

**BEFORE THE STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD**

**In the Matter of
Water Quality Certification for the
DeSabra-Centerville Hydroelectric Project**

FERC Project No. 803

**PACIFIC GAS AND ELECTRIC COMPANY'S
PETITION FOR RECONSIDERATION
OF THE WATER QUALITY CERTIFICATION
FOR THE DeSABLA-CENTERVILLE HYDROELECTRIC PROJECT**

INTRODUCTION

On April 9, 2015, the Executive Director of the State Water Resources Control Board (“State Water Board”), acting pursuant to Section 401 of the federal Clean Water Act, 33 U.S.C. § 1341, issued a Water Quality Certification (“WQC”) for Pacific Gas and Electric Company’s (“PG&E”) DeSabra-Centerville Hydroelectric Project, Federal Energy Regulatory Commission (“FERC”) Project No. 803 (“Project”). The WQC was issued in draft form on April 12, 2013. By letter dated June 11, 2013, PG&E timely submitted comments on the draft. Although some of PG&E’s comments were addressed, several key issues remain. Consequently, PG&E is filing this Petition for Reconsideration (“Petition”), pursuant to Title 23 of the California Code of Regulations, § 3867(c).

I. NAME AND ADDRESS OF PETITIONER

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II. SPECIFIC ACTION OF THE STATE WATER BOARD

As noted above, on April 9, 2015, the State Water Board's Executive Director issued a Section 401 Certification for PG&E's DeSabra-Centerville Hydroelectric Project, FERC Project No. 803, which is contained in Attachment A hereto. PG&E is also attaching the State Water Board's April 12, 2013, Draft WQC as Attachment B hereto. PG&E's June 11, 2013, comments on the Draft WQC are Attachment C hereto.

III. DATE ON WHICH THE STATE WATER BOARD ACTED

The WQC is dated April 8, 2015, but was formally issued on April 9, 2015. PG&E is filing this Petition for Reconsideration on May 8, 2015, in compliance with the 30-day deadline for filing this Petition with the State Water Board set forth at Title 23, Section 3867(c) of the California Code of Regulations.

IV. STATEMENT OF REASONS WHY THE ACTION WAS INAPPROPRIATE OR IMPROPER

On October 2, 2007, PG&E filed with FERC an application for new license for its existing DeSabra-Centerville Hydroelectric Project, a 25.8-megawatt project on Butte Creek and the West Branch Feather River in Butte County. On June 17, 2008, PG&E filed with the State

Water Board an application for water quality certification for the Project pursuant to Section 401 of the federal Clean Water Act, 33 U.S.C. § 1341.¹

The State Water Board issued the WQC in draft form on April 12, 2013. By letter dated June 11, 2013, PG&E submitted comments on the draft (Attachment C). After PG&E submitted its comments on the draft, PG&E had further discussions with State Water Board staff. While several of PG&E's comments were addressed in the Final WQC, the Final WQC contains conditions that are unrelated to the Project, which are beyond the scope of the license and cannot be enforced by FERC. In addition, several of the conditions stated in the WQC, as discussed below, are vague, infeasible or unreasonable. Therefore, PG&E must file this Petition for Reconsideration of the Final WQC. PG&E remains committed to resolving these issues without the necessity of a formal hearing, if such an approach is acceptable to the State Water Board.

V. APPLICABLE LAW FOR THE PETITION TO RECONSIDER

A new FERC license may not be issued without a Section 401 certificate or a waiver from the State's water control board responsible for water quality compliance. In general, the conditions contained in the State's 401 certificate become part of the new license issued by FERC. The recent FERC decision in *Duke Energy Progress, Inc., Project No. 2206-030*, 151 FERC ¶ 62004 (April 1, 2015), 2015 WL 1566344, summarized the basic law by stating:

“Under section 401(a)(1) of the Clean Water Act (CWA) [33 U.S.C. § 1341(a)(1) (2012)] the Commission may not issue a license authorizing the construction or operation of a hydroelectric project unless the state water quality certifying agency has either issued water quality certification for the project or has waived certification by failing to act on a request for certification within a reasonable period of time, not to exceed 1 year.

¹ At the State Water Board's request, PG&E withdrew and simultaneously re-filed its application for water quality certification on an annual basis each of the next seven years. The State Water Board requested that PG&E withdraw and re-file its applications because the State Water Board's failure to act on a certification application within one year constitutes a waiver of § 401's certification requirement. 33 U.S.C. § 1341(a)(1). PG&E accommodated the State Water Board's request by letters dated May 27, 2009, May 6, 2010, April 19, 2011, March 20, 2012, Feb. 28, 2013, Feb. 5, 2014, and Jan. 12, 2015.

Section 401(d) of the CWA provides that the certification shall become a condition of any federal license that authorizes construction or operation of the project [33 U.S.C. § 1341(d) (2012)].”

Notably, however, FERC refused to include certain measures in the new project license for the Yadkin-Pee Dee Hydroelectric Project No. 2206 contained in the Section 401 certificate issued for the project by the North Carolina Department of Water Quality (NCDWQ). NCDWQ’s Section 401 certificate required Duke Energy to donate lands to North Carolina and to place restrictive covenants on non-project lands. The Commission’s order noted that FERC’s staff had not recommended these measures for the license. The Commission said that these lands were “*not necessary for project purposes or to ameliorate a project effect.*” (Emphasis added.) *Duke Energy Progress, Inc.*, 151 FERC ¶ 62,004 (April 1, 2015), 2015 WL 1566344, ¶ 93, p. 12. Therefore, FERC determined that “[a]lthough these are conditions of the [Section 401] certificate, they are beyond the scope of license and not related to the project.” *Id.* These measures were therefore not included in the new license issued for the Yadkin-Pee Dee hydroelectric project.

Another condition in the Section 401 certificate issued by NCDWQ required Duke Energy to lease certain of its non-project land to North Carolina. Although the EIS for the project said that this land was necessary for project purposes, and FERC could have required Duke Energy to add these lands to the project, the Commission made an independent determination in its final Order that “these lands do not need to be added to the project boundary at this time.” *Id.* at ¶ 95. Therefore, this condition in the Section 401 certificate did not become part of the requirements in the new license for the Yadkin-Pee Dee project.

Through this order, the Commission established the following criteria to identify measures contained in a State’s Section 401 water quality certificate that may not become part of the new license issued by FERC. If a measure does not affirmatively meet the following criteria, the Commission may exclude such measures in a Section 401 certificate from a new license:

(1) Is the measure necessary for a project purpose?; (2) Is the measure ameliorating a project effect?; (3) Is the measure beyond the scope of the license?; or, (4) Is the measure related to the project? *Id.* at ¶ 93, p. 12.

The State Water Board should evaluate the measures in the Section 401 certificate issued for the DeSabra-Centerville Project that are the subject of this Petition for Reconsideration in light of these standards. The State Water Board should remove the measures identified in this Petition that FERC will reject from the new license for the DeSabra-Centerville project based on its recent *Duke Energy* order cited above for the Yadkin-Pee Dee project.

VI. MANNER IN WHICH THE PETITIONER IS AGGRIEVED

A. Condition 1.B: Minimum Instream Flows and Potential Retirement of the Centerville Development – West Branch Feather River

Condition 1.B requires PG&E to obtain approval of a plan to evaluate the migration corridor between the Hendricks Diversion Dam and Big KimsheW Creek and goes on to state: “The plan may consider and recommend the installation of a stream habitat enhancement structure . . . to provide resident fish of all life stages with a year-round migration corridor in all water year types.” (Final WQC, p. 22.)²

It is important to recognize that the entirety of the corridor between Hendricks Diversion Dam and Big KimsheW Creek is outside the FERC boundary of the Project. Furthermore, as PG&E’s June 11, 2013, comments pointed out, there are numerous natural barriers located downstream of Hendricks Diversion Dam on private property that would prevent fish from migrating upstream. (See PG&E’s June 11, 2013, comments on the Draft WQC (Attachment C), pp. 7-8.) All of these barriers are downstream of the FERC boundary. Consequently, to provide resident fish of all life stages with a year-round migration corridor in all water year types as

² While Condition 1.B does not require PG&E to consider such measures, it indicates that the Deputy Director could require modifications as part of the approval process.

required in this Condition would require mechanical work such as the use of heavy machinery, explosives, or the installation of fish ladder(s) to remove these barriers in river reaches on private property outside of the FERC boundary.

PG&E cannot be required by this WQC or its new license to alter the natural stream channel or conduct activities outside of the FERC jurisdiction and on private property. This principle was made clear in the Duke Energy Order discussed above. Moreover, in view of the natural barriers that prevent fish from migrating past Hendricks Diversion Dam, it is infeasible for PG&E to implement any measures, such as increased stream flows, that would provide a year-round migration corridor. For these reasons, the requirement to develop a plan for a migration corridor should be deleted.

B. Condition 1.E: Minimum Instream Flows and Potential Retirement of the Centerville Development – Temporary Stream Flow Modification

The Final WQC added a new requirement, Condition 1.E, which states in part: “Within three days of Deputy Director notification (i.e., 96 hours of any temporary stream flow modification), the Licensee shall provide the Deputy Director with: (1) photo documentation of the emergency or reason for the stream flow modifications; (2) a written description of the modification and its necessity; (3) a timeline for ending the emergency and returning to the required minimum instream flows; and (4) a plan to prevent a similar emergency in the future.” (Final WQC, p. 27.)

This requirement to file a detailed report with the Deputy Director containing the specified information within three days of an incident is not feasible for the following reasons: 1) the instream flow data must be retrieved and analyzed for accuracy; 2) PG&E must consult with professional biologists to determine what modifications are needed; and 3) PG&E must perform an investigation to accurately determine the cause of the incident in order to develop a

plan to prevent future such emergencies. Once this information is gathered and the appropriate disciplines have been consulted, an accurate written report is prepared. For the aforementioned reasons, it is unreasonable to require a report of this nature to be developed within three days of an incident. Therefore, PG&E respectfully requests to make the reporting requirements more in line with most FERC requirements to file written reports of incidents within 30 days.

C. Condition 3: Stream and Reservoir Gaging

PG&E requests reconsideration of the following requirement in Condition 3: “The Licensee shall operate and maintain the existing PG&E gages identified in the attached Table 3 (Table B2.6-1 of the license application). The Licensee shall maintain and operate USGS gages 11390000 and 11405300 if the USGS stops maintenance and operation of these gages.” (Final WQC, p. 29.) PG&E gages BW24 and BW25 (listed in the referenced Table 3), as well as the USGS gages, are located in river reaches significantly downstream of the FERC project boundary and are not used by PG&E for project operations, management of water resources, nor to determine compliance with any license condition. (USGS gage 11390000 on Butte Creek is approximately six river miles downstream of Centerville Powerhouse; USGS gage 11405300 on the West Branch Feather River (discontinued in 1986) is approximately 16.6 river miles downstream of Hendricks Diversion Dam; PG&E gages BW24 and BW23 are located approximately 14.4 river miles downstream of Hendricks Diversion Dam.) Thus, pursuant to the Duke Energy Order discussed above, the condition requiring PG&E to maintain and operate gages located outside of the FERC jurisdiction that have no nexus to project operations must be eliminated.

D. Condition 9: DeSabra Forebay Water Temperature Improvements

Condition 9 requires PG&E to file a DeSabra Forebay Water Temperature Improvement Plan within one year of license issuance. (Final WQC, p. 34.) The Draft WQC had permitted two

years to produce this plan, and no explanation for this change was provided to PG&E. Based on PG&E's experience in these matters, it is not feasible to perform the tasks necessary to prepare a plan within the one-year time requirement. Required tasks include: preparing and conducting a competitive bid for engineering services (6 months); conducting field geotechnical tests and surveying needed to do detailed engineering (3 months); conducting detailed engineering to meet the final design requirement (12 months); and conducting required minimum consultation with the Operations Group (1 month). PG&E requests the time requirement for filing a DeSabra Forebay Water Temperature Improvement Plan be changed back to two years as stated in the Draft WQC.

Condition 9 of the Final WQC also includes a new section titled "Thermal Loading," which requires an 80 percent or greater criteria for the reduction of thermal loading within the DeSabra Forebay. Section 4.1 (page 14) of the Rationale for the Water Quality Certification Conditions overstates the temperature changes currently in the DeSabra Forebay. The existing average change in water temperature between inflow and outflow in DeSabra Forebay based on a daily average is 1.1 °C, with 1.5 °C being the 10% exceedance value.³ An 80 percent or greater effectiveness criteria will allow only a 0.2 °C (20% times 1.1) or less water temperature differential between inflow and outflow of the temperature reduction device. The 0.2 °C is at or near the level of instrument accuracy and may not even be measurable. Therefore, this condition is not feasible with current measurement instruments. For these reasons, PG&E requests that the 80 percent or greater effectiveness criteria language be removed from Condition 9.

E. Condition 12: Hendricks Diversion Fish Screen and Passage

Condition 12 requires PG&E to submit a plan for approval by the Deputy Director to construct a fish ladder at the Hendricks Diversion Dam. As explained in Section VI.A above,

³ This data has been presented annually during Operation Meetings (1999 to 2014).

there are numerous natural barriers downstream of Hendricks Diversion Dam that prevent fish from migrating upstream. (See PG&E's June 11, 2013, comments on the Draft WQC (Attachment C), pp. 7-8.) Therefore, a fish ladder to enable fish to migrate upstream of Hendricks Diversion Dam serves no purpose whatsoever. Since fish cannot reach Hendricks Diversion Dam due to natural barriers, the requirement to construct and operate a fish ladder should be deleted.

F. Condition 15 and Attachment A, Mitigation Measure 4

Condition 15 and Attachment A, Mitigation Measure 4, both include the following condition: "If temperatures in the DeSabra Forebay exceed the EPA temperature criteria (EPA 2003) for the life stage being stocked during a scheduled stocking or within one month of a scheduled stocking, fish will not be stocked in DeSabra Forebay. When multiple life stages are stocked, the most conservative life stage EPA temperature criteria shall be used." (Final WQC, p. 39, and Attachment A of WQC, p. 3.) For the reasons explained below, PG&E strongly recommends that the State Water Board use criteria used by the California Department of Fish and Wildlife (CDFW), which conducts the fish stocking program in DeSabra Forebay.

The CDFW has specific criteria for stocking hatchery fish in reservoirs. The EPA criteria, in contrast, are meant to protect the longevity of wild trout populations in native streams. Using EPA's criteria would constrain CDFW's ability to plant fish into the DeSabra Forebay and would reduce fishing recreation opportunities. PG&E will create a plan in consultation CDFW biologists who are qualified in determining if the conditions of the reservoir are appropriate for stocking. Thus, PG&E recommends that the State Board reference the use of temperature criteria used by CDFW, instead of the EPA criteria.

G. Condition 23: Wet Meadow Funding

Condition 23 would require PG&E to submit a plan to fund activities done by California Department of Fish and Wildlife (CDFW) to maintain the wet meadow habitat at Butte Creek House. (Final WQC, p. 47.) Butte Creek House is located outside the Project boundary, and the activities are being performed by a State agency over which FERC has no authority or jurisdiction. Accordingly, this condition requires conduct that is outside the scope of the license and the Project, and under the principles of the Duke Energy Order discussed above, FERC will not include this provision from the Final WQC in the new license. Therefore, the State Water Board should act now to remove this provision from the Final WQC.

H. Conditions 1B and 27: Philbrook Reservoir Instream Flow Releases

PG&E strongly urges the State Water Board to make minor changes to Conditions 1B and 27 to make the notification requirements consistent with each other and to continue the current consultation and notification practices that have been working well since 1999. On August 20, 1998, the FERC amended its license order to allow for modification of temperature restrictions upon mutual agreement of the National Marine Fisheries Service (NMFS), the California Department of Fish and Wildlife (CDFW), and the United States Fish and Wildlife Service (USFWS). Since that time, agreement on instream flow releases has been accomplished in a collaborative way – including the State Water Board – that has enabled quick response to forecasted heat events.

Condition 1.B deviates from this established practice by stating that the temperature requirement for Philbrook Creek can be modified upon mutual agreement among USFWS, NMFS, and CDFW, and approval by the Deputy Director and FERC. (Final WQC, p. 25; emphasis added.) First, PG&E notes that FERC has not requested approval authority for these

changes,⁴ and the State Water Board cannot compel FERC to take on this responsibility. PG&E urges the State Water Board to continue to participate directly in these discussions with the resource agencies, rather than imposing a separate approval process, which could delay PG&E's ability to make flow adjustments in a timely manner. (As noted in Condition 27, changes should be implemented within two hours.)

Modifications also need to be made to Condition 27, which states: "These adjustments should be made within two hours following consensus of the Operations Group to adjust instream flow releases from Philbrook Reservoir." (Final WQC, p. 50.) Adjustments to the instream flow releases are made to protect spring-run Chinook salmon by supplementing flow to Butte Creek during the warm holding period. The Operations Group consists of "representatives(s) from NMFS, USFS, CDFW, USFWS, USFS, State Water Board, BLM, California Sportfishing Protection Alliance, Friends of Butte Creek, American Whitewater, and Friends of the River." (Final WQC, p. 11, fn. 5.) Thus, consensus would require approval of non-government organizations (NGOs) that do not have any legal obligation or responsibility to protect the State's natural resources and are not subject to FERC's authority or jurisdiction. Accordingly, this condition places authority over PG&E and the new license in the hands of parties that are outside the scope of FERC's jurisdiction and the scope of the new license, and thus will likely be excluded from the new license when issued. Therefore, the word "consensus" should be changed to "consultation", and any required "approval" should be limited to the relevant resource agencies.

⁴ The August 20, 1998, FERC order eliminated the need for FERC approval of such modifications and instead required PG&E to notify FERC within 30 days of reaching agreement with the resource agencies. 84 FERC ¶ 62,165.

I. Conditions 39, 40 and 51: Reservation of Authority and Revocation

Conditions 39 and 40 contain reservations of authority that would allow the State Water Board to change unilaterally as an administrative matter the requirements of PG&E's new license for the Project. (Final WQC, p. 52.) Condition 51 allows for changes to the Final WQC based on certain state law proceedings by stating: "This WQC is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to California Water Code section 13330 and California Code of Regulations, title 23, division 3, chapter 28, article 6 (commencing with section 3867)." (Final WQC, p. 54.)

Such reservations of authority, either as purely administrative actions or based on state proceedings, contravene the express terms of the Federal Power Act, which provides in relevant part that "Licenses . . . may be altered . . . only upon mutual agreement between the Licensee and the Commission. . . ." 16 U.S.C. § 799. Accordingly, these Conditions are outside the scope of the new license to be issued by FERC and are beyond the authority of the State Water Board. Therefore, PG&E respectfully requests that these conditions be deleted.

J. Condition 41: Climate Change

Condition 41 provides as follows:

Future changes in climate projected to occur during the license term may significantly alter the baseline assumptions used to develop the conditions of this WQC. The State Water Board reserves authority to add to or modify the conditions in this WQC to require additional monitoring and/or other measures, as needed, to verify that Project operations meet water quality objectives and protect the beneficial uses assigned to the Project-affected stream reaches. (Final WQC, p. 52.)

Fundamentally, a hydroelectric project does not add carbon to the atmosphere, and thus is not a contributing factor to human-related climate change. Similarly, because a hydroelectric project does not produce or trap carbon emissions, as climate change continues to occur, changes

to operations of a hydroelectric project will not directly affect or improve the problems of climate change.

As stated in the Commission’s Order in *Duke Energy*, a condition in a WQC must “ameliorate a project effect.” *Duke Energy Progress, Inc.*, 151 FERC ¶ 62,004 (April 1, 2015), 2015 WL 1566344, ¶ 93, p. 12. There must be some nexus between the WQC condition and a project effect that is contributing to the identified harm. Given that the Project is not a cause of climate change, that nexus is lacking here. Finally, as noted above, the State Water Board lacks statutory authority to change unilaterally the requirements of a FERC license by imposing additional WQC requirements sometime in the future. Therefore, this condition must be deleted.

K. Conditions 42 and 43: Compliance with Basin Plan and Clean Water Act

Condition 42 requires PG&E to “comply with all applicable requirements of the SR/SJR Basin Plan.” (Final WQC, p. 52.) Condition 43 goes on to state:

Notwithstanding any more specific conditions in this WQC, the Project shall be operated in a manner consistent with all water quality standards and implementation plans adopted or approved pursuant to section 303 of the Clean Water Act. The Licensee must take all reasonable measures to protect the beneficial uses of waters of the Butte Creek and the West Branch Feather River and tributaries to both waterways. (Final WQC, p. 53.)

PG&E objects to these conditions as unreasonable and vague since it purports to require PG&E to comply with “all applicable requirements” of the water quality plan for the Sacramento River and San Joaquin River Basins (SR/SJR Basin Plan), yet fails to state which of the literally hundreds of requirements contained in the SR/SJR Basin Plan are in fact “applicable” to PG&E. As a result, PG&E must essentially guess as to what the “applicable requirements” are at any given time. In addition to being unreasonable, PG&E believes it is unfair for a compliance determination to hinge on a lengthy and, in many respects, general document that is routinely changed from time to time. The requirements of a WQC and a new license are intended to be

specific and ascertainable so that the licensee knows what conduct and actions are required by the State Water Board and FERC.

Importantly, the State Water Board staff agreed to delete this condition from the final water quality certifications issued for both the Spring Gap-Stanislaus and Pit 3, 4 & 5 projects after PG&E objected (on the same grounds) to their inclusion in the draft certifications for those projects. PG&E respectfully requests similar consideration here.

L. Condition 49: Changes to Project

Condition 49 states: “The Licensee must submit any change to the Project, including changes in Project operation, technology, upgrades, or monitoring, that could have a significant or material effect on the findings, conclusions, or conditions of this WQC, to the State Water Board for prior review and written approval.” (Final WQC, p. 53.) This condition requires PG&E to guess about whether any change to the Project, whether ordered by FERC or initiated by PG&E, *could* have an effect on the findings, conclusions or conditions of the WQC. Not only does this condition involve guesswork by PG&E, but it requires “mind-reading” about the State Water Board’s staff’s analysis and thinking about “findings, conclusions or conditions” that were significant or material to the preparation of the WQC.

Furthermore, many changes to a hydroelectric project over the course of a FERC license are matters purely between FERC and the licensee. In those circumstances, this condition improperly seeks to supplant the authority and jurisdiction of the Commission by purporting to grant authority to the State Water Board to condition any changes to the Project on its written approval that “could have a significant or material effect” on its determination of WQC conditions. Accordingly, the State Water Board should delete this condition or revise it in a

manner that provides specific guidance to PG&E and so that it is limited to matters that do not conflict with FERC's authority.

M. Conditions 50: Ground Disturbing Activities

Condition 50 states: "The Deputy Director and the Executive Officer shall be notified one week prior to the commencement of ground disturbing activities." (Final WQC, p. 54.) In its comments on the Draft WQC, PG&E requested clarification of this condition because this broad notification requirement could hinder PG&E's operations and maintenance activities. PG&E performs regular maintenance such as road grading and canal/culvert maintenance that involve minor ground disturbance. PG&E renews its request to limit this Condition 50 to ground disturbing activities that require a permit. This modification would be more feasible to implement while still ensuring that the State Water Board is notified of significant activities that could have an impact on water quality.

N. Attachment A – Mitigation Measure 3: DeSabra Forebay Water Temperature Reduction Device

Mitigation Measure 3 states, in part: "PG&E is required to provide 1.175 cubic feet per second (cfs) flow to water users along the Upper Centerville Canal from the current release point in the forebay dam." (Final WQC, Att. A, p. 2.) This statement is factually incorrect, and PG&E suggests a minor modification. Consumers along the Upper Centerville Canal are entitled to use up to 1.175 cfs *only if PG&E chooses to operate the Upper Centerville Canal*.⁵ Therefore, PG&E requests that this sentence be modified as follows:

When PG&E is operating the Upper Centerville Canal, PG&E is required to provide 1.175 cubic feet per second (cfs) flow to water users along the Upper Centerville Canal from the current release point in the forebay dam.

⁵ See Order of Determination issued by the State of California Department of Public Works, April 14, 1942, p. 27 (Attachment D).

VII. SPECIFIC ACTION OF THE STATE WATER BOARD REQUESTED BY THE PETITIONERS

PG&E requests that the Final WQC be modified in the manner described in Section VI above.

VIII. LIST OF INTERESTED PARTIES

Please see attached Certificate of Service representing designated parties to the State Water Board proceedings.

IX. STATEMENT THAT COPIES OF THIS PETITION HAVE BEEN SENT TO THE REGIONAL WATER BOARD

A true and correct copy of this Petition for Reconsideration was sent, *via U.P.S. Next Day Air*, on May 8, 2015, to the Central Valley Regional Water Quality Control Board at the following address:

Clint Snyder
Assistant Executive Officer
Central Valley Regional Water Quality Control Board
364 Knollcrest Drive, Suite 205
Redding, CA 96002

Also, please see the attached Certificate of Service.

X. A COPY OF A REQUEST TO THE EXECUTIVE DIRECTOR TO PREPARE THE STATE WATER BOARD RECORD

PG&E has submitted a request, dated May 8, 2015, to the Executive Director of the State Water Board for the preparation of the Staff Record related to the Certificate, if available, in connection with this Petition. A copy of this Request for Preparation of a State Board Staff Record, as required by 23 CCR § 3867(d)(9), is Attachment E hereto.

XI. SUMMARY OF THE MANNER IN WHICH THE PETITIONER PARTICIPATED IN ANY PROCESS LEADING TO THE ACTION IN QUESTION

PG&E explained its participation in the process leading to issuance of the final Certification in Section IV above.

Respectfully submitted,

By: /s/ JUDI K. MOSLEY
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Dated: May 8, 2015

ATTACHMENT A

ATTACHMENT B

ATTACHMENT C



**Pacific Gas and
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June 11, 2013

*Via UPS Next Day Delivery
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Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
1001 "I" Street
Sacramento, CA 95814-2828

**Re: DeSabla-Centerville Hydroelectric Project, FERC Project No. 803
PG&E's Comments on Draft Water Quality Certification**

Dear Ms. Villalobos:

Pacific Gas and Electric Company ("PG&E") hereby respectfully submits comments on the April 12, 2013 Draft Water Quality Certification issued by the State Water Resources Control Board ("State Water Board") for PG&E's DeSabla-Centerville Hydroelectric Project, FERC Project No. 803 ("Project").

As discussed herein, PG&E has concerns with several of the conditions set forth in the Draft Water Quality Certification ("Draft Conditions").

A. Draft Condition 1: Minimum Instream Flows

Butte Creek: As set forth in Table 1, the magnitude and duration of minimum instream flows at Lower Centerville Diversion Dam from September 1 to March 14th in normal water years and from September 1 to April 30th in dry water years exceeds the storage resources in Philbrook Reservoir (see Attachment 1 for results of the operations model analysis). PG&E ran the operations model developed during relicensing and determined that in the 20-year period from 1986-2005, there would have been insufficient water resources to provide these proposed fall and winter minimum instream flows in Butte Creek in as many as nine years during the period, depending upon the operation of Philbrook Reservoir. Generally, every dry year produced a water shortage the following year. In addition, this time period (1986-2005) did not include a critically dry year (e.g., 1976-1977) where region-wide water resources were extremely low. When Philbrook Reservoir was modeled to operate to provide supplemental water during the spawning season, there was still insufficient water resources to meet the minimum instream flows specified in Table 1 in three of those 20 years (15% of the time). Philbrook Reservoir is relatively small (5,000 acre-ft) and there is insufficient storage to provide the proposed volume of cold water during the hot summer (June through August) while also maintaining high flows in



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 2

Butte Creek during the salmon spawning and incubation period. The proposed flows are likely to have a negative impact on spawning in such years. PG&E requests that the State Water Board adopt the flows stated in the draft License Article listed on page A-2 of Appendix A of the Final FERC Environmental Assessment ("EA"). These minimum flows are more conservative and are compatible with the limited storage at Philbrook.

In addition, PG&E's compliance with the flows stipulated in Table 1 depends upon the combined operation of Hendricks and Butte canals. If either canal goes out of service for any reason, including an emergency outage, it will not be possible to meet the minimum flows at Lower Centerville Diversion Dam from September 1 to March 14th, except possibly during very wet years. Therefore, PG&E requests that the State Water Board add the following footnote to this requirement: "In the case of an emergency outage of either Hendricks or Butte canals, the minimum instream flows will be the total canal inflow into DeSabra Forebay."

Draft Condition 1.A. states: "*The effects of the increased Butte Creek flows on temperature, anadromous fish and cold water habitat shall be monitored in accordance with Conditions 10, 16, and 17.*" With the initiation of full flows in Butte Creek below Centerville Diversion, it will not be possible to meet the monitoring requirements stated in Draft Conditions 16 and 17 (see discussion below under those draft conditions, respectively).

Lower West Branch Feather River below Hendricks Diversion Dam: Draft Condition 1.B. states that the "*Deputy Director may increase minimum mean daily flows in Table 2 if the design, testing of the fish ladder required in Condition 12 demonstrates that higher flows than listed in Table 2 are required for the attraction and passage of fish over Hendricks Diversion Dam.*" PG&E requests that this paragraph be removed from Draft Condition 1.B. Water temperature modeling conducted during relicensing studies clearly showed that increases in instream flow below Hendricks Diversion Dam increased water temperatures in Butte Creek. Therefore, this condition threatens listed spring-run Chinook salmon holding in Butte Creek and potentially conflicts with Draft Condition 43 which states: "*This WQC does not authorize any act which results in the taking of a threatened, endangered or candidate species or any act, which is now prohibited, or becomes prohibited in the future, under either the California ESA (Fish & Game Code §§ 2050-2097) or the federal ESA (16 U.S.C. §§ 1531 - 1544). If a "take" will result from any act authorized under this WQC or water rights held by the Licensee, the Licensee must obtain authorization for the take prior to any construction or operation of the portion of the Project that may result in a take. The Licensee is responsible for meeting all requirements of the applicable ESAs for the Project authorized under this WQC.*" As explained further below with respect to Draft Condition 12, natural barriers downstream of Hendricks



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 3

Diversion Dam will prevent upstream migrating fish from reaching a fish ladder at that location. Consequently, the aforementioned paragraph in Draft Condition 1.B should be deleted.

