, 4, 6, 8, 12, 14, 18, 20, 22, 24, 26, 28, 30, 32, 34 and 35, T. 4 S., R. 4 E., S. B. B. and M.

W $\frac{1}{2}$ Sec. 10, T. 4 S., R. 4 E., S. B. B. and M.

All of Secs. 2, 4, 6, 8, 10, 12, 14, 18, 20, 22, 24, 28, 30, 32 and 34, T. 4 S., R. 5 E., S. B. B. and M.

All of Secs. 2, 4, 6, 8, 10, 12, 14, 18, 20, 22, 24, 26, 28, 30, 32 and 34, T. 5 S., R. 4 E., S. B. B. and M.

SE $\frac{1}{4}$ Sec. 3, T. 5 S., R. 4 E., S. B. B. and M.

N $\frac{1}{2}$ Sec. 11, T. 5 S., R. 4 E., S. B. B. and M.

56. The United States of America

is entitled to divert from the natural flow of Tahquitz Creek, through the Agua Caliente Ditch,

4.80 cubic feet per second—priority April 26, 1884,

or as much thereof as it applies to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said Tahquitz Creek at a point (designated on Division of Water Rights Map as Diversion 61) which bears approximately S. 49° 30' W., approximately 5400 feet distant from the northeast corner of Sec. 22, T. 4 S., R. 4 E., S. B. B. and M., being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 22, and said water to be used for domestic, stock watering, power development and irrigation purposes within the Agua Caliente Indian Reservation, comprising some 30,240 acres of land as hereinabove described in the preceding paragraph. The use of water under this right by said United States of America is subject to the provisions of that certain agreement dated February 10, 1911, between the United States of America (Indian Service) and George Wellwood Murray et al.—recorded March 11, 1911, in Book No. 325 of Deeds, page 260 *et seq.*, records of Riverside County, California.

57. Andrew J. Warner and Clara J. Warner

jointly, are entitled to divert from the natural flow of Whitewater River, through the Warner Ranch Ditch,

1.62 cubic feet per second—priority September 18, 1907,

or as much thereof as they directly apply to beneficial use for the purposes hereinafter set forth, throughout the entire year; said water to be diverted from said Whitewater River at a point (designated on Division of Water Rights Map as Diversion 45) which bears approximately S. 45° 00' W., approximately 1580 feet distant from the northeast corner of Sec. 11, T. 3 S., R. 3 E., S. B. B. and M., being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 11, and said water to be used for domestic and stock watering purposes and for the irrigation of the following described land:

50.0 acres in S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10, T. 3 S., R. 3 E., S. B. B. and M.

See stipulation
Trens. p 231
Wax... of...
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Dated at Sacramento, California, this twenty-third day of April, 1928.

[SEAL] HAROLD CONKLING,
Chief of Division of Water Rights,
Department of Public Works, State of California.

Entered in Book 1 of Orders of Determination, at page 426, April 23, 1928.

CERTIFICATE No. 1110

I, KATHERINE A. FEENY, Chief Clerk of the Division of Water Rights, Department of Public Works of the State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original Order of Determination in the above entitled matter signed and filed in the office of said Division of Water Rights, April 23, 1928, as the same remains on file in said office.

In witness whereof, I hereunto set my hand and affix the seal of the Department of Public Works of the State of California, this twenty-third day of April, 1928.

[SEAL] KATHERINE A. FEENY,
Chief Clerk, Division of Water Rights,
Department of Public Works, State of California.

APPENDIX
CHRONOLOGICALLY ARRANGED SUMMARY
of
RIGHTS BY APPROPRIATION TO USE OF THE WATERS OF
WHITEWATER RIVER STREAM SYSTEM

EXPLANATORY

For the purpose of showing the relationships of the several rights by appropriation to the use of the waters of the Whitewater-River-Stream-System established by the foregoing Order of Determination, the following chronologically arranged summary of the various rights is submitted.

