

Environmental Assessment - Appendix I

Temporary Forbearance of a Water Right Entitlement Held by the
Orange Cove Irrigation District on Mill Creek, Tehama County, California

Environmental Assessment

APPENDIX I

Mill Creek Court Decree

- The Superior Court of Tehama County, by its Decree of August 16, 1920.
- Distribution of Mill Creek Water Rights Based on Decree.

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE
COUNTY OF TEHAMA.

LOS MOLINOS LAND C014PANY, a)
corporation, and CONELAND)
WATER COMPANY, a corporation,)
) No. 3811
)
Plaintiffs,)
-vs-)
)
)
CLARENCE V. CLOUGHS et al,)
Defendants.)
-----)

DECREE

The above-entitled action having been brought on regularly for hearing on the 16th day of August, 1920, pursuant to certain stipulations heretofore filed, whereby the plaintiffs and the several defendants in said action other than D. G. Gunn, John Doe, Richard Roe and Helen Roe, have stipulated that upon the application of any of the parties t-o such stipulations a decree in said action may be entered in conformity therewith, and the default of the defendant D. G. Gunn for not appearing after having been duly served with summons in 'said action having been duly entered, and the action having been dismissed as to the defendants John Doe, Richard Roe and Helen Roe, and the defendants William Hamilton Harvey and William McKay having disclaimed any interest in the subject matter of said action, and all of the parties to said action who have appeared therein having by said stipulations expressly waived findings, it is now, on motion of counsel for plaintiffs, declared, adjudged and decreed as follows:

-I-

Prior to the commencement of this action there had been diverted from the Los Molinos River mentioned in the pleadings herein, and had been appropriated and put to beneficial uses and actually used by the plaintiffs and by the defendants George A. Clough, W. E. Garber, Joseph Ballentine Harvey, Ruby McKay, Mary R. Runyon, Gone and Ward Company and S. Clemens Horst Company, and by their respective predecessors in interest, and ever since then there has been diverted from said river and put to beneficial uses and appropriated and actually used by said parties, for the benefit of the several tracts o~ land owned by said parties hereinabove named as set forth in their respective pleadings in this action, or for the benefit of certain other tracts of land not now owned by any of said parties, various quantities of water which in the aggregate, together with such additional quantities of meter as said parties hereinabove named respectively or some of them were and are as owners of land riparian to said stream and as grantees of such riparian owners entitled to divert from said river, amounted and now amount to a total of two hundred and three (203) cubic feet per second. The whole of said quantity of water is reasonably needed for useful and beneficial purposes upon the several tracts of land referred to in the complaint in this action and in the pleadings of the defendants hereinabove named, and said quantity of water, towit: two hundred and three (203) cubic feet per second, had been prior to the commencement of this action duly appropriated for the benefit of and beneficially used upon said several tracts of land respectively. No person or corporation other than the parties hereinabove named has or is entitled to any interest in the waters of said Los Molinos River or right to divert water therefrom except in subordination to the rights of the parties hereinabove named. The court does not hereby, however, except as hereinafter expressly declared, make any adjudication with regard to any rights in respect to any water which shall at any time be flowing in said river in excess of two hundred and three (203) cubic feet per second.

-II-

The words gross flow of the Los Molinos River as herein used designate the total quantity of water naturally flowing in said river at a point immediately above the

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highest point thereon at which water has been diverted therefrom by any of the parties to this action.

-III-

The plaintiffs and the defendants George A. Clough, W. E. Garber, Joseph Ballentine Harvey, Ruby McKay, Mary R. Runyon, Cone and Ward Company and E. Clemens Horst Company, some of them by virtue of owning certain tracts of land riparian to said river and by virtue of certain decrees and conveyances referred to in the pleadings in this action, and all of them by virtue of certain appropriations of water from said river heretofore made, are and will be entitled, for themselves and for all persons not parties to this action claiming or to claim under them or any of them, to divert from said river in the aggregate all of* the water flowing therein whenever such gross flow shall not exceed a total of two hundred and three (203) cubic feet per second, and at all other times all of the water flowing therein up to a Total of two hundred and three (203) cubic feet per second.

-IV-

Of said first two hundred and three (203) cubic feet per second of the gross flow of said river said last-named parties are and will be entitled respectively, for themselves and for all persons not parties to this action claiming or to claim under them or any of them, to divert from said river certain quantities of water as follows, to wit:

The defendants Joseph Ballentine Harvey and Ruby McKey at all stages of the flow of said river are jointly entitled to divert therefrom three (3) cubic feet per second, continuous flow.

The defendant George A. Clough at all times when the gross flow of said river as hereinabove defined shall be as much as two hundred and three (203) cubic feet per second will be entitled to divert from said river eleven (11) cubic feet per second, continuous flow; and at all times when such gross flow shall be less than two hundred and three (203) cubic feet per second but not less than two hundred (200) cubic feet per second will be entitled to divert from said river eight (8) cubic feet per second plus the whole amount of any additional water at such times flowing in said river over and above two hundred (200) cubic feet per second; and at all times when such gross flow shall be less than two hundred (200) cubic feet per second, but not less than one hundred and eighty (180) cubic feet per second, will be entitled to divert from said river seven (7) cubic feet per second, continuous flow; and at all times when such gross flow shall be less than one hundred and eighty (180) cubic feet per second but not less than one hundred and fifty (150) cubic feet per second will be entitled to divert from said river six cubic feet per second, continuous flow; and at all times when such gross flow shall be less than one hundred and fifty (150) cubic feet per second will be entitled to divert from said river five (5) cubic feet per second, continuous flow.