Draft Condition 1.B. also states “*Table 2 flows may be increased by the Deputy Director following a recommendation from the Licensee or a resource agency and submission of study data and analysis of the relationship of flow releases at Hendricks Diversion Dam and water temperature in Butte Creek, as required in Condition 10.*” The relationship between flow releases at Hendricks Diversion Dam and water temperature in Butte Creek was well established during the relicensing study using water temperature models and is not improved by implementation of Draft Condition 10 (see comments below); thus, this paragraph is not necessary and should be removed.

Upper West Branch Feather River (Downstream of Round Valley Dam): Draft Condition 1.C. states: “*The Licensee shall release mean daily flows of 0.5 cfs in normal water year types and 0.1 cfs in dry water year types year-round to the Upper West Branch Feather River reach as measured at USGS gage 11405100:* This reservoir dries up annually and it is not possible to release the year-round mean daily flows stipulated in this condition. The West Branch Feather River from Round Valley Dam to Coon Hollow Springs is naturally ephemeral. Permanent flow does not occur in this river until it reaches Coon Hollow Springs. The State Water Board should therefore make the following change to this condition to make it consistent with the system: “The Licensee shall release mean daily flows of 0.5 cfs in normal water year types and 0.1 cfs in dry water years, **or natural inflow, whichever is less**, to the Upper West Branch Feather River reach as measured at USGS gage 11405100.”

Philbrook Creek (below Philbrook Dam to confluence with West Branch Feather River): Draft Condition 1.D. states: “*In years when the snow water equivalent at the Humbug snow pillow sensor (HMB #823) is at least 40 inches on April 1, minimum instream flow releases to Philbrook Creek below Philbrook Dam shall be 10 cfs between April 1 and May 15.*” PG&E evaluated this sensor in relation to the water year type as defined by the Sacramento Valley index. In the 30-year period from 1983 to 2012 there were 10 occurrences of the Humbug sensor being at least 40 inches on April 1. Two of those years were below normal, three were above normal, and only five were wet years. Reliance on only the Humbug snow pillow sensor to determine spring flows may result in conditions where Philbrook Reservoir will not fill and will thereby jeopardize the cold-water pool that protects spring-run Chinook salmon. PG&E notes that it can request lower releases if the reservoir is not filling as expected; however, by the time actual runoff is reliably predicted, it could be too late in the snowmelt season to capture enough water. To avoid such risk, PG&E recommends the State Water Board adopt the following



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 4

modification: “In years when the snow water equivalent at the Humbug snow pillow sensor (HMB #823) is at least 40 inches on April 1 **and the forecast of unimpaired Feather River runoff at Oroville is indicative of a wet year**, minimum instream flow releases to Philbrook Creek below Philbrook Dam shall be 10 cfs between April 1 and May 15.”

B. Draft Condition 6: Canal and Powerhouse Operation Water Quality Monitoring

Number 4 of Draft Condition 6 stipulates that “*Monitoring parameters shall include water temperature, dissolved oxygen, and turbidity, with sampling at defined intervals.*” PG&E requests that the requirement for dissolved oxygen (DO) be clarified. During the relicensing studies, all DO measurements taken over a two year monitoring program met Basin Plan objectives; thus, there has been no indication that the Project impacts DO. PG&E requests that clarifying language be inserted stipulating that “DO measurements are to be taken during water temperature and turbidity monitoring calibration checks.”

Number 6 of Draft Condition 6 requires inclusion of “*monitoring protocol(s) for sampling and analyzing water for herbicides in receiving streams, during or immediately after scheduled herbicide treatments. . . .*” PG&E requests clarification as to whether the State Water Board’s concern is related to run-off during a storm event or to drift during herbicide applications. If the intent is to determine if herbicides are entering the waterway during a run-off producing rain event, it would be more appropriate to sample during a rain event within a certain timeframe of the treatments (i.e. within 90 days of herbicide application). If the intention is to document whether herbicides are entering receiving waters due to drift, the samples would need to be taken immediately after or during treatments at pre-designated points downstream of treatments.

PG&E currently employs best management practices (BMPs) to prevent herbicides from entering waterways, including implementing no-spray buffers where treatments occur adjacent to streams and using backpack sprayers set to create large sized droplets. With these and other BMPs implemented, it is very unlikely that any herbicides will enter receiving streams from drift. Implementing sampling “*during or immediately after*” treatment would be logistically difficult because treatment crews would be moving through the system visiting several locations throughout a given treatment day. Therefore, it would be extremely difficult to define a sampling location immediately downstream of a treatment area that also allows for taking samples at the appropriate time to detect herbicides. Furthermore, any samples collected are very unlikely to capture any herbicide that may be entering the waterway due to drift because of the speed with which the waterway will move chemicals downstream.



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 5

Consequently, PG&E recommends the State Water Board require water quality sampling for herbicides during run-off producing storm events to verify that the streamside buffers and other BMPs are functioning properly. Specifically, PG&E proposes taking samples before treatments to determine a baseline level of chemicals in the water that are not due to PG&E's applications (e.g., from illegal marijuana growing), and again after treatments if there is a run-off producing storm event within a mutually agreed upon timeframe (i.e. 90 days after treatment). In addition, PG&E recommends that water quality sampling for herbicide runoff be performed for the first three years after herbicide treatments are initiated. If there are no herbicide detections within that timeframe, PG&E proposes to stop sampling. If any herbicides are detected within that timeframe, PG&E will re-evaluate and/or modify streamside buffers and other BMPs and continue sampling until there have been three consecutive years of no post-herbicide treatment detections.

Number 7 of Draft Condition 6 requires that the plan include "*Identification of the known locations of California red-legged frog, mountain yellow-legged frog, foothill yellow-legged frog, and Yosemite toad.*" PG&E notes that of the species listed in this requirement, only foothill yellow-legged frogs were detected in the Project Area during relicensing. PG&E further notes that foothill yellow-legged frog monitoring is addressed in Draft Condition 20, *Foothill Yellow-Legged Frog monitoring*. Consequently, PG&E requests the removal of this requirement. Furthermore, PG&E request that the reference to species other than foothill yellow-legged frog be removed from all other requirements associated with herpetofauna.

In addition, Number 9 of Draft Condition 6 requires that the required water quality monitoring plan include "*installation and operation of turbidity monitors upstream of Centerville Powerhouse in the Lower Centerville Canal spill channel and downstream of the Centerville Powerhouse. . . .*" PG&E requests the removal of the requirement to install turbidity monitors in the Lower Centerville Canal spill channel because this is a turbulent environment and monitoring equipment cannot reliably measure turbidity in such conditions. In addition, the turbidity sensor would not likely survive the high-energy environment present at this location. Finally, this measure should apply, if at all, only when the lower Centerville canal is in operation, and should be suspended when "full flow" conditions in Butte Creek take effect.

Number 10 of Draft Condition 6 requires that the water quality monitoring plan include "*Specific, measureable criteria to be used in combination with monitoring data and the list of drivers to objectively evaluate if the goals and objectives of the Water Quality Plan are being met or if the Project may be adversely affecting water quality, California red-legged frog, mountain yellow-legged frog, foothill yellow-legged frog, and Yosemite toad.*" PG&E notes that



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 6

of the species listed in this requirement, only foothill yellow-legged frogs were detected in the Project Area during relicensing. And again, PG&E notes that foothill yellow-legged frogs are addressed in Draft Condition 20. Pursuant to that Draft Condition, foothill yellow-legged frog monitoring, details of methods, monitoring schedules, and reporting will be submitted to the resource agencies (which includes the State Water Board) for review and comment. Consequently, PG&E requests that this requirement be removed.

Within the body of Draft Condition 6 there is also the following requirement; *“surveys for California red-legged frog, mountain yellow-legged frog, foothill yellow-legged frog and Yosemite toad shall be on-going and data shall be recorded and provided to the Deputy Director annually by the end of January for the preceding year and to participants at the annual meeting.”* As noted above, no California red-legged frog, mountain yellow-legged frog, or Yosemite toad were detected during relicensing surveys and none would be expected to occur in future surveys. Thus, there is no project nexus for such surveys with respect to these species and PG&E requests that the requirement to perform such surveys be deleted. Furthermore, PG&E requests that any requirement to perform surveys for foothill yellow-legged frog be consistent with the U. S. Forest Service (“USFS”) modified 4(e) Condition 20 Part 2 Foothill Yellow-Legged Monitoring Plan (as referenced in the State Water Board’s Draft Condition 20, *Foothill Yellow-Legged Frog Monitoring*) which requires monitoring for this species *“for the first four consecutive years after License issuance and every three years thereafter”*.

C. Draft Condition 9: DeSabra Forebay Water Temperature Improvements

Number 3 of the Construction section requires PG&E to provide *“A description of how the Project will be operated to continue to provide cold water to lower Butte creek during construction and when the Butte canal or pipeline is in or out of service.”* It is not feasible to continue to provide cold water to lower Butte Creek during construction of the DeSabra Forebay water temperature reduction structure because the distance (approximately 1 mile), elevation difference (1,530 feet), and slope (29%) between the forebay and Butte Creek would make construction of a temporary bypass more difficult to construct and more disturbing to the environment than the temperature control structure itself. Construction of this structure is a major undertaking and will require DeSabra Forebay to be drained, dredged, and the work to be completed under dry reservoir bed conditions. There is no feasible way to divert the canal water around the forebay during construction, nor is there a spillway that can accommodate the 50-100 cfs that is normally diverted from the West Branch Feather River. The construction will require 4-6 months and should occur during the late spring to fall period (i.e., during the summer holding period of spring-run Chinook salmon). It will not be possible to construct this structure during



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 7

the winter, since rain and snow events will compromise the work site, increase environmental and safety risks, and require a longer construction period.

The condition also requires that *“The Temperature Improvement Plan shall also contain a provision for continued diversions to Upper Centerville Canal during construction.”* Similarly, it will not be possible to continue diversions to Upper Centerville Canal during construction as the reservoir will need to be drained and dry. In addition, this condition is not consistent with the 1942 Butte Creek Adjudication, paragraph 57, which allows PG&E to use the Upper Centerville Canal as a conduit for conveying water at its discretion.

Model CE-QUAL-W2 Validation and Validated Model Application: The Licensee does not support the described validation and application of the CE-QUAL-W2 (W2) water temperature model. Draft Condition 1.A. requires implementation of the existing minimum instream flows (see Table 1) for one year following completion of the DeSabra Forebay water reduction structure. Therefore, direct monitoring of the “realized” water temperature reduction within the forebay and the resulting water temperature changes downstream will be the best measure as to whether the device is achieving the intended results. The existing W2 model does not explicitly model the thermal reduction device within DeSabra Forebay. In the W2 modeling analysis, performed during relicensing, the percent of temperature reduction in DeSabra Forebay was simulated by reducing the difference between the outflow and inflow temperature by the target percentage (i.e., 50% or 80%). The actual temperature reduction achieved after construction of the structure can be directly determined through the monitoring program identified in Draft Condition 10. An evaluation of the resulting “reduction” in stream temperatures can be achieved by using the long water temperature monitoring record (available at the Butte Creek stations listed in Draft Condition 10 since 2004). This will give the actual temperature reduction, whereas the W2 model is just an estimate and is subject to error. Comparisons between model predictions and actual observed changes will not distinguish between model error and implementation issues.

D. Draft Condition 12: Hendricks Diversion Fish Screen and Passage

PG&E requests that the requirement for a fish ladder at Hendricks Diversion Dam be removed from Draft Condition 12. PG&E has already conducted an assessment of the migration corridor between Hendricks Diversion Dam and Big Kimsheew Creek (Attachment 2). This assessment confirmed three natural barriers within this reach comprised of both large physical (vertical) barriers and high-velocity (flow) barriers, and three additional probable velocity barriers. The construction of the ladder is not justified because (1) natural barriers downstream of Hendricks Diversion Dam will prevent upstream migrating fish (resident rainbow trout and



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabla-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 8

brown trout) from reaching such a fish ladder, and (2) there are potential adverse impacts to spring-run Chinook salmon from an increase in water temperature in Butte Creek if higher instream flows are required in the West Branch Feather River to operate the ladder.

Numbers 4 and 5 of Draft Condition 12 call for development of drivers and criteria that will address the success of a fish screen and ladder at Hendricks Diversion Dam; number 6 calls for a plan of corrective action ‘*in cases when the Hendricks Fish Plan’s goals and objectives are not being achieved*’. Because natural barriers to fish migration, located on private property downstream of Hendricks Diversion Dam, will prevent fish in the designated reach from utilizing such a fish ladder, defining meaningful standards for ladder “success” is not possible. PG&E requests that references to a fish ladder be removed.

Number 8 of Draft Condition 12 requires that the plan make a “*recommendation for the minimum flow required for operation of the fish ladder (to provide both attraction and passage). The fish screen shall be designed to comply with NMFS and CDFW fish screen criteria.*” This provision for increased flows in the West Branch Feather River for a fish ladder creates the potential for adverse impacts to spring-run Chinook salmon. Water temperature modeling done during relicensing clearly showed that increases in instream flow below Hendricks Diversion Dam directly increased the water temperatures in Butte Creek. Therefore, increased minimum flows to supply a fish ladder could adversely impact a threatened species. Moreover, natural migration barriers would severely undermine the efficacy of a fish ladder at Hendricks Diversion Dam. For these reasons, this requirement should be deleted.

E. Draft Condition 14: Resident Fish Population Monitoring

Language in Number 2 of Draft Condition 14 states that the Resident Fish Population Monitoring Plan shall include “*A description of the proposed monitoring and monitoring protocol(s) consistent with those prescribed by the USFS in its modified 4(e) Condition 20;*” Number 5 of Draft Condition 14 adds, “*At a minimum, the schedule for monitoring shall include monitoring during the third year after the license issuance and every five years thereafter for the term of the license and any annual extensions*”. PG&E requests that the State Water Board adopt the language of the USFS modified 4(e) Condition 20 exactly, or delete the second statement (Number 5 of Draft Condition 14) referring to schedule, because it conflicts with the USFS modified 4(e) Condition 20 which reads: “*Fish surveys will be conducted beginning in year 3 after license issuance, and then every 5 years thereafter for the life of the license. If sampling is scheduled in wet water years, it will be postponed to the next year to avoid the potential confounding effect of high flows on fish recruitment and populations.*”(emphasis added) Number 5 of the Board’s Draft Condition 14 contradicts the USFS 4(e) requirement that



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 9

sampling only occur during non-wet years. PG&E notes that during high flows the reliability of sampling methods used (snorkeling and backpack electrofishing) will decrease. The additional error introduced in wet years, makes comparing data from multiple types of water years difficult and misleading.

The minimum monitoring requirement of Draft Condition 14 states: *“Sampling at the following locations (not limited to): the West Branch Feather River below Philbrook Creek; West Branch Feather River upstream of Hendricks Diversion; West Branch Feather River downstream of Hendricks Diversion; Butte Creek upstream of Butte Dam; Butte Creek downstream of Butte Dam; and Butte Creek upstream of DeSabra Powerhouse.”* PG&E requests that the *“not limited to”* statement be removed from this paragraph, as it implies additional sites may be required, thereby adding uncertainty.

F. Draft Condition 15: Fish Stocking

The purpose of planting fish is to mitigate for project canal impacts on fish and recreational opportunities. Measures such as Draft Condition 13 (two required fish rescues) and Draft Condition 12 (installation of the fish screen at Hendricks, if implemented) already reduce fish entrainment and mortality to fish within the Project area while increasing the opportunity of natural recruitment of fish within the system. Since the number of fish being diverted out of the stream will be reduced by the previously mentioned measures, the proposed requirement to increase trout stocking to 8,000 pounds annually is excessive. PG&E requests that the State Water Board revise Draft Condition 15 to read “The Licensee shall stock 4,130 pounds of trout annually in years in which CDFW stocks trout within the Project”. This language is consistent with the 1985 Fish Stocking Agreement between PG&E and the California Department of Fish and Wildlife, in which CDFW states, “Licensee will reimburse Fish and Game for annually stocking 14,435 fish, with an approximate minimum catchable size of 3.5 trout per pound” (i.e., 4,124 pounds).

G. Draft Condition 16: Federally-and State-Listed Anadromous Fish Monitoring

Draft Conditions 16 and 17 are generally duplicative and create confusion as to how they should be implemented. As a general comment, PG&E requests that the State Water Board combine the two conditions into one condition, and permit two years to develop a plan. Due to the detail and complexity of the plans required, the two-year time frame for plan development proposed in Draft Condition 17 will be necessary. Comments on specific details of Draft Condition 16 are provided below.



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabla-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 10

Draft Condition 16 requires that PG&E create a Federally- and State-Listed Anadromous Fish Monitoring Plan for lower Butte Creek that ensures “*funding for CDFW to continue annual monitoring*” without specifying a nexus to the Project. CDFW activities on lower Butte Creek extend far beyond the bounds of the Project, and PG&E should not be required to fund activities not directly related to the Project. PG&E requests that this requirement read “...funding for CDFW adult Spring-run Chinook monitoring on Butte Creek between the Quartz Bowl barrier and the Covered Bridge...” This language reflects the scope of feasible monitoring with a nexus to the Project.

Draft Condition 16 specifies as one minimum requirement “*Annual snorkel surveys to monitor adult distribution and abundance, pre-spawn mortality surveys, and carcass surveys.*” As written, this condition is unacceptable to PG&E since under the flow requirements imposed by this draft water quality certification, snorkel surveys will not be feasible. The full flow requirements at Lower Centerville Diversion Dam under Draft Condition 1 will result in flows between 185 cfs and 300 cfs (Clint Garman, CDFW, personal communication 5/16/13). It would be unsafe to conduct snorkel surveys within the Butte Creek canyon from Quartz Bowl to the Centerville Powerhouse at these flow rates. This section of the canyon/river exhibits a very high gradient with large boulders. At full flow, surveyors could be subject to severe, even fatal, injuries. Obviously, PG&E will not expose its employees or contractors to such conditions. Secondly, even if snorkel surveys could be safely conducted, any pre-spawning data collected above the Centerville Powerhouse after the implementation of full flows would not be comparable to those data collected in that section during current conditions. Increased flows will result in faster traveling time of surveyors, increased bubble curtains that decrease visibility, and other changes in sampling methods related to the higher velocities (such as ability to dive into deeper areas). Because carcass surveys occur in the fall, when available flow is lower due to the natural hydrograph, these surveys won’t be as affected by the full flow requirement. For all these reasons, the annual snorkel survey requirement should be deleted from the certification.

The second minimum requirement under Draft Condition 16 requires “*juvenile emergence and outmigration monitoring*”. PG&E requests the State Water Board remove this requirement because such monitoring will be ineffective in assessing the effect of Project conditions. CDFW has found that downstream migrant trapping on Butte Creek is too prone to error to permit accurate estimates of downstream migrants. It is very difficult to calibrate trap efficiency (a key factor in determining total numbers of downstream migrants). In addition, the accuracy of trapping data in Butte Creek is compromised by high flows during the juvenile out-migration period (January through February), when the traps have to be taken out of service for the safety of personnel and to decrease mortality of juvenile spring-run Chinook salmon (Clint



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 11

Garman, CDFW, personal communication 5/16/13). The poor data quality inevitably resulting from this monitoring requirement does not justify the significant cost of conducting the study.

The third minimum requirement under Draft Condition 16 requires “*Monitoring and mapping the changes in adult SR Chinook and steelhead habitats (e.g., undercut banks, spawning gravel locations and quantity) as a result of a change in Project operation (e.g., minimum instream flows) downstream of the Lower Centerville Diversion Dam.*” PG&E requests that this monitoring condition be removed because of a lack of nexus to the Project. The availability of spawning gravel as a function of minimum instream flow was assessed during relicensing. Annual variation in the quantity of gravel observed in Butte Creek is mainly due to the pattern and frequency of high storm flows with a return frequency of 1.5 years or greater, and local canyon hydraulic and geological conditions controlling scour and deposition. It is highly unlikely that changes in minimum instream flows will have a detectable influence on this annual variation. Similarly, the location of spawning riffles is not determined by instream flows, but by the shape, gradient, and geology of the Butte Creek Canyon which control the location of gravel deposition during channel forming flows. Undercut banks in this area will not change as a function of minimum instream flow because they are mainly formed by bedrock and large boulders that are resistant to change even at very high flows.

H. Draft Condition 17: Spring-Run Chinook Salmon Monitoring

As noted above, PG&E requests that the State Water Board consolidate Draft Conditions 16 and 17 and use the two-year time frame for plan development proposed in Draft Condition 17 in the combined condition.

Because Draft Condition 17 specifies many of the same technical requirements as Draft Condition 16, the comments provided regarding Draft Condition 16 also apply here. Specifically, poor visibility and unsafe conditions with full flow below Lower Centerville Diversion Dam will make it unsafe and infeasible to monitor effectively the change in distribution, abundance, and summer mortality above and below Centerville Powerhouse and to compare the results to pre-full flow conditions.

I. Draft Condition 18: Long-term and Annual Operations and Maintenance Plans, and Annual Meeting

Draft Condition 18 requires that “*The Long-Term Operation Plan shall include the Licensee’s requirement to hold an annual meeting in April of each year.*” and “*During the annual meeting, the Licensee shall present the results of any monitoring conducted in the*



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 12

previous year (emphasis added), a summary of the past year's operation and maintenance activities, and the draft Annual Operations and Maintenance Plan for the next twelve months." Later Draft Condition 19 states *"The Licensee shall provide results of benthic macroinvertebrate monitoring to the Deputy Director in a technical report following completion of each sampling effort and at least 30 days prior to the annual meeting required in Condition 18"*. PG&E requests that this condition be modified to delete the requirement to report on monitoring results of the benthic macroinvertebrate monitoring and other such studies at the Annual Operations Meetings. Presenting the results of approximately 9 monitoring studies (studies required by the USFS 4(e) Conditions, the draft EA, and the water quality certification will interfere with the purpose of the Annual Operations Meetings which is to focus on how the Operations Group¹ will meet the delivery of cold water during the critical holding period of the spring-run Chinook salmon. PG&E requests that water quality temperature and anadromous fish monitoring results from previous monitoring years continue to be the focus at the Annual Operations Meeting.

PG&E also recommends that all other monitoring data be presented at the Annual Consultation Meeting which is required by the Final USFS 4(e) Condition 1 which reads *"The date of the consultation meeting will be mutually agreed to by the Licensee and the Forest Service but in general will be held 60 days prior to the beginning of the recreation season to facilitate implementation of flow management requirements and recreational management activities. Representatives from the U.S. Fish and Wildlife Service, California Department of Fish and Game, or other interested agency representatives concerned with operation of the project may request to attend the meeting."* This would also be consistent with the draft License Article listed on page A-9 of Appendix A of the Final FERC EA. That Draft Article states *"Consistent with Forest Service 4(e) condition 1, the licensee shall also annually consult with: the California Department of Fish and Game; the California State Water Resources Control Board; the National Marine Fisheries Service, the U.S. Fish and Wildlife Service, and the U.S. Geological Survey."*

J. Draft Condition 19: Benthic Macroinvertebrate Monitoring

This condition requires PG&E to submit a Benthic Macroinvertebrate Monitoring Plan within 180 days of license issuance. PG&E requests that the submittal of the Plan be extended to "within one year of License issuance" to make it consistent the USFS 4(e) Condition 20, Part 3 which also requires a Benthic Macroinvertebrate Monitoring Plan.

¹ "Operations Group" is defined in a draft License Article on page A-9 of Appendix A of the Final FERC Environmental Assessment)



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabla-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 13

In addition, Number 5 of Draft Condition 19 requires that, “*At a minimum, monitoring shall be conducted during the third year of the license and every five years thereafter for the term of the license. . . .*” PG&E recommends that the State Water Board use the same language as USFS 4(e) Condition 20, Part 3 which states that “*Surveys shall be coincident with the fish monitoring in Part 1 (unless an alternative monitoring schedule is approved in consultation with interested governmental agencies).*” This language will keep the schedule consistent with the fish monitoring required by USFS 4(e) Condition 20, which delays sampling events to the following year if sampling is scheduled during a wet year. As is the case with fish, sampling benthic macro-invertebrates during wet water years introduces error and makes annual comparisons difficult and/or misleading. The California Stream Bioassessment Protocol is designed for wadeable streams; however high flows during wet years make much, if not all, of the project streams unwadeable.

K. Draft Condition 21: Bald Eagle Monitoring

Draft Condition 21 requires that the Bald Eagle Plan monitoring, at a minimum, shall include “*One breeding and one wintering survey every three years beginning within three years of license issuance*”. This is contradictory to the language of Number 6 of Draft Condition 21 which reads, “*At a minimum, reports shall be provided to the Deputy Director each year*”. If surveys occur every three years then there won’t be a report to submit every year. PG&E requests that the State Water Board change the language of Number 6 of Draft Condition 21 to read: “*At a minimum, reports shall be provided to the Deputy Director in the year following any year in which surveys are conducted.*”

L. Draft Condition 24: Wet Meadow

PG&E requests that this condition be deleted as not relevant to the water quality certification. The parcel that relates to this condition, Butte Creek House Ecological Reserve, is well outside of the Project boundary, is not related to the operation of the Project, and is the subject of a comprehensive agreement between PG&E and CDFW which will expire when a new license is issued.

M. Draft Condition 25: Transportation System Management

Under Number 4 of Draft Condition 25 a sentence reads “*Develop a design for reconstruction of the North Fork Feather River road crossing, below Round Valley Reservoir to the Licensee’s BW45 gage.*” PG&E believes that the reference to North Fork Feather River was meant to refer to West Branch Feather River.



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 14

N. Draft Condition 26: Long-Term Operations of Centerville Development

Draft Condition 26 requires development of a plan to “allow both upstream and downstream fish passage at Lower Centerville Diversion Dam.” PG&E requests that this objective be deleted because it is not supported by the facts. Upstream fish passage is not supported because natural barriers upstream, downstream, and underneath the Lower Centerville Diversion Dam (“LCDD”) will prevent upstream migration even if LCDD were removed. Measures for downstream migration of resident fish are not supported because there will not be any entrainment into the Lower Centerville canal with full flows below LCDD.

A 2005 review of measurements of natural barriers above and below Lower Centerville Diversion Dam (Attachment 3) suggests that even prior to the construction of LCDD, this site was a total barrier to anadromous fish in most years. The falls at Quartz Bowl (1 mile downstream) is 11.1 feet high, while a slightly higher pre-project natural barrier (11.4 feet) forms the foundation of LCDD (Watanabe 2000²). Powers and Orsborn (1985³) identified 11 feet as a criterion for a total barrier for all species of Pacific salmon and steelhead. Observations of spring-run Chinook salmon above the Quartz Bowl barrier have confirmed this site to be a barrier to salmon migration for all but a few fish in only the wettest years.

Further, even if passage above Quartz Bowl and LCDD were available, the spawning habitat between LCDD and the impassible natural barriers upstream is only adequate to support two pairs of spawning salmon and eight pairs of spawning steelhead. Therefore, a requirement for upstream passage for anadromous fish at LCDD does not have a reasonable nexus with the Project, nor would there be a significant biological benefit in providing such passage.

Similarly a nexus for providing formal downstream fish passage is also potentially lacking. It is possible that Centerville Powerhouse will remain out of operation; if that is the case, no turbine mortality would occur for any downstream migrant resident trout entering the canal. The draft certification calls for ceasing diversion at LCDD as soon as a temperature control structure can be completed in DeSabra Forebay. Thus, all downstream migrant resident

² Powers, P.D. and J.F. Orsborn. 1985. Analysis of barriers to upstream fish migration. An investigation of the physical and biological conditions affecting fish passage success at culverts and waterfalls. Part 4 of 4 of a BPA fisheries project on the development of new concepts in fish ladder design. Contract DE-A179-82BP36523. Project No. 82-14

³ Watanabe, C. 2000. Preliminary engineering requirements for fish passage on Upper Butte Creek: An assessment of the natural barriers-DRAFT. California Department of Fish and Game.



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 15

fish would pass directly downstream from LCDD, making construction of a fish screen and bypass unnecessary. Further discussion of the possible retirement of the powerhouse with the various stakeholders will be conducted before the final water quality certification is issued and we ask the State Water Board to be open to revision of this requirement based on the conclusions reached.

In a related comment, PG&E requests that the Butte Creek barrier discussion on page 46 of the draft Mitigated Negative Declaration be revised to reflect the data in Watanabe (2000), including the fact that even if LCDD were removed, the 11.4-foot natural barrier at its foundation would still block upstream migration.

O. Draft Condition 28: Philbrook Reservoir Instream Flow Releases

Draft Condition 28 states: *“The Licensee shall make any adjustments to the minimum instream flow release valve as quickly as possible, in response to heat-related events. In any case, these adjustments should be made in less than two hours. The Licensee shall submit a Philbrook Reservoir summary of valve adjustments report that includes response times every three years to the Deputy Director, by December 31. In the event that the Licensee fails to respond within two hours for any reason including unsafe conditions, the Licensee shall submit a report to the Deputy Director within 10 days of the incident. The report will include response time, reason for the delay in response, unsafe conditions and remediation to delay and/or unsafe conditions that will prevent a delay in response time in the future.”*(emphasis added)

The procedures identified in the annual operation plan provide for extensive interaction with, and report out to, several agencies (including the State Water Board). Overall guidelines for operation of Round Valley and Philbrook reservoirs contain detailed contingency procedures to be followed in the case of an extreme heat event, including:

- Biweekly (Monday and Thursday) weather forecasts to the resource agencies to anticipate heat events;
- Alerting the agencies if air temperatures are forecast to exceed 105 degrees at Cohasset, with the potential for compression heating;
- Adjusting flow in consultation with the agencies;
- After temperature forecasts have returned to normal levels, reduction of releases at Philbrook Reservoir to pre-event levels (or other levels



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 16

as determined appropriate in consultation with CDF&G and NOAA Fisheries); and

- Assessment and notification of the quantity of water available for the remainder of the season.

