

ORIGINAL

Decision No. 8971.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 FRESNO CANAL AND LAND CORPORATION)
 for authority to sell and of)
 FRESNO IRRIGATION DISTRICT) Application No. 6817.
 for authority to purchase certain)
 property of Fresno Canal and Land)
 Corporation, as described in Agree-)
 ment of Sale dated November 6, 1920.)

BY THE COMMISSION:

O P I N I O N .

FRESNO CANAL AND LAND CORPORATION asks permission to sell and transfer the properties described in Exhibit I, attached hereto, to FRESNO IRRIGATION DISTRICT. It appears from the record that Fresno Canal and Land Company has agreed to sell to the Fresno Irrigation District for the sum of \$1,750,000.00 all of its properties, except the following: (Quoting from Deed) --

- 1.-- The Laguna de Tache Grant irrigation system and the water rights connected therewith;
- 2.-- An undivided one-half interest in the concrete diverting dam and weir in the Kings River at the head of the Fresno Canal and Land Corporation and the Consolidated Canal Company for the purpose of diverting water to their respective canals;
- 3.-- All of the headworks and gates and appurtenances of the Consolidated Canal Company located adjacent to said dam, together with the right of ingress and egress to said dam and headworks, for the operation, repair and maintenance thereof;
- 4.-- All interest in the Lone Tree Channel Ditch (except as to the undivided interest in said Ditch described in Par. 66 hereof) and the water and water rights connected therewith, being sixty-nine eleven hundred and eighty-fifths (69/1185) of all the water and water rights which said Fresno Canal and Land Corporation is now entitled to divert through the Fresno

and Gould canals, so-called, and all of the Lone Tree Channel Ditch lying outside the boundaries of the Fresno Irrigation District, including the branches and laterals thereof outside of said District;

5.--All moneys on hand or on deposit, all notes and accounts receivable, including water rentals up to and including the year 1920, and the amount re-payable to said first party by said second party for the cost of maintenance and operation of its canal system in accordance with the agreement of November 6, 1920, and the agreement of January 24, 1921, supplementary thereto, heretofore entered into between the parties hereto, and the right or franchise of Fresno Canal and Land Corporation to be a corporation.

Fresno Canal and Land Corporation reports \$1,000,000.00 of stock and \$558,500.00 of bonds outstanding on December 31, 1920. Proceeds from the sale of its properties will be used to redeem the bonds.

The authority herein granted to transfer property does not relieve Fresno Canal and Land Corporation from rendering adequate service to consumers connected with that portion of its system which will not be acquired by the Fresno Irrigation District. It appears that the Irrigation District will acquire the properties described in Exhibit 1, subject to all outstanding obligations including the obligation to serve to the same extent to which they have heretofore been served by the Fresno Canal and Land Corporation the few land owners, whose lands are located outside the limits of the Fresno Irrigation District, and who have been taking their water at points within the boundaries of the Fresno Irrigation District at points in the canals which will be purchased by the Fresno Irrigation District.

O R D E R

FRESNO CANAL AND LAND CORPORATION having applied to the Railroad Commission for permission to sell its properties described in Exhibit 1, attached hereto, to FRESNO IRRIGATION DISTRICT

and FRESNO IRRIGATION DISTRICT having joined in the application, and the Commission being of the opinion that this is not a matter on which a hearing is necessary and that the application should be granted, subject to the conditions of this order:

IT IS HEREBY ORDERED, that FRESNO CANAL AND LAND CORPORATION be, and it is hereby, authorized to sell and transfer to FRESNO IRRIGATION DISTRICT the properties described in Exhibit 1, attached hereto, and said FRESNO IRRIGATION DISTRICT is hereby authorized to purchase said properties.

The authority herein granted is subject to the following conditions:

- 1.--The authority herein granted does not in any manner whatsoever relieve Fresno Canal and Land Corporation from rendering adequate service to consumers connected with or served by or through that portion of its properties, plant and system which are not being sold to the Fresno Irrigation District.
- 2.--The consideration being paid for the properties described in Exhibit 1, attached hereto, by the Fresno Irrigation District shall not be regarded as a measure of value of the properties herein authorized to be sold or of the properties retained by the Fresno Canal and Land Corporation for any purpose other than the transfer herein permitted.
- 3.--Within thirty days after its execution, Fresno Irrigation District shall file with the Commission a verified copy of the deed under which it has secured and holds title to the properties which it is herein permitted to purchase.

4.--Fresno Canal and Land Corporation shall notify the Commission of the date on which it relinquishes control and possession of the properties, such notification to be submitted to the Commission within ten days after control and possession of the properties has been relinquished.

5.--The authority herein granted will apply only to such sale and transfer as may be effected on or before September 1, 1921.

Dated at San Francisco, California, this 14th day of May, 1921.

H. V. Brundage

Darius M. Astor

Charles H. Rowley

W. H. Bennett

Commissioners.

EXHIBIT 1

THIS INDENTURE, made the day of May, 1921, between Fresno Canal and Land Corporation, a corporation organized and doing business under and by virtue of the laws of the State of California and having its principal place of business in the City of Fresno, County of Fresno, State of California, the party of the first part, and Fresno Irrigation District, an irrigation district organized and doing business under and by virtue of the laws of the State of California, and having its principal place of business in the City of Fresno, County of Fresno, State of California, the party of the second part,

W I T N E S S E T H :

WHEREAS, the stockholders of Fresno Canal and Land Corporation at a meeting duly called and held for that purpose on the 3rd day of May, 1921, and the Board of Directors of said Corporation at a meeting duly called and held on the 25th day of April, 1921, duly authorized and directed the President and Secretary of said corporation, for and in behalf and for its benefit, to execute and deliver this indenture to Fresno Irrigation District and duly authorized and directed the Secretary of Fresno Canal and Land Corporation to attach to this indenture the corporate seal of said corporation,

NOW THEREFORE, Fresno Canal and Land Corporation, in consideration of the sum of Ten Dollars (\$10.00), gold coin of the United States of America, and other considerations, to it in hand paid by Fresno Irrigation District, the receipt whereof is hereby acknowledged, does by these presents grant, bargain and sell to Fresno Irrigation District, and to its successors and assigns forever, all that property of Fresno Canal and Land Corporation which is more specifically described as follows:

All those tracts and parcels of land lying and being in the County of Fresno, State of California, and bounded and described as follows, to-wit:

1. Beginning at a point at the intersection of the north line of section one (1), township fifteen (15) south, range nineteen (19) east, Mount Diablo base and meridian, with the center line of the west canal bank running north and south through the center of the northeast quarter of the northeast quarter of said section; thence running south 208 feet; thence running west 208 feet; thence running north 208 feet, thence running east 208 feet to the point of beginning and containing one (1) acre more or less.

2. Beginning at the northeast corner of section twenty-nine (29), township twelve (12) south, range twenty-one (21) east, Mount Diablo base and meridian, and running thence south 191 feet to a point on the east boundary of said section; thence south 47 degrees west 386 feet; thence north 34 degrees west 540 feet to the north boundary line of said section; thence running east 580 feet along said boundary line to point of beginning, containing 3.62 acres more or less.

