

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF BUTTE

#33

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

No. 18917

JUDGMENT AND DECREE

The above entitled cause having come on regularly for hearing, trial and determination on the 22nd day of June, 1942, before this Court sitting without a jury; all parties having been duly and regularly notified of said hearing, trial and determination; exceptions to the order of determination on file herein having been filed by Isabelle A. Goodspeed for herself and also in her capacity as executrix of the Estate of Vera E. Upphoff, deceased, and by Ryland C. Goodspeed and Marian L. Goodspeed; no appearance having been made by or on behalf of any of said exceptors; Thos. J. Straub and W. R. Dunn having appeared as attorneys for Pacific Gas and Electric Company; Spencer Burroughs, Henry Holsinger and C. T. Waldo having appeared as counsel for the Division of Water Resources of the Department of Public Works of the State of California; evidence having been introduced; parties not appearing at said hearing, trial and determination and not filing exceptions to the order of determination herein, having thereby waived findings of fact and conclusions of law; the Division of Water Resources having made motion for entry of judgment and decree in accordance with order of determination, including corrections and clarifications; said motion having been made and granted for the corrections and clarifications stated in the notice of intention filed herein by said Division on June 22, 1942, except as to clarification 5, beginning on page 4, line 28 and terminating on page 6, line 13 of said notice; and said cause having been submitted to this court for its determination and decision; a motion having been made by R. A. Rogers, as attorney, on behalf of the exceptors to set aside the order of submission and