The defendants W. E. Gerber, Mary R. Runyon and E. Clemens Horst Company at all stages of the flow of said river, when such gross flow shall not exceed two hundred and three (203) cubic feet per second, are and will be entitled respectively -to divert from said river of the quantity of water remaining after deducting from such gross flow the quantities of water allotted to the defendants Joseph Ballentine Harvey, Ruby McKay and George A. Clough, as hereinabove specified, the following percentages, to wit:

W. E. Garber three (3) percent;
Mary R. Runyon thirteen (13) Percent;
E. Clemens Horst Company seven (7) Percent;

and when such gross flow shall exceed two hundred and three (203) cubic feet per second will be entitled to divert from said river the same respective percentages of so much of the first two hundred and three (203) cubic feet per second of such gross flow of said river as shall.. remain after deducting therefrom the quantities of water

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allotted to the defendants Joseph Ballentine Harvey, Ruby McKay and George A. Clough as hereinabove specified.

The defendant Cone and Ward Company at all times when such gross flow shall be as much as two hundred (200) cubic feet per second will be entitled to divert from said river six (6) cubic feet per second continuous flow and at all times when such gross flow shall be less than two hundred (200) cubic feet per second will be entitled to divert from said river five (5) cubic feet per second, continuous flow.

The plaintiffs at all stages of the flow of said river when such gross flow shall not exceed two hundred and three (203) cubic feet per second are and will be entitled jointly to divert from said river the entire quantity of water remaining of such gross flow after deducting therefrom the quantities of water allotted to the defendants hereinabove named as hereinabove specified, and when such gross flow shall exceed two hundred and three (203) cubic feet per second are and will be entitled jointly to divert from said river so much of the first two hundred and three (203) cubic feet per second of such gross flow of said river as shall remain after deducting therefrom the quantities of water allotted to the defendants hereinabove named as hereinabove specified.

-V-

The rights of the plaintiffs and of the defendants W. E. Gerber, Mary R. Runyon and E. Clemens Horst Company, in respect to the water at any time flowing in said Los Molinos River,, as between themselves and as between their respective successors in interest and all persons claiming or to claim under them respectively, whatever the gross flow of said river may be, will at all times and for all purposes be governed by the provisions of a certain indenture dated April 21, 1911, which is of record in the office of the County Recorder of the County of Tehama, State of California, in Book 65 of Deeds at page 410, Records of said County of Tehama. Said indenture was duly executed on the day of its date for good and valuable consideration,, and legally transferred and confirmed to and vested in said Mary R. Runyon the rights which it purported to so transfer, confirm and vest. The defendants W. E. Gerber and E. Clemens Horst Company by virtue of sundry deeds executed and delivered to them respectively by said Mary R. Runyon are grantees of said Mary R. Runyon within the meaning of the phrase. grantees of said Mary R. Runyon as used in said indenture, and as such are entitled to participate in the rights thereby transferred and confirmed to her, said W. Z. Garber to the extent of three twenty-thirds (3/23) of such rights, and said E. Clemens Horst Company to the extent of seven twenty-thirds (7/23) of such rights. Said indenture of April 21, 1911, was at the time of the commencement of this action and has been ever since then and now is in full force and effect and binding as well upon said W. E*. Gerber and said Z. Clemens Horst Company as upon the plaintiffs in this action and upon said Mary R. Runyon.

-VI-

The defendant Clarence V. Clough prior to the commencement of this action pursuant to a permit granted by the State Water Commission of the State of California had duly acquired by appropriation a right to divert from said river In each calendar year until but not after the first day of June for the benefit of the tract of land described in his answer and gross-complaint a total of four hundred and eighty (480) acre feet of water and had beneficially used on said land said quantity of water. Said right of said Clarence V. Clough is subordinate and subject to the rights in respect to the waters of said river hereinabove declared and adjudged to be vested in the parties above named other than himself.

-VII-

The quantities of water which the parties hereinabove named are by this. decree declared and adjudged to be entitled respectively to divert from said river include whatever quantities of water such parties are entitled to divert from said river by virtue of owning land riparian thereto or by virtue of any grant from any owner of

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such riparian land or by virtue of any appropriation or appropriations of water heretofore made. Each of said parties is and will be at all times entitled to take and divert from said river the quantity of water herein and hereby allotted to such party at such point or points on said river as such party may see fit, and by such means as such party may see fit to adopt, or to procure such quantity of water to be diverted from said river for the benefit of such party under any arrangement with any other person or corporation, or by or through any diversion works constructed or operated by any other person or corporation. Each of said parties is and will be at all times entitled to use or dispose of the share allotted to such party of the water of said river in any manner, at any place, or for any purpose which such party may desire, or in accordance with whatever agreement or arrangement such party may make with any other person or corporation. Except as herein expressly declared, no priority of right in respect to the waters of said river exists as between said parties, the right of each of them in respect to said water being on a parity with the rights of all of the others of said parties, and all of them being entitled to exercise simultaneously and continuously their several rights as herein defined.