3. All of that part of lot two (2) of the Salinger Tract, in the northwest corner of section 35, township 13 south, range 20 east, M.D.B. & M., lying north of, and adjoining the Mill Ditch, said tract being a tapering strip of land lying and being alongside the north line of said lot and between said north line and said Mill Ditch and having an approximate width of 48 feet at the west end and an approximate width of 22 feet on the easterly end of said strip and containing one (1) acre more or less.

4. Beginning at the center of section seven (7) in township thirteen (13) south of range nineteen (19) east, Mount Diablo base and meridian and running thence east along the center line of said section a distance of 1500 feet; thence north to the south line of the county road; thence west and northwesterly along the south

line of said county road to the center line of said section and thence south 30 feet to point of beginning, containing two (2) acres more or less.

5. All of that part of the southeast quarter ($SE\frac{1}{4}$) of section seven (7), township thirteen (13) south, range nineteen (19) east, Mount Diablo base and meridian, lying north of Herndon Canal, containing one-quarter ($\frac{1}{4}$) acre, more or less.

6. Beginning 13.50 chains north, 41 degrees east of the meander corner 36 chains west of the southeast corner of section twenty-four (24), township thirteen (13) south, range twenty-three (23) east, M.D.B. & M., and running thence along the meander line north 41 degrees east, 20.50 chains, thence north $47\frac{1}{4}$ degrees east, 8 chains; thence north 11 degrees east, 8 chains; thence north 4 degrees east, 19.50 chains; thence north 65 degrees east, 5.60 chains to east line of said section 24; thence north 1.00 chain; thence west 7.00 chains; thence south $38\frac{1}{4}$ degrees west 21.90 chains; thence south 13 degrees west, 17.00 chains; thence south $23\frac{1}{2}$ degrees west, 17.60 chains; thence south $66\frac{1}{2}$ degrees east, 4.50 chains to point of beginning, containing fifty-five (55) acres, more or less.

7. Lots eight (8) to fifteen (15), both inclusive, and fractional lots numbered sixteen (16) to eighteen (18), both inclusive, in block fourteen (14) of Central Addition to Fresno City, according to the map of said Central Addition on file in the office of the County Recorder of Fresno County.

8. That part of lot ninety-four (94) of the Scandinavian Colony, lying north of Gould Canal in the northwest corner of the northeast quarter of section twenty-four (24), township thirteen (13) south, range twenty (20) east, M.D.B. & M., according to the map of said Scandinavian Colony on file in the office of the County Recorder of Fresno County.

II.

All the following described canals, ditches and laterals of Fresno Canal and Land Corporation constituting a portion of or used in connection with Fresno Canal and Land Corporation's

irrigation system:

1. Fresno Canal: Beginning at the head thereof near the east line of the northwest quarter of the northwest quarter of section 35, township 13 south, range 23 east, M.D.B. & M., and running thence in a westerly direction 12.1 miles more or less to Limbough Gate, the terminus of said canal near the center of section 31, township 13 south, range 22 east, M.D.B. & M.
2. Fancher Creek Canal: Beginning at the head thereof, at the terminus of the Fresno Canal near the center of section 31, township 13 south, range 22 east, M.D.B. & M., and running thence in a southwesterly direction 9.09 miles more or less to the terminus of said Canal near the south line of the northeast quarter of section 17, township 14 south, range 21 east, M.D.B. & M.
3. Mill Ditch: Beginning at the head thereof, at the terminus of the Fresno Canal near the center of section 31, township 13 south, range 22 east, M.D.B. & M., and running thence in a general westerly direction 7.86 miles to the terminus of said canal at Barton corner near the northeast corner of the northwest quarter of section 35, township 13 south, range 20 east, M.D.B. & M.
4. Dry Creek Canal: Beginning at the head thereof, at the terminus of Mill Ditch near the northeast corner of the northwest quarter of section 35, township 13 south, range 20 east, M.D.B. & M., and running thence in a general southwesterly direction 11.12 miles more or less to a point near the northeast corner of the northwest quarter of section 28, township 14 south, range 19 east, M.D.B. & M., thence westerly 6.5 miles more or less to a point near the northwest corner of section 28, township 14 south, range 18 east, M.D.B. & M., thence southerly 2 miles to the terminus of said canal near the southwest corner of section 33, township 14 south, range 18 east, M.D.B. & M.

5. Herndon Canal: Beginning at the head thereof, at the terminus of the Mill Ditch, near the northeast corner of the northwest quarter of section 35, township 13 south, range 20 east, M.D.B. & M., and running thence in a general northwesterly direction 11 miles more or less to a point near the northwest corner of the southwest quarter of section 9, township 13 south, range 19 east, M.D.B. & M., and thence in a westerly direction 5.5 miles more or less to a point near the center of section 9, township 13 south, range 18 east, M.D.B. & M., thence south 0.5 miles more or less to a point near the southeast corner of the southwest quarter of section 9, township 13 south, range 18 east, M.D.B. & M., thence west 5 miles more or less to a point near the northeast corner of the northwest quarter of section 15, township 13 south, range 17 east, M.D.B. & M., thence south 1 mile more or less to a point near the southeast corner of the southwest quarter of section 15, township 13 south, range 17 east, M.D.B. & M., thence westerly 2 miles to the terminus of said canal near the northeast corner of the northwest quarter of section 20, township 13 south, range 17 east, M.D.B. & M.
6. Herndon Wasteway: Beginning at the head thereof at the west bank of the Herndon Canal near the center of section 9, township 13 south, range 18 east, M.D.B. & M., and running thence west 0.5 miles more or less to the terminus thereof at the bank of the San Joaquin river near the northwest corner of the southwest quarter of section 9, township 13 south, range 18 east, M.D.B. & M.
7. Houghton Canal: Beginning at the head thereof at the westerly bank of Dry Creek Canal near the northeast corner of the northwest quarter of the southeast quarter of section 5, township 14 south, range 20 east, M.D.B. & M., and running thence in a general westerly direction 15.74 miles more or less to the terminus of said canal near the center of section 2, township 14 south, range 17 east, M.D.B. & M.