This type of forecast-based collaborative management has proven to be an effective means of providing timely releases of additional cool water to Butte Creek and managing the limited amount of cool water available in Philbrook Reservoir.

PG&E requests that the part of the draft condition underlined above be removed since it requires redundant reporting. Details regarding releases from Philbrook Reservoir are part of the operations plans required under Draft Condition 18. PG&E originally proposed the two-hour response time as a general guideline, which it already follows. Strict reporting of literal adherence to this guideline is unnecessary, as decisions to increase flow at Philbrook Reservoir are made days in advance. Because there is a 23-hour travel time for water released from Philbrook Reservoir to reach DeSabra Forebay, the effective use of cool water from Philbrook Reservoir to moderate water temperatures in Lower Butte Creek requires anticipation of heat events. Tracking and reporting on whether the two-hour requirement on a specific flow adjustment is met increases the difficulty of implementing the license, without significantly improving the response to extreme heat events.

P. Draft Condition 30

Draft Condition 30 states: "Project activities shall not cause an increase in turbidity downstream of the Project area greater than those identified in the SR/SJR Basin Plan. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses, and shall comply with the turbidity requirements defined in the SR/SJR Basin Plan. If monitoring shows that turbidity has exceeded the water quality objective, construction will cease and the violation will be reported immediately to the State Water Board's Deputy Director for the Division of Water Rights (Deputy Director) and the Executive Officer for the Central Valley Water Board (Executive Officer). Construction may not re-commence without the permission of the Deputy Director."

This condition is unnecessary and does not take into consideration the major efforts PG&E has undertaken to control turbidity releases in the project area. The requirements in Draft Condition 30 are already covered by Draft Condition 6 which requires that "the Licensee shall file a Canal and Powerhouse Operation Water Quality Monitoring Plan" that



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 17

requires extensive monitoring throughout the life of the license, including the development of corrective measures and a timetable for action. In addition, Draft Condition 7 requires that “the Licensee shall file a Project Canal Maintenance, Inspection, and Hazard Prevention Plan”. PG&E has worked closely with the RWQCB to develop BMP’s and operational protocols to prevent turbidity releases from the project.

Review of turbidity data from previous studies show that the turbidity standards in the SR/SJR Basin Plan are not biologically based and PG&E’s concern is that these standards do not allow for reasonable, less than significant alterations in turbidity associated with normal hydro project operations (e.g., bringing canals back on-line after an outage). The effects of turbidity on salmonids have been studied in detail (see Newcombe 2003; Attachment 4) and have been found to be a function of the magnitude and duration of the elevated turbidity. PG&E commissioned a white paper in 2010 (Attachment 4) which indicates that short term (one day) low magnitude (+15 NTU) deviations from background levels have little to no effect on resident salmonids in cold water streams. The Basin Plan allows for a mixing zone in which turbidities can exceed criteria and allows for the establishment of averaging periods as long as beneficial uses are protected. At a minimum, Draft Condition 30 should be modified to allow a +15 NTU above background buffer based on a daily average. But again, as demonstrated in the white paper, a short-term elevation in turbidity does not impair cold water habitat beneficial uses. Furthermore, the limitations on construction, embedded within this condition, are unnecessary, duplicative, and potentially contradictory as construction projects require multiple permits that specifically identify appropriate conditions (including project specific water quality certification conditions).

Q. Draft Condition 31

Draft Condition 31 reads “*All imported riprap, rocks, and gravels used for construction shall be pre-washed.*” PG&E requests clarification: is the Water Board proposing that these materials be pre-washed specifically when used within a water course? If so, PG&E requests the State Water Board change this condition to read “*All imported riprap, rocks, and gravels used for construction within a water course shall be pre-washed.*” If not, please clarify when pre-washing should occur.

R. Draft Condition 38

Draft Condition 38 includes a purported reservation of authority “*to modify the conditions of this water quality certification to incorporate load allocations developed in a total maximum daily load developed by the State Water Board or a Regional Water Quality Control Board.*” However, Draft Condition 38 does not reference any statute authorizing this reserved authority.



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 18

The State's effort to retain jurisdiction as stated in this Draft Condition would allow the State Water Board to unilaterally change the requirements of PG&E's FERC license, in violation of the Federal Power Act. Such reservation of authority appears to contravene the express terms of the Federal Power Act, which provides in relevant part that "Licenses . . . may be altered . . . only upon mutual agreement between the Licensee and the Commission. . . ." 16 U.S.C. § 799. Therefore, PG&E recommends that this Draft Condition be removed or substantially re-drafted to conform to the State Water Board's statutory authorities in connection with the issuance of a water quality certification under the Clean Water Act.

S. Draft Condition 39

Draft Condition 39 includes a purported reservation of authority to add to or modify this water quality certification under certain stated circumstances in the future. However, Draft Condition 39 does not reference any statute authorizing this reserved authority. The State's effort to retain jurisdiction as stated in this Draft Condition would allow the State Water Board to unilaterally change the requirements of PG&E's FERC license, in violation of the Federal Power Act. Such reservation of authority appears to contravene the express terms of the Federal Power Act, which provides in relevant part that "Licenses . . . may be altered . . . only upon mutual agreement between the Licensee and the Commission. . . ." 16 U.S.C. § 799. Therefore, PG&E recommends that this Draft Condition be removed or substantially re-drafted to conform to the State Water Board's statutory authorities in connection with the issuance of a water quality certification under the Clean Water Act.

T. Draft Condition 40

Draft Condition 40 includes a purported reservation of authority to modify this water quality certification as a result in the change in baseline assumptions caused by future climate change. However, draft Condition 40 does not reference any statute authorizing this reserved authority. The State's effort to retain jurisdiction as stated in this Draft Condition would allow the State Water Board to unilaterally change the requirements of PG&E's FERC license, in violation of the Federal Power Act. Such reservation of authority appears to contravene the express terms of the Federal Power Act, which provides in relevant part that "Licenses . . . may be altered . . . only upon mutual agreement between the Licensee and the Commission. . . ." 16 U.S.C. § 799. Furthermore, it is not appropriate potentially to require PG&E to mitigate for a harm to which the Project is not contributing. There must be some nexus between this Draft Condition and a project effect that is contributing to the identified harm. The required nexus is lacking since the Project is not a cause of climate change. Therefore, PG&E recommends that this Draft Condition be removed or substantially re-drafted to conform to the State Water Board's



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 19

statutory authorities in connection with the issuance of a water quality certification under the Clean Water Act.

U. Draft Condition 41

Draft Condition 41 requires compliance with all applicable requirements of the SR/SJR Basin Plan. It is unfair and inappropriate for a future compliance determination to hinge on the opinion of future regulators as to what may or may not have been intended as an "applicable requirement" of such a lengthy document, particularly one that may be changed from time to time.

Furthermore, in *East Bay Municipal Utility District et al. v. State Water Resources Control Board et al.*, Alameda County Case No. RG 10512151, the State Water Board argued – and the court agreed – that Basin Plan provisions assigning mass-based numerical waste load allocations to named dischargers “do not by themselves prohibit any conduct or require any actions on the part of dischargers. They merely set goals. What dischargers are required to do is *specified* in the waste discharge permits (NPDES permits) that they are required to obtain from Regional Water Boards.” State Water Board’s December 22, 2010 Brief on the Merits, 7:11-13 (emphasis added).

Thus, the State Water Board took the position that there could be no enforcement jeopardy associated with the Basin Plan unless and until *specific* requirements were articulated in a future approval issued to the discharger. Here, the “future approval” – a 401 certification – does not have the requisite *specificity* to put PG&E on notice of “[w]hat dischargers are required to do.”

It is PG&E’s understanding, then, that the Basin Plan’s primary purpose is to provide guidance to permit writers as to what measures to incorporate into a permit; it is not itself intended primarily as a compliance document. Consequently, PG&E questions the propriety of purporting to incorporate wholesale “all applicable requirements” of the Basin Plan.

The State Water Board agreed to delete this type of draft condition from other certifications for PG&E’s hydroelectric projects. PG&E requests that Draft Condition 41 be deleted here as well.

V. Draft Condition 42

Draft Condition 42 requires PG&E to comply with all water quality standards and implementation plans applicable in the future under the Porter-Cologne Water Quality Control



Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 20

Act or section 303 of the CWA, and to take all reasonable measures to protect beneficial uses of Butte Creek and the West Branch of the Feather River and their tributaries. It is unfair and inappropriate for a future compliance determination to hinge on such broad and undefined requirements. PG&E requests that Draft Condition 42 be deleted or more specifically clarified.

W. Draft Condition 45

Draft Condition 45 includes a purported reservation of authority to add to or modify this water quality certification in response to a suspected violation of any condition of the water quality certification. However, Draft Condition 45 does not reference any statute authorizing this reserved authority. The State's effort to retain jurisdiction as stated in this Draft Condition would allow the State Water Board to unilaterally change the requirements of PG&E's FERC license based on a suspected violation of the water quality certification. This kind of reserved authority is in violation of the Federal Power Act. Such reservation of authority appears to contravene the express terms of the Federal Power Act, which provides in relevant part that "Licenses . . . may be altered . . . only upon mutual agreement between the Licensee and the Commission. . . ." 16 U.S.C. § 799. Therefore, PG&E recommends that this Draft Conditions be removed or substantially re-drafted to conform to the State Water Board's statutory authorities in connection with the issuance of a water quality certificate under the Clean Water Act.

X. Draft Condition 49

Draft Condition 49 states "*The Deputy Director and the Executive Officer shall be notified one week prior to the commencement of ground disturbing activities.*" PG&E requests that the State Water Board clarify this requirement since "ground disturbing activities" can range from very minor activities to those that require permits. A sweeping notification condition can hinder the scheduling and performance of minor project activities and put PG&E at risk of non-compliance. PG&E suggests limiting the notification requirement to activities for which a permit pertaining to water quality is required.

Y. Draft Condition 50

Draft Condition 50 purports to make this water quality certification subject to modification or revocation upon judicial or administrative review. Section 401 of the federal Clean Water Act, 33 U.S.C. § 1341, does not allow a water quality certification to be withdrawn once it is issued. Therefore, this Draft Condition should be removed from the water quality certification for this Project.

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Ms. Amber Villalobos- Division of Water Rights
STATE WATER RESOURCES CONTROL BOARD
Re: DeSabra-Centerville Hydro Project, FERC P-803
June 11, 2013
Page 21

CONCLUSION

PG&E would like to thank the State Water Board for the opportunity to submit these comments and welcomes the opportunity to discuss them with the State Water Board. It is PG&E's hope that it can continue to work cooperatively with the State Water Board to achieve reasonable solutions that fulfill all necessary water quality requirements while protecting existing beneficial uses, including the continuation of a clean, reliable, and economic energy source for California.

If you have any questions regarding these comments and/or would like to schedule a meeting to discuss them, please contact me at the e-mail or phone number listed above. You may also contact Tom Jereb at (415) 973-9320.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'M. Fogelson', with a long horizontal flourish extending to the right.

Matthew A. Fogelson

cc: Gail Cismowski, Division Chief – State Water Board
Tom Jereb, Project Manager, Power Generation – PG&E
Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission
Service List for DeSabra-Centerville Hydroelectric Project, FERC Project No. 803

ATTACHMENT D

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

CULBERT L. OLSON, Governor
FRANK W. CLARK, Director of Public Works
EDWARD HYATT, State Engineer

BUTTE CREEK ADJUDICATION

ORDER OF DETERMINATION

Determining and Establishing the Several Rights
In and To the Water of

BUTTE CREEK AND TRIBUTARIES

ABOVE THE WESTERN DAM, NEAR NELSON
BUTTE COUNTY, CALIFORNIA

Order entered April 14, 1942, in Book 2 of
Orders of Determination, Page 1



TABLE OF CONTENTS

	Page
PREFACE	1
HISTORY OF PROCEEDING	3
DESCRIPTION OF AREA INVOLVED	7
GENERAL DEFINITIONS, LIMITATIONS AND PROVISIONS	9
DEFINITION OF WATER RIGHTS	10
Definition of Water Rights in Foreign Water Rediversion Group	13
Definition of Water Rights in Non-Consumptive Use Group	15
Definition of Water Rights in Little Butte Creek Group	16
Definition of Water Rights in Upper Butte Creek Group	23
Definition of Water Rights in Butte Creek Group	28
SCHEDULE 1 - Description of Places of Use of Allotments from Butte Creek and Tributaries Above Western Dam near Nelson	41
Places of use of Irrigation Allotments	41
Places of Use of Domestic Allotments	59
Places of Use of Non-Consumptive Allotments	61
SCHEDULE 2 - Points of Diversion from Butte Creek and its Tributaries	63
SCHEDULE 3 - Allocations to Various Claimants of Rights to Rediversion from Foreign Water Delivered into Butte Creek from West Branch of Feather River by Pacific Gas and Electric Company	69
SCHEDULE 4 - Allocations to Various Claimants of Non- Consumptive Water Rights on Butte Creek and Tributaries	69
SCHEDULE 5 - Allocations to Various Claimants from Little Butte Creek and Tributaries	70
SCHEDULE 6 - Allocations to Various Claimants from Butte Creek and Tributaries above Little Butte Creek	71
SCHEDULE 7 - Allocations to Various Claimants from Butte Creek and Tributaries Below Little Butte Creek	72
RECOM ENDATIONS	73

BEFORE THE DIVISION OF WATER RESOURCES
DEPARTMENT OF PUBLIC WORKS OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE DETER-)
MINATION OF THE RIGHTS OF)
THE VARIOUS CLAIMANTS TO THE)
WATERS OF THAT PORTION OF)
BUTTE CREEK AND ITS TRIBU-)
TARIES SITUATE ABOVE THE)
WESTERN DAM NEAR NELSON, IN)
BUTTE COUNTY, CALIFORNIA.)

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

The above entitled proceeding having been initiated before the Division of Water Resources of the Department of Public Works of the State of California pursuant to petition filed herein, all notices having been given and all proceedings having been taken as provided by law, the Division of Water Resources, being fully informed in the premises, makes this its order determining and establishing the several rights in and to the use of the waters of that portion of Butte Creek and its tributaries situate above the Western Dam, near Nelson, in Butte County, California, as of July 24, 1940, the date on which the extended period for filing proofs in the above entitled matter expired.

The order determining and establishing said rights is hereinafter set forth under four main headings, to wit: "HISTORY OF THE PROCEEDING", "DESCRIPTION OF AREA INVOLVED", "GENERAL DEFINITIONS, LIMITATIONS AND PROVISIONS", and "DEFINITION OF WATER RIGHTS". The definition of said rights under said heading "DEFINITION OF WATER RIGHTS" is set forth under five sub-headings, to wit: "Definition of Water Rights in Foreign Water Rediversion Group", "Definition of Water Rights in Non-Consumptive Use Group", "Definition of Water Rights in Little Butte Creek Group", "Definition of Water Rights in Upper Butte Creek Group", and "Definition of Water Rights in Butte Creek Group".

The following claimants are corporations organized and existing under and by virtue of the laws of the State of California and their offices and places of business are set forth after their respective names as follows, to wit: Californis Lands, Inc., San Francisco, California; Corporation of America, San Francisco, California; Dayton Mutual Water Company, Ltd., Chico, California; Durham Mutual Water Company, Ltd., Durham, California; Pacific Gas and Electric Company, San Francisco, California; Parrott Investment Company, San Francisco, California; Western Canal Company, San Francisco, California; and said claimants are hereinafter designated by their respective corporate names as above set forth.

The following claimants are corporations organized and existing under and by virtue of the laws of the State of Nevada, authorized to do business in the State of California, and their offices and places of business are set forth after their respective names as follows, to wit: Electric Mining Company, 518 Balboa Building, San Francisco, California; M. & T. Incorporated, 353 Sacramento Street, San Francisco, California; and said claimants are hereinafter designated by their respective corporate names as above set forth.

The Diamond Match Company is a corporation organized and existing under and by virtue of the laws of the State of Delaware, authorized to do business in the State of California, and its office and place of business is Chico, California, and said claimant is hereinafter referred to by said corporate name.

Yuba Consolidated Gold Fields is a corporation organized and existing under and by virtue of the laws of the State of Maine, authorized to do business in the State of California, and its office and place of business is 351 California Street, San Francisco, California, and said claimant is hereinafter referred to by said corporate name.

All of the rights hereinafter defined are subject to all definitions, limitations and provisions hereinafter set forth

under said heading "GENERAL DEFINITIONS, LIMITATIONS AND PROVISIONS".

IT IS HEREBY ORDERED, that the several rights in and to the use of the waters of that portion of Butte Creek and its tributaries situate above the Western Dam, near Nelson, in Butte County, California, be and hereby are determined and established as hereinafter set forth:

HISTORY OF THE PROCEEDING

1. This proceeding was initiated in accordance with the provisions of Section 25 of the Water Commission Act pursuant to petitions of Durham Mutual Water Company, Ltd., A. F. Lieurance, E. L. Adams and R. C. Gorrill. Said petitions, duly filed with the Division of Water Resources on June 15, 1939, requested a determination of the rights of the various claimants in and to the use of the waters of Butte Creek and its tributaries above the Western Dam, near Nelson.

2. Upon investigation the Division of Water Resources found the facts and conditions to be such that the public interest and necessity would be served by the determination petitioned for. On June 15, 1939, by order duly given and made, the Division of Water Resources granted said petitions, and thereafter duly gave notice by publication as provided by law, setting forth the fact of the entry of the aforesaid order and of the pendency of this proceeding, specifying the date upon which the Division of Water Resources would begin its examination of said stream system, to wit: July 20, 1939, and prescribing and requiring all claimants to rights in and to the use of the waters of said Butte Creek and its tributaries above the Western Dam near Nelson, to make proof of their claims in the manner provided by law.

3. At the time set in said notice the Division of Water Resources began its investigation of the flow of Butte Creek and its tributaries above the Western Dam, near Nelson, and of the conduits diverting water, and of the lands irrigated

or irrigable therefrom, and proceeded to gather all other data and information essential to the proper determination of the rights in and to the use of the waters therefrom, and thereafter the Division of Water Resources reduced its observations, data, information and measurements to writing and executed surveys and prepared maps from the observations of such surveys in accordance with uniform rules and regulations duly and regularly adopted by the Division of Water Resources, which surveys and maps showed with substantial accuracy the course of the streams involved in said proceeding, the location of each conduit diverting water therefrom, land irrigated and capable of being irrigated by each conduit, and the kind of culture upon said irrigated lands. Said maps were prepared by the Division of Water Resources as the surveys and observations progressed, and when completed were duly and regularly filed and made of record in the office of the Division of Water Resources.

4. A conference of the various claimants included in said proceeding and their representatives was called by the Division of Water Resources on June 28, 1940, at Durham, in said County of Butte, for the purpose of presenting the data that had been collected prior to that time by the Division of Water Resources. After discussing the matter at said conference, an agreement was entered into by the claimants on Butte Creek below the confluence of Little Butte Creek. The agreement provided a plan of trial distribution of the waters of said source among the signatory claimants pursuant to the provisions of Section 10a of said Water Commission Act. Said plan of distribution was to be operative during the 1940 season only and it was provided therein that the rights of said claimants should in no manner be prejudiced by such distribution of water. Said agreement provided that said Division of Water Resources should supervise said plan of distribution through the agency of a water master. Operation of a plan of distribution, as modified by additional information obtained from hearing the

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matters of the contests, was continued through the 1941 season pursuant to an agreement entered into by said claimants on June 30, 1941.

5. Upon the completion of the aforesaid measurements and maps and after filing of said observations, data, information and measurements, as aforesaid, the Division of Water Resources, by order duly given and made, gave notice by publication thereof as provided by law, setting forth the date prior to which proofs to be furnished by claimants, in and to the use of the waters involved in said proceeding, were required to be filed with the Division of Water Resources, and the Division of Water Resources gave like notice and enclosed therewith forms of proofs as required by the Water Commission Act, by registered mail, with postage fully prepaid thereon, to each claimant to rights in and to the use of the waters involved in this proceeding, insofar as such claimant could be reasonably ascertained at his last known place of address. Thereafter the time allowed within which proofs might be filed was extended by order duly given and made by the Division of Water Resources, to and including July 24, 1940, and within said period as so extended claimants herein duly filed with the Division of Water Resources proofs of their respective rights in and to the use of the waters involved in said proceeding.

6. After the filing of proofs by claimants as aforesaid, and after the expiration of the time fixed by the Division of Water Resources for the filing of said proofs, the Division of Water Resources duly assembled all proofs which had been filed and prepared and duly certified an abstract of all said proofs, and duly caused the same to be printed in accordance with the provisions of the Water Commission Act, and thereafter by order duly given and made, prepared a notice fixing and setting a time and place convenient to the claimants when and where evidence taken by or filed with the Division of Water Resources would be open to inspection for a period of not less than ten days; and a

copy of said notice together with a printed copy of said abstract of proofs, was thereafter, and more than fifteen days prior to the first day prescribed in said order as the commencement of the period of such inspection, duly mailed by registered mail, with the postage fully prepaid thereon, to each claimant who had appeared and filed proofs as required by the Water Commission Act, and thereafter and in accordance with said notice and with the Water Commission Act, all of the evidence taken by or filed with the Division of Water Resources was open for inspection at the times and in the places and for the period designated in said notice, and any and all persons during said period were permitted to inspect such evidence and proofs in conformity with the provisions of the Water Commission Act, and during all of said period of inspection, a representative of the Division of Water Resources was present.

7. Fifteen contests of claims were filed with the Division of Water Resources within fifteen days after said evidence and proofs were opened to public inspection in conformity with the provisions of Section 34 of the Water Commission Act; within ten days after the receipt of the notice of each of said contests, the Division of Water Resources notified by registered mail the contestants and the claimants respectively involved in each of said contests of the respective time and place fixed for hearing the matter of said contest, each of said times being fixed not less than fifteen nor more than sixty days from the respective time the Division of Water Resources mailed said notice of hearing in conformity with Section 35 of the Water Commission Act; and the Division of Water Resources duly held hearings of contests at the respective times and places fixed by said notices of hearing, and caused a transcript of all testimony taken at each of the hearings to be filed with the Division of Water Resources.

DESCRIPTION OF AREA INVOLVED

8. Butte Creek has its source on the west slope of the Sierra Nevada in the northeasterly portion of Butte County between the Humbug and the Humboldt Passes. There are two tributaries of importance, namely, Little Butte Creek which joins the main stream from the southeast about nine miles east of Chico, and Hamlin Slough which is tributary from the southeast above the Western Dam near Nelson. The flows of both tributary streams are largely used above their confluence with Butte Creek during the irrigation season.

Foreign water is brought into the Butte Creek stream system from the West Branch of Feather River primarily for the generation of electrical energy, after which it is utilized to supplement the natural flow of Butte Creek for irrigation purposes upon certain lands.

9. Butte Creek above the Western Dam near Nelson has a tributary area of about 300 square miles. The altitudes within this area range from about 7200 feet at the headwaters to about 100 feet on the valley floor near Nelson. Approximately 72,000 acres of land within the basin are relatively level in contour, 62,000 acres of which are upon the valley floor and the remainder in mountain valleys or on mountain table land. A total area of approximately 50,400 acres receives irrigation water from Butte Creek, of which about 40,500 acres receives supplemental water from other sources. Butte Creek is one of the sources of water supply for the DeSabra and Centerville power plants which have a combined rated capacity of 19,400 kilovolt amperes. An aggregate of approximately 600 cubic feet per second of water is utilized for mining and power purposes.

10. The climate of the area involved in said proceeding is typical of that prevailing generally over the great central valley of California. Low summer precipitation, abundance of sunshine, wide range of temperature variations, low humidity

and rapid evaporation are the characteristic features of the weather. The mean seasonal precipitation as measured at Chico, in said County of Butte, is approximately 24.04 inches, of which more than ninety per cent occurs during the period from October 1 to April 30. The precipitation during the summer months cannot be depended upon for crop growth. Records of temperature at Chico show that the monthly mean minimum temperature exceeds 40 degrees during the period from March to October, inclusive. The monthly mean maximum temperature exceeds 73 degrees during the period from April to October, inclusive, and the monthly mean for this period exceeds 60 degrees. The highest recorded temperature at Chico was 117 degrees and the lowest was 11 degrees, a range of 106 degrees. The average length of growing season is about 233 days, extending from March 26 to November 14.

11. The soils of the irrigated lands involved in this proceeding range from clay adobe to gravelly loams in their various phases with the loams predominating. The crops grown in the area are well adapted to the soils.

12. A wide variety of irrigated crops is grown in the Butte Creek area due to the long growing season and the well sustained summer water supply. The largest acreage devoted to any one crop is that utilized for the production of rice. Alfalfa, orchard and truck are also extensively grown. A smaller area is cropped to irrigated grain, Egyptian corn, irrigated pasture and meadow hay.

13. The successful production of said basic crops is dependent upon irrigation, and since the water supply of Butte Creek and its tributaries is inadequate for all agricultural needs throughout each irrigation season, it is essential that the rights in and to the use of waters of Butte Creek and tributaries be determined in order that there may be an orderly distribution thereof to the lawful owners.

GENERAL DEFINITIONS, LIMITATIONS AND PROVISIONS

14. The term "act" when used herein means the "water commission act", being Chapter 586, Statutes of 1913 of the State of California as amended; the term "stream system" when used herein means Butte Creek and its tributaries above the Western Dam near Nelson; the term "claimant" when used herein means a party claiming rights in and to the use of waters of Butte Creek or any of its tributaries above the Western Dam, near Nelson.

15. Although all quantities of water hereinafter found for the several claimants for direct application to beneficial use are severally expressed in terms of continuous flow, nevertheless, nothing herein contained shall be construed as limiting or restricting the rights of any such claimants to rotate in the use of water, or the right of any such claimant to divert for limited periods of time convenient irrigation heads, and thus apply water to his lands at a greater rate than indicated by the quantity of continuous flow so found; provided, that such practice of rotation or use of irrigation heads shall not result in the use by any such claimant of a total quantity of water during any thirty-day period in excess of the equivalent of such claimant's continuous flow allowance for thirty days, except as hereinafter otherwise expressly provided in paragraphs 70, 72, 73 and 75; and provided further, that such practice of rotation or such use of irrigation heads shall not impair or infringe the rights of any other claimant.

16. Nothing herein contained shall, or shall be construed to, prevent any of the claimants herein, who jointly use a ditch, where there is a continuous flow allotment to said ditch, from employing by agreement of such joint users of said ditch a system of rotation in use as among themselves; or prevent any claimant herein who has allotments to two or more ditches, from using all or any portion of the summation of such allotments through each or any of said ditches on all or any portion of his lands; provided the total quantity of water diverted by said claimant at any time shall not exceed said summation of such allotments; and provided further, such practice of rotation or such use of irrigation heads shall not impair or infringe the

rights of any other claimant.

17. The term "directly apply to beneficial use" means 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 for a convenient irrigation head.

18. The term "natural flow" means such flow as will naturally occur at any given point in a stream from the runoff 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.

19. Nothing herein contained shall, or shall be construed to, allocate to any claimant a right to divert from Butte Creek and its tributaries above the Western Dam, near Nelson, at any time, a quantity of water in excess of the amount reasonably necessary for his requirements and being put to beneficial use by said claimant.

20. The "Division of Water Resources Map", hereinafter referred to as D.W.R. Map, is the map prepared by the Division of Water Resources of the Department of Public Works of the State of California, from its surveys made in 1939, which map comprises six sheets, is entitled "Butte Creek Stream System Showing Diversions and Irrigated Lands, Butte County, California", is dated 1939, and is on file in this proceeding.

DEFINITION OF WATER RIGHTS

21. The rights in and to the waters, and in and to the use thereof, from said stream system are divided into five separate groups, designated as follows:

Foreign Water Rediversion Group, Non-Consumptive Use Group, Little Butte Creek Group, Upper Butte Creek Group, and Butte Creek Group; and all rights in each of the four first named

groups, to wit, Foreign Water Rediversion, Non-Consumptive Use, Little Butte Creek and Upper Butte Creek are independent of all rights in the remaining three of said four first named groups, but are superior in priority and in right to all rights in said Butte Creek group as hereinafter set forth.

22. The various claimants in the proceeding are entitled to use of the waters of said stream system upon the places of use hereinafter described under their respective names in Schedule 1, and are entitled to divert said waters at the respective points of diversion from said stream system as hereinafter named, numbered and described in Schedule 2. The respective points of measurement of the quantities of water hereinafter allotted to the several claimants are at said respective points of diversion from said stream system, except the respective points of measurement of the allotments to A. P. Kundert, Roy L. Pearson, Orval L. Pearson, Eunice A. Cartwright and Mildred Laughlin through the Hupp Canal (Diversions 24F and 25) set forth in Paragraph 46 hereof, to Pacific Gas and Electric Company through the Butte Creek Canal (Diversion 45) and the Centerville Canal (Diversion 47) set forth in Schedule 6 hereof, and to Samuel A. Atkins and Barbara Ina Atkins, Edwin A. Carlson and Gladys Carlson, D. A. Hook and W. S. Hook, and Elmo Jacks and Louise Jacks through the Colony Upper Ditch (Diversion 56) set forth in Schedule 7 hereof, shall be at the respective places of use thereof as hereinafter described under their respective names in said Schedule 1.

