

cover all lands now owned by said estate as irrigated from said streams.

That defendant George Wakley be adjudged and decreed to have the use and benefit

0326
the continuous and uninterrupted flow of one-fifth of all the waters of Station Creek,
0327
and the use and benefit of the continuous and uninterrupted flow of one-sixth of all the
waters of Birch Creek flowing towards March Valley. That said waters be used upon and ap-
purtenant to N.W.1/4 of S.W.1/4, and E.1/2 of S.W.1/4; S.1/2 of N.W.1/4; S.W.1/4 of N.E.1/4;
W.1/2 of S.E.1/4 and Lot 3 of Section One, Township 12 S., Range 36 E. Boise Meridian,
Bannock County, containing 360 acres. It being intended hereby to cover all lands of said
defendant now owned as irrigated from said streams.

0328 That defendant John Ware be adjudged and decreed to have the use and benefit of
the continuous and uninterrupted flow of one-sixth of all the waters of Birch Creek flowing
towards March Valley.

That said waters be used upon and appurtenant to N.E.1/4 Section 12, Township 11
South, Range 36 E. Boise Meridian, said Bannock County, Idaho. It being intended hereby to
cover lands now owned by said defendant as irrigated from said stream.

0329 That defendant J. J. Wakley be adjudged and decreed to have the use and benefit of
the continuous and uninterrupted flow of one-twelfth of the waters of Birch Creek flowing
towards March Valley. That said waters are used upon and appurtenant to N.W.1/4 Section 13,
Township 12 South, Range 36 E. Boise Meridian, except 30 acres thereof heretofore conveyed
by deed by said defendant to J. H. Wakley. It being intended hereby to cover all lands of
defendant as irrigated from said stream.

0330 That defendant J. H. Wakley be adjudged and decreed to have the use and benefit of
one-fourth of all the waters of Lry Hollow and Maple Creeks, the use and benefit of the con-

29 0331 Tr. 45, 163, 177
tinuous and uninterrupted flow of one-fifth of all the waters of Station Creek, and one-

29 0332 Tr. 45, 163, 177, 188
twelfth of the continuous and uninterrupted flow of all the waters of Birch Creek flowing
towards March Valley. That said waters are used upon and appurtenant to S.W.1/4 of N.E.1/4,
N.1/2 of N.E.1/4, N.W.1/4 of N.W.1/4 Section 36, Township 11 S. Range 36 E. Boise Meridian,
containing 160 acres, also 30 acres off the East side of N.W.4 Sec.13 Tp.12 S.R.36 E.B.M. in
said Bannock County. It being intended hereby to cover all lands now owned by said defendant
as irrigated from said streams.