8. Fanning Canal: Beginning at the head thereof at the easterly bank of Dry Creek Canal near the northeast corner of the northwest quarter of the southeast quarter of section 5, township 14 south, range 20 east, M.D.B. & M., and running thence in a general southerly and southwesterly direction 4.76 miles more or less, to the terminus of said canal near the center of the northeast quarter of section 23, township 14 south, range 19 east, M.D.B. & M.
9. Central Canal: Beginning at the head thereof, at the end of Fancher Creek Canal, near the south line of the northeast quarter of section 17, township 14 south, range 21 east, M.D.B. & M., and running thence in a southwesterly direction, 11.84 miles more or less, to the terminus of said canal, near the northeast corner of the northwest quarter of section 12, township 15 south, range 19 east, M.D.B. & M.
10. Central Wasteway: Beginning at the head thereof in the west bank of the Central Canal near the southeast corner of section 36, township 14 south, range 19 east, M.D.B. & M., and running thence in a general westerly and northwesterly direction 10 miles more or less, to the terminus of said wasteway, at Dry Creek Canal, near the northwest corner of section 33, township 14 south, range 18 east, M.D.B. & M.
11. Washington Canal: Beginning at the head thereof, at the end of the Fancher Creek Canal near the south line of the northeast quarter of section 17, township 14 south, range 21 east, M.D.B. & M., and running thence in a general southwesterly direction 3.68 miles more or less to the terminus of said canal near the center of section 31, township 14 south, range 21 east, M.D.B. & M.
12. Braly Canal: Beginning at the head thereof, in the west bank of Fancher Creek Canal, near the south line of section 8, township 14 south, range 21 east, M.D.B. & M., and running thence in a westerly direction 6.83 miles more or less, to the terminus thereof in the south bank of Fanning Canal near the center of the northwest quarter of section 17, township 14 south, range 20 east, M.D.B. & M.

13. Gould Canal: Beginning at the head thereof, in the south bank of Kings River, in the southwest corner of section 24, township 13 south, range 23 east, M.D.B. & M., and running thence in a general westerly direction 24.16 miles more or less, to the terminus thereof in the north bank of Herndon Canal, near the center of the southeast quarter of section 21, township 13 south, range 20 east, M.D.B. & M.
14. Enterprise Canal: Beginning at the head thereof, at a point in the north bank of Gould Canal, in the southwest quarter of section 27, township 13 south, range 23 east, M.D.B. & M., and running thence in a general westerly direction 36.46 miles more or less, to the terminus thereof in the north bank of Herndon Canal, in the northwest quarter of section 20, township 13 south, range 20 east, M.D.B. & M.
15. Helm Canal: Beginning at the head thereof, in the north bank of Gould Canal, near the northeast corner of section 21, township 13 south, range 21 east, M.D.B. & M., running thence in a general northwesterly direction 7.38 miles more or less, to the terminus thereof in the east bank of the Enterprise Canal near the southeast corner of the southwest quarter of section 34, township 12 south, range 20 east, M.D.B. & M.
16. Hansen Canal: Beginning at the head thereof, at the south bank of Gould Canal, in the northwest quarter of section 32, township 13 south, range 23 east, M.D.B. & M., and running thence in a general southwesterly direction 12 miles more or less, to the terminus thereof in the southwest quarter of section 11, township 14 south, range 21 east, M.D.B. & M.
17. East Branch Ditch: Beginning at the head thereof, in the south bank of the Fresno Canal, near the south line of the northeast quarter of section 31, township 13 south, range 23 east, M.D.B. & M., running thence in a westerly direction 10 miles more or less, to the terminus thereof near the center of section 3, township 14 south, range 21 east, M.D.B. & M.
18. East Branch Waste Ditch: Beginning at the head thereof, in the south bank of East Branch Ditch, near the center of section 31,

township 13 south, range 22 east, M.D.B. & M., running thence in a southwesterly direction 2 miles more or less, to the terminus thereof, near the north line of the northeast quarter of section 12, township 14 south, range 21 east, M.D.B. & M.

19. Briggs Ditch: Beginning at the head thereof in the south bank of Fancher Creek Canal, near the center of section 35, township 13 south, range 21 east, M.D.B. & M., running thence in a general southerly and southwesterly direction 11 miles more or less, to a point on the south boundary of the Fresno Irrigation District, near the northwest corner of section 8, township 15 south, range 21 east, M.D.B. & M.

20. Oleander Ditch: Beginning at the head thereof, at the terminus of Washington Canal, near the center of section 31, township 14 south, range 21 east, M.D.B. & M., running thence in a general southerly and southwesterly direction to a point near the northeast corner of the southeast quarter of section 12, township 15 south, range 20 east, M.D.B. & M., where said ditch divides into 2 branches, running thence along the north branch of said ditch in a general southwesterly direction, 5 miles more or less, to a point on the south boundary of Fresno Irrigation District, near the northwest corner of the northeast quarter of section 22, township 15 south, range 20 east, M.D.B. & M.; and the south branch thereof beginning near the northeast corner of the southeast quarter of section 12, township 15 south, range 20 east, M.D.B. & M., running thence in a general southwesterly direction 4.5 miles more or less to the terminus thereof in the north bank of Wristen canal, near the northwest corner of section 23, township 15 south, range 20 east, M.D.B. & M.

21. Washington Colony Canal: Beginning at the head thereof, at the terminus of Washington Canal, near the center of section 31, township 14 south, range 21 east, M.D.B. & M., running thence in a general southwesterly direction 3 miles more or less to a point where said canal divides into three branches, near the center of the southeast quarter of section 2, township 15 south, range 20 east, M.D.B. & M., running thence along the north

branch, in a general northwesterly and westerly direction 5 miles more or less, to the terminus thereof in the east bank of the American Colony Canal, in the southeast quarter of section 5, township 15 south, range 20 east, M.D.B. & M.; and the central branch of said Washington Colony Canal, beginning at the head thereof, in the southeast quarter of section 2, township 15 south, range 20 east, M.D.B. & M., running thence in a general southwesterly direction 5 miles more or less, to the terminus thereof, in the east bank of the American Colony Canal, near the southeast corner of the northeast quarter of section 8, township 15 south, range 20 east, M.D.B. & M.; and the south branch of said Washington Colony Canal, beginning at the head thereof, in the southeast quarter of section 2, township 15 south, range 20 east, M.D.B. & M., running thence in a general southwesterly direction 5.5 miles more or less, to the terminus thereof near the west line of the southwest quarter of section 9, township 15 south, range 20 east, M.D.B. & M.

22. American Colony Canal: Beginning at the head thereof in the south bank of the Central Canal, near the south boundary of the southwest quarter of section 25, township 14 south, range 20 east, M.D.B. & M., running thence in a general southwesterly direction 7 miles more or less to the terminus thereof near the northeast corner of the southeast quarter of section 8, township 15 south, range 20 east, M.D.B. & M.; and the south central branch of said American Colony Canal, beginning in the north bank of said American Colony Canal, in the southwest quarter of section 34, township 14 south, range 20 east, M.D.B. & M., running thence in a general northwesterly direction 3.5 miles more or less, to the terminus thereof, in the east bank of the Central Canal, in the northwest quarter of section 31, township 14 south, range 20 east, M.D.B. & M.; and a branch of said American Colony Canal, beginning in the west bank of said American Colony Canal, near the southeast corner of the northeast quarter of section 5, township 15 south, range 20 east, M.D.B. & M., running

thence in a general westerly direction 2.5 miles more or less, to a point in the east bank of the Central Canal, near the north line of the southeast quarter of section 1, township 15 south, range 19 east, M.D.B. & M.; and a branch of American Colony Canal, beginning in the west bank thereof in the southeast quarter of section 5, township 15 south, range 20 east, M.D.B. & M., running thence in a general westerly direction 2.5 miles more or less to the terminus thereof in the east bank of the Central Canal near the south line of the southeast quarter of section 1, township 15 south, range 19 east, M.D.B. & M.; and a branch of said American Colony Canal, beginning in the west bank of said American Colony Canal, near the southeast corner of the northeast quarter of section 8, township 15 south, range 20 east, M.D.B. & M., running thence in a general westerly direction 2 miles more or less, to the terminus thereof, near the northwest corner of section 7, township 15 south, range 20 east, M.D.B. & M.