23. The various claimants in the proceeding are entitled to "interrelated", "special class" and "surplus class" water rights. All allocations of "interrelated" water rights in each of said groups in said stream system, as hereinbefore designated in paragraph 21, occur in various priority classes and are hereinafter set forth in Schedules 3, 4, 5, 6 and 7; each of the Little Butte Creek, Upper Butte Creek and Butte Creek groups, contains rights in "special class" in addition to the

water right allocations set forth in said Schedules 5 and 6, which rights in "special class" are superior in priority and in right to all other rights in the group in which said rights in "special class" respectively occur as hereinafter set forth; and each of the Little Butte Creek and Butte Creek groups, contains rights in "surplus class" in addition to the water right allocations set forth in said Schedules 5 and 7 and in addition to said rights in "special class", which rights in "surplus class" are inferior and subject to all other rights in the stream system.

24. All allotments set forth in Schedules 3 and 4 hereof, all allotments in "special class" in the Little Butte Creek and Upper Butte Creek groups hereinafter defined in paragraphs 34 to 45, inclusive, and paragraphs 50 to 55, inclusive, the allotments for domestic and stock-watering purposes set forth in paragraph 46, all allotments in "first priority class" set forth in Schedules 5, 6 and 7, hereof, the allotment to Paradise Irrigation District set forth in Schedule 5, and all allotments in "third priority class" and "fourth priority class" set forth in Schedule 7 shall be for continuous usage without regard to season; the allotments for irrigation purposes set forth in paragraph 46, all allotments in "second priority class", "third priority class" and "fourth priority class", except the allotment to Paradise Irrigation District, set forth in Schedule 5, and all allotments in "second priority class" set forth in Schedules 6 and 7 shall be for usage during the season from April 1 to October 15, both dates inclusive, of each and every year; provided however, that nothing herein contained shall, or shall be construed to prevent a free flow of water at maximum capacity through a 24-inch pipe at the intake of the Compton-Entler Ditch (Diversion 54) at all times when the total natural flow available for diversion from Butte Creek below the confluence of Little Butte Creek is in excess of 88.0 cubic feet per second; and all allotments in "special class" in the Butte Creek group, and all allotments in "surplus class" herein set forth shall be for di-

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version during the respective seasons hereinafter stated therefor in paragraphs 48, 59 to 64, inclusive, and 68 to 75, inclusive.

Definition of Water Rights in Foreign Water Rediversion Group

25. The Foreign Water Rediversion Group, as hereinbefore designated in paragraph 21, comprises all rights to red divert foreign water delivered into Butte Creek at the Centerville Power Plant from the West Branch of Feather River by Pacific Gas and Electric Company; and the total quantity available for such rediversion shall be determined as the difference between the total quantity delivered into Butte Creek and five per cent thereof, which five per cent represents the deduction for transportation losses in the foreign water between the point of delivery into Butte Creek and the point of rediversion therefrom.

26. The various claimants enumerated in Schedule 3 hereof are entitled to said rights designated in paragraph 25, which occur in "first priority class" and "second priority class", during the season hereinbefore stated in paragraph 24, for domestic, stock-watering and irrigation purposes upon their respective lands as shown on said D.W.R. Map and as described under their respective names in Schedule 1 hereof, and for diversion to storage, through the Parrott Ditch (Diversion 50) in accordance with the acreages to be supplied, and priorities and quantities of water allotted as set forth in said Schedule 3. Said rights in "first priority class" are equal in priority and correlative in right, are superior in priority and in right to all other rights in said Foreign Water Rediversion Group, and at all times when the available water supply is inadequate to supply all of said rights in "first priority class", then during the continuance of such shortage, the owners of such rights shall prorate the available water supply in accordance with their respective allotments in said "first priority class" as set forth in said Schedule 3. Said rights in "second priority class" are equal in priority and correlative in right, are subject and inferior to said rights in

"first priority class", and at all times when the available water supply is inadequate to supply all of said rights in "second priority class", then during the continuance of such shortage, the owners of such rights shall prorate the available water supply, if any, in excess of the quantity required to supply said rights in "first priority class", in accordance with their respective allotments in said "second priority class" as set forth in said Schedule 3; provided however, the rights of M. & T. Incorporated and Parrott Investment Company are subject to the provisions hereinafter set forth in paragraphs 27 and 28.

27. The claimants hereinafter named in this paragraph shall be entitled to divert from waters flowing in the Parrott Ditch and Edgar Slough for domestic and stock-watering purposes and for the irrigation of their lands hereinafter described under their respective names in Schedule 1, the amounts set forth after their respective names as follows:

Harold D. Estes	- 1.33 cubic feet per second
Lester K. Thomasson, N. H. Thomasson, Beryl V. Thomasson, Zelma L. Stevens, and Effie M. Bruce	- 0.625 cubic foot per second
United States Department of Agriculture, Bureau of Plant Industry, Plant Introduction Garden	- 0.625 cubic foot per second

and said diversions and uses are subject to the provisions of the judgment and decree entered in March, 1931 in the case of James D. Phelan, et al., vs. El Ora Dredging Company, et al., Superior Court, Butte County No. 11483.

28. At any time M. & T. Incorporated does not take and use the full amount of its allocations herein set forth in paragraph 26 and Schedule 3, or does not take any water, Parrott Investment Company shall be entitled to take and use, subject to prior rights, the remainder not taken by M. & T. Incorporated, or the entire amount available for redirection in the event M. & T. Incorporated is not taking any; and at any time Parrott Investment Company does not take and use the full amount of its allocations herein set forth in paragraph 26 and

Schedule 3, or does not take any water, M. & T. Incorporated shall be entitled to take and use, subject to prior rights, the remainder not taken by Parrott Investment Company, or the entire amount available for redirection in the event Parrott Investment Company is not taking any.

Definition of Water Rights in Non-Consumptive Use Group

29. The Non-Consumptive Use Group, as hereinbefore designated in Paragraph 21, comprises all rights in and to the waters, and in and to the use thereof, in the Butte Creek stream system for mining and power purposes and to provide potable domestic supplies, as hereinafter defined in paragraphs 30 to 32, inclusive, and in Schedule 4.

30. The various claimants enumerated in Schedule 4 are entitled to the rights in and to the use of the waters flowing in said Butte Creek and its tributaries upon their respective lands as shown on said D.W.R. Map and described under their respective names in Schedule 1 hereof in accordance with the purposes, quantities of water allotted from the sources named, and through the diversions numbered and named as set forth in said Schedule 4. The quantities of water so diverted under said rights for non-consumptive uses, with the exception of the amounts necessarily lost in transportation, shall be returned from the respective places of use in the most direct manner to Butte Creek and its tributaries. Each of said rights for non-consumptive uses is subject and inferior to all rights situated upstream, but is superior in priority and in right to all rights situated downstream from the point of diversion in the Butte Creek stream system.

31. Pacific Gas and Electric Company shall at all times be entitled to divert the entire flows of North Fork of Stevens Creek, South Fork of Stevens Creek and Clear Creek into the Butte Creek Canal (Diversion 45) and use said flows so diverted for the generation of electrical energy at the De Sabla Power Plant; and Pacific Gas and Electric Company shall at all

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times be entitled to divert the entire flow of Helltown Ravine up to the available capacity of the Centerville Canal (Diversion 47) at the junction of said ravine and said canal and use the flow so diverted for the generation of electrical energy at the Centerville Power Plant.

32. The interests in the water rights set forth in Schedule 4 hereof for Herbert W. Whitten, Marjorie C. Whitten, Olive M. Young, George Mead, Anna Mead, T. H. Polk and Lucia V. Polk shall be as follows:

Herbert W. Whitten and Marjorie C. Whitten	- 5/8 interest
Olive M. Young	1/8 interest
George Mead and Anna Mead	1/8 interest
T. H. Polk and Lucia V. Polk	1/8 interest

Definition of Water Rights in Little Butte Creek Group

33. The Little Butte Creek group, as hereinbefore designated in paragraph 21, comprises thirteen rights in "special class" as hereinafter defined in paragraphs 34 to 46, inclusive, interrelated rights set forth in paragraph 47 and Schedule 5 hereof, and one right in "surplus class" hereinafter defined in paragraph 48. All interrelated rights, occur in "first priority class", "second priority class", "third priority class", and "fourth priority class". Said "special class" rights are independent of each other, but are superior in priority and in right to all other rights in said Little Butte Creek group.

34. LOVIE L. DOWNS is entitled to divert as a right in said "special class" from the natural and developed flow of Downs Spring at a point designated on said D.W.R. Map as Diversion 17, described in Schedule 2 hereof, through the Downs Spring Pipe Line,

0.03 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic, stock-watering and irrigation purposes on her land hereinafter described under her name in Schedule 1.

35. FRANCES. B. HAMILTON, A. C. MUSSELMAN, and GEORGE P. MORSE, collectively, are entitled to divert as a right in said

"special class" from the natural flows of Reilly Ravine, Musselman Creek and tributary springs at points designated on said D. W.R. Map as Diversions 16A and 18, described in Schedule 2 hereof, through the Hamilton Ditches,

0.50 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic and stock-watering purposes and for the supplemental irrigation of their lands hereinafter described under their names in Schedule 1.

36. JOE A. SAGI is entitled to divert as a right in said "special class" from the natural flows of Sagi Springs at points designated on said D.W.R. Map as Diversion 24, described in Schedule 2 hereof, through the Sagi Pipe Lines,

0.15 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic, stock-watering and irrigation purposes on his lands hereinafter described under his name in Schedule 1.

37. MERRITT MUSSELMAN and FLORENCE V. MUSSELMAN, collectively, are entitled to divert as a right in said "special class" from the natural and developed flows of Musselman Springs at a point designated on said D.W.R. Map as Diversion 18A, described in Schedule 2 hereof, through the Musselman Springs Pipe Line,

0.10 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic, stock-watering and irrigation purposes on their lands hereinafter described under names in Schedule 1.

38. ELSIE HUME MANN is entitled to divert as a right in said "special class" from the natural and developed flow of Mann Spring at a point designated on said D.W.R. Map as Diversion 35, described in Schedule 2 hereof, through the Mann Spring Pipe Line,

0.02 cubic foot per second

during the season hereinbefore stated in paragraph 24, for

domestic, stock-watering and irrigation purposes on her land hereinafter described under her name in Schedule 1.

39. FANNIE M. McENESPY is entitled to divert as a right in said "special class" from the natural flow of Honey Run Creek at points designated on said D.W.R. Map as Diversions 33 and 34, described in Schedule 2 hereof, through the McEnespy North and McEnespy Main Ditches,

1.00 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic, stock-watering and irrigation purposes on her lands hereinafter described under her name in Schedule 1.

40. FANNIE M. McENESPY is entitled to divert as a right in said "special class" from the natural and developed flow of McEnespy Spring at a point designated on said D.W.R. Map as Diversion 34A, described in Schedule 2 hereof, through the McEnespy Pipe Line and McEnespy Spring Channel,

0.10 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic, stock-watering and irrigation purposes on her lands hereinafter described under her name in Schedule 1.

41. S. A VANDEGRIFT is entitled to divert as a right in said "special class" from the natural and developed flow of Vandegrift Spring at a point designated on said D.W.R. Map as Diversion 24C, described in Schedule 2 hereof, through the Vandegrift Spring Ditch

0.50 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic and stock-watering purposes on his Vandegrift Spring and Little Butte Creek lands hereinafter described under his name in Schedule 1.

42. S. A VANDEGRIFT is entitled to divert as a right in said "special class" from the natural and developed flow of Michaels Spring at a point designated on said D.W.R. Map as Diversion 24E, described in Schedule 2 hereof, through the

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Michaels Ditch,

0.15 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic, stock-watering and irrigation purposes on his Cooper Place lands hereinafter described under his name in Schedule 1.

43. ANNA SPANGLER is entitled to divert as a right in said "special class" from the natural and developed flow of Spangler Springs at a point designated on said D.W.R. Map as Diversion 13A, described in Schedule 2 hereof, through the Spangler Pipe Line,

0.05 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic and stock-watering purposes on her lands hereinafter described under her name in Schedule 1.

44. ESTATE OF ERNEST DUENSING, deceased, is entitled to divert as a right in said "special class" from the natural and developed flow of Duensing Spring at a point designated on said D.W.R. Map as Diversion 14A, described in Schedule 2 hereof, through the Duensing Spring Ditch,

0.15 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic, stock-watering and irrigation purposes on the lands hereinafter described under the name of said estate in Schedule 1.

45. VANDEGRIFT TRUST is entitled to divert as a right in said "special class" from the natural flow of Meadow Brook at a point designated on said D.W.R. Map as Diversion 21, described in Schedule 2 hereof, through the Meadowbrook Ditch,

1.00 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic, stock-watering and irrigation purposes on the lands hereinafter described under the name of said trust in Schedule 1.

46. F. E. WHITLOCK, ROY L. PEARSON, ORVAL L. PEARSON, EUNICE A. CARTWRIGHT and MILDRED LAUGHLIN, and A. P. KUNDERT are entitled to divert as rights in said "special class" through the

Hupp Canal, from the natural flows in the West and East Branches of Middle Butte Creek at points respectively designated on said D.W.R. Map as Diversions 24F and 25 and described in Schedule 2 hereof, during the seasons hereinbefore stated in paragraph 24, in the amounts hereinafter set forth in this paragraph after their respective names:

(a) for domestic and stock-watering purposes:

F. E. Whitlock 0.20 cubic foot per second

Roy L. Pearson,
Orval L. Pearson,
Eunice A. Cartwright
and Mildred Laughlin 0.05 cubic foot per second

A. P. Kundert 0.05 cubic foot per second

(b) and for irrigation purposes:

F. E. Whitlock 0.40 cubic foot per second

Roy L. Pearson,
Orval L. Pearson,
Eunice A. Cartwright
and Mildred Laughlin 0.05 cubic foot per second

A. P. Kundert 0.05 cubic foot per second

said allotments to be used for said purposes upon their lands hereinafter described under their respective names in Schedule 1; provided however, that the total quantity of 0.80 cubic foot per second, allocated as above, shall only be diverted to the extent necessary to obtain delivery of a total of 0.50 cubic foot per second at a point immediately below the inflow into the Hupp Canal from said West Branch; and provided further, that diversion from said East Branch shall be restricted to times when the flow available for diversion from said West Branch into the Hupp Canal is insufficient to supply said quantity of 0.50 cubic foot per second at said point of inflow into said canal, and at such times diversion from said East Branch shall be limited to the difference between 0.80 cubic foot per second and the flow available for diversion from said West Branch, or such lesser amount as may be sufficient to enable a total delivery from both branches of 0.50 cubic foot per second at said point immediately below the inflow into said canal from said West Branch.

47. Subject to the rights hereinbefore defined in paragraphs 34 to 46, inclusive, the various claimants enumerated in Schedule 5 hereof are entitled to said rights in "first priority class", "second priority class", "third priority class", and "fourth priority class" in and to the use of the natural flow of Little Butte Creek and its tributaries, during the seasons hereinbefore stated in paragraph 24, for domestic, stock-watering and irrigation purposes upon their respective lands as shown on said D.W.R. Map and as described under their respective names in Schedule 1 hereof, in accordance with the acreages to be supplied, priorities and quantities of water allotted, and through the diversions numbered and named as set forth in said Schedule 5; provided however, that the total allotments of water, allocated as set forth in said Schedule 5, shall only be diverted by said claimants to the extent necessary to obtain delivery at their respective places of use the amounts of water respectively set forth after the numbers and names of the diversion systems as follows:

<u>Diversion Number as per D.W.R. Map</u>	<u>Name of Diversion System</u>	<u>Amount of Net Delivery Cubic Feet Per Second</u>
13	Webb	0.05
13A	Spangler Pipe	0.20
14	Duensing	0.30
20 & 20A	Richardson	1.50
22 & 23	Paradise & Nickerson	4.50
27	Ripley	0.10
23A	Vandegrift	0.20
28B	Post Pump	0.15
24A	Hook	0.10
24B	Vandegrift East Branch	0.50
24D	Vandegrift West Branch	0.50
26	Ethel	0.05
26B	Eureka Pump	0.05
30	Todd (Evers)	0.80
31	Burke	1.70
32	McLain	1.00

Said rights in "first priority class" are equal in priority and correlative in right, are subject and inferior to the rights hereinbefore set forth in paragraphs 34 to 46, inclusive, but are superior in priority and in right to all other rights in the Little Butte Creek Group, and at all times when the available water supply is inadequate to supply all of said rights in "first priority class",

then during the continuance of such shortage, the owners of such rights shall prorate the available water supply, if any, in excess of the quantity required to supply said prior rights, in accordance with the respective allotments in said "first priority class" as set forth in said Schedule 5. Said rights in "second priority class" are equal in priority and correlative in right, are subject and inferior to the rights hereinbefore set forth in paragraphs 34 to 46, inclusive, and to said rights in "first priority class", but are superior in priority and in right to all other rights in the Little Butte Creek Group, and at all times when the available water supply is inadequate to supply all of said rights in "second priority class", then during the continuance of such shortage, the owners of such rights shall prorate the available water supply, if any, in excess of the quantity required to supply said prior rights, in accordance with their respective allotments in "second priority class" as set forth in said Schedule 5. Said rights in "third priority class" are equal in priority and correlative in right, are subject and inferior to the rights hereinbefore set forth in paragraphs 34 to 46, inclusive, and to said rights in "first priority class" and "second priority class", but are superior in priority and in right to all other rights in the Little Butte Creek Group, and at all times when the available water supply is inadequate to supply all of said rights in "third priority class", then during the continuance of such shortage, the owners of such rights shall prorate the available water supply, if any, in excess of the quantity required to supply said prior rights, in accordance with their respective allotments in said "third priority class" as set forth in said Schedule 5. Said "fourth priority class" contains only one right, which right is superior in priority and in right to the right hereinafter defined in paragraph 48, but is subject and inferior to all other rights in the Little Butte Creek group.

48. Subject to the rights hereinbefore defined in the Little Butte Creek group, PARADISE IRRIGATION DISTRICT is entitled

to divert, under the right in said "surplus class" from the natural flow of Little Butte Creek at a point designated on said D.W.R. Map as Diversion 22, described in Schedule 2 hereof, for storage in the Magalia Reservoir,

9,500 acre-feet per annum,

said water to be diverted at any season of each year, whenever there is a surplus of water over and above the quantity required to fully supply all rights hereinbefore set forth to divert and directly apply water to beneficial use in said Little Butte Creek group, and impounded in said Magalia Reservoir, situated in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 25, all in T 23 N, R 3 E, M.D.B.&M.; said water to be thereafter withdrawn from said reservoir from April first to September thirtieth, both dates inclusive, of each year for irrigation purposes and at all times throughout each year as required for domestic and stock-watering purposes within the boundaries of the Paradise Irrigation District as hereinafter described under the name of said district in Schedule 1, all in accordance with Application 476 filed under the provisions of the Water Commission Act; provided, that prior to December 1, 1947, or such further time as may be hereafter granted by the court herein, the Paradise Irrigation District shall have completed said appropriation from Little Butte Creek and applied said water to beneficial use in accordance with the terms of the Division of Water Resources Permit 271, issued on Application 476, and shall have submitted evidence of such completed appropriation and use to the Superior Court of the State of California, in and for the County of Butte, and subject to the provisions of such supplemental decree as the court herein may hereafter enter in accordance with the provisions of Section 36f of said Water Commission Act.

Definition of Water Rights in Upper Butte Creek Group

49. The Upper Butte Creek group, as hereinbefore designated in paragraph 21, comprises rights of "special class", "first priority class", and "second priority class". Said "special class" embraces six rights hereinafter defined in paragraphs 50 to 55, inclusive, which are independent of each other, but are superior in

priority and in right to all other rights in the Upper Butte Creek group.

50. THE DIAMOND MATCH COMPANY is entitled to divert as a right in said "special class" from the natural flows of Malloy Creek, Maple Spring, Bull Creek, Mud Cut, and an unnamed spring at points designated on said D.W.R. Map as Diversions 10, 10A, 10B and 10C, described in Schedule 2 hereof, through the Diamond Match System,

2.00 cubic feet per second,
during the season hereinbefore stated in paragraph 24, for domestic, stock-watering and industrial purposes on the lands hereinafter described under the name of said company in Schedule 1; and said company is entitled to substitute other sources of supply in the Butte Creek stream system to which said lands of said company are riparian for the sources presently utilized as above named, as the site of operations is moved from time to time; provided however that the combined consumption of water by said company from the Butte Creek stream system shall not at any time exceed 2.00 cubic feet per second; and provided further that such substitution of sources of supply shall not impair or infringe the rights of any other claimant.

51. RICHARD A COLGAN, JR. is entitled to divert as a right in said "special class" from the natural and developed flow of Cold Spring at a point designated on said D.W.R. Map as Diversion 40, described in Schedule 2 hereof, through the Colgan Pipe Line,

0.14 cubic foot per second,
during the season hereinbefore stated in paragraph 24, for domestic and commercial purposes on his lands hereinafter described under his name in Schedule 1.

52. F. K. MICKEY and J. H. MINDERMAN, collectively, are entitled to divert as a right in said "special class" from the natural and developed flow of M. & M. Spring at a point designated on said D.W.R. Map as Diversion 2, described in Schedule 2 hereof,

through the Mickey-Minderman Pipe Line,

0.07 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic and stock-watering purposes on their lands hereinafter described under their names in Schedule 1.

53. EDWIN B. COPELAND is entitled to divert as a right in said "special class" from the natural flow of Butte Creek and springs tributary thereto within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, T 26 N, R 4 E, M.D.B.&M. at any point within said 40-acre tract,

0.20 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic and stock-watering purposes on his lands hereinafter described under his name in Schedule 1.

54. J. H. LUCAS is entitled to divert as a right in said "special class" from the natural and developed flow of Lomo Springs at a point designated on said D.W.R. Map as Diversion 67, described in Schedule 2 hereof, through the Lomo Springs Pipe Line,

0.40 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic and stock-watering purposes and for the irrigation of his lands hereinafter described under his name in Schedule 1.

55. CARL NELSON SWARTZ AND ESTHER M. SWARTZ collectively, are entitled to divert as a right in said "special class" from the natural and developed flow of Evers Spring at a point designated on said D.W.R. Map as Diversion 25A, described in Schedule 2 hereof, through the Evers Spring Channel,

0.15 cubic foot per second,

during the season hereinbefore stated in paragraph 24, for domestic, stock-watering and irrigation purposes on their lands hereinafter described under their names in Schedule 1.

56. Subject to the rights hereinbefore defined in paragraphs 50 to 55, inclusive, the various claimants enumerated in Schedule 6 hereof are entitled to said rights in "first priority class" and "second priority class" in and to the use of the

natural flow of Butte Creek and its tributaries above the confluence of Little Butte Creek, during the seasons hereinbefore stated in paragraph 24, for domestic, stock-watering and irrigation purposes upon their respective lands as shown on said D.W.R. Map and as described under their respective names in Schedule 1 hereof, in accordance with the acreages to be supplied, priorities and quantities of water allotted, and through the diversions numbered and named as set forth in Schedule 6. Said rights in "first priority class" are equal in priority and correlative in right, are subject and inferior to the rights hereinbefore set forth in paragraphs 50 to 55, inclusive, but are superior in priority and in right to all other rights in the Upper Butte Creek group, and at all times when the available water supply is inadequate to supply all of said rights in "first priority class", then during the continuance of such shortage, the owners of such rights shall prorate the available water supply, if any, in excess of the quantity required to supply said prior rights, in accordance with their respective allotments in said "first priority class" as set forth in Schedule 6. Said rights in "second priority class" are equal in priority and correlative in right, are subject and inferior to said rights hereinbefore set forth in paragraphs 50 to 55, inclusive, and to said rights in "first priority class", and at all times when the available water supply is inadequate to supply all of said rights in "second priority class", then during the continuance of such shortage, the owners of such rights shall prorate the available water supply, if any, in excess of the quantity required to supply said prior rights, in accordance with their respective allotments in said "second priority class" as set forth in Schedule 6; and whenever the total flow available in Jones Creek for the rights set forth in said Schedule 6 for Edwin B. Copeland and F. K. Mickey and J. H. Minderman is inadequate to fully supply their requirements said total available flow shall at such times be prorated on the basis of one part to Edwin B. Copeland and and three parts to F. K. Mickey and J. H. Minderman, collectively.

57. The right of PACIFIC GAS AND ELECTRIC COMPANY herein

set forth in paragraph 56 and Schedule 6 to divert 1.175 cubic feet per second in "first priority class" from Butte Creek through its Butte Creek Canal at a point designated on said D.W.R. Map as Diversion 45, described in Schedule 2 hereof, during the season hereinbefore stated in paragraph 24, is for public service delivery to consumers hereinafter named in this paragraph through appropriate openings or taps in the Upper Centerville Canal in the amounts of water not to exceed those set forth opposite their respective names, as follows:

<u>Name of Consumer</u>	<u>Amount Cubic feet per Second</u>
Carl Nelson Swartz and Esther M. Swartz	0.25
Thos. H. Jacobs and Dorothy L. Jacobs	0.25
C. M. Archer	0.15
Ellenore K. Robbins and Samuel P. Robbins	0.20
L. C. Bonham	0.225
S. A Vandegrift and Frank Graham	<u>0.10</u>
Total	1.175

and said consumers shall be entitled to use said amounts of water for domestic, stock-watering and irrigation purposes upon their lands hereinafter described under their respective names and the name of Pacific Gas and Electric Company (Public Service) in Schedule 1; the rights to service hereinbefore set forth in this paragraph are contingent upon the use of the Upper Centerville Canal (sometimes known as Old Cherokee Ditch) by Pacific Gas and Electric Company, or its successors in interest, as a conduit for conveying water, but said consumers shall be entitled to service as hereinabove provided at all times when water is flowing in said canal; and the rights to service hereinbefore set forth in this paragraph, with the exception of the right of Ellenore K. Robbins and Samuel P. Robbins, are restricted to uses exclusively for domestic, stock-watering and irrigation purposes, and said purposes of use, with the exception stated, cannot be changed to mining or any other purpose of use.

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Definition of Water Rights in Butte Creek Group

58. The Butte Creek group as hereinbefore designated in paragraph 21, comprises rights of "special class", "first priority class", "second priority class", "third priority class", "fourth priority class", and "surplus class". Said "special class" embraces six rights hereinafter defined in paragraphs 59 to 64, inclusive, which are superior in priority and in right to all other rights in and to the use of the waters in Hamlin Slough; and the relative priorities of said rights in "special class" are as herein-after set forth in said paragraphs 59 to 64, inclusive.

59. E. L. ADAMS and LOU R. ADAMS, collectively are entitled to divert as rights in said "special class" from the waters flowing in Hamlin Slough at points designated on said D.W.R. Map as Diversions 64 and 65, described in Schedule 2 hereof, through the Adams Hamlin Slough Ditch and the Adams Hamlin Pump,

0.82 cubic foot per second,

for domestic and stock-watering purposes continuously throughout each year, and

3.00 cubic feet per second,

for supplemental irrigation, during the period from May 1 to October 1, both dates inclusive, of each year, on 1191.2 acres of their lands in Tract #2 hereinafter described under their names in Schedule 1; and

1.00 cubic foot per second,

for domestic and stock-watering purposes continuously throughout each year, and

3.58 cubic feet per second,

for supplemental irrigation, during the period from May 1 to October 1, both dates inclusive, of each year, on 2533.2 acres of their lands in Tract #1 hereinafter described under their names in said Schedule 1; the rights hereinbefore set forth in this paragraph are equal in priority and correlative in right with the rights hereinafter set forth in paragraph 60, and at all times when the available water supply in said Hamlin Slough is inadequate

to supply all of said rights set forth in said paragraphs 59 and 60, then during the continuance of such shortage, the owners of such rights shall prorate the available water supply in accordance with their respective allotments as set forth in said paragraphs 59 and 60; and said rights herein defined in said paragraphs 59 and 60 are superior in priority and in right to all other rights hereinafter set forth in and to the use of the waters flowing in said Hamlin Slough.

60. HERBERT W. WHITTEN AND MARJORIE C. WHITTEN, collectively, are entitled to divert as rights in said "special class" from the waters flowing in Hamlin Slough at points designated on said D.W.R. Map as Diversions 64 and 65, described in Schedule 2 hereof, through the Adams Hamlin Slough Ditch and the Adams Hamlin Pump,

0.60 cubic foot per second,
for domestic and stock-watering purposes continuously throughout each year, and

3.00 cubic feet per second,
during the period from May 1 to October 1, both dates inclusive, of each year, for supplemental irrigation on 665.3 acres of their lands hereinafter described under their names in Schedule 1; and the rights set forth in this paragraph are equal in priority and correlative in right with the rights hereinbefore defined in paragraph 59, but are superior in priority and in right to all other rights hereinafter set forth in and to the use of the waters flowing in said Hamlin Slough.

61. Subject to the rights hereinbefore defined in paragraphs 59 and 60, RALPH C. GORRILL is entitled to divert as rights in said "special class" from the waters flowing in Hamlin Slough at a point designated on said D.W.R. Map as Diversion 66, described in Schedule 2 hereof, through the Gorrill-Hamlin Ditch,

1.00 cubic foot per second,
for domestic and stock-watering purposes continuously throughout each year, and

14.00 cubic feet per second,
during the period from April 15 to June 30, both dates inclusive,
of each year for supplemental irrigation on his lands hereinafter
described under his name in Schedule 1, provided however, the com-
bined amount of water diverted by said Ralph C. Gorrill from Butte
Creek and Hamlin Slough under all of his rights herein set forth
in this Order of Determination shall at no time exceed 21.7 cubic
feet per second; and the rights set forth in this paragraph are
superior in priority and in right to all other rights hereinafter
set forth in and to the use of the waters flowing in said Hamlin
Slough.