In the first column of the tabulation the relative positions of the various rights are designated by numerals. The second, third, fourth and fifth columns are self-explanatory. In the sixth and seventh columns the maximum amounts of water to which the respective rights are entitled are given, either in cubic feet per second or in acre-feet per season. In the last column the numbers of the paragraphs of the Order of Determination in which the respective rights are defined, are given.

CHRONOLOGICALLY ARRANGED SUMMARY OF RIGHTS BY APPROPRIATION TO USE OF WATERS OF WHITEWATER RIVER STREAM SYSTEM

Order	Priority	Owner	Source	Conduit	Amount		Para-graph of order
					Cubic feet per second	Acres-foot per season	
1	Jan. 1, 1850	Talmadge Brothers	Whitewater River	Whitewater Ranch Ditch	3.75		51
2	Mar. 1, 1869	Gilman Home Company	Stream in Gilman Canyon No. 1	Unnamed Flume	0.10		25
3	Jan. 1, 1873	W. V. Covington	Lower Big Morongo Creek	Covington West Ditch	0.14		20
3	Jan. 1, 1873	W. V. Covington	Stream in Lower Big Morongo Wash	Covington East Ditch	0.50		21
4	Jan. 1, 1873	W. V. Covington	Stream in Lower Big Morongo Wash	Dykes and Spreading Ditches	0.74		22
5	Mar. 17, 1875	Banning Water Company	San Geronio River (including foreign water and underground storage)				
5	Jan. 1, 1877	Southern Pacific Co., et al.	and underground storage	Banning Water Company Conduit		14,000	13
5	Jan. 1, 1877	Southern Pacific Land Company	Springs in Millard Canyon	S. P. Millard Canyon Conduit	0.23		49
6	Mar. 1, 1882	Gilman Home Company	Springs in Millard Canyon	S. P. Millard Canyon Conduit	0.12		47
7	April 26, 1884	United States of America (Indian Service)	Stream in Gilman Canyon No. 1	Unnamed Flume	0.09		25
7	April 26, 1884	Nellie N. Coffman, et al.	Tahquitz Creek	Agua Caliente Ditch	4.80		56
8	Nov. 11, 1884	Nellie N. Coffman, et al.	Tahquitz Creek	Agua Caliente Ditch	1.36		18
8	Jan. 1, 1885	Cabazon Water Company	Whitewater River	Stevens Pipe Line	1.60		19
10	April 23, 1886	Herman Luhrman	Millard Creek	Cabazon Water Company Conduit	4.67		15
10	April 23, 1886	Herman Luhrman	West Fork Stubby Creek	West West Conduit	0.10		32
11	Jan. 1, 1887	Banning Water Company	East Fork Stubby Creek	East East Conduit	0.10		33
12	Jan. 1, 1890	United States of America (Indian Service)	San Geronio River	Series of Spreading Ditches		20,000	12
13	Mar. 1, 1891	Gilman Home Company	Hathaway Creek	Hathaway Canyon Pipe Line	2.00		52
14	Mar. 1, 1892	Gilman Home Company	Stream in Gilman Canyon No. 3	Unnamed Pipe Line	0.25		27
14	Mar. 1, 1892	Gilman Home Company	Stream in Gilman Canyon No. 1	Unnamed Flume	0.06		23
15	Mar. 1, 1892	Gilman Home Company	Stream in Gilman Canyon No. 2	Unnamed Pipe Line	0.125		26
15	Jan. 1, 1893	United States of America (Indian Service)	Andreas Creek	Andreas Creek Pipe Line	6.00		55
16	Jan. 1, 1894	United States of America (Indian Service)	Potrero Creek	Potrero Creek Ditch	7.00		53
17	June 20, 1894	George W. Parker and F. E. Matthews	Head Spring	Head Spring Pipe Line	0.02		51
18	Oct. 2, 1897	Palm Valley Water Company	Tunnel No. 1 Spring	Tunnel No. 1 Pipe Line	0.04		41
19	Oct. 2, 1897	George W. Parker and F. E. Matthews	Chino Creek	Chino Creek Pipe Line	2.00		38
20	Jan. 3, 1898	George W. Parker and F. E. Matthews	Newland Spring	Newland Spring Pipe Line	0.08		36
20	Jan. 3, 1898	George W. Parker and F. E. Matthews	South Spring	South Spring Pipe Line	0.06		39
21	Oct. 24, 1899	Southern Pacific Co., et al.	Snow Creek	S. P. Snow Creek Conduit	2.00		40
22	July 31, 1900	Marshall G. Jost	Unnamed Spring in Dunlap Canyon	Marshall Jost Pipe Line	0.04		45
23	Jan. 1, 1902	Banning Heights Mutual Water Company	Mission Creek	Mission Creek Pipe Line	3.00		29
24	Oct. 31, 1906	Banning Water Company and San Geronio Power Company	South Fork Whitewater River	Consolidated Reservoir and Power Company Canal	13.26		54