23. North Central Canal: Beginning at the head thereof in the north bank of the Central Canal, near the center of section 25, township 14 south, range 20 east, M.D.B. & M., and running thence in a general westerly direction 4.76 miles more or less and thence south 0.75 miles more or less to the terminus thereof, in the north bank of the Central Canal, near the southwest corner of section 29, township 14 south, range 20 east, M.D.B. & M.

24. Fresno Colony Canal: Beginning at the head thereof, in the north bank of Central Canal, near the center of section 25, township 14 south, range 20 east, M.D.B. & M., and running thence in a general westerly and southwesterly direction 10.91 miles more or less, to the terminus thereof, in the north bank of Central Wasteway, near the southwest corner of section 35, township 14 south, range 19 east, M.D.B. & M.

25. West Perrin Colony Canal: Beginning at the head thereof, at the end of the Central Canal, near the northeast corner of the northwest quarter of section 12, township 15 south, range 19

east, M.D.B. & M., and running thence west 1 mile, thence south one-half mile, thence west one-half mile, thence south 1 mile more or less to the terminus thereof, near the northeast corner of the southeast quarter of section 15, township 15 south, range 19 east, M.D.B. & M.

26. East Perrin Colony Ditch: Beginning at the head thereof, at the end of Central Canal, near the northeast corner of the northwest quarter of section 12, township 15 south, range 19 east, M.D.B. & M., running thence south 0.5 miles, thence east .26 miles more or less, to the terminus thereof, near the north line of the southeast quarter of section 12, township 15 south, range 19 east, M.D.B. & M.
27. Lampee Ditch: Beginning at the terminus of the East Perrin Colony Ditch and running thence in a general southerly direction 2.3 miles more or less, to the terminus thereof, in the north bank of the Wristen Canal, near the south line of the northeast quarter of section 24, township 15 south, range 19 east, M.D.B. & M.
28. Mortensen Ditch: Beginning at the head thereof, in the west bank of the Houghton Canal, at a point near the northwest corner of the southwest quarter of section 6, township 14 south, range 20 east, M.D.B. & M., and running thence in a general southwesterly and westerly direction 4.5 miles more or less to the terminus thereof, near the center of Section 9, township 14 south, range 19 east, M.D.B. & M.
29. Teilman Ditch: Beginning at the head thereof, in the west bank of the Houghton Canal, near the northwest corner of the southwest quarter of section 6, township 14 south, range 20 east, M.D.B. & M., running thence in a south and southwesterly direction 7.5 miles more or less to the terminus thereof, near the southeast corner of section 20, township 14 south, range 19 east, M.D.B. & M.
30. Hawn Ditch: Beginning at the head thereof, in the west bank of the Houghton Canal, near the southwest corner of the northwest

quarter of section 6, township 14 south, range 20 east, M.D.B. & M., running thence in a general westerly and southwesterly direction 4.5 miles more or less to the terminus thereof, near the northwest corner of the northeast quarter of section 16, township 14 south, range 19 east, M.D.B. & M.

31. Paragon Ditch: Beginning at the head thereof, in the south bank of the Houghton Canal, near the center of section 4, township 14 south, range 19 east, M.D.B. & M., running thence in a general south and southwesterly direction 4 miles more or less, to the terminus thereof, near the southeast corner of the southwest quarter of section 20, township 14 south, range 19 east, M.D.B. & M.
32. Garfield Ditch: Beginning at the head thereof, in the south bank of the Houghton Canal, near the northeast quarter of the southeast quarter of section 5, township 14 south, range 19 east, M.D.B. & M., running thence south one-half mile, thence west one-half mile, thence south 2 miles, thence west 1.5 miles, thence south one-half mile, a total of 5 miles more or less, to the terminus thereof, near the southwest corner of the northwest quarter of section 19, township 14 south, range 19 east, M.D.B. & M.
33. A Lateral Ditch From The Houghton Canal: Beginning in the north bank of the Houghton Canal, near the southwest corner of the northwest quarter of section 4, township 14 south, range 19 east, M.D.B. & M., running thence in a northerly and westerly direction 4 miles more or less, to the terminus thereof, in the north bank of the Houghton Canal, near the center of section 2, township 14 south, range 18 east, M.D.B. & M.
34. High Ditch: Beginning at the head thereof, in the south bank of the Houghton Canal, near the north line of the southeast quarter of section 5, township 14 south, range 19 east, M.D.B. & M., running thence in a westerly direction 1.75 miles more or less to the terminus thereof near the northeast corner of the southeast quarter of section 1, township 14 south, range 18 east, M.D.B. & M.

35. Monroe Ditch: Beginning at the head thereof, in the south bank of the Houghton Canal, near the center of section 6, township 14 south, range 19 east, M.D.B. & M., running thence south 2.5 miles more or less to the terminus thereof, in the north bank of the Garfield Ditch, near the southeast corner of the southwest quarter of section 18, township 14 south, range 19 east, M.D.B. & M.
36. Vogel Ditch: Beginning at the head thereof, in the south bank of the Houghton Canal, near the southeast corner of the northeast quarter of section 1, township 14 south, range 18 east, M.D.B. & M., and running thence south 3.5 miles more or less, to the terminus thereof, in the north bank of the Dry Creek Canal, near the southeast corner of section 24, township 14 south, range 18 east, M.D.B. & M.
37. Central Rolinda Ditch: Beginning at the head thereof, in the south bank of the Houghton Canal, near the center of section 1, township 14 south, range 18 east, M.D.B. & M., running thence south and southwesterly 3.5 miles more or less, to the terminus thereof, near the west line of the northwest quarter of section 24, township 14 south, range 18 east, M.D.B. & M.
38. West Rolinda Ditch: Beginning at the head thereof, in the south bank of the Houghton Canal, near the northwest corner of the southwest quarter of section 1, township 14 south, range 18 east, M.D.B. & M., running thence south 3.5 miles more or less to the terminus thereof, in the north bank of the Dry Creek Canal, near the southeast corner of section 23, township 14 south, range 18 east, M.D.B. & M.
39. Thompson Extension Canal And Laterals: Beginning at the head thereof, in the south bank of the Houghton Canal, near the northeast corner of the southeast quarter of section 3, township 14 south, range 18 east, M.D.B. & M., running thence south and southwesterly 4.2 miles, to the terminus thereof, in the north bank of the Dry Creek Canal, near the southeast corner of section 21, township 14 south, range 18 east, M.D.B. & M.; a lateral from said Thompson Extension Canal, beginning in the south bank thereof, ~~near~~

near the southwest corner of the northeast quarter of section 10, township 14 south, range 18 east, M.D.B. & M., and running thence southerly 0.6 miles more or less, to the terminus thereof, near the northwest corner of the northeast quarter of section 10, township 14 south, range 18 east, M.D.B. & M.; and a lateral from said Thompson Extension Canal, beginning in the west bank thereof, near the southwest corner of section 10, township 14 south, range 18 east, M.D.B. & M., and running thence in a general southwesterly direction 4 miles more or less, to the terminus thereof, near the northwest corner of the southeast quarter of section 24, township 14 south, range 17 east, M.D.B. & M.

