

In the District Court of the Sixth Judicial District of the State of Idaho, for and for the County of Latah.

Christian Van Orsare }
 vs. Plaintiff } Judgment.
 Geo. W. Keadlow. }
 Defendant.

This cause having come on to be heard on the 9th day of May, 1905, before the Court, H. S. Redwine Esq., appearing as counsel for the plaintiff and John H. Padgham, Esq. appearing as counsel for the defendant, and the Court after hearing all the testimony in the case, and the argument of counsel for the respective parties, and the Court having made and filed its findings of fact and conclusions of law herein, now, therefore, it is ordered, adjudged and decreed as follows: 1 That the plaintiff Christian Van Orsare is entitled at all times to the first day of July in each and every year to the flow of twenty inches of the water of Spring Creek, measured under a four inch pressure, being about two fifths of a cubic foot per second of time, for the irrigation of the lands described in his said complaint; and that after the first day of July of each and every year he is entitled at all times to the flow of twelve inches of the water of said Spring Creek, measured under a four inch pressure, for the irrigation of his said lands, the right to the same being of date from the year of 1887; and his right to be prior to that of defendant.

2 That the defendant George W. Keadlow, is entitled at all times to the flow of twenty inches of the water of said Spring Creek for the irrigation of his said lands described in his cross-complaint, the said twenty inches to be measured under a four inch pressure, and being about two-fifths cubic foot per second of time, his right to the same being of date from the year of 1903.

3 That defendant be, and he is, hereby enjoined and restrained from in any manner interfering with the water of Spring Creek to which the plaintiff is granted a prior right as above set forth; and said defendant is hereby enjoined and restrained from in any manner interfering with said water as decreed to plaintiff when same may be flowing in plaintiff's ditch.

4 The water hereby decreed to the said plaintiff and defendant to be measured at the head of their respective ditches.

5 That each of the parties hereto pay their own costs;

done in open Court, this the 11th day of May, 1905.

Filed May 12th 1905;

W. C. Smith

Clerk

J. M. Stevens
 District Judge.