62. Subject to the rights hereinbefore defined in para-
graphs 59, 60 and 61, E. L. ADAMS and LOU R. ADAMS, collectively,
are entitled to divert as a right in said "special class" from
the waters flowing in Hamlin Slough at points designated on said
D.W.R. Map as Diversions 64 and 65, described in Schedule 2 hereof,
through the Adams Hamlin Slough Ditch and the Adams Hamlin Pump,

3.22 cubic feet per second,
during the period from April 1 to September 15, both dates inclu-
sive, of each year, for supplemental irrigation on 2533.2 acres of
their lands in Tract #1 hereinafter described under their names in
Schedule 1; and the right set forth in this paragraph is equal in
priority and correlative in right with the rights hereinafter de-
fined in paragraphs 63 and 64, and at all times when the available
water supply in said Hamlin Slough is inadequate to supply all of
said rights set forth in said paragraphs 62, 63 and 64, then during
the continuance of such shortage, the owners of such rights shall
prorate the available water supply, if any, in excess of the quan-
tity required to supply all prior rights, in accordance with their
respective allotments as set forth in said paragraphs 62, 63 and
64. In addition to the provisions hereinbefore set forth in para-
graph 15 whenever the flow in Hamlin Slough is adequate to so per-
mit, water may be diverted under the right set forth in this para-
graph at a greater rate than the continuous flow allotment herein

specified; provided however, that at no time shall water be diverted at a greater rate than 9.66 cubic feet per second and provided further, that the total quantity of water diverted in any season shall not exceed the equivalent of said continuous flow allotment for the season.

63. Subject to the rights hereinbefore defined in paragraphs 59, 60 and 61, HERBERT W. WHITTEN and MARJORIE C. WHITTEN, collectively, are entitled to divert as a right in said "special class" from the waters flowing in Hamlin Slough at points designated on said D.W.R. Map as Diversions 64 and 65, described in Schedule 2 hereof, through the Adams Hamlin Slough Ditch and the Adams Hamlin Pump,

1.38 cubic feet per second, during the period from April 1 to September 15, both dates inclusive, of each year, for supplemental irrigation on 665.3 acres of their lands hereinafter described under their names in Schedule 1; and the right set forth in this paragraph is equal in priority and correlative in right with the rights herein defined in paragraphs 62 and 64. In addition to the provision hereinbefore set forth in paragraph 15, whenever the flow in Hamlin Slough is adequate to so permit, water may be diverted under the right set forth in this paragraph at a greater rate than the continuous flow allotment herein specified; provided however, that at no time shall water be diverted at a greater rate than 5.14 cubic feet per second; and provided further, that the total quantity of water diverted in any season shall not exceed the equivalent of said continuous flow allotment for the season.

64. Subject to the rights hereinbefore defined in paragraphs 59, 60 and 61, RALPH C. GORRILL is entitled to divert as a right in said "special class" from the waters flowing in Hamlin Slough at a point designated on said D.W.R. Map as Diversion 66, described in Schedule 2 hereof, through the Gorrill-Hamlin Ditch,

6.70 cubic feet per second, during the period from April 1 to June 30, both dates inclusive,

of each year, and

21.70 cubic feet per second,

during the period from July 1 to September 15, both dates inclusive, of each year, for supplemental irrigation on his lands hereinafter described under his name in Schedule 1, provided however, the combined amount of water diverted by said Ralph C. Gorrill from Butte Creek and Hamlin Slough under all of his rights herein set forth in this Order of Determination shall at no time exceed 21.7 cubic feet per second; and the rights set forth in this paragraph are equal in priority and correlative in right with the rights hereinbefore defined in paragraphs 62 and 63.

65. Subject to all rights hereinbefore defined, the various claimants enumerated in Schedule 7 hereof are entitled to said rights in "first priority class", "second priority class", "third priority class" and "fourth priority class", in and to the use of the natural flow of Butte Creek and its tributaries, during the seasons hereinbefore stated in paragraph 24, for domestic, stock-watering and irrigation purposes upon their respective lands as shown on said D.W.R. Map and as described under their respective names in Schedule 1 hereof, in accordance with the acreages to be supplied, priorities and quantities of water allotted, and through the diversions numbered and named as set forth in said Schedule 7. During the season from October 16 of each year to March 31 of the succeeding year, both dates inclusive, said rights in "first priority class" are equal in priority and correlative in right, are subject and inferior to the rights hereinbefore defined in paragraphs 59 to 64, inclusive, but are superior in priority and in right to all other rights in said Butte Creek group, and at all times when the available water supply is inadequate to supply said rights in "first priority class", then during the continuance of such shortage, the owners of such rights shall prorate the available water supply, if any, in excess of the quantity required to supply all prior rights, in accordance with their respective allotments in said "first priority class" as set forth in said Schedule 7, with

the exception of the allotments to the Compton-Entler Ditch, which said ditch shall during said season be allowed to flow at maximum capacity through a 24-inch pipe at the intake thereof. During the season from April 1 to October 15, both dates inclusive, said rights in both "first priority class" and "second priority class" are equal in priority and correlative in right, are subject and inferior to the rights hereinbefore defined in paragraphs 59 to 64, inclusive, but are superior in priority and in right to all other rights in said Butte Creek Group, and at all times when the available water supply is inadequate to supply said rights in both "first priority class" and "second priority class", then during the continuance of such shortage, the owners of such rights shall prorate the available water supply, if any, in excess of the quantity required to supply all prior rights, in accordance with their respective combined allotments in "first priority class" and "second priority class" as set forth in said Schedule 7. Said rights in "third priority class" are equal in priority and correlative in right, are subject and inferior to said rights hereinbefore defined in paragraphs 59 to 64, inclusive, and to said rights in "first priority class" and "second priority class", but are superior in priority and in right to all other rights in said Butte Creek group. Said rights in "fourth priority class" are equal in priority and correlative in right, are subject and inferior to said rights hereinbefore defined in paragraphs 59 to 64, inclusive, and to said rights in "first priority class", "second priority class", and "third priority class", and at all times when the available water supply is inadequate to supply all of said rights in "fourth priority class", then during the continuance of such shortage, the owners of such rights shall prorate the available water supply, if any, in excess of the quantity required to supply all prior rights, in accordance with their respective allotments in said "fourth priority class" as set forth in said Schedule 7.

66. The water right of A. F. Lieurance and Lenore E. Lieurance, as herein defined in paragraph 65 and Schedule 7, is

subject to the right of Yuba Consolidated Gold Fields to use a portion of the water covered by said water right in its mining operations on its lands described in the deed from A. F. Lieurance and Lenore E. Lieurance to Yuba Consolidated Gold Fields, dated October 10, 1939, and recorded October 24, 1939, in Volume 231, page 6, Official Records of Butte County, California, as provided in that certain agreement dated September 20, 1939, by and between said parties.

67. Said "surplus class" embraces rights in and to the use of the natural flow of Butte Creek; said rights in "surplus class" are subject and inferior to all other rights in and to the use of the waters of Butte Creek and its tributaries as hereinbefore set forth; and the relative priorities of said rights in "surplus class" are as hereinafter set forth in paragraphs 68 to 75, inclusive.

68. RALPH C. GORRILL is entitled to divert as a right in said "surplus class" from the natural flow of Butte Creek at a point designated on said D.W.R. Map as Diversion 61, described in Schedule 2 hereof, through the Gorrill Ditch,

14.00 cubic feet per second,
during the period from July 1 to September 30, both dates inclusive, of each year for the supplemental irrigation of his lands hereinafter described under his name in Schedule 1, provided however, the combined amount of water diverted by said Ralph C. Gorrill from Butte Creek and Hamlin Slough under all of his rights herein set forth in this Order of Determination shall at no time exceed 21.7 cubic feet per second; and the right set forth in this paragraph is superior in priority and in right to the rights hereinafter set forth in paragraphs 69 to 75, inclusive.

69. Subject to the right hereinbefore defined in paragraph 68, E. L. ADAMS and LOU R. ADAMS, and HERBERT W. WHITTEN and MARJORIE C. WHITTEN are entitled to divert as rights in said "surplus class" from the natural flow of Butte Creek at points designated on said D.W.R. Map as Diversions 56 and 60, described

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in Schedule 2 hereof, through the Colony Upper and Adam Ditches,
 in the amounts and for the acreages set forth after their respec-
 tive names as follows:

<u>Name of Claimant</u>	<u>Amount Cubic Feet per Second</u>	<u>Acreage to be supplied</u>
E. L. Adams and Lou R. Adams	9.80	(Tract #1) 2533.1
Herbert W. Whitten and Marjorie C. Whitten	3.45	665.3

during the period from April 1 to September 30, both dates inclu-
 sive, of each year, for the supplemental irrigation of their lands
 hereinafter described under their respective names in Schedule 1;
 and the rights set forth in this paragraph are equal in priority
 and correlative in right, but are superior in priority and in
 right to the rights hereinafter set forth in paragraphs 70 to 75,
 inclusive, and at all times when the available water supply is in-
 adequate to supply the rights set forth in this paragraph, then
 during the continuance of such shortage, said claimants named in
 this paragraph shall prorate the available water supply, if any, in
 excess of the quantity required to supply all prior rights in ac-
 cordance with their respective allotments set forth in this para-
 graph.

70. Subject to the rights hereinbefore defined in para-
 graphs 68 and 69, E. L. ADAMS and LOU R. ADAMS, and HERBERT W.
WHITTEN and MARJORIE C. WHITTEN are entitled to divert as rights in
 said "surplus class" from the natural flow of Butte Creek at points
 designated on said D.W.R. Map as Diversions 56 and 60, described in
 Schedule 2 hereof, through the Colony Upper and Adams Ditches, in
 the amounts and for the acreages set forth after their respective
 names as follows:

<u>Name of Claimant</u>	<u>Amount Cubic Feet per Second</u>	<u>Acreage to be supplied</u>
E. L. Adams and Lou R. Adams	4.60	(Tract #2) 1191.2
E. L. Adams and Lou R. Adams	1.00	(Tract #1) 2533.2
Herbert W. Whitten and Marjorie C. Whitten	2.40	665.3

during the period from April 1 to June 15, both dates inclusive, of
 each year, for the supplemental irrigation of their lands herein-

after described under their respective names in Schedule 1; and the rights set forth in this paragraph are equal in priority and correlative in right, but are superior in priority and in right to the rights hereinafter set forth in paragraphs 71 to 75, inclusive, and at all times when the available water supply is inadequate to supply the rights set forth in this paragraph, then during the continuance of such shortage, said claimants named in this paragraph shall prorate the available water supply, if any, in excess of the quantity required to supply all prior rights in accordance with their respective allotments set forth in this paragraph. Whenever the flow in Butte Creek is adequate to so permit, water may be diverted pursuant to the respective rights set forth in this paragraph at respective rates not exceeding two and one-half times respective continuous flow allotments and notwithstanding the thirty-day limitation hereinbefore stated in paragraph 15, provided, average rates of diversion for the above stated season in any year shall not exceed the respective continuous flow allotments.

71. Subject to the rights hereinbefore defined in paragraphs 68, 69 and 70, RALPH C. GORRILL is entitled to divert as rights in said "surplus class" from the natural flow of Butte Creek at a point designated on said D.W.R. Map as Diversion 61, described in Schedule 2 hereof, through the Gorrill Ditch,

15.00 cubic feet per second,

during the period from April 1 to June 30, both dates inclusive, of each year, and

6.70 cubic feet per second,

during the period from July 1 to September 30, both dates inclusive, of each year for the supplemental irrigation of his lands hereinafter described under his name in Schedule 1, provided however, the combined amounts of water diverted by said Ralph C. Gorrill from Butte Creek and Hamlin Slough under all of his rights herein set forth in this Order of Determination shall not at any

time exceed 21.7 cubic feet per second; and the rights set forth in this paragraph are superior in priority and in right to the rights hereinafter set forth in paragraphs 72 to 75, inclusive.

72. Subject to the rights hereinbefore defined in paragraphs 68 to 71, inclusive, E. E. WHITE is entitled to divert as a right in said "surplus class" from the natural flow of Butte Creek at movable points designated on said D.W.R. Map as Diversion 62, described in Schedule 2 hereof, through the White Pumps, 9.50 cubic feet per second,

during the period from April 1 to September 30, both dates inclusive, of each year for the irrigation of his lands hereinafter described under his name in Schedule 1; and the right set forth in this paragraph is superior in priority and in right to the rights hereinafter set forth in paragraphs 73, 74 and 75. Whenever the flow in Butte Creek is adequate to so permit, water may be diverted pursuant to the right set forth in this paragraph at a rate not exceeding two and one-half times continuous flow allotment and notwithstanding the thirty-day limitation hereinbefore stated in paragraph 15, provided, the average rate of diversion for the above stated season in any year shall not exceed said continuous flow allotment.

73. Subject to the rights hereinbefore defined in paragraphs 68 to 72, inclusive, PARROTT INVESTMENT COMPANY and M. & T. INCORPORATED are entitled to divert as rights in said "surplus class" from the natural flow of Butte Creek at a point designated on said D.W.R. Map as Diversion 50, described in Schedule 2 hereof, through the Parrott Ditch, in the amounts set forth after their respective names as follows:

<u>Name of Claimant</u>	<u>Amount Cubic Feet per Second</u>
Parrott Investment Company	5.00
M. & T. Incorporated	5.00

for domestic and stock-watering purposes during the period from

October 16 to March 31, both dates inclusive, of each year, and

<u>Name of Claimant</u>	<u>Amount Cubic Feet per Second</u>
Parrott Investment Company	25.00
M. & T. Incorporated	25.00

during the period from April 1 to October 15, both dates inclusive, of each year, for domestic, stock-watering and irrigation purposes, upon their lands hereinafter described under their respective names in Schedule 1, all in accordance with Applications 8559, 8565, 9735, and 9736 filed under the provisions of the Water Commission Act; and the rights set forth in this paragraph are equal in priority and correlative in right, but are superior in priority and in right to the rights hereinafter defined in paragraphs 74 and 75, and at all times when the available water supply of Butte Creek is inadequate to supply the rights set forth in this paragraph, then during the continuance of such shortage, said claimants named in this paragraph shall prorate the available water supply, if any, in excess of the quantity required to supply all prior rights in accordance with their respective allotments set forth in this paragraph; provided, that prior to December 1, 1944, or such further time as may be hereafter granted by the court herein, said Parrott Investment Company and M. & T. Incorporated shall have completed said appropriations from Butte Creek and applied said water to beneficial use in accordance with the terms of Permits 4743, 4744, 5847 and 5848 issued by the Division of Water Resources on said Applications 8559, 8565, 9735 and 9736, and shall have submitted evidence of such completed appropriations and uses to the Superior Court of the State of California, in and for the County of Butte, and subject to the provisions of such supplemental decree as the court herein may hereafter enter in accordance with the provisions of Section 36f of the Water Commission Act. Whenever the flow in Butte Creek is adequate to so permit, water may be diverted pursuant to the respective rights set forth in

this paragraph at respective rates not exceeding two and one-half times respective continuous flow allotments and notwithstanding the thirty-day limitation hereinbefore stated in paragraph 15, provided, average rates of diversion for the above stated season in any year shall not exceed the respective continuous flow allotments.

74. Subject to the rights hereinbefore defined in paragraphs 68 to 73, inclusive, CALIFORNIA LANDS, INC. and YUBA CONSOLIDATED GOLD FIELDS are entitled to divert as rights in said "surplus class" from the natural flow of Butte Creek at points on their lands hereinafter described under their respective names in Schedule 1, through proposed diversion systems, in the amounts set forth after their respective names as follows:

<u>Name of Claimant</u>	<u>Amount Cubic Feet per Second</u>
California Lands, Inc.	2.50
Yuba Consolidated Gold Fields	2.50

during the period from January 1 to December 31, both dates inclusive, of each year, for application to beneficial uses upon their lands hereinafter described under their respective names in Schedule 1; and the rights set forth in this paragraph are equal in priority and correlative in right, but are superior in priority and in right to the right hereinafter defined in paragraph 75, and at all times when the available water supply is inadequate to supply the rights set forth in this paragraph, then during the continuance of such shortage, said claimants named in this paragraph shall prorate the available water supply, if any, in excess of the quantity required to supply all prior rights in accordance with their respective allotments set forth in this paragraph.

75. Subject to all rights hereinbefore defined, WESTERN CANAL COMPANY is entitled to divert as a right in said "surplus class" from the natural flow of Butte Creek at points designated on said D.W.R. Map as Diversion 63, described in Schedule 2 hereof,

through the Western Canal diversion system.

33.33 cubic feet per second,
during the period from April 1 to June 15, both dates inclusive,
of each year, for public service to consumers for the irrigation
of their lands hereinafter described under the name of Western
Canal Company in Schedule 1. Whenever the flow in Butte Creek
is adequate to so permit, water may be diverted pursuant to the
right set forth in this paragraph at a rate not exceeding three
times continuous flow allotment and notwithstanding the thirty-
day limitation hereinbefore stated in paragraph 15, provided,
the average rate of diversion for the above stated season in
any year shall not exceed 75.0 cubic feet per second.

SCHEDULE 1

DESCRIPTION OF PLACES OF USE OF ALLOTMENTS FROM
BUTTE CREEK AND ITS TRIBUTARIES
ABOVE WESTERN DAM NEAR NELSON

PLACES OF USE OF IRRIGATION ALLOTMENTS

E. L. Adams and Lou R. Adams

8.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 20 N, R 2 E, M.D.B. & M.
 8.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 20 N, R 2 E, M.D.B. & M.
 38.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 20 N, R 2 E, M.D.B. & M.
 5.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 20 N, R 2 E, M.D.B. & M.
 8.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 20 N, R 2 E, M.D.B. & M.
 30.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B. & M.
 40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B. & M.
 80.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B. & M.
 30.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B. & M.
 23.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B. & M.
 3.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B. & M.
 33.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B. & M.
 5.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B. & M.
 34.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B. & M.
 23.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B. & M.
 320.7 acres in that portion of Section 4, T 20 N, R 2 E,
 M.D.B. & M., lying SE of Hamlin Slough.
 3.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B. & M.
 187.0 acres in W $\frac{1}{2}$ of Section 3, T 20 N, R 2 E, M.D.B. & M.
 135.0 acres in SW $\frac{1}{4}$ of Section 34, T 21 N, R 2 E, M.D.B. & M.
 5.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T 21 N, R 2 E, M.D.B. & M.
 133.0 acres in N $\frac{1}{2}$ N $\frac{1}{2}$ of Section 9, T 20 N, R 2 E, M.D.B. & M.
 39.0 acres in N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 10, T 20 N, R 2 E, M.D.B. & M.
 1191.2 acres - Total (All in Rancho Esquon) Tract #2
 (Section lines have been projected.)

41.7 acres in SW $\frac{1}{4}$ of Section 9, T 20 N, R 2 E, M.D.B. & M.,
 since April 1, 1925.
 340.9 acres in that portion of Section 16, T 20 N, R 2 E,
 M.D.B. & M., lying SW of Northern Electric Railroad,
 since April 1, 1925.
 8.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, T 20 N, R 2 E, M.D.B. & M.,
 since April 1, 1925.
 63.8 acres in that portion of N $\frac{1}{2}$ of Section 20, T 20 N, R 2 E,
 M.D.B. & M., lying East of Southern Pacific Railroad,
 since April 1, 1925.
 478.2 acres in that portion of Section 17, T 20 N, R 2 E,
 M.D.B. & M., lying East of Southern Pacific Railroad,
 since April 1, 1925.
 200.0 acres in that portion of Section 8, T 20 N, R 2 E,
 M.D.B. & M., lying SE of Hamlin Slough, since April 1, 1925.
 18.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B. & M.,
 since April 1, 1925.
 95.0 acres in NW $\frac{1}{4}$ of Section 34, T 21 N, R 2 E, M.D.B. & M.,
 since April 1, 1925.
 60.8 acres in Lot 29 of Durham State Land Settlement,
 since April 1, 1930.

SCHEDULE 1 (Cont'd.)

E. L. Adams and Lou R. Adams (Cont'd)

109.8 acres in Lot 30 of Durham State Land Settlement,
since April 1, 1930.
80.0 acres in Lot 31 of Durham State Land Settlement,
since April 1, 1930.
80.0 acres in Lot 33A of Durham State Land Settlement,
since April 1, 1930.
80.0 acres in Lot 34A of Durham State Land Settlement,
since April 1, 1930.
197.3 acres in Lot 41 of Durham State Land Settlement,
since April 1, 1930.
92.9 acres in Lot 15A of Durham State Land Settlement,
since April 1, 1930.
105.6 acres in Lot 36A of Durham State Land Settlement,
since April 1, 1930.
120.8 acres in Lot 14A of Durham State Land Settlement,
since April 1, 1930.
104.2 acres in Lot 37A of Durham State Land Settlement,
since April 1, 1930.
107.1 acres in Lot 18A of Durham State Land Settlement,
since April 1, 1930.
92.8 acres in Lot 19A of Durham State Land Settlement,
since April 1, 1930.
55.0 acres in southerly portion of Lot 35A of Durham State Land
Settlement, since April 1, 1930.
2533.2 acres - Total (All in Rancho Esquon) Tract #1
(Section lines have been projected).

Anne Kennedy Anderson, Donald Mathewson, and Winifred M. Kennedy

10.0 acres in $N\frac{1}{2}$ $N\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ of Section 12, T 26 N, R 4E,
M.D.B. & M.

10.0 acres - Total

Samuel A. Atkins and Barbara Ina Atkins

13.0 acres in $SE\frac{1}{4}$ $NW\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
10.0 acres in $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
1.0 acre in $NE\frac{1}{4}$ $NW\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
10.0 acres in $NW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
30.0 acres in Lot 12 of Ackerman Tract in Section 17, T 21 N,
R 2 E, M.D.B. & M.

64.0 acres - Total

Ralph J. Baxter, C. W. Baxter, F. T. Woell and M. B. Woell

35.0 acres in $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
7.2 acres in $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
39.0 acres in $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
3.0 acres in $NW\frac{1}{4}$ $NE\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
10.0 acres in $NW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 20, T 21 N, R 2 E, M.D.B. & M.
5.0 acres in $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 20, T 21 N, R 2 E, M.D.B. & M.
15.0 acres in $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B. & M.
40.0 acres in $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B. & M.
23.8 acres in $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
178.0 acres - Total (All in Spanish Land Grant)
(Section lines have been projected)

SCHEDULE 1 (Cont'd.)

George Brandt and Edna May Brandt

35.8 acres in Lot 63A of Durham State Land Settlement
14.2 acres in Lot 63B of Durham State Land Settlement
50.0 acres - Total (All in Rancho Esquon)
(Section lines have been projected)

California Lands, Inc.

5.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B. & M.
35.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B. & M.
25.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B. & M.
30.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B. & M.
40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B. & M.
20.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
1.0 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
4.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
200.0 acres - Total (All of above lands in Section 18 are in
Rancho Esquon, and Section lines have
been projected)

Edwin A. Carlson and Gladys Carlson

36.7 acres in Lots 8, 9, 11 and 12 of the Ackerman Tract in
projected Section 17, T 21 N, R 2 E, M.D.B. & M.
36.7 acres - Total (All in Rancho Esquon)

Richard A. Colgan, Jr.

1.0 acre in Lot 10 of Butte Meadows Subdivision No. 1,
being a part of the SW $\frac{1}{4}$ of Section 29, T 26 N,
R 4 E, M.D.B. & M.
1.0 acre - Total

Bee P. Compton

155.0 acres in NW $\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B. & M.
40.0 acres in N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B. & M.
135.0 acres in SW $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B. & M.
47.0 acres in NW $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B. & M.
160.0 acres in NE $\frac{1}{4}$ of Section 13, T 21 N, R 2 E, M.D.B. & M.
50.0 acres in N $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$ of Section 13, T 21 N, R 2 E, M.D.B. & M.
102.0 acres in SE $\frac{1}{4}$ of Section 12, T 21 N, R 2 E, M.D.B. & M.
689.0 acres - Total (Compton Lands)
(Section lines have been projected).

20.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
58.0 acres in NW $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B. & M.
8.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, T 21 N, R 2 E, M.D.B. & M.
100.0 acres in NE $\frac{1}{4}$ of Section 12, T 21 N, R 2 E, M.D.B. & M.
30.0 acres in S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, T 21 N, R 2 E, M.D.B. & M.
10.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 21 N, R 2 E, M.D.B. & M.
10.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 21 N, R 2 E, M.D.B. & M.
3.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, T 21 N, R 2 E, M.D.B. & M.
2.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 21 N, R 2 E, M.D.B. & M.
241.0 acres - Total (Patrick Lands)
(Section lines have been projected).

SCHEDULE 1 (Cont'd.)

Edwin B. Copeland

40.0 acres in $SE\frac{1}{4}$ $NW\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B. & M.
8.0 acres in $S\frac{1}{2}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B. & M.
48.0 acres - Total

Corporation of America, A Corporation, George Setka and Anna Setka,
His Wife, Sam Bebich, Joe Bebich and Steve Vlatkovich, L. E. Wheelock
and Nellie Wheelock, His Wife

Lands of George Setka, Anna Setka, Joe Bebich, Sam Bebich and
Steve Vlatkovich

14.0 acres in $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
31.6 acres in $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
1.7 acres in $SE\frac{1}{4}$ $SW\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
9.3 acres in $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
0.2 acre in $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
3.2 acres in $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
36.5 acres in $NW\frac{1}{4}$ $NE\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
0.2 acre in $NE\frac{1}{4}$ $NW\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
96.7 acres - Total

Lands of L. E. Wheelock and Nellie Wheelock

13.0 acres in $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
13.0 acres - Total

Lands of Corporation of America

11.5 acres in $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
8.5 acres in $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Section 30, T 21 N, R 2 E, M.D.B. & M.
20.0 acres - Total (All in Rancho Esquon)
(Section lines have been projected)

Stockholders of Dayton Mutual Water Company, Ltd.

Lands of California Lands, Inc.

60.4 acres in Section 9, T 21 N, R 1 E, M.D.B. & M.
6.8 acres in Section 10, T 21 N, R 1 E, M.D.B. & M.
34.0 acres in Section 15, T 21 N, R 1 E, M.D.B. & M.
67.3 acres in Section 16, T 21 N, R 1 E, M.D.B. & M.
168.5 acres - Total (North Tract)

13.5 acres in Section 15, T 21 N, R 1 E, M.D.B. & M.
236.0 acres in Section 16, T 21 N, R 1 E, M.D.B. & M.
206.5 acres in Section 17, T 21 N, R 1 E, M.D.B. & M.
25.8 acres in Section 20, T 21 N, R 1 E, M.D.B. & M.
481.8 acres - Total (South Tract)

Lands of Lloyd E. DeBock and O. B. DeBock

41.1 acres in $S\frac{1}{2}$ $NW\frac{1}{4}$ of Section 15, T 21 N, R 1 E, M.D.B. & M.
41.1 acres - Total

Lands of Albert Estes

23.8 acres in Section 8, T 21 N, R 1 E, M.D.B. & M.
27.2 acres in Section 9, T 21 N, R 1 E, M.D.B. & M.
21.0 acres in Section 15, T 21 N, R 1 E, M.D.B. & M.
238.0 acres in Section 16, T 21 N, R 1 E, M.D.B. & M.
154.7 acres in Section 17, T 21 N, R 1 E, M.D.B. & M.
464.7 acres - Total

SCHEDULE 1 (Cont'd)

Stockholders of Dayton Mutual Water Company, Ltd. (Cont'd)

Lands of J. A. Lewis

40.5 acres in $N\frac{1}{2}$ $NW\frac{1}{4}$ of Section 15, T 21 N, R 1 E, M.D.B. & M.
40.5 acres - Total

Lands of W. C. Stevens

81.8 acres in Section 16, T 21 N, R 1 E, M.D.B. & M.
181.9 acres in Section 17, T 21 N, R 1 E, M.D.B. & M.
148.0 acres in Section 18, T 21 N, R 1 E, M.D.B. & M.
76.5 acres in Section 19, T 21 N, R 1 E, M.D.B. & M.
19.0 acres in Section 20, T 21 N, R 1 E, M.D.B. & M.
92.5 acres in Section 21, T 21 N, R 1 E, M.D.B. & M.
599.7 acres - Total (All in Rancho de Farwell
Section lines have been projected)

Lovie L. Downs

40.0 acres in $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 1, T 23 N, R 3 E, M.D.B. & M.
40.0 acres - Total

Estate of Ernest Duensing

75.0 acres in $S\frac{1}{2}$ $S\frac{1}{2}$ $N\frac{1}{2}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
40.0 acres in $NW\frac{1}{4}$ $SW\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
20.0 acres in $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
20.0 acres in $N\frac{1}{2}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
155.0 acres - Total

Stockholders of Durham Mutual Water Company, Ltd.

33.49 acres in Lot 1 of Durham State Land Settlement.
4.20 acres in Lot 2 of Durham State Land Settlement.
12.67 acres in Lot 2A of Durham State Land Settlement.
10.00 acres in Lot 2B of Durham State Land Settlement.
5.00 acres in Lot 2C of Durham State Land Settlement.
15.80 acres in Lot 2D of Durham State Land Settlement.
17.71 acres in Lot 3A of Durham State Land Settlement.
12.00 acres in Lot 3B of Durham State Land Settlement.
5.00 acres in Lot 3C of Durham State Land Settlement.
5.00 acres in Lot 3D of Durham State Land Settlement.
39.75 acres in Lot 4 of Durham State Land Settlement.
47.88 acres in Lot 5 of Durham State Land Settlement.
29.31 acres in Lot 6 of Durham State Land Settlement.
32.99 acres in Lot 7 of Durham State Land Settlement.
32.45 acres in Lot 8 of Durham State Land Settlement.
32.03 acres in Lot 9 of Durham State Land Settlement.
41.91 acres in Lot 10 of Durham State Land Settlement.
30.26 acres in Lot 11 of Durham State Land Settlement.
15.00 acres in Lot 12A of Durham State Land Settlement.
15.27 acres in Lot 12 of Durham State Land Settlement.
31.23 acres in Lot 13 of Durham State Land Settlement.
23.07 acres in Lot 14 of Durham State Land Settlement.
17.82 acres in Lot 15 of Durham State Land Settlement.
27.17 acres in Lot 16 of Durham State Land Settlement.
18.46 acres in Lot 18 of Durham State Land Settlement.
3.00 acres in Lot 19 of Durham State Land Settlement.
17.00 acres in Lot 19A of Durham State Land Settlement.
3.27 acres in Lot 20 of Durham State Land Settlement.
17.00 acres in Lot 20A of Durham State Land Settlement.