40. A Lateral Ditch From Houghton Canal: Beginning in the south bank thereof, near the southeast corner of the northeast quarter of section 5, township 14 south, range 18 east, M.D.B. & M., and running thence south and southerly 1.2 miles more or less, to the terminus thereof, near the south line of the northeast quarter of section 8, township 14 south, range 18 east, M.D.B. & M.

41. A Lateral Ditch From Houghton Canal: Beginning in the south bank thereof, near the north line of the southeast quarter of section 6, township 14 south, range 18 east, M.D.B. & M., and running thence southwesterly and south 3 miles more or less, to the terminus thereof, near the center of section 19, township 14 south, range 18 east, M.D.B. & M.; a branch lateral from such lateral ditch, beginning in the west bank thereof, near the southeast corner of the southwest quarter of section 6, township 14 south, range 18 east, M.D.B. & M., and running thence west 1.5 miles more or less, to the terminus thereof, near the northwest corner of section 12, township 14 south, range 17 east, M.D.B. & M.; and another branch lateral from said lateral ditch, beginning in the west bank thereof, near the center of section 7, township 14 south, range 18 east, M.D.B. & M., and running thence west 1.75 miles more or less to the terminus thereof, near the south boundary of the northeast quarter of section 11, township 14 south, range 17 east, M.D.B. & M.

east, M.D.B. & M.; and a branch ditch from said last mentioned branch lateral, beginning in the south bank thereof, near the northeast corner of the southeast quarter of section 12, township 14 south, range 17 east, M.D.B. & M., and running thence southwesterly and west 1.7 miles more or less, to the terminus thereof, near the northwest corner of the northeast quarter of section 14, township 14 south, range 17 east, M.D.B. & M.

42. A Lateral: Beginning at the end of the Houghton Canal, near the center of section 2, township 14 south, range 17 east, M.D.B. & M., and running thence south 1 mile more or less to the terminus thereof, near the center of section 11, township 14 south, range 17 east, M.D.B. & M.; and a lateral beginning at the end of the Houghton Canal and running thence in a general southwesterly direction 1.3 miles more or less to the terminus thereof, near the center of section 10, township 14 south, range 17 east, M.D.B. & M.

43. Roeding Ditch: Beginning at the head thereof, in the south bank of the Herndon Canal, near the east line of the southwest quarter of section 21, township 13 south, range 20 east, M.D.B. & M., and running thence in a general southwesterly direction 2.5 miles more or less to the terminus thereof, in the northwest quarter of section 32, township 13 south, range 20 east, M.D.B. & M.

44. Cole Ditch And Lateral: Beginning at the head thereof, in the south bank of the Herndon Canal, near the east line of the northwest quarter of section 20, township 13 south, range 20 east, M.D.B. & M., and running thence in a southerly and southwesterly direction 4.8 miles more or less, to the terminus thereof, at the north bank of the Houghton Canal, near the west line of the northwest quarter of section 6, township 14 south, range 20 east, M.D.B. & M.; and a lateral from said Cole Ditch, beginning in the west bank thereof, near the northeast corner of the northwest quarter of section 29, township 13 south, range 20 east, M.D.B. & M., running thence in a westerly and southwesterly direction 3 miles, to the terminus thereof, in the northeast quarter of section 36, township 13 south, range 19 east, M.D.B. & M.

45. Victoria Ditch And Lateral: Beginning at the head thereof, in

the south bank of the Herndon Canal, near the center of the southwest quarter of section 18, township 13 south, range 20 east, M.D.B. & M., and running thence in a southwesterly and southerly direction 4.8 miles more or less, to the north bank of the Houghton Canal, near the east line of the northwest quarter of section 1, township 14 south, range 19 east, M.D.B. & M.; a lateral from said Victoria Ditch beginning at the west bank thereof, near the northwest quarter of the northeast quarter of section 25, township 13 south, range 19 east, M.D. B. & M., and running thence south 3 miles more or less, to the terminus thereof, in the easterly bank of the Houghton Canal, near the west line of the northwest quarter of section 1, township 14 south, range 19 east, M.D.B. & M.

46. Tracy Ditch: Beginning at the west bank of Victoria Ditch, near the center of section 24, township 13 south, range 19 east, M. D.B. & M., and running thence in a westerly and southwesterly direction 5 miles more or less, to the terminus thereof, in the north bank of the Houghton Canal, near the northeast corner of section 3, township 14 south, range 19 east, M.D.B. & M.

47. Lisenby Ditch: Beginning at the head thereof, in the south bank of Herndon Canal, near the northeast corner of Section 14, township 13 south, range 19 east, M.D.B. & M., running thence in a general southwesterly direction 1.3 miles more or less, to the terminus thereof, near the southeast corner of the southwest quarter of section 14, township 13 south, range 19 east, M.D.B. & M:

48. A Lateral From The Herndon Canal: Beginning in the southerly bank thereof, near the south line of the southwest quarter of section 10, township 13 south, range 19 east, M.D.B. & M., and running thence southerly 2 miles more or less, to the terminus thereof near the south line of the northwest quarter of section 22, township 13 south, range 19 east, M.D.B. & M.

49. Silvia Ditch: Beginning at the head thereof, in the south bank of the Herndon Canal, near the northeast corner of section 16,

township 13 south, range 19 east, M.D.B. & M., and running thence in a general southwesterly direction 6.2 miles more or less to the terminus thereof near the southwest corner of the southeast quarter of section 31, township 13 south, range 19 east, M.D.B. & M.

50. Epstein Ditch: Beginning at the head thereof, in the north bank of the Herndon Canal, near the west line of the southeast quarter of section 9, township 13 south, range 19 east, M.D.B. & M., and running thence in a northerly and northwesterly direction 5 miles more or less, to the terminus thereof, near the center of the northwest quarter of section 6, township 13 south, range 19 east M. D. B. & M.

51. Flume Ditch: Beginning at the head thereof, in the north bank of the Herndon Canal, near the southeast corner of the northeast quarter of section 7, township 13 south, range 19 east, M.D.B. & M., and running thence in a northwesterly and westerly direction 6 miles more or less, to the terminus thereof in the north bank of the Herndon Canal, near the northwest corner of section 16, township 13 south, range 18 east, M.D.B. & M.