25	Sept. 18, 1907	Andrew J. Warner and Clara J. Warner	Whitewater River	Warner Ranch Ditch	1.62	57
26	Jan. 1, 1909	George W. Parker and F. E. Matthews	Stream in Water Canyon	Parker and Matthews Water Canyon Pipe Line		
27	June 17, 1911	H. C. Rateliff	Jensen's Spring	Jensen West Pipe Line	0.04	37
28	Jan. 31, 1913	Donald M. Bedwell	Thousand Palms Canyon Creek	Bedwell and Richey Conduit	0.06	42
28	Jan. 31, 1913	George D. Richey	Thousand Palms Canyon Creek	Bedwell and Richey Conduit	*1.00	14
29	July 31, 1913	Annie B. Fick	Unnamed Spring in SE 1/4 NE 1/4, Sec. 5, T. 2S., R. 1E., S.B.B. & M.	Fick East Pipe Line	*1.00	44
30	Sept. 19, 1913	Prescott T. Stevens	Whitewater River	Stevens Pipe Line	0.07	23
31	Oct. 18, 1913	Charles C. Leary	Unnamed Spring in SW 1/4 SW 1/4, Sec. 20, T. 3S., R. 2E., S.B.B. & M.	Leary Pipe Line	**10.00	50
31	Oct. 18, 1913	Charles C. Leary	Unnamed Spring in SW 1/4 SW 1/4, Sec. 20, T. 3S., R. 2E., S.B.B. & M.	Leary Pipe Line	0.025	30
32	Oct. 23, 1913	H. C. Rateliff	Jensen's Creek	Jensen East Pipe Line	0.05	31
33	June 14, 1915	Morongo Valley Mutual Water Company	Big Morongo Creek	Morongo Valley Mutual Water Company Pipe Line	*0.60	43
34	July 22, 1915	Cabazon Water Company	Millard Creek	Cabazon Water Company Conduit	0.14	35
35	Oct. 23, 1916	Annie B. Fick	Two unnamed Springs in NW 1/4 SE 1/4, Sec. 32, T. 1S., R. 1E., S.B.B. & M.	Cabazon Water Company Conduit	2.50	15
36	Jan. 3, 1917	Southern Pacific Company, et al.	Springs in Millard Canyon	Fick West Pipe Line	0.033	24
37	Jan. 3, 1917	Southern Pacific Land Company	Springs in Millard Canyon	S. P. Millard Canyon Conduit	0.27	46
38	April 24, 1917	George R. Hicks	Upper Little Morongo Creek	S. P. Millard Canyon Conduit	0.10	47
38	Oct. 25, 1918	Coachella Valley County Water District	White Water River	Hicks Conduit	*2.50	28
39	Nov. 9, 1920	Southern Sierras Power Company	White Water River	Spreading Dams, Ditches, etc.	**80,000	16
39	Nov. 9, 1920	Southern Sierras Power Company	East Fork Snow Creek	Snow Creek Power Plant No. 1 Pipe Line	*40,000p	48
39	Nov. 9, 1920	Southern Sierras Power Company	Falls Creek	Snow Creek Power Plant No. 1 Pipe Line	*10,000p	48
40	Nov. 20, 1920	Southern Sierras Power Company	Snow Creek	Snow Creek Power Plant No. 1 Pipe Line	*10,000p	48
40	Nov. 20, 1920	Southern Sierras Power Company	East Fork Snow Creek	Snow Creek Power Plant No. 2 Pipe Line	*40,000p	49
41	June 19, 1922	Stuart D. Allen	White Water River	Snow Creek Power Plant No. 2 Pipe Line	*20,000p	49
42	July 8, 1922	Coachella Valley County Water District	White Water River	Allen Whitewater Conduit	*0.50	7
42	July 8, 1922	Coachella Valley County Water District	Snow Creek	Spreading Dams, Ditches, etc.	**20,000	17
42	July 8, 1922	Coachella Valley County Water District	Falls Creek	Spreading Dams, Ditches, etc.	***8,000	17
42	July 8, 1922	Coachella Valley County Water District	Tahquitz Creek	Spreading Dams, Ditches, etc.	***2,000	17
42	July 8, 1922	Coachella Valley County Water District	Andrews Creek	Spreading Dams, Ditches, etc.	***5,000	17
42	July 8, 1922	Coachella Valley County Water District	Murray Creek	Spreading Dams, Ditches, etc.	***1,000	17
42	July 8, 1922	Coachella Valley County Water District	Palm Canyon Creek	Spreading Dams, Ditches, etc.	***1,000	17
43	Feb. 6, 1923	Mayme V. Matthay	Cottonwood Creek	Spreading Dams, Ditches, etc.	***2,000	17
				Matthay Pipe Line	***0.25	34