The diversion ditch known as the Runyon Ditch, which is particularly described in Paragraph XXIII of the answer filed in this action by the defendant Mary R. Runyon, was at the time of the commencement of this action and has been ever since then and is now owned by the plaintiffs' and the defendants W. E. Gerber, Mary R. Runyon and E. Clemens Horst Company as tenants in common; their respective rights therein relating only to the ownership and use of said ditch as a conduit for the conveyance of water diverted from said Los Molinos River, and being independent of their respective rights in respect to the waters of said river as hereinabove defined. Each of said last named parties was at the time of the commencement of this action and has been ever since then and is now using and entitled to use said Runyon Ditch as a conduit for the conveyance of water in a general southwesterly and southerly direction from said Los Molinos River to the several tracts of land lying under said ditch and upon which said parties respectively are entitled to use water diverted from said river. Said ditch for convenience is treated as consisting of seven consecutive sections or parts now in active use and herein designated as Sections I to VII inclusive, and of another section herein designated as Section VIII which has not been used for several years past; of which Section I includes the head gate and diversion works by which water from said Los Molinos River has heretofore been and is now being diverted into said Runyon Ditch. The following is a description of said eight sections:

Section I extends for about one-half mile from the intake of said ditch along and near the south bank of said river to the point where said ditch, running southward, passes the Gone & Ward Company's headquarters;

Section II extends thence about three-quarters of a mile to the head of the Buena Vista Lateral;

Section III extends thence about one and one-quarter miles to a point where said ditch crosses the right of way of the Southern Pacific Railroad;

Section IV extends thence about one mile to the Northernmost boundary line of the land of the E. Clemens Horst Company;

Section V extends thence about three-quarters of a mile to the North line of the land of W. E. Garber;

Section VI extends thence about three-eighths of a mile to the north line of the 78-acre parcel of land now owned by the E. Clemens Horst Company;

Section VII extends thence about three-eighths of a mile southeasterly to the north boundary line of the tract of land of 192 acres now owned by said Mary R. Runyon, and referred to in her answer as her River Field;

Section VIII extends from a point on section VI near the lower end thereof about one half mile in a southwesterly direction to the north line of said River Field at or near the point where said line meets the east bank of the Sacramento River.

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The several sections of said Runyon Ditch as hereinabove described are owned by said last-named parties in the following proportions or percentages, to-wit:

PERCENTAGES OWNED BY PLAINTIFFS AND BY
MARY R. RUNYON, E. C. LEMENS HORST COMPANY AND
W. E. GERBER RUNYON DITCH.

		Section	I	II	III	IV	V	VI	VII	VIII
Plaintiffs	44	39	26	21	0	0	0	0		
M. R. Runyon	30	31	27	29	37	37	50	100		
E. C. Horst Co.	17½	20	31	33	42	42	50	0		
W. E. Gerber	8½	10	16	17	21	21	0	0		

-IX-

All pecuniary demands of said last-named parties as against each other arising out of their ownership of interests in said Runyon Ditch or out of the expenditure of money by any of them prior to the beginning of the irrigating season of 1920, for the construction, enlargement, maintenance or operation of said Runyon Ditch, including the dam and diversion works at the head thereof, have been adjusted and settled, and a full accounting in respect to all such claims and demands has been had between them.

-X-

For the purpose of carrying out the provisions of this decree the plaintiff Los Molinos Land Company is hereby appointed Water Master of said Los Molinos River. It shall hold said office and exercise the powers and discharge the duties thereof as herein prescribed and defined until the further order of this court. As such Water Master it shall at all times during the irrigation season of each calendar year make or cause to be made in conformity with the provisions of this decree the necessary apportionment of the water then flowing in said Los Molinos River among the several ditches and canals then being maintained or operated by or for the parties hereinabove named or any of them, or by or for any successor in interest of any of them, and shall discharge all such other duties as normally belong to the office of Water Master. As such Water Master it shall at all such times have and exercise control over and superintend any and all diversions of water from said river by all such ditches and canals, and the opening and closing or changing or regulating of any and all gates or other appliances whereby such diversions of water from said river shall be effected; and for that purpose shall have authority to enter upon any land of any of said parties upon which there shall be any ditch, canal, flume, pipe line, dam, gate, or other structure or appliance for the diversion or conveyance of water, and to direct and superintend the placing and installation of proper gates for controlling the diversion of water from said river and proper devices for the measurement and registration of the quantities of water being from time to time diverted and conveyed by such ditches, canals or other means. All parties to this action and their respective successors in interest, are hereby required to comply with any and all such reasonable rules and regulations with reference to the distribution of water from said river among such canals and ditches in conformity with the provisions of this decree as said Water Master from time to time, subject to the orders of this court, may establish.

-XI-

In each calendar year said Water Master and its successors in said office shall, in dividing the water of said river among the ditches and canals hereinabove referred to, permit to be taken from said river by the defendant George A. Clough and his successors in interest at his or their option during any period of thirty days or less, a quantity of water greater than the quantity hereinabove allotted to said George A. Clough for a proportionally smaller part of such period, provided that

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notice of at least three days In advance before any such increased quantity of water is taken shall be given such Water Master by said George A. Clough or his successor in interest specifying the quantity of water desired to be taken. The quantity of water to which said George A. Clough shall be entitled on any day of such period of increased taking shall be based upon the flow of said river on such day. The length of time for which such increased taking shall be permitted shall be based upon the extent to which the quantity of water taken during such part of such period of thirty days or less shall be greater than the quantity of water hereinabove allotted to said George A. Clough as a continuous flow.

