

File 5E-4
Vol. 6, 1141

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29-RW

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CARIBOU

ERNEST HOGAN,

Plaintiff,

-VS-

R. O. HATCH: LEROY HOGAN; GEORGE N. CARTER, State Reclamation
Engineer of the State of Idaho; ALL UNKNOWN OWNERS OR CLAIMANTS
OF ANY INTEREST IN THE FOLLOWING DESCRIBED WATER RIGHT, TO-wit:

1,300 gallons per minute from five (5) wells located in
and irrigating the S $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, Town-
ship 7 South, Range 39 E.B.M., the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of
Section 18, Township 7 South, Range 40 E.B.M. The NE $\frac{1}{4}$
of the NE $\frac{1}{4}$ of Section 24, Township 7 South, Range 39,
E.B.M. and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19, Township
7 South, Range 40 E.B.M., all being in the County of
Caribou, State of Idaho, said water rights originating on
100 gallons per minute on May of 1952, 550 gallons per
minute in June 1953, 300 gallons per minute from June
1954 and 350 gallons per minute in June 1955,

Defendants.

JUDGMENT

The above entitled action came on for trial before the Court
without a jury, on the 25th day of June, 1959, at Soda Springs,
Idaho, the plaintiff appearing in person and by his attorney,
Callis A. Caldwell, and no defendants having filed any responsive
pleadings, nor having made any appearance whatsoever, and an
entry of default having been filed in the above matters, and
testimony having been offered and the Court having filed its
findings of fact, Conclusions of Law, and Order for Judgment,
now, pursuant to said order for judgment, it is upon consideration,
ordered, adjudged and decreed as follows:

29-0485

100 gpm
First: That the plaintiff, as of June 1, 1952, be given and
allowed to beneficially use the subteranean waters of the State
of Idaho from Well #1, and during the months of June, July, August,
and September at the rate of 100 gallons per minute. (0.22 cfs)

29-0486

Second: That the plaintiff, as of June 1, 1953, be given and

RECORDED

MAY 16 1996

allowed to beneficially use the subterranean waters of the State of Idaho from Well #2, and during the months of June, July, August, and September, at the rate of 250 gallons per minute.

29-0487

Third: That the plaintiff, as of June 1, 1953, be given and allowed to beneficially use the subterranean waters of the State of Idaho from Well #3, and during the months of June, July, August, and September, at the rate of 300 gallons per minute.

29-0488

Forth: That the plaintiff, as of June 1, 1954, be given and allowed to beneficially use the subterranean waters of the State of Idaho from Well #4, and during the months of June, July, August, and September, at the rate of 300 gallons per minute.

29-0489

Fifth: That the plaintiff, as of June 1, 1955, be given and allowed to beneficially use the subterranean waters of the State of Idaho from Well #5, and during the months of June, July, August, and September, at the rate of 350 gallons per minute.

IT IS FURTHER ORDERED That the plaintiff pay his own cost and disbursements.

Dated this 2nd day of July, 1959.

/s/ Darwin D. Brown
DISTRICT JUDGE

STATE OF IDAHO)
County of Caribou) ss #43029
I hereby certify that this instrument was
filed for record at the request of
Darwin D. Brown, at 5 minutes past 9 o'clock
A.M., this 15th day of July A.D., 1959
in my office and duly recorded in Book
3 of Judgments at page 68.
Fee, nil. /s/ L. Ray Davis

STATE OF IDAHO)
County of Caribou) ss

I, L. Ray Davis, Clerk, Auditor, and Recorder of Caribou County, Idaho, do hereby certify that the within and foregoing is a full, true and correct copy of the original Judgment as the same appears on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of this office at Soda Springs, Idaho, on this 23rd day of February, 1960.

MAY 16 1960

L. Ray Davis,
Clerk, Auditor & Recorder,
Caribou County, Idaho