52. Kennedy And Owen Canal And Laterals: Beginning at the head thereof, in the south bank of Herndon Canal, near the northwest corner of the southwest quarter of section 7, township 13 south, range 19 east, M.D.B. & M., and running thence in a general southerly and southwesterly direction 4.0 miles more or less, to the terminus thereof, near the northeast corner of section 26, township 13 south, range 18 east, M.D.B. & M., and a lateral from said Kennedy and Owen Canal, beginning in the southerly bank thereof, near the north line of the northeast quarter of section 25, township 13 south, range 18 east, M.D.B. & M., running thence in a general southeasterly direction 1.0 mile more or less, to the terminus thereof, near the east boundary of section 25, township 13 south, range 18 east, M.D.B. & M.

53. A Lateral From The Herndon Canal: Beginning in the south bank thereof, near the northwest corner of the southwest quarter

of section 12, township 13 south, range 18 east, M.D.B. & M., and running thence south 2 miles more or less, to the terminus thereof near the southeast corner of the northeast quarter of section 23, township 13 south, range 18 east, M.D.B. & M.

54. Thompson Canal: Beginning at the head thereof, in the south bank of Herndon Canal, near the northeast corner of the southeast quarter of section 10, township 13 south, range 18 east, M.D.B. & M., and running thence in a general southerly direction 5.15 miles to the terminus thereof, in the north bank of the Houghton Canal, near the center of section 3, township 14 south, range 18 east, M.D.B. & M.
55. Empire Ditch: A lateral from the said Thompson Canal, beginning at the west bank thereof, near the southeast corner of section 22, township 13 south, range 18 east, M.D.B. & M., and running thence in a general southwesterly direction 5 miles more or less to the terminus thereof, at the north bank of the Houghton Canal, near the center of section 5, township 14 south, range 18 east, M.D.B. & M., and a lateral from Empire Ditch, beginning in the west bank thereof, near the center of section 5, township 14 south, range 18 east, M.D.B. & M., and running thence in a westerly direction 0.8 miles more or less to the terminus thereof, near the center of the northeast quarter of section 6, township 14 south, range 18 east, M.D.B. & M.
56. A Lateral From The Herndon Canal: Beginning in the south bank thereof, near the northeast corner of section 17, township 13 south, range 18 east, M.D.B. & M., and running thence south 2.0 miles more or less, to the terminus thereof, near the southeast corner of section 20, township 13 south, range 18 east, M.D.B. & M.
57. Big Sandridge Canal And Laterals: Beginning at the head thereof, in the south bank of Herndon Canal, near the northeast corner of section 18, township 13 south, range 18 east, M.D.B. & M., and running thence in a general southwesterly direction 7.05 miles more or less to the terminus thereof, near the northwest corner of the southwest quarter of the southeast quarter of

section 29, township 13 south, range 17 east, M.D.B. & M.; a lateral from said Big Sandridge Canal, beginning in the east bank thereof, near the northeast corner of section 18, township 13 south, range 18 east, M.D.B. & M., and running thence south 4.3 miles more or less and thence westerly and southwesterly 1.6 miles more or less to the terminus thereof, near the center of the southeast quarter of section 1, township 14 south, range 17 east, M.D.B. & M.; a lateral from said Big Sandridge Canal, beginning in the east bank thereof, near the center of the northeast quarter of section 25, township 13 south, range 17 east, M.D.B. & M., and running thence southeasterly 2.0 miles more or less, to the terminus thereof, near the southeast corner of section 36, township 13 south, range 17 east, M.D.B. & M.; a lateral from said Big Sandridge Canal, beginning in the south bank thereof, near the center of section 25, township 13 south, range 17 east, M.D.B. & M., and running thence in a southwesterly direction 2.2 miles more or less, to the terminus thereof, near the north line of the southwest quarter of section 2, township 14 south, range 17 east, M.D.B. & M.; a lateral from said Big Sandridge Canal, beginning in the south bank thereof, near the east line of the southeast quarter of section 27, township 13 south, range 17 east, M.D.B. & M., and running thence south 1.3 miles more or less to the terminus thereof, near the southeast corner of section 34, township 13 south, range 17 east, M.D.B. & M.; a lateral from said Big Sandridge Canal, beginning in the south bank thereof, near the center of the southeast quarter of section 27, township 13 south, range 17 east, M.D.B. & M., and running thence south 1.3 miles more or less, to the terminus thereof, near the south line of the southeast quarter of section 34, township 13 south, range 17 east, M.D.B. & M.; a lateral from said Big Sandridge Canal, beginning in the south bank thereof, near the east line of the southwest quarter of section 27, township 13 south, range 17 east, M.D.B. & M., running thence southerly and southwesterly 2 miles more or less, to the terminus thereof, near the west line of the southeast quarter of section

33, township 13 south, range 17 east, M.D.B. & M.; a lateral from said Big Sandridge Canal, beginning in the south bank thereof, near the center of the south one-half of the southwest quarter of section 28, township 13 south, range 17 east, M.D.B. & M., and running thence southerly and southwesterly 1.5 miles more or less, to the terminus thereof, near the southwest corner of the southeast quarter of section 32, township 13 south, range 17 east, M.D.B. & M.

58. Little Sandridge Canal: Beginning at the head thereof in the west bank of the Big Sandridge Canal, near the northeast corner of the northwest quarter of section 19, township 13 south, range 18 east, M.D.B. & M., and running thence in a general southwesterly direction 5.5 miles more or less, to the terminus thereof near the northwest corner of the northeast quarter of section 29, township 13 south, range 17 east, M.D.B. & M.

59. Lateral Ditches From Herndon Canal: A Lateral beginning in the north bank of Herndon Canal, near the northwest corner of section 17, township 13 south, range 18 east, M.D.B. & M., and running thence in a general northwesterly direction 4 miles more or less to the terminus thereof, at the north bank of Herndon Canal, near the northwest corner of the northeast quarter of section 15, township 13 south, range 17 east, M.D.B. & M., and a branch of the above described lateral beginning in the south bank thereof near the northwest corner of the southwest quarter of section 7, township 13 south, range 18 east, M.D.B. & M., and running thence in a westerly direction 2 miles more or less to the terminus thereof, in the east bank of the aforesaid lateral near the center of section 11, township 13 south, range 17 east, M.D.B. & M.

50. Lateral Ditch From Briggs Canal: A Lateral, beginning in the west bank of the Briggs Canal, near the center of section 27, township 14 south, range 21 east, M.D.B. & M., and running thence west 2.3 miles more or less, to the terminus thereof, at the east bank of the Washington Canal, near the north line of the south-

west quarter of section 29, township 14 south, range 21 east,
M.D.B. & M.