-XII-

Said Water Master and its successors in said office shall take or cause to be taken at intervals of not exceeding one week throughout the period of time between the first day of May in each calendar year and the close of the irrigating season of such year, accurate measurements of the gross flow of said Los Molinos River as hereinabove defined, and also of the quantity of water flowing in each ditch or canal whereby any of the parties to this action shall be diverting water from said river, and shall keep accurate records of such measurements in permanent form, and shall 'whenever requested by any of said parties, forward to such party copies of such records and shall cause such records to be at all times accessible to all of said parties. The quantity of water in each such ditch or canal shall be measured at the point at which such ditch or canal shall take water from said river.

-XIII-

Said Water Master shall be at liberty at any time and from time to time to apply to this court for further directions regarding its powers and duties in the promises, or to apply for an order substituting in its stead some other Water Master, and any of the parties hereinabove named or any successor in interest of any of them may at any time and from time to time apply to this court for an order defining the powers or duties of such Water Master, and may at any time after the first day of November, 1921, apply to this court for an order revoking the authority of such Water Master and appointing some other Water Master to exercise the same powers and to discharge the same duties, and may at any time and from time to time apply to this court for a modification of any of the provisions of this decree other than those defining and adjudging the extent of the rights of the parties to this action in respect to the waters of said Los ,Molinos River, or In respect to the ownership of said Runyon Ditch other than the provision for the appointment of a Water Master; and the court, except as to said excepted provisions, expressly reserves jurisdiction of this cause for the purpose of making from time to time such supplemental orders herein as may be necessary or proper.

-XIV-

The 'plaintiff Los Molinos Land Company is also hereby appointed Water Master of said Runyon Ditch, and is authorized and empowered as such Water Master to manage and operate said Runyon Ditch throughout its entire length, and to superintend, manage and control the distribution of water therefrom to the lands of the several parties to this action who are entitled to receive water therefrom and to the lands of persons claiming or to claim under any of such parties; and to maintain and keep in good order and condition said Runyon Ditch and all gates, weirs, waste-ways, syphons, bridges, culverts, flumes, and other structures appurtenant thereto or constituting part thereof; also to have and exercise superintendence and control over any and all work that may at any time be done in enlarging or improving said Runyon Ditch or any part thereof, or in repairing the same or any of the structures hereinabove referred to.

Said Water Master is hereby authorized to establish and enforce, subject to the orders of this court, reasonable rules and regulations with reference to the distribution of water from said Runyon Ditch in conformity with the provisions of this decree. Said Water Master shall at all times take proper steps to control and restrict and keep

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account of the quantities of water from time to time being diverted from said Runyon Ditch by any and all persons so that there shall at all times remain in said ditch sufficient water to make up the aggregate of the quantities of water which all persons other than the person or persons by or for whom water is being so diverted shall be entitled to have flowing in said ditch at such times. It shall, whenever requested by any person entitled to receive water from said Runyon Ditch, open and close the diversion gates on said Runyon Ditch in such way as to supply to such person the quantity of water desired not exceeding the quantity to which such person may at such time be entitled by reason of his rights in respect to the waters of the Los Molinos River. No water shall at any time be diverted from said Runyon Ditch, and no diversion gate thereon shall at any time be opened or closed, except by or through said Water Master; provided, however, that subject to such regulations as said Water Master may from time to time establish, any of the parties to this action entitled to receive water from said Runyon Ditch, may, when necessary to prevent serious damage, open the gate leading from said ditch into any waste-way to a sufficient extent to discharge from said ditch whatever quantity of water such party may then and there be entitled to divert therefrom. No alteration or change in said Runyon Ditch or in the headworks thereof, or in any diversion gate along the line thereof, shall at any time be made except by or through said Water Master. Said Water Master shall see that the grades and sizes of the several sections of said Runyon Ditch designated as Sections I to VII, inclusive, shall at all times be such that said sections respectively shall have capacities for carrying the following quantities of water, to-wit:

	<u>At head</u>	<u>At lower end.</u>
Section I	58 cubic feet per second throughout the section	58 cubic feet per second.
II	57 cubic feet per second gradually lessening to	46 cubic feet per second.
III	33 cubic feet per second gradually lessening to	27 cubic feet per second.
IV	27 cubic feet per second gradually lessening to	24 cubic feet per second.
V	19 cubic feet per second gradually lessening to	18 cubic feet per second.
VI	18 cubic feet per second gradually lessening to	17 cubic feet per second.
VII	12½ cubic feet per second gradually lessening to	12 cubic feet per second.

-XV-

Any and all expenses incurred by said Water Master in the management, maintenance and repairing of said Runyon Ditch, and in the operation thereof and in the distribution of water therefrom, including all such expenses for the irrigating season of 1920, shall be borne and paid by the plaintiffs and the defendants Vt. E. Gerber, Mary R. Runyon and E. Clemens Horst Company in the proportions shown by the following table:

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PERCENTAGES OF THE EXPENSE OF MAINTAINING AND
OPERATING RUNYON DITCH TO BE PAID BY PLAINTIFFS AND
BY MARY R. RUNYON, E. CLEMENS HORST COMPANY,
and W. E. GERBER.