*Subject to right of Banning Heights Mutual Water Company, Banning Water Company and San Geronio Power Company to divert from South Fork of Whitewater River as set forth under priority Order 24.

b Right covers only spreading in San Geronio Canyon for purposes of equalizing the flow of San Geronio River to produce 14,000 acre-feet per annum as required to supply the right set forth under Priority Order 4.

**Right contingent upon completion of appropriation prior to December 1, 1929.

***Right contingent upon completion of appropriation prior to January 1, 1930.

****Right contingent upon completion of appropriation prior to July 1, 1932.

*****Right contingent upon completion of appropriation prior to December 1, 1928.

p Water to be used for power purposes only, with subsequent return to stream system.

CHRONOLOGICALLY ARRANGED SUMMARY OF RIGHTS BY APPROPRIATION TO USE OF WATERS OF WHITEWATER RIVER STREAM SYSTEM—Continued

Order	Priority	Owner	Source	Conduit	Amount		Para-graph of order
					Cubic feet per second	Acre-feet per season	
44	Mar. 12, 1924	R. E. Bailiff	Stream in Water Canyon	Bailiff Water Canyon Pipe Line	*0.37	*45	8
45	Mar. 14, 1924	R. E. Bailiff	Unnamed Spring in NE 1/4, SE 1/4, Sec. 28, T. 3S., R. 1E., S.B.B. & M.	Bailiff West Spring Pipe Line	*0.11		9
45	Mar. 14, 1924	R. E. Bailiff	Unnamed Spring in SE 1/4, SE 1/4, Sec. 18, T. 3S., R. 1E., S.B.B. & M.	Bailiff West Spring Pipe Line	*0.02		
40	April 24, 1924	R. E. Bailiff	Unnamed Spring in NE 1/4, SE 1/4, Sec. 19, T. 3S., R. 2E., S.B.B. & M.	Bailiff East Spring Pipe Line	0.05		10
47	July 2, 1924	Stuart D. Allen	Blaisdell Creek	Allen Blaisdell Pipe Line	0.025		6
				Total	a195.028	b153,051	

*Right contingent upon completion of appropriation prior to December 1, 1920.

*Total includes 120.00 cubic feet per second for power use, all which is to be returned to the stream system.

^bTotal includes 20,000 acre-feet per season for spreading by Banning Water Company for purpose of equalizing the flow available from San Gorgonio River, only.

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