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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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7 UNITED STATES OF AMERICA,
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9 Plaintiff,
10 WALKER RIVER PAIUTE TRIBE,
11 Intervenor-Plaintiff,

In Equity No. C-125-ECR

ORDER MODIFYING DECREE

12 vs.

13 WALKER RIVER IRRIGATION
DISTRICT, a corporation, et al;
14 Defendant.

15 In the Matter of:

16 PERMIT 79000 - JERRY ROBERT
and DEBRA DEAN ROSSE,

18
19 Petitioner.

20 The Petitioners, Jerry Robert and Debra Dean Rosse C, filed herewith their
21 Petition for Approval of Modification of the Walker River Decree herein on November
22 17, 2011.

24 Petitioners filed Application No. 79000 with the Nevada State Engineer on
25 November 2, 2009, which Application sought to change the point of diversion and place
26 of use for a portion of Claim No. 173 of this Court's Final Decree dated April 29, 1940 in
27 the above entitled action.
28

WGC (IN EQUITY NO. C-125) United States of America v. Walker River Irrigation Doc. 1060

1 The Nevada State Engineer sent special notices and request for publications in
 2 accordance with the Administrative Rules and Regulations of the U.S. Board of Water
 3 Commissioners. Publications of notice of Application No. 79000 were duly made in the
 4 Mason Valley Times, Record Courier and the Mammoth Times, as required by such
 5 Administrative Rules and Regulations.
 6

7 No protests were lodged by any party to the granting of Application No. 79000.

8 On December 21, 2011, this Court entered its Order Setting Hearing on the
 9 Petition for Approval of Modification of Walker River Decree.
 10

11 The Nevada State Engineer's entire record of proceedings under Application No.
 12 79000 was served upon all parties hereto.

13 Claim No. 173 of this Court's Final Decree reads as follows:

14 Stream	15 Year of relative priority	16 Amount in cubic feet per second	17 No. of Acres irrigated	18 Description of Land
19 Desert	1860	4.0	250	20 W½ of SW¼, Sec. 16; All of Sec. 17; 21 NE¼, N½ of SE¼, Sec. 18; E½ of 22 NE¼, NW¼, N½ of NE¼, Sec. 19; 23 NE¼ of SE¼, Sec. 20, NW¼ of 24 SW¼, Sec. 21; T. 10N., R. 24 E.
25 Creek	1864	5.30	330	

26 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED
 27 that the said Decree is modified as follows:

28 That a portion of that certain right set forth in Claim No. 173 of the Decree on
 page 49 under the name of Pacific Coast Joint Stock Land Bank, be modified as
 follows:

delivery of water is hereby changed from:

SW1/4 NE1/4, SE1/4 NE1/4 SECTION 18, T.10 N., R.24 E., M.D.M.

1 8.62 ACRES, PRIORITY 1860
2 11.38 ACRES, PRIORITY 1864

3 to:

4 NE1/4 NW1/4, SE1/4 NW1/4, NE 1/4 SW1/4 OF SECTION 8, T.9 N.,
5 R.24 E., M.D.M.

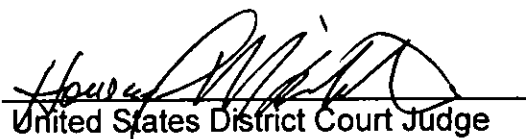
6 8.62 ACRES, PRIORITY 1860
7 11.38 ACRES, PRIORITY 1864

8 2. The new point of diversion shall be noted on the Final Decree as: NE1/4
9 SW1/4 of S. 8, T.9N, R.24E, M.D.M., from which the West 1/4 corner of said S.8 bears N
10 50°19'23" W, a distance of 1,821.30.
11

12 3. The approved Application No. 79000 was duly served on all parties hereto
13 as Exhibit "A" attached to the Petition for Approval of Modification of the Walker River
14 Decree.
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16 This modification of Decree shall be deemed not to affect the rights other than
17 that portion of Claim No. 173 set forth above or the rights of any other parties.

18 DATED this 30th day of June, 2012.

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21 United States District Court Judge
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