SCHEDULE 1 (Cont'd)

Stockholders of Durham Mutual Water Company, Ltd. (Cont'd)

24.78 acres in Lot 21 of Durham State Land Settlement.
 20.36 acres in Lot 22 of Durham State Land Settlement.
 1.16 acres in Lot 22A of Durham State Land Settlement.
 40.00 acres in Lot 23 of Durham State Land Settlement.
 40.06 acres in Lot 24 of Durham State Land Settlement.
 80.00 acres in Lot 25 of Durham State Land Settlement.
 64.77 acres in Lot 26 of Durham State Land Settlement.
 48.95 acres in Lot 27 of Durham State Land Settlement.
 45.87 acres in Lot 27A of Durham State Land Settlement.
 15.03 acres in Lot 27B of Durham State Land Settlement.
 72.70 acres in Lot 28 of Durham State Land Settlement.
 80.00 acres in Lot 32 of Durham State Land Settlement.
 20.03 acres in Lot 33 of Durham State Land Settlement.
 20.00 acres in Lot 34 of Durham State Land Settlement.
 22.39 acres in Lot 35 of Durham State Land Settlement.
 23.97 acres in Lot 36 of Durham State Land Settlement.
 22.09 acres in Lot 37 of Durham State Land Settlement.
 43.97 acres in Lot 38 of Durham State Land Settlement.
 15.35 acres in Lot 39 of Durham State Land Settlement.
 40.00 acres in Lot 39A of Durham State Land Settlement.
 36.06 acres in Lot 40 of Durham State Land Settlement.
 50.23 acres in Lot 40A of Durham State Land Settlement.
 3.78 acres in Lot 42 of Durham State Land Settlement.
 .82 acre in Lot 43A of Durham State Land Settlement.
 .82 acre in Lot 43B of Durham State Land Settlement.
 .42 acre in Lot 43D of Durham State Land Settlement.
 7.16 acres in Lot 44 of Durham State Land Settlement.
 5.35 acres in Lot 44A of Durham State Land Settlement.
 4.34 acres in Lot 44B of Durham State Land Settlement.
 15.05 acres in Lot 44C of Durham State Land Settlement.
 24.27 acres in Lot 45 of Durham State Land Settlement.
 11.89 acres in Lot 46 of Durham State Land Settlement.
 25.00 acres in Lot 46A of Durham State Land Settlement.
 28.53 acres in Lot 47 of Durham State Land Settlement.
 41.19 acres in Lot 48 of Durham State Land Settlement.
 31.12 acres in Lot 49 of Durham State Land Settlement.
 40.17 acres in Lot 50 of Durham State Land Settlement.
 49.53 acres in Lot 51 of Durham State Land Settlement.
 31.12 acres in Lot 52 of Durham State Land Settlement.
 29.43 acres in Lot 53 of Durham State Land Settlement.
 22.31 acres in Lot 54 of Durham State Land Settlement.
 17.70 acres in Lot 55 of Durham State Land Settlement.
 17.97 acres in Lot 56 of Durham State Land Settlement.
 9.41 acres in Lot 57 of Durham State Land Settlement.
 16.92 acres in Lot 58 of Durham State Land Settlement.
 20.70 acres in Lot 59 of Durham State Land Settlement.
 30.00 acres in Lot 59A of Durham State Land Settlement.
 21.52 acres in Lot 60 of Durham State Land Settlement.
 38.80 acres in Lot 60A of Durham State Land Settlement.
 52.78 acres in Lot 61 of Durham State Land Settlement.
 5.17 acres in Lot 62 of Durham State Land Settlement.
 9.77 acres in Lot 63 of Durham State Land Settlement.
 39.14 acres in Lot 64 of Durham State Land Settlement.
 47.56 acres in Lot 65 of Durham State Land Settlement.
 41.65 acres in Lot 66 of Durham State Land Settlement.
 22.03 acres in Lot 67 of Durham State Land Settlement.
 10.00 acres in Lot 67A of Durham State Land Settlement.
 10.00 acres in Lot 67B of Durham State Land Settlement.
 41.27 acres in Lot 68 of Durham State Land Settlement.
 39.43 acres in Lot 69 of Durham State Land Settlement.
 .97 acre in Lot 82 of Durham State Land Settlement.
 2.10 acres in Lot 69A of Durham State Land Settlement.

SCHEDULE 1 (Cont'd)

Stockholders of Durham Mutual Water Company, Ltd. (Cont'd)

33.63 acres in Lot 70 of Durham State Land Settlement.
 22.40 acres in Lot 71 of Durham State Land Settlement.
 50.00 acres in Projected Sections 20 & 21, T 21 N, R 2 E,
 M. D. B. & M.
 31.19 acres in Lot 72 of Durham State Land Settlement.
 31.02 acres in Lot 73 of Durham State Land Settlement.
 37.02 acres in Lot 74 of Durham State Land Settlement.
 33.08 acres in Lot 75 of Durham State Land Settlement.
 24.25 acres in Lot 76 of Durham State Land Settlement.
 34.54 acres in Lot 77 of Durham State Land Settlement.
 40.00 acres in Lot 78 of Durham State Land Settlement.
 40.00 acres in Lot 79 of Durham State Land Settlement.
 30.35 acres in Lot 80 of Durham State Land Settlement.
 21.64 acres in Lot 80A of Durham State Land Settlement.
 22.96 acres in Lot 80B of Durham State Land Settlement.
 21.67 acres in Lot 81 of Durham State Land Settlement.
 26.53 acres in Lot 81A of Durham State Land Settlement.
 37.90 acres in Lot 82 of Durham State Land Settlement.
 80.00 acres in Lot 83 of Durham State Land Settlement.
 5.00 acres in Lot 31 of Durham State Land Settlement.
 84.91 acres in Lot 84 of Durham State Land Settlement.
 80.00 acres in Lot 85 of Durham State Land Settlement.
 80.00 acres in Lot 86 of Durham State Land Settlement.
 80.00 acres in Lot 87 of Durham State Land Settlement.
 8.68 acres in Lot 88 of Durham State Land Settlement.
 8.75 acres in Lot 89 of Durham State Land Settlement.
 20.66 acres in Lot 90 of Durham State Land Settlement.
 13.95 acres in Projected Section 29, T 21 N, R 2 E, M. D. B. & M.
 9.63 acres in Lot 92 of Durham State Land Settlement.
 9.19 acres in Lot 93 of Durham State Land Settlement.
 15.23 acres in Lot 94 of Durham State Land Settlement.
 13.62 acres in Lot 95 of Durham State Land Settlement.
 25.45 acres in Lot 97 of Durham State Land Settlement.
 22.42 acres in Lot 98 of Durham State Land Settlement.
 12.65 acres in Lot 99 of Durham State Land Settlement.
 48.22 acres in Lot 100 of Durham State Land Settlement.
 2.64 acres in Lot 103 of Durham State Land Settlement.
 3.14 acres in Lot 104 of Durham State Land Settlement.
 2.23 acres in Lot 105 of Durham State Land Settlement.
 2.09 acres in Lot 106 of Durham State Land Settlement.
 2.12 acres in Lot 107 of Durham State Land Settlement.
 5.01 acres in Lot 108 of Durham State Land Settlement.
 7.34 acres in Lot 109 of Durham State Land Settlement.
 7.38 acres in Lot 110 of Durham State Land Settlement.
 6.37 acres in Lot 111 of Durham State Land Settlement.
 10.12 acres in Lot 112 of Durham State Land Settlement.
 1.71 acres in Lot A of Durham State Land Settlement.
 1.72 acres in Lot B of Durham State Land Settlement.
 1.72 acres in Lot C of Durham State Land Settlement.
 1.72 acres in Lot D of Durham State Land Settlement.
 .86 acre in Lot E of Durham State Land Settlement.
 .86 acre in Lot E-1 of Durham State Land Settlement.
 1.72 acres in Lot F of Durham State Land Settlement.
 1.72 acres in Lot G of Durham State Land Settlement.
 1.72 acres in Lot H of Durham State Land Settlement.
 1.72 acres in Lot I of Durham State Land Settlement.
 1.72 acres in Lot J of Durham State Land Settlement.
 1.72 acres in Lot K of Durham State Land Settlement.
 1.72 acres in Lot L of Durham State Land Settlement.
 1.72 acres in Lot M of Durham State Land Settlement.
 1.72 acres in Lot N of Durham State Land Settlement.
 1.72 acres in Lot O of Durham State Land Settlement.
 1.72 acres in Lot P of Durham State Land Settlement.

SCHEDULE 1 (Cont'd)

Stockholders of Durham Mutual Water Company, Ltd. (Cont'd).

2.00 acres in Lot Q of Durham State Land Settlement.
 2.00 acres in Lot R of Durham State Land Settlement.
 2.00 acres in Lot S of Durham State Land Settlement.
 2.00 acres in Lot T of Durham State Land Settlement.
 2.00 acres in Lot U of Durham State Land Settlement.
 1.72 acres in Lot V of Durham State Land Settlement.
 1.72 acres in Lot "a" of Durham State Land Settlement.
 1.90 acres in Lot W of Durham State Land Settlement.
 1.90 acres in Lot X of Durham State Land Settlement.
 1.90 acres in Lot Y of Durham State Land Settlement.
 1.90 acres in Lot Z of Durham State Land Settlement.
 20.00 acres in Projected Sections 20 & 29, T 21 N, R 2 E,
 M.D.B. & M.

3,566.23 acres - Total (All in Rancho Esquon)

Clarence S. Entler

4.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
 28.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
 31.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
 1.0 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
 13.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B. & M.
 3.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B. & M.
81.0 acres - Total (Section lines have been projected).

Harold D. Estes

13.4 acres in Lot 10 of McIntosh Tract.
 10.0 acres in Lot 13 of McIntosh Tract.
 14.0 acres in Lot 14 of McIntosh Tract.
 10.2 acres in Lot 15 of McIntosh Tract.
 8.8 acres in Lot 16 of McIntosh Tract.
 6.6 acres in Lot 19 of McIntosh Tract.
 3.2 acres in Lot 12 of McIntosh Tract.
66.2 acres - Total (All in NE $\frac{1}{4}$ of Section 2,
 T 21 N, R 1 E, M.D.B. & M.)

Ella G. Evers

13.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T 22 N, R 3 E, M.D.B. & M.
 13.6 acres - Total

The Federal Land Bank of Berkeley

26.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B. & M.
 27.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B. & M.
 40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B. & M.
 28.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
 1.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
 24.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
 7.6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, T 21 N, R 2 E, M.D.B. & M.
156.5 acres - Total (All lying north of the Chico-Oroville Road
 and west of Butte Creek)

SCHEDULE 1 (Cont'd)

E. L. Franks and Ida May Franks

2.9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T 26 N, R 5 E, M.D.B. & M.
 20.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 5 E, M.D.B. & M.
 6.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 5 E, M.D.B. & M.
 19.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T 26 N, R 5 E, M.D.B. & M.
 34.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T 26 N, R 5 E, M.D.B. & M.
 11.9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T 26 N, R 5 E, M.D.B. & M.
 7.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T 26 N, R 5 E, M.D.B. & M.
103.4 acres - Total

Ralph C. Gorrill

*57.8 acres in Section 7, T 20 N, R 2 E, M.D.B. & M., since May 1, 1925
 *7.3 acres in Section 8, T 20 N, R 2 E, M.D.B. & M., since May 1, 1925
 *427.0 acres in Section 18, T 20 N, R 2 E, M.D.B. & M., since May 1, 1925
 *148.0 acres in Section 17, T 20 N, R 2 E, M.D.B. & M., since May 1, 1925
 *515.0 acres in Section 19, T 20 N, R 2 E, M.D.B. & M., since May 1, 1926
 *335.3 acres in Section 20, T 20 N, R 2 E, M.D.B. & M., since May 1, 1926
 *442.7 acres in Section 29, T 20 N, R 2 E, M.D.B. & M., since May 1, 1927
 *58.2 acres in Section 30, T 20 N, R 2 E, M.D.B. & M., since May 1, 1927
 20.2 acres in Lot 1 of Section 29, T 20 N, R 2 E, M.D.B. & M.,
 since May 1, 1927
 38.2 acres in Lot 5 of Section 30, T 20 N, R 2 E, M.D.B. & M.,
 since May 1, 1927
 34.5 acres in Lot 6 of Section 30, T 20 N, R 2 E, M.D.B. & M.,
 since May 1, 1927
 34.5 acres in Lot 7 of Section 30, T 20 N, R 2 E, M.D.B. & M.,
 since May 1, 1927
 20.0 acres in Lot 8 of Section 30, T 20 N, R 2 E, M.D.B. & M.
 since May 1, 1927
 23.3 acres in Lot 9 of Section 30, T 20 N, R 2 E, M.D.B. & M.
 since May 1, 1927
 40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 20 N, R 2 E, M.D.B. & M.
 since May 1, 1927
 40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, T 20 N, R 2 E, M.D.B. & M.
 since May 1, 1927
 40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, T 20 N, R 2 E, M.D.B. & M.
 since May 1, 1927
2282.0 acres - Total (*All in Rancho Esquon)
 (Section lines have been projected)

Donald Hale and Alice Hilby Hale

17.2 acres in NE $\frac{1}{4}$ of Section 4, T 21 N, R 2 E, M.D.B. & M.
 0.4 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T 21 N, R 2 E, M.D.B. & M.
 3.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T 21 N, R 2 E, M.D.B. & M.
 10.3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T 21 N, R 2 E, M.D.B. & M.
 12.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T 21 N, R 2 E, M.D.B. & M.
116.8 acres in NE $\frac{1}{4}$ of Section 5, T 21 N, R 2 E, M.D.B. & M.
 160.2 acres - Total

Frances B. Hamilton, A. C. Musselman, and George P. Morse

80.0 acres in S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, T 23 N, R 3 E, M.D.B. & M.
 80.0 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 12, T 23 N, R 3 E, M.D.B. & M.
 40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 23 N, R 4 E, M.D.B. & M.
 40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 23 N, R 4 E, M.D.B. & M.
240.0 acres - Total

SCHEDULE 1 (Cont'd)

D. A. Hook and W. S. Hook

30.0 acres in Lots 8, 9, 10 and 11 of the Ackerman Tract in
projected Section 17, T 21 N, R 2 E, M.D.B. & M.
30.0 acres - Total

D. A. Hook, W. S. Hook and Lillian M. Hook

3.0 acres in $N\frac{1}{2}$ $N\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
3.0 acres - Total

Elmo Jacks and Louise Jacks

24.9 acres in Lot 7 of the Ackerman Tract
in projected Section 17, T 21 N, R 2 E, M.D.B. & M.
24.9 acres - Total

A. P. Kundert

40.0 acres in Lot 11 of Section 34, T 23 N, R 3 E, M.D.B. & M.
40.0 acres - Total

A. F. Lieurance and Lenore Lieurance

10.2 acres in $SE\frac{1}{4}$ $SW\frac{1}{4}$ of Section 5, T 21 N, R 2 E, M.D.B. & M.
38.2 acres in $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Section 5, T 21 N, R 2 E, M.D.B. & M.
* 0.8 acre in $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
* 30.6 acres in $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
* 0.9 acre in $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
* 40.0 acres in $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B. & M.
* 40.0 acres in $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B. & M.
* 40.0 acres in $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B. & M.
* 34.0 acres in $NW\frac{1}{4}$ $NE\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B. & M.
* 40.0 acres in $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B. & M.
* 40.0 acres in $NW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B. & M.
* 9.4 acres in $NE\frac{1}{4}$ $SW\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B. & M.
* 9.8 acres in $NE\frac{1}{4}$ $NW\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B. & M.
* 15.3 acres in $SE\frac{1}{4}$ $NW\frac{1}{4}$ of Section 7, T 21 N, R 2 E, M.D.B. & M.
33.2 acres in $NE\frac{1}{4}$ $NW\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B. & M.
22.1 acres in $SE\frac{1}{4}$ $NW\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B. & M.
40.0 acres in $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B. & M.
40.0 acres in $NW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B. & M.
2.6 acres in $NE\frac{1}{4}$ $SW\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B. & M.
40.0 acres in $NW\frac{1}{4}$ $SW\frac{1}{4}$ of Section 8, T 21 N, R 2 E, M.D.B. & M.
527.1 acres - Total (*Section lines in Sections 6 and 7 have
been projected)

J. H. Lucas

40.0 acres in $W\frac{1}{2}$ $W\frac{1}{2}$ $SW\frac{1}{4}$ of Section 11, T 25 N, R 3 E, M.D.B. & M.
37.0 acres in $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 10, T 25 N, R 3 E, M.D.B. & M.
77.0 acres - Total.

SCHEDULE 1 (Cont'd)

J. H. Lucas, G. W. Lucas, and C. F. Lucas

15.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B. & M.
 10.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B. & M.
 5.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B. & M.
30.0 acres - Total (Butte Creek)

9.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B. & M.
 2.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B. & M.
 6.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B. & M.
 6.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B. & M.
 4.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B. & M.
 4.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T 26 N, R 4 E, M.D.B. & M.
32.9 acres - Total (Lucas and McGann Springs)

J. H. Lucas and Estate of William Johnson, Deceased

40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T 26 N, R 4 E, M.D.B. & M.
 20.0 acres in S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T 26 N, R 4 E, M.D.B. & M.
 10.0 acres in S $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12, T 26 N, R 4 E, M.D.B. & M.
70.0 acres - Total (Willow Creek)

20.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B. & M.
 17.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T 26 N, R 4 E, M.D.B. & M.
38.3 acres - Total (Jones Creek)

3.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T 26 N, R 4 E, M.D.B. & M.
 12.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T 26 N, R 4 E, M.D.B. & M.
 20.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T 26 N, R 4 E, M.D.B. & M.
 10.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 26 N, R 4 E, M.D.B. & M.
 22.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T 26 N, R 4 E, M.D.B. & M.
 8.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T 26 N, R 4 E, M.D.B. & M.
 14.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T 26 N, R 4 E, M.D.B. & M.
 6.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T 26 N, R 4 E, M.D.B. & M.
 6.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T 26 N, R 4 E, M.D.B. & M.
 24.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T 26 N, R 4 E, M.D.B. & M.
 20.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T 26 N, R 4 E, M.D.B. & M.
 5.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T 26 N, R 4 E, M.D.B. & M.
150.0 acres - Total (Colby Creek)

M. & T. Incorporated

25.0 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, T 21 N, R 1 W, M.D.B. & M.
 25.0 acres in E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, T 21 N, R 1 W, M.D.B. & M.
 25.0 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, T 21 N, R 1 W, M.D.B. & M.
 25.0 acres in E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, T 21 N, R 1 W, M.D.B. & M.
 40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, T 21 N, R 1 W, M.D.B. & M.
 40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, T 21 N, R 1 W, M.D.B. & M.
 40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T 21 N, R 1 W, M.D.B. & M.
 36.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T 21 N, R 1 W, M.D.B. & M.
 640.0 acres in Section 24, T 21 N, R 1 W, M.D.B. & M.
 320.0 acres in Section 19, T 21 N, R 1 E, M.D.B. & M.
 10.0 acres in E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T 21 N, R 1 W, M.D.B. & M.
 10.0 acres in E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T 21 N, R 1 W, M.D.B. & M.
 40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T 21 N, R 1 W, M.D.B. & M.
 40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T 21 N, R 1 W, M.D.B. & M.
 10.0 acres in E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T 21 N, R 1 W, M.D.B. & M.
 10.0 acres in E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T 21 N, R 1 W, M.D.B. & M.
 40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T 21 N, R 1 W, M.D.B. & M.
 40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T 21 N, R 1 W, M.D.B. & M.
 640.0 acres in Section 13, T 21 N, R 1 W, M.D.B. & M.
 160.0 acres in SW $\frac{1}{4}$ of Section 18, T 21 N, R 1 E, M.D.B. & M.
 6.0 acres in W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 21 N, R 1 E, M.D.B. & M.
 6.0 acres in W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 21 N, R 1 E, M.D.B. & M.

SCHEDULE 1 (Cont'd)

M. & T. Incorporated

10.0 acres in E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T 21 N, R 1 W, M.D.B. & M.
 10.0 acres in E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T 21 N, R 1 W, M.D.B. & M.
 40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T 21 N, R 1 W, M.D.B. & M.
 40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T 21 N, R 1 W, M.D.B. & M.
 10.0 acres in E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T 21 N, R 1 W, M.D.B. & M.
 10.0 acres in E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T 21 N, R 1 W, M.D.B. & M.
 40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T 21 N, R 1 W, M.D.B. & M.
 40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T 21 N, R 1 W, M.D.B. & M.
 640.0 acres in Section 12, T 21 N, R 1 W, M.D.B. & M.
 6.0 acres in W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 21 N, R 1 E, M.D.B. & M.
 6.0 acres in W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 21 N, R 1 E, M.D.B. & M.
 40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 21 N, R 1 E, M.D.B. & M.
 40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 21 N, R 1 E, M.D.B. & M.
 8.0 acres in W $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 21 N, R 1 E, M.D.B. & M.
 8.0 acres in W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 21 N, R 1 E, M.D.B. & M.
 320.0 acres in S $\frac{1}{2}$ of Section 1, T 21 N, R 1 W, M.D.B. & M.
 40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 21 N, R 1 E, M.D.B. & M.
 40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 21 N, R 1 E, M.D.B. & M.
 8.0 acres in W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 21 N, R 1 E, M.D.B. & M.
 36.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 21 N, R 1 E, M.D.B. & M.
 3620.0 acres - Total (All in Rancho de Farwell)
 (Section lines have been projected)

John J. Mahan and William J. Doyle

14.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, T 26 N, R 5 E, M.D.B. & M.
 6.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, T 26 N, R 5 E, M.D.B. & M.
 21.3 acres - Total

Elsie Hume Mann

1.0 acre in NW $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 30, T 22 N, R 3 E, M.D.B. & M.
 1.0 acre - Total

H. D. March and Henrietta March

5.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T 22 N, R 3 E, M.D.B. & M.
 8.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, T 22 N, R 3 E, M.D.B. & M.
 14.4 acres - Total

Fannie M. McEnespy

80.0 acres in N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 20, T 22 N, R 3 E, M.D.B. & M.
 80.0 acres in S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 20, T 22 N, R 3 E, M.D.B. & M.
 160.0 acres - Total

W. J. McGann and Elizabeth T. Cussick

2.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T 26 N, R 4 E, M.D.B. & M.
 23.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T 26 N, R 4 E, M.D.B. & M.
 17.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T 26 N, R 4 E, M.D.B. & M.
 14.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T 26 N, R 4 E, M.D.B. & M.
 0.8 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T 26 N, R 4 E, M.D.B. & M.
 57.9 acres - Total (McGann Springs)

160.0 acres in NE $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B. & M.
 40.0 acres in W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 28, T 26 N, R 4 E, M.D.B. & M.
 200.0 acres - Total (Butte Creek)

SCHEDULE 1 (Cont'd)

George E. McLain and C. J. McLain

0.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, T 22 N, R 2 E, M.D.B. & M.
 8.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, T 22 N, R 2 E, M.D.B. & M.
 6.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, T 22 N, R 2 E, M.D.B. & M.
 1.9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T 22 N, R 2 E, M.D.B. & M.
17.1 acres - Total

F. K. Mickey and J. H. Mindermann

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B. & M.
 40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B. & M.
 32.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B. & M.
112.0 acres - Total

Merritt Musselman and Florence V. Musselman

40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 23 N, R 4 E, M.D.B. & M.
40.0 acres - Total

Paradise Irrigation District

640.0 acres in Section 28, T 22 N, R 3 E, M.D.B. & M.
 640.0 acres in Section 27, T 22 N, R 3 E, M.D.B. & M.
 640.0 acres in Section 26, T 22 N, R 3 E, M.D.B. & M.
 640.0 acres in Section 25, T 22 N, R 3 E, M.D.B. & M.
 640.0 acres in Section 24, T 22 N, R 3 E, M.D.B. & M.
 640.0 acres in Section 23, T 22 N, R 3 E, M.D.B. & M.
 640.0 acres in Section 22, T 22 N, R 3 E, M.D.B. & M.
 640.0 acres in Section 21, T 22 N, R 3 E, M.D.B. & M.
 320.0 acres southeasterly portion of
 Section 16, T 22 N, R 3 E, M.D.B. & M.
 640.0 acres in Section 15, T 22 N, R 3 E, M.D.B. & M.
 640.0 acres in Section 14, T 22 N, R 3 E, M.D.B. & M.
 640.0 acres in Section 13, T 22 N, R 3 E, M.D.B. & M.
 640.0 acres in Section 12, T 22 N, R 3 E, M.D.B. & M.
 320.0 acres in S $\frac{1}{2}$ of Section 11, T 22 N, R 3 E, M.D.B. & M.
 160.0 acres in NE $\frac{1}{4}$ of Section 11, T 22 N, R 3 E, M.D.B. & M.
 80.0 acres in S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 11, T 22 N, R 3 E, M.D.B. & M.
 40.0 acres in southeasterly portion of
 W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 11, T 22 N, R 3 E, M.D.B. & M.
 160.0 acres in SE $\frac{1}{4}$ of Section 10, T 22 N, R 3 E, M.D.B. & M.
 80.0 acres in southeasterly portion of
 SW $\frac{1}{4}$ of Section 10, T 22 N, R 3 E, M.D.B. & M.
 40.0 acres in southeasterly portion of
 S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 10, T 22 N, R 3 E, M.D.B. & M.
 20.0 acres in southeasterly portion of
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 22 N, R 3 E, M.D.B. & M.
 480.0 acres in southeasterly portion of
 Section 1, T 22 N, R 3 E, M.D.B. & M.
 160.0 acres in SW $\frac{1}{4}$ of Section 6, T 22 N, R 4 E, M.D.B. & M.
 80.0 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 6, T 22 N, R 4 E, M.D.B. & M.
 40.0 acres in southwesterly portion of
 E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 6, T 22 N, R 4 E, M.D.B. & M.
 320.0 acres in W $\frac{1}{2}$ of Section 7, T 22 N, R 4 E, M.D.B. & M.
 320.0 acres in W $\frac{1}{2}$ of Section 18, T 22 N, R 4 E, M.D.B. & M.
 80.0 acres in southwesterly portion of
 W $\frac{1}{2}$ E $\frac{1}{2}$ of Section 18, T 22 N, R 4 E, M.D.B. & M.
 320.0 acres in W $\frac{1}{2}$ of Section 19, T 22 N, R 4 E, M.D.B. & M.
 160.0 acres in W $\frac{1}{2}$ E $\frac{1}{2}$ of Section 19, T 22 N, R 4 E, M.D.B. & M.
 160.0 acres in NW $\frac{1}{4}$ of Section 30, T 22 N, R 4 E, M.D.B. & M.
 80.0 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 30, T 22 N, R 4 E, M.D.B. & M.
11,100.0 acres - Total

Pacific Gas and Electric Company (Public Service)

Lands of C. N. Archer

NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T 23 N, R 3 E, M.D.B. & M.

Lands of L. C. Bonham

NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, T 23 N, R 3 E, M.D.B. & M.

Lands of Frank Graham

SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T 23 N, R 3 E, M.D.B. & M.

Lands of Thos. H. Jacobs and Dorothy L. Jacobs

SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, T 23 N, R 3 E, M.D.B. & M.

E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 15, T 23 N, R 3 E, M.D.B. & M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T 23 N, R 3 E, M.D.B. & M.

Lands of Pacific Gas and Electric Company

S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 2, T 23 N, R 3 E, M.D.B. & M.

N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 11, T 23 N, R 3 E, M.D.B. & M.

Lands of Ellenore K. Robbins and Samuel P. Robbins

E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 22, T 23 N, R 3 E, M.D.B. & M.

SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T 23 N, R 3 E, M.D.B. & M.

Lands of Carl Nelson Swartz and Esther M. Swartz

47.63 acres in Lot 7, Section 22, T 23 N, R 3 E, M.D.B. & M.

44.0 acres in Lot 6, Section 22, T 23 N, R 3 E, M.D.B. & M.

20.4 acres in Lot 1, Section 22, T 23 N, R 3 E, M.D.B. & M.

112.03 acres - Total

Lands of S. A. Vandegrift

N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 11, T 23 N, R 3 E, M.D.B. & M.

NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T 23 N, R 3 E, M.D.B. & M.

W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 11, T 23 N, R 3 E, M.D.B. & M.

That portion of SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T 23 N,
R 3 E, M.D.B. & M., lying east of Magalia-DeSable Road.

Parrott Investment Company

640.0 acres in Section 1, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 2, T 20 N, R 1 W, M.D.B. & M.

560.0 acres in southeasterly portion of
Section 3, T 20 N, R 1 W, M.D.B. & M.

160.0 acres in southeasterly portion of
Section 4, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 9, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 10, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 11, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 12, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 13, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 14, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 15, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 16, T 20 N, R 1 W, M.D.B. & M.

SCHEDULE 1 (Cont'd)

Parrott Investment Company (Cont'd)

75.0 acres in easterly portion of
 Section 17, T 20 N, R 1 W, M.D.B. & M.

40.0 acres in easterly portion of
 Section 20, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 21, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 22, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 23, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 24, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 25, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 26, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 27, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 28, T 20 N, R 1 W, M.D.B. & M.

240.0 acres in easterly portion of
 Section 29, T 20 N, R 1 W, M.D.B. & M.

90.0 acres in easterly portion of
 Section 32, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 33, T 20 N, R 1 W, M.D.B. & M.

640.0 acres in Section 34, T 20 N, R 1 W, M.D.B. & M.