	<u>Sections</u>	<u>I-IV</u>	<u>V-VI</u>	<u>VII</u>	<u>VIII</u>
Plaintiffs		33%	--	--	--
M.R. Runyon		29½%	37%	50%	100%
E.C.Horst Co.		25%	42%	50%	--
W.E. Gerber		12½%	21%	--	--

The amounts chargeable against the several owners of undivided interests in said Runyon Ditch, in accordance with the table hereinabove in this paragraph of this decree set forth, on account of expenses incurred by said Water Master in the management, maintenance and repairing of said Runyon Ditch and in the operation thereof and in the distribution of water therefrom shall be payable to said Water Master promptly upon the presentation by said Water Master from time to time of statements of the expenses theretofore incurred, and any such amount not so paid upon presentation of any such statement shall bear interest at the rate of one per cent per month until paid.

-XVI-

Said Los Molinos Land Company during such time as it shall serve as Water Master under this decree shall not be entitled to any compensation for service that may be rendered by it as such Water Master; but the expenses for which it shall be entitled to be reimbursed in the proportions set forth in the preceding paragraph of this decree, shall include a just proportion of the compensation actually paid by it to employees whose time shall be devoted in whole or in part to the work of managing, maintaining and -operating such Runyon Ditch and of superintending the distribution of water therefrom.

-XVII-

Said Los Molinos Land Company shall hold said position of Water Master of said Runyon Ditch until November 1, 1921, and thereafter until its powers and duties as such Water Master shall be terminated as hereinafter provided. Such powers and duties may be terminated on the first day of November of any year after the year 1921, by an order to be made by this court upon the application of any one of the plaintiffs, or of the defendant W. E. Gerber or of the defendant Mary R. Runyon or of the defendant E. Clemens Horst Company. In the event of any such termination of such powers and duties of said Los Molinos Land Company, this Court may upon the application of any one of said last-named five parties, appoint a suitable and competent person or corporation to exercise the powers and discharge the duties of Water Master of said Runyon Ditch as hereinabove defined, and may fix an amount to be paid to such appointee as compensation for services to be rendered in the discharge of such duties, which compensation shall be borne and paid by the several owners of undivided interests in said Runyon Ditch in the proportions set forth in paragraph XV of this decree. In the event of such appointment of a Water Master of said Runyon Ditch in the place and stead of said Los Molinos Land Company, all of the provisions hereinabove contained with reference to the management, maintenance and repairing of said Runyon Ditch, and the operation thereof and the distribution of water therefrom, shall apply to such Water Master so appointed. The powers and duties of said Los Molinos Land Company as Water Master of said Runyon Ditch may be so terminated, notwithstanding that the powers and duties hereinabove by this decree prescribed for said Los Molinos Land Company as Water Master of said Los Molinos River may not have been terminated, and likewise said Los Molinos Land Company shall continue to exercise the powers and discharge the duties hereinabove prescribed for it as Water Master of said Runyon Ditch until such powers and duties shall have been terminated as in this paragraph

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provided, notwithstanding any termination of its powers and duties as Water Master of said Los Molinos River.

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From and after the entry of this decree each and every one of the parties to this action, and each and every person claiming or to claim under any such party, and each and every employee, agent or successor in interest of such party, is hereby perpetually enjoined and restrained from ever at any time taking or attempting to take or divert from said Los Molinos River or from said Runyon Ditch any quantity of water in excess of the share or quantity of water allotted to such party by this decree, or from asserting any right or claim in respect to the waters of said river, or in respect to said Runyon Ditch, inconsistent with the provisions of this decree, or from interfering with or obstructing any other party to this action in the exercise of any right herein or hereby declared, established or adjudged, or from interfering with or obstructing the Water Master appointed by this decree, or any successor of such Water Master, in the carrying out of the provisions of this decree or of any order supplemental hereto.

Done in open court this 16 day of August, 1920.

John F. Ellison

Judge of said Superior Court.

ENDORSED

FILED

Sep 2 1920

H. G. Kuhn, Clerk

By S. H. Tones, Deputy Clerk.

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

Date: SEP 10 1920 JP

Alice E. Davis
Clerk and Ex-officio Clerk of the Superior
Court in and for the County of Tehama, State
of California.