61. Lateral From Fancher Creek Canal: A Lateral, beginning in the west bank of Fancher Creek Canal, near the south line of the southeast quarter of section 5, township 14 south, range 21 east, M.D.B. & M., and running thence west 1.8 miles more or less, to the northwest corner of section 7, township 14 south, range 21 east, M.D.B. & M., thence south 1 mile more or less, to the terminus thereof, near the southwest corner of section 7, township 14 south, range 21 east, M.D.B. & M.
62. Temperance Ditch, A Lateral From Mill Ditch: Beginning at the head thereof, in the south bank of Mill Ditch, near the north line of the northwest quarter of section 36, township 13 south, range 21 east, M.D.B. & M., and running thence in a general westerly direction 2 miles more or less, to the terminus thereof at the south bank of Mill Ditch, near the north line of the northeast quarter of section 34, township 13 south, range 21 east, M.D.B. & M.
63. Laterals From Gould Canal: Fairview Ditch, beginning in the south bank of Gould Canal, near the north line of the southwest quarter of section 26, township 13 south, range 22 east, M.D.B. & M., and running thence in a general southwesterly direction 4 miles more or less, to the terminus thereof, near the east line of the northwest quarter of section 33, township 13 south, range 22 east, M.D.B. & M.; a lateral from Gould Canal, beginning in the south bank thereof, near the center of section 23, township 13 south, range 21 east, M.D.B. & M., and running thence south one-half mile more or less, to a point near the northeast corner of the northwest quarter of section 26, township 13 south, range 21 east, M.D.B. & M., thence west 1.3 miles, thence south 1 mile more or less, to the terminus thereof at the north bank of Mill Ditch, near the south line of the southwest quarter of section 27, township 13 south, range 21 east, M.D.B. & M.; a lateral from Gould Canal, beginning in the south bank thereof, near the northeast corner of section 21, township 13 south,

range 21 east, M.D.B. & M., running thence south 1 mile more or less, to the northeast corner of section 28, township 13 south, range 21 east, M.D.B. & M.; a lateral from the Enterprise Canal, beginning on the south bank of Enterprise Canal, near the center of section 16, township 13 south, range 22 east, M.D.B. & M., thence west 0.9 miles more or less, to the terminus thereof, near the north line of the northwest quarter of section 28, township 13 south, range 21 east, M.D.B. & M.; a lateral from Gould Canal, beginning in the south bank thereof, near the northeast corner of section 20, township 13 south, range 22 east, M.D.B. & M.; Jefferson Canal, township 13 south, range 21 east, M.D.B. & M., and running thence a lateral from the Enterprise Canal, beginning in the west bank of the Enterprise Canal, near the center of section 12, township north bank of Mill Ditch near the southeast corner of section 13 south, range 21 east, M.D.B. & M., running thence in a general northwesterly and westerly direction 3 miles, to the terminus thereof, near the center of the southwest quarter of section 8, township 13 south, range 21 east, M.D.B. & M.; a lateral from said 21 east, M.D.B. & M., and running thence in a general south and southwesterly direction 2.5 miles more or less, to the center of section 16, township 13 south, range 21 east, M.D.B. & M., and running thence west one-half mile more or less, to the terminus thereof, near the southeast corner of the northeast quarter of section 25, township 13 south, range 20 east, M.D.B. & M.; a lateral from the Gould Canal, beginning at the south bank thereof, near the north line of the northeast quarter of section 24, township 13 south, range 20 east, M.D.B. & M., and running thence in a general south and southwesterly direction 2.2 miles more or less, to the terminus thereof, in the north bank of Mill Ditch, near the southeast corner of the southwest quarter of section 25, township 13 south, range 20 east, M.D.B. & M., and a lateral from said Clovis Ditch, beginning in the south bank thereof, near the southwest corner of section 9, township 13 south, range 20 east, M.D.B. & M., and running thence south and southwesterly direction 2.5 miles more or less, to the terminus thereof, near the southwest corner of the southeast quarter of section 15, township 13 south, range 20 east, M.D.B. & M.; near Colonial Ditch, a lateral

64. Laterals From Enterprise Canal: A Lateral, beginning in the south bank of the Enterprise Canal, near the center of the southwest quarter of section 13, township 13 south, range 22 east, M.D.B. & M., and running thence in a general southerly and southwesterly direction 2.5 miles more or less, to the terminus thereof, near the southwest corner of the southeast quarter of section 9, township 13 south, range 20 east, M.D.B. & M.; near Colonial Ditch, a lateral

township 12 south, range 21 east, M.D.B. & M.; a branch ditch from said Helm Colonial Ditch, beginning in the west bank thereof, near the center of section 29, township 12 south, range 21 east, M.D.B. & M., and running thence west 1 mile, thence south 1.5 miles more or less, to the terminus thereof, near the southeast corner of the southwest quarter of section 31, township 12 south, range 21 east, M.D.B. & M.; Murpin Ditch, a lateral from the Enterprise Canal, beginning in the south bank thereof, near the north line of the southeast quarter of section 13, township 12 south, range 20 east, M.D.B. & M.; and running thence in a southerly direction 5.5 miles more or less, to the terminus thereof, near the southeast corner of section 36, township 12 south, range 20 east, M.D.B. & M.; Tongue Ditch, a lateral from the Enterprise Canal, beginning in the east bank thereof, near the southwest corner of the southeast quarter of section 13, township 12 south, range 20 east, M.D.B. & M., and running thence in a general southerly direction 4 miles more or less, to the terminus thereof, near the center of the northwest quarter of section 1, township 13 south, range 20 east, M.D.B. & M.; Bullard Ditch, a branch of the Enterprise Canal, beginning in the west bank thereof, near the center of section 34, township 12 south, range 20 east, M.D.B. & M., and running thence in a general westerly and southwesterly direction 9 miles more or less, to the terminus thereof, in the north bank of the Herndon Canal, near the east line of the northeast quarter of section 10, township 13 south, range 19 east, M.D.B. & M.; and a branch from said Bullard Ditch, beginning in the south bank thereof, near the northeast corner of the northwest quarter of section 4, township 13 south, range 20 east, M.D.B. & M., running thence in a general southwesterly direction 3 miles more or less, to the terminus thereof, near the south line of the southwest quarter of section 7, township 13 south, range 20 east, M.D.B. & M.; and a branch of said Bullard Ditch beginning in the south bank thereof, near the north line of the northwest quarter of section 5, township 13 south, range 20 east, M.D.B. & M., running thence in a

general southwesterly direction 3 miles more or less, to the terminus thereof, near the south line of the southwest quarter of section 7, township 13 south, range 20 east, M.D.B. & M.; and a lateral from the Enterprise Canal, beginning at a point in the south bank thereof near the northeast corner of section 3, township 13 south, range 20 east, M.D.B. & M., and running thence in a general southerly and westerly direction 2 miles more or less, to the terminus thereof, near the center of section 10, township 13 south, range 20 east, M.D.B. & M.

65. Laterals From Helm Canal: A Lateral, beginning in the south bank of the Helm Canal, near the east line of the southeast quarter of section 7, township 13 south, range 21 east, M.D.B. & M., and running thence in a general southwesterly and westerly direction 3 miles more or less, to the terminus thereof, near the southwest corner of section 13, township 13 south, range 20 east, M.D.B. & M.; a branch from said last described lateral, beginning in the south bank thereof, near the northeast corner of section 18, township 13 south, range 21 east, M.D.B. & M., running thence in a general south and southwesterly direction 2 miles more or less to the terminus thereof, at the north bank of the Gould Canal, near the southwest corner of section 18, township 13 south, range 21 east, M.D.B. & M., a lateral from Helm Canal, beginning in the south bank thereof, near the east line of the northwest quarter of section 7, township 13 south, range 21 east, M.D.B. & M., and running thence in a general southwesterly direction 4 miles more or less, to the terminus thereof, near the northeast corner of the northwest quarter of section 23, township 13 south, range 20 east, M.D.B. & M., and Walters Colony Ditch, beginning in the south bank of the Helm Canal, near the southwest corner of the northwest quarter of section 1, township 13 south, range 20 east, M.D.B. & M., running thence in a general southwesterly direction 7 miles more or less, to the terminus thereof, at the north bank of the Herndon Canal, near the south line of the northwest quarter of section 21, township 13 south, range 20 east, M.D.B. & M.