580.0 acres in northerly portion of
 Section 35, T 20 N, R 1 W, M.D.B. & M.

396.0 acres in northerly portion of
 Section 36, T 20 N, R 1 W, M.D.B. & M.

10.0 acres in northwesterly portion of
 Section 2, T 19 N, R 1 W, M.D.B. & M.

140.0 acres in northerly portion of
 Section 3, T 19 N, R 1 W, M.D.B. & M.

140.0 acres in northerly portion of
 Section 4, T 19 N, R 1 W, M.D.B. & M.

5.0 acres in southeasterly portion of
 Section 34, T 21 N, R 1 W, M.D.B. & M.

130.0 acres in southerly portion of
 Section 35, T 21 N, R 1 W, M.D.B. & M.

340.0 acres in southerly portion of
 Section 36, T 21 N, R 1 W, M.D.B. & M.

240.0 acres in southwestarly portion of
 Section 31, T 21 N, R 1 E, M.D.B. & M.

281.0 acres in westerly portion of
 Section 6, T 20 N, R 1 E, M.D.B. & M.

275.0 acres in westerly portion of
 Section 7, T 20 N, R 1 E, M.D.B. & M.

275.0 acres in westerly portion of
 Section 18, T 20 N, R 1 E, M.D.B. & M.

275.0 acres in westerly portion of
 Section 19, T 20 N, R 1 E, M.D.B. & M.

275.0 acres in westerly portion of
 Section 30, T 20 N, R 1 E, M.D.B. & M.

100.0 acres in northwesterly portion of
 Section 31, T 20 N, R 1 E, M.D.B. & M.

17,427.0 acres - Total (All in Llano Seco Rancho)
 (Section lines have been projected).

119.0 acres in Section 8, T 21 N, R 2 E, M.D.B. & M.

83.5 acres in Section 17, T 21 N, R 2 E, M.D.B. & M.

8.5 acres in Section 16, T 21 N, R 2 E, M.D.B. & M.

211.0 acres - Total (All in Rancho Esquon)
 (Section lines have been projected).

SCHEDULE 1 (Cont'd)

Roy L. Pearson, Orval L. Pearson, Eunice A. Cartwright
and Mildred Laughlin

3.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T 23 N, R 3 E, M.D.B. & M.
3.0 acres - Total

Mary E. Roth

6.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
4.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
6.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
28.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
13.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
13.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
5.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B. & M.
75.0 acres - Total (Section lines have been projected).

Joe A. Sagi

11.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T 23 N, R 3 E, M.D.B. & M.
11.6 acres - Total

H. W. Skillin and Alice Skillin

2.3 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 22 N, R 3 E, M.D.B. & M.
5.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 22 N, R 3 E, M.D.B. & M.
2.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 22 N, R 3 E, M.D.B. & M.
9.4 acres - Total

L. B. Stephenson

25.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T 26 N, R 5 E, M.D.B. & M.
25.0 acres - Total

Thermon & Wright

6.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, T 22 N, R 3 E, M.D.B. & M.
6.0 acres - Total

Grace D. Taylor

4.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B. & M.
1.0 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B. & M.
5.0 acres - Total (All in the townsite of Butte Meadows)

Lester K. Thomasson, N. H. Thomasson, Beryl V. Thomasson,
Zelma L. Stevens and Effie M. Bruce

15.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, T 22 N, R 1 E, M.D.B. & M.
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, T 22 N, R 1 E, M.D.B. & M.
20.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, T 22 N, R 1 E, M.D.B. & M.
6.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, T 22 N, R 1 E, M.D.B. & M.
80.0 acres in N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 1, T 21 N, R 1 E, M.D.B. & M.
38.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, T 21 N, R 1 E, M.D.B. & M.
3.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, T 21 N, R 1 E, M.D.B. & M.
6.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, T 21 N, R 1 E, M.D.B. & M.
35.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, T 21 N, R 1 E, M.D.B. & M.
38.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, T 21 N, R 1 E, M.D.B. & M.
18.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 21 N, R 1 E, M.D.B. & M.
6.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, T 21 N, R 1 E, M.D.B. & M.
305.0 acres - Total

SCHEDULE 1 (Cont'd)

United States Department of Agriculture, Bureau of Plant Industry, Division of Plant Exploration & Introduction, Plant Introduction Garden

0.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, T 22 N, R 2 E, M.D.B. & M.
 27.8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T 22 N, R 2 E, M.D.B. & M.
 24.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T 22 N, R 2 E, M.D.B. & M.
 40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T 22 N, R 2 E, M.D.B. & M.
 38.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T 22 N, R 2 E, M.D.B. & M.
 14.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 22 N, R 2 E, M.D.B. & M.
 3.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 22 N, R 2 E, M.D.B. & M.
 2.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 22 N, R 2 E, M.D.B. & M.
 1.4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, T 22 N, R 2 E, M.D.B. & M.
 2.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, T 22 N, R 2 E, M.D.B. & M.
154.5 acres - Total

United States Department of Agriculture - Lassen National Forest

10.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B. & M.
 10.2 acres - Total

S. A Vandegrift

80.0 acres in S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 35, T 23 N, R 3 E, M.D.B. & M.
 80.0 acres - Total (Cooper Place)

Vandegrift Trust

15.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 23 N, R 3 E, M.D.B. & M.
 35.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 23 N, R 3 E, M.D.B. & M.
 1.0 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 23 N, R 3 E, M.D.B. & M.
35.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T 23 N, R 3 E, M.D.B. & M.
 87.0 acres - Total

Stephen Vernoga

0.2 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
 16.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
 1.0 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
 4.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
25.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T 21 N, R 2 E, M.D.B. & M.
 47.3 acres - Total (All in Spanish Land Grant)
 (Section lines have been projected)

Varney F. Wakefield

0.2 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
 3.9 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
 7.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
2.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 21 N, R 2 E, M.D.B. & M.
 14.0 acres - Total

Western Canal Company

30.0 acres in SE $\frac{1}{4}$ Section 35, T 20 N, R 1 W, M.D.B. & M.
 319.0 acres in S $\frac{1}{2}$ Section 36, T 20 N, R 1 W, M.D.B. & M.
 70.0 acres in E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 6, T 20 N, R 1 E, M.D.B. & M.
 472.0 acres in E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$ of Section 7, T 20 N, R 1 E, M.D.B. & M.
 640.0 acres in Section 9, T 20 N, R 1 E, M.D.B. & M.
 126.0 acres in E $\frac{1}{2}$ of Section 10, T 20 N, R 1 E, M.D.B. & M.
 620.0 acres in Section 13, T 20 N, R 1 E, M.D.B. & M.
 427.0 acres in Section 14, T 20 N, R 1 E, M.D.B. & M.
 620.0 acres in Section 15, T 20 N, R 1 E, M.D.B. & M.
 640.0 acres in Section 16, T 20 N, R 1 E, M.D.B. & M.
 640.0 acres in Section 17, T 20 N, R 1 E, M.D.B. & M.
 480.0 acres in E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$ of Section 18, T 20 N, R 1 E, M.D.B. & M.
 480.0 acres in Section 19, T 20 N, R 1 E, M.D.B. & M.

SCHEDULE 1 (Cont'd)

Western Canal Company (Cont'd)

640.0 acres in Section 20, T 20 N, R 1 E, M.D.B. & M.
 640.0 acres in Section 21, T 20 N, R 1 E, M.D.B. & M.
 640.0 acres in Section 22, T 20 N, R 1 E, M.D.B. & M.
 600.0 acres in Section 23, T 20 N, R 1 E, M.D.B. & M.
 150.0 acres in NE $\frac{1}{2}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, T 20 N, R 1 E, M.D.B. & M.
 125.0 acres in NE $\frac{1}{4}$ of Section 26, T 20 N, R 1 E, M.D.B. & M.
 630.0 acres in Section 27, T 20 N, R 1 E, M.D.B. & M.
 640.0 acres in Section 28, T 20 N, R 1 E, M.D.B. & M.
 320.0 acres in NE $\frac{1}{2}$ of Section 29, T 20 N, R 1 E, M.D.B. & M.
 390.0 acres in E $\frac{1}{2}$ and Fctl. E $\frac{1}{2}$ W $\frac{1}{2}$ of Section 30, T 20 N, R 1 E,
 M.D.B. & M.
 640.0 acres in Section 33, T 20 N, R 1 E, M.D.B. & M.
 315.0 acres in NE $\frac{1}{2}$ and SW $\frac{1}{4}$ of Section 34, T 20 N, R 1 E, M.D.B. & M.
 550.0 acres in Section 1, T 19 N, R 1 W, M.D.B. & M.
 595.0 acres in Section 2, T 19 N, R 1 W, M.D.B. & M.
 145.0 acres in Fctl. E $\frac{1}{2}$ of Section 3, T 19 N, R 1 W, M.D.B. & M.
 45.0 acres in Fctl. NE $\frac{1}{4}$ of Section 10, T 19 N, R 1 W, M.D.B. & M.
 625.0 acres in Section 11, T 19 N, R 1 W, M.D.B. & M.
 560.0 acres in Section 12, T 19 N, R 1 W, M.D.B. & M.
 570.0 acres in Section 13, T 19 N, R 1 W, M.D.B. & M.
 585.0 acres in Section 14, T 19 N, R 1 W, M.D.B. & M.
 115.0 acres in Fctl. E $\frac{1}{2}$ E $\frac{1}{2}$ of Section 15, T 19 N, R 1 W, M.D.B. & M.
 400.0 acres in Section 23, T 19 N, R 1 W, M.D.B. & M.
 360.0 acres in NE $\frac{1}{2}$, SE $\frac{1}{4}$ and Fctl. SW $\frac{1}{4}$ of Section 24, T 19 N, R 1 W, M.D.B. & M.
 315.0 acres in Section 25, T 19 N, R 1 W, M.D.B. & M.
 80.0 acres in Fctl. NW $\frac{1}{4}$ of Section 26, T 19 N, R 1 W, M.D.B. & M.
 70.0 acres in Fctl. NE $\frac{1}{4}$ of Section 36, T 19 N, R 1 W, M.D.B. & M.
 320.0 acres in E $\frac{1}{2}$ of Section 5, T 19 N, R 1 E, M.D.B. & M.
 320.0 acres in Section 6, T 19 N, R 1 E, M.D.B. & M.
 640.0 acres in Section 7, T 19 N, R 1 E, M.D.B. & M.
 223.0 acres in projected Section 8, T 19 N, R 1 E, M.D.B. & M.
 497.0 acres in projected Section 17, T 19 N, R 1 E, M.D.B. & M.
 640.0 acres in Section 18, T 19 N, R 1 E, M.D.B. & M.
 640.0 acres in Section 19, T 19 N, R 1 E, M.D.B. & M.
 620.0 acres in projected Section 20, T 19 N, R 1 E, M.D.B. & M.
 60.0 acres in projected Section 28, T 19 N, R 1 E, M.D.B. & M.
 395.0 acres in projected Section 29, T 19 N, R 1 E, M.D.B. & M.
 640.0 acres in Section 30, T 19 N, R 1 E, M.D.B. & M.
 400.0 acres in NE $\frac{1}{2}$ and Fctl. SW $\frac{1}{4}$ of Section 31, T 19 N, R 1 E,
 M.D.B. & M.
 20.0 acres in SW $\frac{1}{4}$ of Projected Section 33, T 19 N, R 1 E, M.D.B. & M.
 225.0 acres in E $\frac{1}{2}$ of Section 5, T 18 N, R 1 E, M.D.B. & M.
 180.0 acres in E $\frac{1}{2}$ of Section 8, T 18 N, R 1 E, M.D.B. & M.
22,129.0 acres - Total.

E. E. White

40.0 acres in SE $\frac{1}{4}$ of Section 13, T 20 N, R 1 E, M.D.B. & M.
 6.64 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T 20 N, R 1 E, M.D.B. & M.
 455.0 acres in Section 24, T 20 N, R 1 E, M.D.B. & M.
 40.0 acres in NE $\frac{1}{4}$ of Section 26, T 20 N, R 1 E, M.D.B. & M.
541.64 acres - Total

Roy White

32.0 acres in Lot 62B of Durham State Land Settlement.
 21.0 acres in Lot 62A of Durham State Land Settlement.
53.0 acres - Total

SCHEDULE 1 (Cont'd)

F. E. Whitlock

10.0 acres in Lot 6 of Section 34, T 23 N, R 3 E, M.D.B. & M.
 lying south and east of the Upper Centerville Canal.
 10.0 acres - Total.

Herbert W. Whitten and Marjorie C. Whitten

13.6 acres in N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 15, T 20 N, R 2 E, M.D.B. & M.
 27.2 acres in that portion of N $\frac{1}{2}$ N $\frac{1}{2}$ of Section 16, T 20 N, R 2 E,
 M.D.B. & M., lying NE of Northern Electric Railroad.
 94.0 acres in SW $\frac{1}{4}$ of Section 10, T 20 N, R 2 E, M.D.B. & M.
 54.0 acres in NW $\frac{1}{4}$ of Section 10, T 20 N, R 2 E, M.D.B. & M.
 15.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T 20 N, R 2 E, M.D.B. & M.
 160.0 acres in SE $\frac{1}{4}$ of Section 9, T 20 N, R 2 E, M.D.B. & M.
 187.0 acres in N $\frac{1}{2}$ of Section 9, T 20 N, R 2 E, M.D.B. & M.
 114.5 acres in that portion of SW $\frac{1}{2}$ of Section 9, T 20 N,
 R 2 E, M.D.B. & M., lying NE of Northern Electric Railroad.
 665.3 acres - Total (All in Rancho Esquon)
 (Section lines have been projected)

PLACES OF USE OF DOMESTIC ALLOTMENTS

The Diamond Match Company

E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T 24 N, R 4 E, M.D.B. & M.
 All of Section 6, T 24 N, R 4 E, M.D.B. & M.
 NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$
 SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 24 N, R 4 E, M.D.B. & M.
 E $\frac{1}{2}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, T 24 N, R 4 E, M.D.B. & M.
 NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T 24 N, R 4 E, M.D.B. & M.
 All of Section 17, T 24 N, R 4 E, M.D.B. & M.
 All of Section 1, T 24 N, R 3 E, M.D.B. & M.
 All of Section 2, T 24 N, R 3 E, M.D.B. & M.
 N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 24 N, R 3 E, M.D.B. & M.
 N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 24 N, R 3 E, M.D.B. & M.
 All of Section 9, T 24 N, R 3 E, M.D.B. & M.
 S $\frac{1}{2}$, NW $\frac{1}{4}$, and E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 10, T 24 N, R 3 E, M.D.B. & M.
 W $\frac{1}{2}$, NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 11, T 24 N, R 3 E, M.D.B. & M.
 E $\frac{1}{2}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of
 Section 12, T 24 N, R 3 E, M.D.B. & M.
 All of Section 13, T 24 N, R 3 E, M.D.B. & M.
 E $\frac{1}{2}$, NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 14, T 24 N, R 3 E, M.D.B. & M.
 All of Section 15, T 24 N, R 3 E, M.D.B. & M.
 All of Section 16, T 24 N, R 3 E, M.D.B. & M.
 NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of
 Section 23, T 24 N, R 3 E, M.D.B. & M.
 NW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, T 24 N, R 3 E, M.D.B. & M.
 W $\frac{1}{2}$, SE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 25, T 24 N, R 3 E, M.D.B. & M.
 E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ of Section 26, T 24 N, R 3 E,
 M.D.B. & M.
 All of Section 35, T 24 N, R 3 E, M.D.B. & M.
 Fctl. W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 4, T 25 N, R 4 E, M.D.B. & M.
 Fctl. N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 5, T 25 N,
 R 4 E, M.D.B. & M.
 Fctl. N $\frac{1}{2}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 6, T 25 N, R 4 E, M.D.B. & M.
 W $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$ of Section 7, T 25 N, R 4 E, M.D.B. & M.
 SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 8, T 25 N, R 4 E, M.D.B. & M.
 All of Section 9, T 25 N, R 4 E, M.D.B. & M.
 E $\frac{1}{2}$ NE $\frac{1}{4}$ S $\frac{1}{2}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, T 25 N, R 4 E, M.D.B. & M.
 All of Section 17, T 25 N, R 4 E, M.D.B. & M.
 E $\frac{1}{2}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, T 25 N, R 4 E, M.D.B. & M.

SCHEDULE 1 (Cont'd)

The Diamond Match Company (Cont'd)

All of Section 19, T 25 N, R 4 E, M.D.B. & M.
 All of Section 20, T 25 N, R 4 E, M.D.B. & M.
 $W\frac{1}{2}$, $NE\frac{1}{4}$, $N\frac{1}{2}$ $SE\frac{1}{4}$, and $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 21, T 25 N, R 4 E,
 M. D. B. & M.
 $W\frac{1}{2}$ $E\frac{1}{2}$, $E\frac{1}{2}$ $W\frac{1}{2}$, $NW\frac{1}{4}$ $NW\frac{1}{4}$, and $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Section 29, T 25 N, R 4 E,
 M. D. B. & M.
 $S\frac{1}{2}$ $S\frac{1}{2}$, $NW\frac{1}{4}$ $SE\frac{1}{4}$, $N\frac{1}{2}$ $SW\frac{1}{4}$, and $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 30, T 25 N,
 R 4 E, M.D.B. & M.
 $N\frac{1}{2}$, $SE\frac{1}{4}$, and $N\frac{1}{2}$ $SW\frac{1}{4}$ of Section 31, T 25 N, R 4 E, M.D.B. & M.
 $W\frac{1}{2}$, $W\frac{1}{2}$ $SE\frac{1}{4}$, $S\frac{1}{2}$ $NE\frac{1}{4}$, $NE\frac{1}{4}$ $NE\frac{1}{4}$, and $S\frac{1}{2}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$, T 25 N, R 4 E,
 M.D.B. & M.
 All of Fcrl. Section 1, T 25 N, R 3 E, M.D.B. & M.
 All of Section 11, T 25 N, R 3 E, M.D.B. & M.
 All of Section 12, T 25 N, R 3 E, M.D.B. & M.
 All of Section 13, T 25 N, R 3 E, M.D.B. & M.
 All of Section 14, T 25 N, R 3 E, M.D.B. & M.
 All of Section 15, T 25 N, R 3 E, M.D.B. & M.
 All of Section 22, T 25 N, R 3 E, M.D.B. & M.
 All of Section 23, T 25 N, R 3 E, M.D.B. & M.
 All of Section 24, T 25 N, R 3 E, M.D.B. & M.
 All of Section 25, T 25 N, R 3 E, M.D.B. & M.
 All of Section 26, T 25 N, R 3 E, M.D.B. & M.
 All of Section 27, T 25 N, R 3 E, M.D.B. & M.
 $W\frac{1}{2}$, $NE\frac{1}{4}$, $N\frac{1}{2}$ $SE\frac{1}{4}$, and $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 33, T 25 N, R 3 E,
 M.D.B. & M.
 All of Section 34, T 25 N, R 3 E, M.D.B. & M.
 All of Section 35, T 25 N, R 3 E, M.D.B. & M.
 All of Section 36, T 25 N, R 3 E, M.D.B. & M.
 $N\frac{1}{2}$ $N\frac{1}{2}$, $S\frac{1}{2}$ $NW\frac{1}{4}$, $SW\frac{1}{4}$ $NE\frac{1}{4}$, and $W\frac{1}{2}$ $SW\frac{1}{4}$ of Section 21,
 T 26 N, R 4 E, M.D.B. & M.
 $W\frac{1}{2}$, $W\frac{1}{2}$ $E\frac{1}{2}$, and $E\frac{1}{2}$ $SE\frac{1}{4}$ of Section 15, T 26 N, R 4 E, M.D.B. & M.
 $S\frac{1}{2}$ $NW\frac{1}{4}$, and $N\frac{1}{2}$ $SW\frac{1}{4}$ of Section 14, T 26 N, R 4 E, M.D.B. & M.
 $W\frac{1}{2}$, $SE\frac{1}{4}$, and $S\frac{1}{2}$ $NE\frac{1}{4}$ of Section 22, T 26 N, R 4 E, M.D.B. & M.
 $S\frac{1}{2}$, and $S\frac{1}{2}$ $N\frac{1}{2}$ of Section 23, T 26 N, R 4 E, M.D.B. & M.
 $W\frac{1}{2}$ $W\frac{1}{2}$, $SE\frac{1}{4}$ $SW\frac{1}{4}$, $W\frac{1}{2}$ $SE\frac{1}{4}$, and $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 24, T 26 N,
 R 4 E, M.D.B. & M.
 $W\frac{1}{2}$ $NW\frac{1}{4}$, $SE\frac{1}{4}$ $NW\frac{1}{4}$, and $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Section 25, T 26 N, R 4 E, M.D.B. & M.
 $N\frac{1}{2}$ of Section 26, T 26 N, R 4 E, M.D.B. & M.
 All of Section 27, T 26 N, R 4 E, M.D.B. & M.
 $S\frac{1}{2}$, $E\frac{1}{2}$ $NE\frac{1}{4}$, $SW\frac{1}{4}$ $NE\frac{1}{4}$, $E\frac{1}{2}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$, $E\frac{1}{2}$ $W\frac{1}{2}$ $NW\frac{1}{4}$, and
 southwesterly portion of $SE\frac{1}{4}$ $NW\frac{1}{4}$ of Section 28, T 26 N,
 R 4 E, M.D.B. & M.
 $SE\frac{1}{4}$, $S\frac{1}{2}$ $SW\frac{1}{4}$, $N\frac{1}{2}$ $NW\frac{1}{4}$, southerly portion of $N\frac{1}{2}$ $SW\frac{1}{4}$, and
 northwesterly portion of $S\frac{1}{2}$ $NW\frac{1}{4}$ of Section 29, T 26 N,
 R 4 E, M.D.B. & M.
 All of Section 31, T 26 N, R 4 E, M.D.B. & M.
 $NW\frac{1}{4}$, $E\frac{1}{2}$ $SW\frac{1}{4}$, and $W\frac{1}{2}$ $SE\frac{1}{4}$ of Section 32, T 26 N, R 4 E, M.D.B. & M.
 All of Section 33, T 26 N, R 4 E, M.D.B. & M.
 All of Section 36, T 26 N, R 3 E, M.D.B. & M.

Anna Spangler

$N\frac{1}{2}$ $NW\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
 $N\frac{1}{2}$ $S\frac{1}{2}$ $NW\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.
 $N\frac{1}{2}$ $N\frac{1}{2}$ $NE\frac{1}{4}$ of Section 36, T 24 N, R 3 E, M.D.B. & M.

Carl Nelson Swartz and Esther M. Swartz

Lots 1, 6 and 7 of Section 22, T 23 N, R 3 E, M.D.B. & M.

SCHEDULE 1 (Cont'd)

Grace D. Taylor

Fct1. SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B. & M.
(In the townsite of Butte Meadows).

United States Department of Agriculture - Lassen National Forest

(Jones Creek)

S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 7, T 26 N, R 5 E, M.D.B. & M.
N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 18, T 26 N, R 5 E, M.D.B. & M.
S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 13, T 26 N, R 4 E, M.D.B. & M.

(Butte Creek)

NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, T 26 N, R 4 E, M.D.B. & M.

S. A Vandegrift

(Middle Butte Creek)

All of Section 26, T 23 N, R 3 E, M.D.B. & M.
W $\frac{1}{2}$ W $\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
W $\frac{1}{2}$ E $\frac{1}{2}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.
E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 23, T 23 N, R 3 E, M.D.B. & M.

(Vandegrift Spring and Little Butte Creek)

W $\frac{1}{2}$ of Section 25, T 23 N, R 3 E, M.D.B. & M.
W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 36, T 23 N, R 3 E, M.D.B. & M.

Eleanor Propfe Welch

Lots 26, 32 and 33 of 1st Subdivision of Davis Tract in
NE $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B. & M.

PLACES OF USE OF NONCONSUMPTIVE ALLOTMENTS

Electric Mining Company (Power)

S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 22 N, R 3 E, M.D.B. & M.

L. H. McLain and C. J. McLain (Mining)

NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, T 24 N, R 3 E, M.D.B. & M.

Pacific Gas and Electric Company (Power)

DeSabra Power Plant

NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T 23 N, R 3 E, M.D.B. & M.

Centerville Power Plant

NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 22 N, R 3 E, M.D.B.& M.

Jack L. Post (Mining)

NW $\frac{1}{4}$ and N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 10, T 22 N, R 3 E, M.D.B.& M.
 S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
 S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.

Harold B. Rathwell (Power)

SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 22 N, R 3 E, M.D.B.& M.

Almon E. Smith (Mining)

N $\frac{1}{2}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
 N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.

Margaret A. Smith (Mining)

SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T 24 N, R 3 E, M.D.B.& M.

Grace D. Taylor (Potable domestic)

5 acres in the townsite of Butte Meadows within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B.& M.

W. J. McGarr and Elizabeth T. Cussick (Potable domestic)

NE $\frac{1}{4}$ of Section 29, T 26 N, R 4 E, M.D.B.& M.
 W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 28, T 26 N, R 4 E, M.D.B.& M.

Herbert W. Whitten, Marjorie C. Whitten, Olive M. Young,
 George Mead, Anna Mead, T. H. Polk and Lucia V. Polk (Mining)

NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
 N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
 N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M. and that
 portion of the following described land lying East of the
 Center of Middle Butte Creek:
 N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 22 N, R 3 E, M.D.B.& M.

Yuba Consolidated Gold Fields (Mining)

5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 21 N, R 2 E, M.D.B.& M.
 55 acres in N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 5, T 21 N, R 2 E, M.D.B.& M.
 36 acres in N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
 14 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 21 N, R 2 E, M.D.B.& M.
 120 acres total

David S. Webb and Mary D. Webb (Mining)

S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, T 24 N, R 3 E, M.D.B.& M.