By Marjorie Carter
Deputy Clerk

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DISTRIBUTION OF MILL CREEK WATER RIGHTS
 BASED ON COURT DECREE OF AUG. 16, 1920
 and M. R. RUNYON ESTATE DISTRIBUTION

Gross Flow	Droz	Clough	Net Flow	Jones 7%	Redamontl 3%	Kremer 1%	Patrick 2.07%	Call 3.93%	Fraga 2.5%	Smith 3.5%	Owens	Water Co
203	3	11	189	13.230	5.670	1.890	3.912	7.428	4.725	6.615	6	139.53
202	3	10	189	13.230	5.670	1.890	3.912	7.428	4.725	6.615	6	139.53
201	3	9	189	13.230	5.670	1.890	3.912	7.428	4.725	6.615	6	139.53
200	3	8	189	13.230	5.670	1.890	3.912	7.428	4.725	6.615	6	139.53
199	3	7	189	13.230	5.670	1.890	3.912	7.428	4.725	6.615	5	140.53
198	3	7	188	13.180	5.640	1.880	3.892	7.388	4.700	6.580	5	139.76
197	3	7	187	13.090	5.610	1.870	3.871	7.349	4.675	6.545	5	138.99
196	3	7	186	13.020	5.580	1.860	3.850	7.310	4.650	6.510	5	138.22
195	3	7	185	12.950	5.550	1.850	3.830	7.271	4.625	6.475	5	137.45
194	3	7	184	12.880	5.520	1.840	3.809	7.231	4.600	6.440	5	136.68
193	3	7	183	12.810	5.490	1.830	3.788	7.192	4.575	6.405	5	135.91
192	3	7	182	12.740	5.460	1.820	3.767	7.153	4.550	6.370	5	135.14
191	3	7	181	12.670	5.430	1.810	3.747	7.113	4.525	6.335	5	134.37
190	3	7	180	12.600	5.400	1.800	3.726	7.074	4.500	6.300	5	133.60
189	3	7	179	12.530	5.370	1.790	3.705	7.035	4.475	6.265	5	132.83
188	3	7	178	12.460	5.340	1.780	3.685	6.995	4.450	6.230	5	132.06
187	3	7	177	12.390	5.310	1.770	3.664	6.956	4.425	6.195	5	131.29
186	3	7	176	12.320	5.280	1.760	3.643	6.917	4.400	6.160	5	130.52
185	3	7	175	12.250	5.250	1.750	3.623	6.878	4.375	6.125	5	129.75
184	3	7	174	12.180	5.220	1.740	3.602	6.838	4.350	6.090	5	128.98
183	3	7	173	12.110	5.190	1.730	3.581	6.799	4.325	6.055	5	128.21
182	3	7	172	12.040	5.160	1.720	3.560	6.760	4.300	6.020	5	127.44
181	3	7	171	11.970	5.130	1.710	3.540	6.720	4.275	5.985	5	126.67
180	3	7	170	11.900	5.100	1.700	3.519	6.681	4.250	5.950	5	125.90
179	3	6	170	11.900	5.100	1.700	3.519	6.681	4.250	5.950	5	125.90
178	3	6	169	11.830	5.070	1.690	3.498	6.642	4.225	5.915	5	125.13
177	3	6	168	11.760	5.040	1.680	3.478	6.602	4.200	5.880	5	124.36
176	3	6	167	11.690	5.010	1.670	3.457	6.563	4.175	5.845	5	123.59
175	3	6	166	11.620	4.980	1.660	3.436	6.524	4.150	5.810	5	122.82
174	3	6	165	11.550	4.950	1.650	3.416	6.485	4.125	5.775	5	122.05
173	3	6	164	11.480	4.920	1.640	3.395	6.445	4.100	5.740	5	121.28
172	3	6	163	11.410	4.890	1.630	3.374	6.406	4.075	5.705	5	120.51
171	3	6	162	11.340	4.860	1.620	3.353	6.367	4.050	5.670	5	119.74
170	3	6	161	11.270	4.830	1.610	3.333	6.327	4.025	5.635	5	118.97
169	3	6	160	11.200	4.800	1.600	3.312	6.288	4.000	5.600	5	118.20
168	3	6	159	11.130	4.770	1.590	3.291	6.249	3.975	5.565	5	117.43