66. Lone Tree Channel Ditch: Such undivided interest in the Lone Tree Channel Ditch, beginning at the head thereof, in the south bank of Fresno Canal, near the center of section 32, township 13 south, range 23 east, M.D.B. & M., and running thence in a general southwesterly direction 2.5 miles more or less, to the south line of the northeast quarter of section 12, township 14 south, range 22 east, M.D.B. & M., and in the branches and laterals thereof as is or may be necessary for conveying and utilizing water on lands within the boundaries of Fresno Irrigation District, susceptible of being irrigated from said ditch.

III.

All the following telephone lines, including all rights of way and appurtenances in connection therewith:

1. A line, number 8208, main suburban line, beginning at the southeast corner of section 32, township 13 south, range 22 east, M.D.B. & M., and running easterly and northeasterly 11 miles more or less to a point near the headgates of the Gould Canal in the southwest quarter of section 24, township 13 south, range 23 east, M.D.B. & M., this line consisting of a double number 12 gauge wire circuit on 4" x 6" red wood poles; also from a point on this telephone line in the northwest quarter of section 35, township 13 south, range 23 east, M.D. B. & M., a short branch line extending to the Fresno Canal headgate in the same quarter section; also another branch line extending from this same telephone line, beginning near the southwest corner of section 33, township 13 south, range 22 east, M.D.B. & M., and running thence northerly about 1.5 miles to the ranch of J. J. Jackson in the southeast quarter of section 28, township 13 south, range 22 east, M.D.B. & M., this line consisting of a double number 12 wire circuit on 4" x 6" red wood poles.
2. A line, number 8236R3, extending from line 8236, beginning near the northwest corner of section 13, township 13 south,

range 20 east, M.D.B. & M., running thence southeasterly 1.25 miles to the northwest corner of the northeast quarter of the northwest quarter of section 24, township 13 south, range 20 east, M.D.B. & M., this line consisting of a double number 12 circuit on 4" x 6" red wood poles.

3. A line, number 8204J11, being a branch line from circuit number 8204, and beginning near the northeast corner of the southeast quarter of the southeast quarter of section 36, township 14 south, range 19 east, M.D.B. & M., and running about 3/8 of a mile to a point near the north line of the northwest quarter of section 1, township 15 south, range 19 east, M.D.B. & M., this circuit consisting of double number 12 wire on 4" x 6" red wood poles.

4. The Fresno Canal and Land Corporation's right, title and interest in Clovis suburban telephone line number 62F and Fresno suburban telephone line number 8245.

IV.

Also, the entire irrigation system of Fresno Canal and Land Corporation including, in addition to the foregoing tracts and parcels of land, canals, ditches and laterals, and telephone lines, all other tracts and parcels of land, canals, ditches and laterals, and telephone lines, together with all dams, headgates, weirs, flumes, aqueducts, structures, drops, checks, reservoirs, rights of way, reservoir embankments, water rights, rights ~~to~~ to the use of water, privileges, franchises and easements, options and rights and property and rights secured and to be secured thereunder, pumps, pipe, machinery, tools, furniture, books, records and maps, including also the Fresno Canal and Land Corporation's entire right, title and interest in and to all appropriations, filings, rights of way and other property and rights in connection with the so-called Pine Flat Project, and including also all other property and rights of Fresno Canal and Land Corporation, real, personal or

mixed, tangible or intangible, corporeal or incorporeal, wherever located, subject, however, to the following exceptions, to-wit:

1. The Laguna de Tache Grant irrigation system and the water rights connected therewith;

2. An undivided one-half interest in the concrete diverting dam and weir in the Kings River at the head of the Fresno Canal, such dam being owned and used jointly by the Fresno Canal and Land Corporation and the Consolidated Canal Company for the purpose of diverting water to their respective canals;

3. All of the headworks and gates and appurtenances of the Consolidated Canal Company located adjacent to said dam, together with the right of ingress and egress to said dam and headworks, for the operation, repair and maintenance thereof;

4. All interest in the Lone Tree Channel Ditch (except as to the undivided interest in said Ditch described in Par. 66 hereof) and the water and water rights connected therewith, being sixty-nine eleven hundred and eighty-fifths ($69/1185$) of all the water and water rights which said Fresno Canal and Land Corporation is now entitled to divert through the Fresno and Gould Canals, so-called, and all of the Lone Tree Channel Ditch lying outside the boundaries of the Fresno Irrigation District, including the branches and laterals thereof outside of said District;

5. All moneys on hand or on deposit, all notes and accounts receivable, including water rentals up to and including the year 1920, and the amount re-payable to said first party by said second party for the cost of the maintenance and operation of its canal system in accordance with the agreement of November 6, 1920 and the agreement of January 24, 1921, supplementary thereto, heretofore entered into between the parties hereto, and the right or franchise of Fresno Canal and Land Corporation to be a corporation;

6. Subject to the right, on the part of Fresno Canal and Land Corporation and Consolidated Canal Company to inspect and use, in so far as the same may be necessary and appropriate, any of the books, maps and records herein referred to, in so far as they may relate to or be connected with any of the properties, or any portion thereof, owned or possessed by the Consolidated Canal Company or retained by said Fresno Canal and Land Corporation as a portion of its irrigation system.

TOGETHER with the tenements, hereditaments, and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD the said property, together with the appurtenances, unto the party of the second part, and to its successors and assigns forever.

IN WITNESS WHEREOF, the party of the first part, by its President and Secretary thereunto duly authorized by resolutions of its stockholders and of its Board of Directors as hereinbefore set forth has caused its corporate name to be hereunto subscribed and its corporate seal to be hereunto affixed, the day and year first above written.

FRESNO CANAL AND LAND CORPORATION

By.....
President.

Attest:

.....
Secretary.

State of California)
County of Fresno) ss.

On this day of, 1921, before me,
....., a Notary Public in and for
the County of Fresno, State of California, residing therein,

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duly commissioned and sworn, personally appeared L.A. Nares and R. W. Postwick, known to me to be the President and the Secretary, respectively, of Fresno Canal and Land Corporation, the corporation described in and which executed the foregoing indenture, and also known to me to be the persons who executed said indenture in behalf of Fresno Canal and Land Corporation, and they acknowledged to me that said Fresno Canal and Land Corporation executed the same.

Notary Public in and for the County
of Fresno, State of California.

My commission expires 19.....