SCHEDULE 2

POINTS OF DIVERSION FROM BUTTE CREEK
AND ITS TRIBUTARIES

Name of Diversion System	Number	Approximate Location of Point of Diversion					Map Sheet No.
		Legal Sub-Division in which diversion occurs	Reference corner for distance and bearing	Bearing from reference corner	Distance in feet from reference corner		
Jonesville Block 1	1	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7	SW Cor. Sec. 7	N 67° E	1050	6	
		T 26 N, R 5 E	T 26 N, R 5 E				
Mickey-Minderman Spring	2	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13	NE Cor. Sec. 13	S 21°30' W	1900	6	
		T 26 N, R 4 E	T 26 N, R 4 E				
Mickey (Jones)	3	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13	NE Cor. Sec. 13	S 31°30' W	1440	6	
		T 26 N, R 4 E	T 26 N, R 4 E				
Mickey-Minderman	4	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13	NE Cor. Sec. 13	S 53° W	1950	6	
		T 26 N, R 4 E	T 26 N, R 4 E				
Lucas-Jones	5	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13	NW Cor. Sec. 13	S 63°30' E	1430	6	
		T 26 N, R 4 E	T 26 N, R 4 E				
Willow Creek and Kennedy Pipe	5A	(NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12)	(W $\frac{1}{2}$ Cor. Sec. 12)	(S 86° E)	(1600)	(6)	
		(T 26 N, R 4 E)	(T 26 N, R 4 E)				
		(SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12)	(W $\frac{1}{2}$ Cor. Sec. 12)	(N 88° E)	(1600)	(6)	
		(T 26 N, R 4 E)	(T 26 N, R 4 E)				
Colby Creek	5B	:At various points on Colby Creek between NE $\frac{1}{4}$ Sec. 3 and SE $\frac{1}{4}$ Sec. 11, T 26 N, R 4 E				6	
Cirby	6	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26	W $\frac{1}{2}$ Cor. Sec. 26	N 52° E	1300	6	
		T 26 N, R 5 E	T 26 N, R 5 E				
Stevenson Upper	7	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28	NE Cor. Sec. 28	S 20° W	720	6	
		T 26 N, R 5 E	T 26 N, R 5 E				
Stevenson Lower	8	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28	NE Cor. Sec. 28	S 46°30' W	680	6	
		T 26 N, R 5 E	T 26 N, R 5 E				
	8A	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21	S $\frac{1}{4}$ Cor. Sec. 21	N 1° W	250	6	
		T 26 N, R 5 E	T 26 N, R 5 E				
Abietine	8B	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21	Center Sec. 21	S 45° W	400	6	
		T 26 N, R 5 E	T 26 N, R 5 E				
	8C	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21	W $\frac{1}{2}$ Cor. Sec. 21	N 60° E	200	6	
		T 26 N, R 5 E	T 26 N, R 5 E				
Lucas Springs	9	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21	W $\frac{1}{2}$ Cor. Sec. 21	S 55°30' W	1500	6	
		T 26 N, R 4 E	T 26 N, R 4 E				
McGann Springs	9A	SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 21,	N $\frac{1}{2}$ Cor. Sec. 28	Due North	600	6	
		T 26 N, R 4 E	T 26 N, R 4 E				
		T 26 N, R 4 E					

SCHEDULE 2 (Cont'd)

Name of Diversion System	Number of Diversion of Water Resources	Approximate Location of Point of Diversion	Map			
		Legal Sub-Division in which diversion occurs				
		Reference corner for distance and bearing				
		Bearing from reference corner				
		Distance in feet from reference corner				
		Map Sheet No.				
Diamond Match	10	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28 T 26 N, R 4 E	E $\frac{1}{4}$ Cor. Sec. 28 T 26 N, R 4 E	N 66°30'W	950	6
	10A	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17 T 25 N, R 4 E	NE Cor. Sec. 17 T 25 N, R 4 E	S 70°W	1650	5
	10B	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5 T 24 N, R 4 E	NE Cor. Sec. 5 T 24 N, R 4 E	S 45°W	2050	5
	10C	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34 T 24 N, R 3 E	SE Cor. Sec. 34 T 25 N, R 3 E	N 1°W	1900	5
	Olson	11	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23 T 24 N, R 3 E	SE Cor. Sec. 23 T 24 N, R 3 E	N 70°30'W	2000
Crews	12	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24 T 24 N, R 3 E	E $\frac{1}{4}$ Cor. Sec. 24 T 24 N, R 3 E	N 57°W	1480	5
Webb	13	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24 T 24 N, R 3 E	SW Cor. Sec. 24 T 24 N, R 3 E	N 54°E	2500	5
Spangler Pipes	13A	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36 T 24 N, R 3 E	NW Cor. Sec. 36 T 24 N, R 3 E	S 45°E	650	5
		NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36 T 24 N, R 3 E	NW Cor. Sec. 36 T 24 N, R 3 E	S 70°E	1100	5
Duensing	14	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36 T 24 N, R 3 E	NW Cor. Sec. 36 T 24 N, R 3 E	S 35°E	1500	5
Duensing Spring	14A	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36 T 24 N, R 3 E	W $\frac{1}{4}$ Cor. Sec. 36 T 24 N, R 3 E	N 79°E	1000	5
Toad Town	15	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36 T 24 N, R 3 E	NW Cor. Sec. 36 T 24 N, R 3 E	S 31°E	2150	5
Walker	16	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1 T 23 N, R 3 E	NE Cor. Sec. 1 T 23 N, R 3 E	S 47°W	1140	4
Downs Spring	17	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 T 23 N, R 3 E	E $\frac{1}{4}$ Cor. Sec. 1 T 23 N, R 3 E	S 81°W	1150	4
	16A	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1 T 23 N, R 3 E	NE Cor. Sec. 1 T 23 N, R 3 E	S 47°W	1140	4
Hamilton (Musselman)	18	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 T 23 N, R 3 E	E $\frac{1}{4}$ Cor. Sec. 1 T 23 N, R 3 E	S 16°30'W	1460	4
Musselman Spring	18A	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7 T 23 N, R 4 E	NW Cor. Sec. 7 T 23 N, R 4 E	S 30°E	1650	4
Mosquito	19	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18 T 23 N, R 4 E	W $\frac{1}{4}$ Cor. Sec. 18 T 23 N, R 4 E	N 38°E	1380	4

SCHEDULE 2 (Cont'd)

Map Sheet No.	Name of Diversion System	:Number of Diversion	Approximate Location of Point of Diversion				
			:Legal Sub-Division in which diversion occurs	:Reference corner for distance and bearing	:Bearing from reference corner	:Distance in feet from reference corner	:Map Sheet No.
	Richardson	(20) (20A)	:Four points from Little Butte Creek between a point :N 3°30'W 980 feet from the E $\frac{1}{4}$ Cor. Sec. 2 and a point :due south 950 feet from the NE Cor. Sec. 11, :T 23 N, R 4 E				4
6	Meadowbrook	21	:NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2 :T 23 N, R 3 E	:E $\frac{1}{4}$ Cor. Sec. 2 :T 23 N, R 3 E	:S 56°W	1600	4
5	Paradise Irrigation District	22	:SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 :T 23 N, R 3 E	:SE Cor. Sec. 25 :T 23 N, R 3 E	:N 59°W	1380	4
5	Nickerson	23	:SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 :T 23 N, R 3 E	:SE Cor. Sec. 25 :T 23 N, R 3 E	:N 76°30'W	1200	4
5	Vandegrift	23A	:NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36 :T 23 N, R 3 E	:NE Cor. Sec. 36 :T 23 N, R 3 E	:Due W	1300	4
5	Sagi Pipes	24	:Three points between the North and South Boundary :lines of SE $\frac{1}{4}$ Sec. 14, T 23 N, R 3 E.				4
	Hook	24A	:NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23 :T 23 N, R 3 E	:NE Cor. Sec. 23 :T 23 N, R 3 E	:S 88°W	1000	4
5	Vandegrift Middle Butte	24B	:In channel between a point S 85°W 1400 feet from the :NE corner of Section 23, T 23 N, R 3 E and a point due :East 300 feet from the SW corner of Section 26, :T 23 N, R 3 E				4
5	Vandegrift Spring	24C	:SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24 :T 23 N, R 3 E	:SW Cor. Sec. 24 :T 23 N, R 3 E	:N 85°E	1500	4
5	Vandegrift West Branch	24D	:NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 23 :T 23 N, R 3 E	:NW Cor. Sec. 23 :T 23 N, R 3 E	:S 80°E	300	4
5	Michael	24E	:NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35 :T 23 N, R 3 E	:NE Cor. Sec. 35 :T 23 N, R 3 E	:S 85°W	2100	4
5	Hupp	24F	:NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23 :T 23 N, R 3 E	:W $\frac{1}{2}$ Cor. Sec. 23 :T 23 N, R 3 E	:S 56°E	730	4
4	Hupp	25	:SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23 :T 23 N, R 3 E	:E $\frac{1}{4}$ Cor. Sec. 23 :T 23 N, R 3 E	:N 73°W	2200	4
4	Evers Spring	25A	:Lot 1 Sec. 22 :T 23 N, R 3 E	:NE Cor. Sec. 22 :T 23 N, R 3 E	:S 75°W	2100	4
4	A. E. Smith (Ethel)	26	:SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34 :T 23 N, R 3 E	:SE Cor. Sec. 34 :T 23 N, R 3 E	:N 37°W	1520	4
4	Eureka Middle	26A	:NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3 :T 22 N, R 3 E	:NE Cor. Sec. 3 :T 22 N, R 3 E	:Due W	1100	4
4	Eureka Pump	26B	:NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3 :T 22 N, R 3 E	:Center Sec. 3 :T 22 N, R 3 E	:Due E	350	4

SCHEDULE 2 (Cont'd)

Name of Diversion System	Number	Approximate Location of Point of Diversion	Map	No. Dive Sys			
	of	Legal Sub-Division in which diversion occurs	Reference corner for distance and bearing	Bearing from reference corner	Distance in feet from reference corner	Map Sheet No.	
Ripley Spring	27	:SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2	:SE Cor. Sec. 2	:N 34°30'W	1340	4	Kauf
		:T 22 N, R 3 E	:T 22 N, R 3 E				
Le Monte	28	:NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2	:S $\frac{1}{4}$ Cor. Sec. 2	:N 5°30'E	1480	4	Houg
		:T 22 N, R 3 E	:T 22 N, R 3 E				
Eureka Little	28A	:SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3	:SE Cor. Sec. 3	:N 85° W	300	4	Will Pi
		:T 22 N, R 3 E	:T 22 N, R 3 E				
Post Pump	28B	:SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3	:S $\frac{1}{4}$ Cor. Sec. 3	:Due N	600	4	Butt
		:T 22 N, R 3 E	:T 22 N, R 3 E				
Belden	29	:NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 2	:NW Cor. Sec. 2	:S 70°30'W	1920	4	Butt Ca
		:T 22 N, R 3 E	:T 22 N, R 3 E				
Evers (Todd)	30	:SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9	:SE Cor. Sec. 9	:N 83°30'W	1940	4	Butt
		:T 22 N, R 3 E	:T 22 N, R 3 E				
Burke	31	:SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17	:SE Cor. Sec. 17	:N 88°30'W	2220	4	McLa
		:T 22 N, R 3 E	:T 22 N, R 3 E				
McLain	32	:SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20	:NW Cor. Sec. 20	:S 40°30'E	2300	4	Smit
		:T 22 N, R 3 E	:T 22 N, R 3 E				
McEnespy North	33	:NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 20	:SW Cor. Sec. 20	:N 44°E	3450	4	Cent Ca
		:T 22 N, R 3 E	:T 22 N, R 3 E				
McEnespy Main	34	:NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20	:SW Cor. Sec. 20	:N 44°E	3450	4	Sore
		:T 22 N, R 3 E	:T 22 N, R 3 E				
McEnespy Pipe	34A	:NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 20	:W $\frac{1}{4}$ Cor. Sec. 20	:S 60°E	1600	4	Elec Mi
		:T 22 N, R 3 E	:T 22 N, R 3 E				
Mann Spring	35	:NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30	:NE Cor. Sec. 30	:S 56°30'W	2120	4	Parr
		:T 22 N, R 3 E	:T 22 N, R 3 E				
Lucas	36A	:SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21	:E $\frac{1}{4}$ Cor. Sec. 21	:N 84°W	1000	6	Hale
		:T 26 N, R 4 E	:T 26 N, R 4 E				
Davis	36	:SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21	:S $\frac{1}{4}$ Cor. Sec. 21	:N 63°30'E	1440	6	John
		:T 26 N, R 4 E	:T 26 N, R 4 E				
Thomas	37	:SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28	:NW Cor. Sec. 28	:S 13°E	1320	6	Flar Pu
		:T 26 N, R 4 E	:T 26 N, R 4 E				
Critchfield Pipe	38	:SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28	:NW Cor. Sec. 28	:S 13°E	1320	6	Comj
		:T 26 N, R 4 E	:T 26 N, R 4 E				
Welch Pipe	39	:NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29	:E $\frac{1}{4}$ Cor. Sec. 29	:S 88°W	1900	6	Mary
		:T 26 N, R 4 E	:T 26 N, R 4 E				
Colgan Pipe	40	:SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29	:Center Sec. 29	:N 45°W	200	6	Colc
		:T 26 N, R 4 E	:T 26 N, R 4 E				

SCHEDULE 2 (Cont'd)

Map sheet No.	Name of Diversion System	: Number : of : Diversion: : on Divi- : sion of : Water : Resources: : Map	Approximate Location of Point of Diversion				
			: Legal Sub-Divi- : sion in which : diversion : occurs	: Reference : corner for : distance and : bearing	: Bearing : from : reference : corner	: Distance : in feet : from : corner	: Sheet : reference: : No.
4	Kaufman Pipe	41	:NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29 :T 26 N, R 4 E	:SE Cor. Sec. 29 :T 26 N, R 4 E	:N 38°30'W	3160	6
4	Houghland Pipe	42	:NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29 :T 26 N, R 4 E	:SE Cor. Sec. 29 :T 26 N, R 4 E	:N 38°30'W	3160	6
4	Williamson Pipe	43	:SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28 :T 26 N, R 4 E	:NW Cor. Sec. 28 :T 26 N, R 4 E	:S 13°E	1320	6
4	Butte Meadows	44	:NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30 :T 26 N, R 4 E	:E $\frac{1}{4}$ Cor. Sec. 30 :T 26 N, R 4 E	:S 64°30'W	650	6
4	Butte Creek Canal	45	:SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36 :T 25 N, R 3 E	:NE Cor. Sec. 36 :T 25 N, R 3 E	:S 52°W	3260	5
4	Butte Bell	45A	:NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10 :T 24 N, R 3 E	:SW Cor. Sec. 10 :T 24 N, R 3 E	:N 30°E	2000	5
4	McLain Sluice	45B	:NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15 :T 24 N, R 3 E	:NW Cor. Sec. 15 :T 24 N, R 3 E	:S 80°E	1200	5
4	Smith	46	:NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15 :T 24 N, R 3 E	:NW Cor. Sec. 15 :T 24 N, R 3 E	:S 59°30'E	1400	5
4	Centerville Canal	47	:SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 :T 23 N, R 3 E	:W $\frac{1}{4}$ Cor. Sec. 10 :T 23 N, R 3 E	:N 60°E	1140	4
4	Sorensen	48	:SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28 :T 23 N, R 3 E	:S $\frac{1}{4}$ Cor. Sec. 28 :T 23 N, R 3 E	:N 16°W	580	4
4	Electric Mining	49	:NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 :T 22 N, R 3 E	:E $\frac{1}{4}$ Cor. Sec. 8 :T 22 N, R 3 E	:S 67°W	2480	4
4	Parrott	50	:NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 4 :T 21 N, R 2 E	:NE Cor. Sec. 4 :T 21 N, R 2 E	:S 21°W	900	3
6	Hale	51	:NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 4 :T 21 N, R 2 E	:NE Cor. Sec. 4 :T 21 N, R 2 E	:S 21°W	1020	3
6	Johnston Pump	52	:NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5 :T 21 N, R 2 E	:E $\frac{1}{4}$ Cor. Sec. 5 :T 21 N, R 2 E	:S 82°W	1900	3
5	Plant Garden Pump	53	:NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5 :T 21 N, R 2 E	:SE Cor. Sec. 5 :T 21 N, R 2 E	:N 47°W	2900	3
3	Compton-Entler	54	:NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5 :T 21 N, R 2 E	:SE Cor. Sec. 5 :T 21 N, R 2 E	:N 52°W	2900	3
	Marybill	55	:NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5 :T 21 N, R 2 E	:SE Cor. Sec. 5 :T 21 N, R 2 E	:N 52°30'W	2880	3
	Colony Upper	56	:NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5 :T 21 N, R 2 E	:SE Cor. Sec. 5 :T 21 N, R 2 E	:N 53°W	2700	3

SCHEDULE 2 (Cont'd)

Name of Diversion System	Number of Diversion	Approximate Location of Point of Diversion				Distance in feet	Map Sheet No.
		Legal Sub-Division in which diversion occurs	Reference corner for distance and bearing	Bearing from reference corner	Distance from reference corner		
Ollinger Pump	57	:NE ¹ / ₄ SW ¹ / ₄ Sec. 8 :T 21 N, R 2 E	:W ¹ / ₄ Cor. Sec. 8 :T 21 N, R 2 E	:S 80°30'E	2500	3	
Wakefield Pump	58	:SE ¹ / ₄ NW ¹ / ₄ Sec. 17 :T 21 N, R 2 E	:W ¹ / ₄ Cor. Sec. 17 :T 21 N, R 2 E	:N 70°30'E	2400	3	
Colony Lower	59	:Lot 1, Durham :State Land :Settlement	:NE Cor. Sec. 19 :T 21 N, R 2 E	:S 3°30'E	2700	3	
Merrifield Pump	59A	:Lot 35A Durham :State Land :Settlement	:SE Cor. Sec. 32 :T 21 N, R 2 E	Due W	1400	3	
Brandt Pump	59B	:Lot 63B Durham :State Land :Settlement	:NE Cor. Sec. 5 :T 20 N, R 2 E	:S 70°W	2740	3	
Adams	60	:Lot 35A, Durham :State Land :Settlement	:NE Cor. Sec. 5 :T 20 N, R 2 E	:S 70°W	2740	3	
Roy White Pump	60A	:Between Northern Electric and Southern Pacific :R. R. Crossings on Butte Creek				3	
Gorrill	61	:Projected Sec. 7 :Rancho Esquon	:NW Cor. Sec. 7 :T 20 N, R 2 E	:S 59°E	5120	3	
White Pump	62	:Projected Sec. 24 :Rancho Esquon	:NE Cor. Sec. 24 :T 20 N, R 1 E	:S 52°30'W	2900	3	
Western Canal and Good-speed pumps	63	(:Projected Sec. 26 (:Rancho Aguas (:Frias (:SW ¹ / ₄ SW ¹ / ₄ Sec. 13 (:T 20 N, R 1 E	:E ¹ / ₄ Cor. Sec. 26 :T 20 N, R 1 E	:N 62° W	3050	3	
Adams Hamlin Slough	64	:Projected Sec. 4 :Rancho Esquon	:NE Cor. Sec. 4 :T 20 N, R 2 E	:S 60°W	1780	3	
Adams Hamlin Pump	65	:Projected Sec. 8 :Rancho Esquon	:NE Cor. Sec. 8 :T 20 N, R 2 E	:S 40°W	1500	3	
Gorrill Hamlin Slough	66	:Projected Sec. 17 :Rancho Esquon	:NW Cor. Sec. 17 :T 20 N, R 2 E	:S 5°E	840	3	
Lomo Springs	67	:NW ¹ / ₄ SW ¹ / ₄ Sec. 11 :T 25 N, R 3 E	:W ¹ / ₄ Cor. Sec. 11 :T 25 N, R 3 E	:S 30°E	900	5	

SCHEDULE 3

ALLOCATIONS TO VARIOUS CLAIMANTS OF RIGHTS TO REDIVERSION FROM
FOREIGN WATER DELIVERED INTO BUTTE CREEK FROM WEST BRANCH OF
FEATHER RIVER BY PACIFIC GAS AND ELECTRIC COMPANY

Name of Claimant	Acreage to be Supplied	Diversions as per DWR Map	Name of Rediversion System	Allotments		
				Number	Cubic Feet Per Second	Total
Dayton Mutual Water Company	1,796.3	50	Parrott Ditch and Crouch Lateral	3.333		3.333
M. & T. Incorporated	3,620.0	50	Parrott Ditch and Edgar Slough	3.333	50.00	53.333
Parrott Investment Company	17,427.0	50	Parrott Ditch and Edgar Slough	3.333	50.00	53.333
Totals	22,843.3			10.00	100.00	110.00

*Acreage also included in Schedule 7

SCHEDULE 4

ALLOCATIONS TO VARIOUS CLAIMANTS OF
NONCONSUMPTIVE WATER RIGHTS ON BUTTE CREEK AND TRIBUTARIES

Name of Claimant	Diversions as per DWR Map	Name of Diversion System	Source	Purpose	Allotments Cubic Feet Per Second
Harold B. Rathwell	27	Unnamed Spring	Unnamed Spring	Power	0.20
Almon E. Smith	26	Ethel	Middle Butte	Mining	1.90
David S. Webb and Mary D. Webb	13	Webb	Little Butte	Mining	0.15
Herbert W. Whitten, Marjorie C. Whitten, Olive M. Young, George Mead, Anna Mead, T.H. Polk and Lucia V. Polk	26A, 26B, and 28A	Eureka Middle Eureka Pump Eureka Little	Middle Butte Middle Butte Little Butte	Mining	3.45
Jack L. Post	(28) (28B)	La Monte Post Pump	Little Butte Little Butte	Mining Mining	12.90 0.85
W.J. McGann and Elizabeth T. Cussick	36	Davis	Butte	Potable Domestic	0.50
Grace D. Taylor	37	Thomas	Butte	Potable Domestic	0.50
L. H. McLain and C. J. McLain	(45A) (45B)	Butte Bell McLain Sluice	West Branch of Butte Creek	Mining	0.90
Margaret A. Smith	46	Smith	West Branch of Butte Creek	Mining	2.50
Pacific Gas & Electric Company	(45) (47)	Butte Creek Centerville Canal	Butte Creek Butte Creek	Power Power	38.50 179.50
Electric Mining Co.	49	Elec. Mining Co.	Butte Creek	Power	305.00
Total					595.85

SCHEDULE 5

ALLOCATIONS TO VARIOUS CLAIMANTS FROM
LITTLE BUTTE CREEK AND TRIBUTARIES

Name of Claimant	Acreage To Be Supplied	Diversion Number As Per D.W.R. Map	Name of Diversion System	Allotments				Total
				Cubic Feet Per Second				
				First Priority Class	Second Priority Class	Third Priority Class	Fourth Priority Class	
David S. Webb and Mary D. Webb	Domestic	13	Webb	0.10				0.10
Anna Spangler	1.0	13A	Spangler Pipe	0.20				0.20
Estate of Ernest Duensing	11.8	14	Duensing	0.25	0.25			0.50
Vandegrift Trust	87.0	{20, 20A}	Richardson Richardson	3.00				3.00
Paradise Irrigation District	11,100.0	{22, 23}	Paradise I.D. Nickerson		8.00			8.00
Harold B. Rathwell	Domestic	27	Ripley Spring	0.20				0.20
S. A. Vandegrift	Domestic	23A	Vandegrift	0.50				0.50
Jack L. Post	Domestic	{28, 28B}	La Monte Post Pump	0.15				0.15
D. A. Hook, W. S. Hook, and Lillian M. Hook	3.0	24A	Hook	0.10	0.10			0.20
S. A. Vandegrift	Domestic	{24B, 24D}		1.00				1.00
Almon E. Smith	Domestic	26	Ethel	0.10				0.10
Herbert W. Whitten, Marjorie C. Whitten, Olive M. Young, George Mend, Anna Mead, T. H. Polk, and Lucia V. Polk		{26A, 26B, 28A}	Eureka Middle Eureka Pump Eureka Little	0.05				0.05
Ella G. Evers	13.6	30	Todd Evers	1.00	1.00			2.00
H. W. Skillin and Alice Skillin	9.4	31	Burke		0.67	0.66		1.33
H. D. March and Henrietta March	14.4	31	Burke		0.67	0.66		1.33
Thurman and Wright	6.0	31	Burke		0.67	0.66		1.33
George E. McLain and C. J. McLain	17.1	32	McLain	0.10	0.50		2.50	3.10
Totals	11,263.3			7.75	11.86	1.98	2.50	24.09

John
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E. L.
Ida B.
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SCHEDULE 6

ALLOCATIONS TO VARIOUS CLAIMANTS FROM BUTTE CREEK
AND TRIBUTARIES ABOVE LITTLE BUTTE CREEK

Total:	Name of Claimant	Acreage To Be Supplied	Diversion: Number As Per D.W.R. Map	Name of Diversion System	Allotments Cubic Feet Per Second		
					First Priority: Class	Second Priority: Class	Total
	John J. Mahan and Wm. J. Doyle	21.3	6	Cirby	0.20	0.30	0.50
0.10:	E. L. Franks and Ida May Franks	103.4	(7 8)	Stephenson Upper Stephenson Lower	0.20	1.80	2.00
0.20:	L. B. Stephenson	25.0	(8A 8B 8C)	Abietene Abietene Abietene	0.50	0.50	1.00
0.50:	U. S. Dept. of Agriculture Lassen National Forest	10.2	(1 3)	Jonesville Bl. 1 Pipes Jones	0.25	0.25	0.50
3.00:	F. K. Mickey and J. H. Minderman	112.0	(3 4)	Jones Mickey-Minderman	1.50	1.50	3.00
8.00:	Edwin B. Copeland	33.0	3	Jones	0.50	0.50	1.00
0.20:	J. H. Lucas and Estate of Wm. Johnson	(38.3 150.0 70.0)	5 5B 5A	Lucas-Jones Colby Creek Willow Creek	0.20 0.50 0.25	0.50 1.50 0.35	0.70 2.00 0.60
0.15:	Anne Kennedy Anderson, Donald Mathewson, and Winifred M. Kennedy	10.0	5A	Willow Creek	0.05	0.20	0.25
0.20:	W. J. McGann and Elizabeth T. Cussick	(57.9 200.0)	9A 35	McGann Springs Davis	0.20 0.25	0.80 0.10	1.00 0.35
1:	J. H. Lucas, G. W. Lucas and C. F. Lucas	(32.9 30.0)	(9 9A 36A)	Lucas Springs McGann Springs Lucas	0.20 0.20	0.60 0.50	0.80 0.70
0.10:	Grace D. Taylor	5.0	37	Thomas	0.25	0.25	0.50
	Eleanor Propfe Welch	Domestic	39	Welch Pipe	0.01		0.01
0.05:	U. S. Dept. of Agriculture, Lassen National Forest	Domestic	44	Butte Meadows Pipes	0.10		0.10
2.00:	Pacific Gas and Electric Company	Public Service	45	Butte Creek Canal	1.175		1.175
1.33:	Pacific Gas and Electric Company	Domestic	(45 47)	Butte Creek Canal Centerville Canal	0.325 0.50		0.325 0.50
1.33:	L. H. McLain and C. J. McLain	Domestic	(45A 45B)	Butte Bell McLain Sluice	0.10		0.10
1.33:	Margaret A. Smith	Domestic	46	Smith	0.03		0.03
3.10:	Electric Mining Company	Domestic	49	Electric Mining	0.10		0.10
4.09:	Totals	899.0			7.59	9.65	17.24

SCHEDULE 7

ALLOCATIONS TO VARIOUS CLAIMANTS FROM BUTTE CREEK AND
TRIBUTARIES BELOW LITTLE BUTTE CREEK

Name of Claimant	Acreage To Be Supplied	Diversions: Number As Per D.W.R. Map	Name of Diversion System	Allotments Cubic Feet Per Second				Total
				First Priority Class	Second Priority Class	Third Priority Class	Fourth Priority Class	
Dayton Mutual Water Company, Ltd.	•	50	Parrott and Crouch Lateral	4.80	11.20			16.00
Donald Hale and Alice Hilby Hale	160.2	51	Hale	0.90	2.10			3.00
U.S. Dept. of Agriculture, Bureau of Plant Industry	154.5	53	Plant Garden Pump	0.60	1.40			2.00
Clarence S. Entler	81.0	54	Compton-Entler	0.33	0.78			1.11
Mary E. Roth	75.0	54	Compton-Entler	0.17	0.39			0.56
Ben P. Compton	{ 689.0 241.0	{ 54 54	{ Compton-Entler Compton-Entler	{ 0.50 0.50	{ 1.165 1.165			{ 1.665 1.665
A. F. Lieurance and Lenore E. Lieurance	527.1	55	Marybill	1.20	3.80			5.00
Parrott Investment Company	211.0	56	Colony Upper	0.60	1.40			2.00
Edwin A. Carlson and Gladys Carlson	36.7	56	Colony Upper	0.14	0.34			0.48
W. A. Hook and W. S. Hook	30.0	56	Colony Upper	0.12	0.27			0.39
Elmo Jacks and Louise Jacks	24.9	56	Colony Upper	0.09	0.22			0.31
Samuel A. Atkins and Barbara Ina Atkins	{ 30.0 34.0	{ 56 58	{ Colony Upper Wakefield Pump	{ 0.11 0.13	{ 0.26 0.30			{ 0.37 0.43
Durham Mutual Water Company, Ltd.	356.2	{ 56 59	{ Colony Upper Colony Lower	12.00	32.70			44.70
The Federal Land Bank of Berkeley	156.5	57	Ollinger Pump	0.60	1.40			2.00
Varney F. Wakefield	14.0	58	Wakefield Pump	0.05	0.13			0.18
Ralph J. Baxter, C. M. Baxter, F. T. Joell, and M. B. Joell	178.0	56	Colony Upper	0.60	1.40			2.00
Stephen Vernoga	47.3	56	Colony Upper	0.30	0.70			1.00
Corporation of America	20.0	56	Colony Upper	0.12	0.28			0.40
George Setka, Anna Setka, Joe Eebich, Sam Eebich, and Steve Vlatkovich	96.7	56	Colony Upper	0.40	0.94			1.34
L. E. Wheelock and Nellie Wheelock	13.0	56	Colony Upper	0.08	0.18			0.26
George Brandt and Eina May Brandt	50.0	59B	Brandt Pump	0.12	0.27			0.39
Roy White	53.0	60A	Roy White Pump	0.20	0.46			0.66
E. L. Adams and Lou R. Adams	{ 1191.2 2533.2	{ 56 60	{ Colony Upper Adams			1.48 4.52		1.48 4.52
Ralph C. Gorrill	2282.0	61	Gorrill				1.00	1.00
Herbert H. Whitten and Marjorie C. Whitten	665.3	{ 56 60	{ Colony Upper Adams				0.75	0.75
E. E. White	541.6	62	White Pumps				1.00	1.00
Totals	13702.4			24.66	63.25	6.00	2.75	96.66

*Same area of 1796.3 acres included in Schedule 3.

RECOMMENDATIONS

76. The Court should retain continuing jurisdiction of this proceeding to determine any dispute or disputes which may arise regarding change in method or point of diversion, or in character or place of use of water from the method, point, character or place adjudicated. Continuing jurisdiction should also be retained in order that an amendatory or supplementary decree may be entered to conform to the final judgment in the case of Corporation of America, et al., v. Durham Mutual Water Co. Ltd., Superior Court, Butte County No. 17222, insofar as the Court may deem this necessary or desirable. Further, the Court should retain jurisdiction to modify the decree under the provisions of Section 36g of the Water Commission Act.

77. The Court should set forth in its decree in the above entitled proceeding that claimants George E. McLain, B. A. Merrifield and Elizabeth C. Merrifield, Ryland C. Goodspeed and Marian L. Goodspeed, and Isabelle A. Goodspeed and Estate of Vera E. Uphoff, deceased, who filed Proofs Nos. 11, 104, 105 and 77, respectively, in this proceeding, have no right to divert water from the portion of Butte Creek and its tributaries included in this determination.

Dated at Sacramento, California, this 14th day of April, 1942.

EDWARD HYATT

State Engineer and Chief of the
Division of Water Resources,
Department of Public Works,
State of California.

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Entered in Book 2 of Orders of Determination, at page 1,
April 14, 1942.

I, Katherine A. Feeny, Chief Clerk of the Division of
Water Resources, 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 Resources, April 14, 1942, as the same
remains on file in said office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the Department of Public Works of the State
of California, this 14th day of April, 1942.

Katherine A. Feeny

Chief Clerk, Division of Water Resources,
Department of Public Works,
State of California.

(SEAL)

ATTACHMENT E



*Pacific Gas and
Electric Company™*

Judi K. Mosley

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San Francisco, CA 94120

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San Francisco, CA 94105

(415) 973-1455
Fax: (415) 972-5952
Email: JKM8@pge.com

May 8, 2015

Via UPS Next-Day Air

Mr. Thomas Howard
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814-2828

**Re: DeSabra-Centerville Hydroelectric Project
FERC Project 803
401 Certificate – Petition for Reconsideration**

Dear Mr. Howard:

Pacific Gas and Electric Company (“PG&E”) has filed its Petition for Reconsideration of the Water Quality Certification for the DeSabra-Centerville Hydroelectric Project, Federal Energy Regulatory Commission (“FERC”) Project No 803. The Water Quality Certification was issued by you on April 8, 2015. As required by 23 California Code of Regulations § 3867(d)(9), PG&E requests that the State Water Board prepare the Staff Record, if available, for the Water Quality Certification in regard to PG&E’s DeSabra-Centerville Hydroelectric Project which is designated as FERC Project No 803. This request for the Staff Record is a necessary part of the Petition for Reconsideration under the State Water Board’s Regulations.

If you have any further questions, please contact me at (415) 973-1455.

Thank you for your attention to this matter.

Very truly yours,

/s/ Judi K. Mosley

Judi Mosley

JKM:kp

Enclosures

cc: Amber Villalobos