Environmental Assessment - Appendix I

DISTRIBUTION OF MILL CREEK WATER RIGHTS
 BASED ON COURT DECREE OF AUG. 16, 1920
 and M. R. RUNYON ESTATE DISTRIBUTION

Gross Flow	Droz	Clough	Net Flow	Jones 7%	Redamontl 3%	Kremer 1%	Patrick 2.07%	Call 3.93%	Fraga 2.5%	Smith 3.5%	Owens	Water Co
167	3	6	158	11,060	4,740	1,580	3,271	6,209	3,950	5,530	5	116.66
168	3	6	157	10,990	4,710	1,570	3,250	6,170	3,925	5,495	5	115.89
165	3	6	156	10,920	4,680	1,560	3,229	6,131	3,900	5,460	5	115.12
164	3	6	155	10,850	4,650	1,550	3,209	6,092	3,875	5,425	5	114.35
163	3	6	154	10,780	4,620	1,540	3,188	6,052	3,850	5,390	5	113.58
162	3	6	153	10,710	4,590	1,530	3,167	6,013	3,825	5,355	5	112.81
161	3	6	152	10,640	4,560	1,520	3,146	5,974	3,800	5,320	5	112.04
160	3	6	151	10,570	4,530	1,510	3,126	5,934	3,775	5,285	5	111.27
159	3	6	150	10,500	4,500	1,500	3,105	5,895	3,750	5,250	5	110.50
158	3	6	149	10,430	4,470	1,490	3,084	5,856	3,725	5,215	5	109.73
157	3	6	148	10,360	4,440	1,480	3,064	5,816	3,700	5,180	5	108.96
156	3	6	147	10,290	4,410	1,470	3,043	5,777	3,675	5,145	5	108.19
155	3	6	146	10,220	4,380	1,460	3,022	5,738	3,650	5,110	5	107.42
154	3	6	145	10,150	4,350	1,450	3,002	5,699	3,625	5,075	5	106.65
153	3	6	144	10,080	4,320	1,440	2,981	5,659	3,600	5,040	5	105.88
152	3	6	143	10,010	4,290	1,430	2,960	5,620	3,575	5,005	5	105.11
151	3	6	142	9,940	4,260	1,420	2,939	5,581	3,550	4,970	5	104.34
150	3	6	141	9,870	4,230	1,410	2,919	5,541	3,525	4,935	5	103.57
149	3	5	141	9,870	4,230	1,410	2,919	5,541	3,525	4,935	5	103.57
148	3	5	140	9,800	4,200	1,400	2,898	5,502	3,500	4,900	5	102.80
147	3	5	139	9,730	4,170	1,390	2,877	5,463	3,475	4,865	5	102.03
146	3	5	138	9,660	4,140	1,380	2,857	5,423	3,450	4,830	5	101.26
145	3	5	137	9,590	4,110	1,370	2,836	5,384	3,425	4,795	5	100.49
144	3	5	136	9,520	4,080	1,360	2,815	5,345	3,400	4,760	5	99.72
143	3	5	135	9,450	4,050	1,350	2,795	5,306	3,375	4,725	5	98.95
142	3	5	134	9,380	4,020	1,340	2,774	5,266	3,350	4,690	5	98.18
141	3	5	133	9,310	3,990	1,330	2,753	5,227	3,325	4,655	5	97.41
140	3	5	132	9,240	3,960	1,320	2,732	5,188	3,300	4,620	5	96.64
139	3	5	131	9,170	3,930	1,310	2,712	5,148	3,275	4,585	5	95.87
138	3	5	130	9,100	3,900	1,300	2,691	5,109	3,250	4,550	5	95.10
137	3	5	129	9,030	3,870	1,290	2,670	5,070	3,225	4,515	5	94.33
136	3	5	128	8,960	3,840	1,280	2,650	5,030	3,200	4,480	5	93.56
135	3	5	127	8,890	3,810	1,270	2,629	4,991	3,175	4,445	5	92.79
134	3	5	126	8,820	3,780	1,260	2,608	4,952	3,150	4,410	5	92.02
133	3	5	125	8,750	3,750	1,250	2,588	4,913	3,125	4,375	5	91.25
132	3	5	124	8,680	3,720	1,240	2,567	4,873	3,100	4,340	5	90.48

Environmental Assessment - Appendix I

DISTRIBUTION OF MILL CREEK WATER RIGHTS
 BASED ON COURT DECREE OF AUG. 16, 1920
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Gross Flow	Droz	Clough	Net Flow	Jones 7%	Redamontl 3%	Kremer 1%	Patrick 2.07%	Call 3.93%	Fraga 2.5%	Smith 3.5%	Owens	Water Co
131	3	5	123	8.610	3.690	1.230	2.546	4.834	3.075	4.305	5	89.71
130	3	5	122	8.540	3.660	1.220	2.525	4.795	3.050	4.270	5	88.94
129	3	5	121	8.470	3.630	1.210	2.505	4.755	3.025	4.235	5	88.17
128	3	5	120	8.400	3.600	1.200	2.484	4.716	3.000	4.200	5	87.40
127	3	5	119	8.330	3.570	1.190	2.463	4.677	2.975	4.165	5	86.63
126	3	5	118	8.260	3.540	1.180	2.443	4.637	2.950	4.130	5	85.86
125	3	5	117	8.190	3.510	1.170	2.422	4.598	2.925	4.095	5	85.09
124	3	5	116	8.120	3.480	1.160	2.401	4.559	2.900	4.060	5	84.32
123	3	5	115	8.050	3.450	1.150	2.381	4.520	2.875	4.025	5	83.55
122	3	5	114	7.980	3.420	1.140	2.360	4.480	2.850	3.990	5	82.78
121	3	5	113	7.910	3.390	1.130	2.339	4.441	2.825	3.955	5	82.01
120	3	5	112	7.840	3.360	1.120	2.318	4.402	2.800	3.920	5	81.24
119	3	5	111	7.770	3.330	1.110	2.298	4.362	2.775	3.885	5	80.47
118	3	5	110	7.700	3.300	1.100	2.277	4.323	2.750	3.850	5	79.70
117	3	5	109	7.630	3.270	1.090	2.256	4.284	2.725	3.815	5	78.93
116	3	5	108	7.560	3.240	1.080	2.236	4.244	2.700	3.780	5	78.16
115	3	5	107	7.490	3.210	1.070	2.215	4.205	2.675	3.745	5	77.39
114	3	5	106	7.420	3.180	1.060	2.194	4.166	2.650	3.710	5	76.62
113	3	5	105	7.350	3.150	1.050	2.174	4.127	2.625	3.675	5	75.85
112	3	5	104	7.280	3.120	1.040	2.153	4.087	2.600	3.640	5	75.08
111	3	5	103	7.210	3.090	1.030	2.132	4.048	2.575	3.605	5	74.31
110	3	5	102	7.140	3.060	1.020	2.111	4.009	2.550	3.570	5	73.54
109	3	5	101	7.070	3.030	1.010	2.091	3.969	2.525	3.535	5	72.77
108	3	5	100	7.000	3.000	1.000	2.070	3.930	2.500	3.500	5	72.00
107	3	5	99	6.930	2.970	0.990	2.049	3.891	2.475	3.465	5	71.23
106	3	5	98	6.860	2.940	0.980	2.029	3.851	2.450	3.430	5	70.46
105	3	5	97	6.790	2.910	0.970	2.008	3.812	2.425	3.395	5	69.69
104	3	5	96	6.720	2.880	0.960	1.987	3.773	2.400	3.360	5	68.92
103	3	5	95	6.650	2.850	0.950	1.967	3.734	2.375	3.325	5	68.15
102	3	5	94	6.580	2.820	0.940	1.946	3.694	2.350	3.290	5	67.38
101	3	5	93	6.510	2.790	0.930	1.925	3.655	2.325	3.255	5	66.61
100	3	5	92	6.440	2.760	0.920	1.904	3.616	2.300	3.220	5	65.84
99	3	5	91	6.370	2.730	0.910	1.884	3.576	2.275	3.185	5	65.07
98	3	5	90	6.300	2.700	0.900	1.863	3.537	2.250	3.150	5	64.30
97	3	5	89	6.230	2.670	0.890	1.842	3.498	2.225	3.115	5	63.53
96	3	5	88	6.160	2.640	0.880	1.822	3.458	2.200	3.080	5	62.76

Environmental Assessment - Appendix I

DISTRIBUTION OF MILL CREEK WATER RIGHTS
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Gross Flow	Droz	Clough	Net Flow	Jones 7%	Redamonti 3%	Kremer 1%	Patrick 2.07%	Call 3.93%	Fraga 2.5%	Smith 3.5%	Owens	Water Co
95	3	5	87	6.090	2.610	0.870	1.801	3.419	2.175	3.045	5	61.99
94	3	5	86	6.020	2.580	0.860	1.780	3.380	2.150	3.010	5	61.22
93	3	5	85	5.950	2.550	0.850	1.760	3.341	2.125	2.975	5	60.45
92	3	5	84	5.880	2.520	0.840	1.739	3.301	2.100	2.940	5	59.68
91	3	5	83	5.810	2.490	0.830	1.718	3.262	2.075	2.905	5	58.91
90	3	5	82	5.740	2.460	0.820	1.697	3.223	2.050	2.870	5	58.14
89	3	5	81	5.670	2.430	0.810	1.677	3.183	2.025	2.835	5	57.37
88	3	5	80	5.600	2.400	0.800	1.656	3.144	2.000	2.800	5	56.60
87	3	5	79	5.530	2.370	0.790	1.635	3.105	1.975	2.765	5	55.83
86	3	5	78	5.460	2.340	0.780	1.615	3.065	1.950	2.730	5	55.06
85	3	5	77	5.390	2.310	0.770	1.594	3.026	1.925	2.695	5	54.29
84	3	5	76	5.320	2.280	0.760	1.573	2.987	1.900	2.660	5	53.52
83	3	5	75	5.250	2.250	0.750	1.553	2.948	1.875	2.625	5	52.75
82	3	5	74	5.180	2.220	0.740	1.532	2.908	1.850	2.590	5	51.98
81	3	5	73	5.110	2.190	0.730	1.511	2.869	1.825	2.555	5	51.21
80	3	5	72	5.040	2.160	0.720	1.490	2.830	1.800	2.520	5	50.44
79	3	5	71	4.970	2.130	0.710	1.470	2.790	1.775	2.485	5	49.67
78	3	5	70	4.900	2.100	0.700	1.449	2.751	1.750	2.450	5	48.90
77	3	5	69	4.830	2.070	0.690	1.428	2.712	1.725	2.415	5	48.13
76	3	5	68	4.760	2.040	0.680	1.408	2.672	1.700	2.380	5	47.36
75	3	5	67	4.690	2.010	0.670	1.387	2.633	1.675	2.345	5	46.59
74	3	5	66	4.620	1.980	0.660	1.366	2.594	1.650	2.310	5	45.82
73	3	5	65	4.550	1.950	0.650	1.346	2.555	1.625	2.275	5	45.05
72	3	5	64	4.480	1.920	0.640	1.325	2.515	1.600	2.240	5	44.28
71	3	5	63	4.410	1.890	0.630	1.304	2.476	1.575	2.205	5	43.51
70	3	5	62	4.340	1.860	0.620	1.283	2.437	1.550	2.170	5	42.74
69	3	5	61	4.270	1.830	0.610	1.263	2.397	1.525	2.135	5	41.97
68	3	5	60	4.200	1.800	0.600	1.242	2.358	1.500	2.100	5	41.20
67	3	5	59	4.130	1.770	0.590	1.221	2.319	1.475	2.065	5	40.43
66	3	5	58	4.060	1.740	0.580	1.201	2.279	1.450	2.030	5	39.66
65	3	5	57	3.990	1.710	0.570	1.180	2.240	1.425	1.995	5	38.89

Out of the 77% belonging to the Mutual Water Co. Frank Siefertman has 25 inches continuous free flow. Clough has a subordinate right to 480 AF prior to June 1st of each year.