

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

27-C numbered copy
Transfers
Noted

Fred S. Stevens, et al.)
Plaintiffs,)
-vs-)
Eastern Idaho Water Co. et al.,)
Defendants.)

This cause having been heretofore tried
by the Court, without a jury, and the Court having made its
findings of fact and conclusions of law:

It is now ordered, Adjudged and Decreed, that the
following parties are entitled to divert from the Blackfoot
River, the amount of water herein indicated, and the right
of each party dates from the time hereinafter stated and
set opposite each name, to-wit:-

27 0012	Fred S. Stevens	July 6, A. D. 1869	138 Inches
27 0013	Henry Dunn	July 1, A. D. 1870	300 Inches
27 0014	N. A. Just and)	August 1, A. D. 1871	200 Inches
27 0015	Emma Just)		
27 0016	Leon Misslen	July 1st, A. D. 1873	200 Inches - Trans #92-221
27 0017	John Misslen	July 1st, A. D. 1874	120 Inches Trans #58
27 0018	H. R. Lewis	March 1st, A. D. 1875	100 Inches
27 0019	Presto Burrell	March 1st, A. D. 1876	100 Inches
27 0020	William Kirkpatrick	May 1st, A. D. 1878	100 Inches
27 0021	F. M. Shoemaker	April 1st, A. D. 1879	190 Inches TRANS # 1962
27 0022	Eastern Idaho Water Co.	March 25, A. D. 1880	1800 Inches
Trans 2468	P. B. Fox Jr.)		
	William Howard)		
	A. Whitten)		

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Durney and Messingale to the waters of Meadow Creek herein set forth shall only extend to the first day of July in each year, for irrigating purposes, and the said Lars Hansen W. H. Edwards, I. J. Edwards, Evin McPherson, Ellison, Collett, O. B. Hansen, Durney and Messingale, and each and all of them are hereby enjoined from diverting or using in any manner any part of the said water rights after the first day of July in each and every year hereafter, for irrigating or any other than domestic purposes.

It is ordered, adjudged and decreed that the following parties are entitled to divert from Little Blackfoot River, a tributary of Blackfoot River, the amount of water herein indicated and the right of each party dates from the time hereinafter stated and set opposite each name, to-wit:

27 101741	Thomas Collett,	April 1st, A. D. 1887	75 Inches
27 101742	Abe Anderson	April 1st, A. D. 1889	170 Inches
27 101743	Andrew Christensen	April 1st, A. D. 1889	60 Inches
27 101744	Peter Hansen	May 1st, A. D. 1889	160 Inches

But the said rights of said Collett, Anderson, Hansen, Christensen, to the waters of Little Blackfoot River, herein set forth, shall only extend to the first day of July in each year, for irrigating purposes, and the said Collett, Anderson, Christensen, & Hansen, and each and all of them are hereby enjoined from diverting or using in any manner any part of the said water rights after the first day of July in each and every year hereafter, for irrigating or any other than domestic purposes.

27 101745 It is ordered, adjudged and decreed, that John Sharp Sr., is entitled to divert from Trail Creek, a tributary of Blackfoot River, five hundred and sixty inches of

560 inches

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water, said right dating from October 11th A. D. 1886, that

John Sharp Sr., George Romney, and W. W. Riter are entitled to divert from Lake Creek, Dale Creek and Pale Creek, all tributaries of Blackfoot River, six hundred and ten inches (610) of water, said rights dating from October 11th A. D. 1886; that F. Little is entitled to divert from Duck Spring

Creek, a tributary of Blackfoot River, six hundred forty (640) inches of water, said right dating from October 4th A. D. 1886; that John Sharp Jr., is entitled to divert

from Highland Creek, a tributary of Blackfoot River, six hundred and forty (640) inches of water; said right dating from October 4th A. D. 1886; that L. S. Hills is entitled to

divert from Butte Creek, a tributary of Blackfoot River, four hundred (400) inches of water, said right dating from October 11th A. D. 1886; that J. F. Little is entitled to divert from Rock Creek, a tributary of Blackfoot River, four hundred and eighty (480) inches of water said right dating from October 17th A. D. 1886; that Evin McPherson

is entitled to divert from Sheep Creek, a Tributary of Blackfoot River, fifty (50) inches of water, said right dating from May 15th, A. D. 1890; that Nels Christensen is

entitled to divert one hundred and sixty (160) inches of water from Spring Creek, a tributary of Blackfoot River; said right dating from April 1st A. D. 1886; that H.

Hansen is entitled to divert one hundred and fifty (150) inches of water from Spring Creek, a tributary of Blackfoot River, said right dating from April 1st, A. D. 1884

that S. Goodwin is entitled to divert one hundred and seventy (170) inches of water from Lone Pine Creek, a tributary of Blackfoot River, said right dating from April 1st, A. D.

1885; that J. E. Davis is entitled to divert one hundred and

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jointly and severally liable for the said one-fourth until such part is fully paid.

It is further Ordered, Adjudged and Decreed, that all parties to this action shall have the right to use the waters of the several streams named in this decree for domestic purposes.

Done on open Court, this August 1st, A. D. 1891.

CHAS. COBB,

Judge, Pro Tem.

Recorded in Judgment Book 1,

Page 107. Bingham County,

Idaho.

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#11.

Elias A. Smith:

That the defendant Elias A. Smith is now and that said defendant his grantors and predecessors in interest have been since the year 1885, the owners of and in the possession and entitled to the possession of the following described land, lying and being in Bingham County, I. T. to-wit:

The North $\frac{1}{2}$ of the N.E. $\frac{1}{4}$, and the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of section 9, and the S.E. $\frac{1}{4}$ and the E $\frac{1}{2}$ of the S.W. $\frac{1}{4}$, the S. $\frac{1}{2}$ of the N.E. $\frac{1}{4}$, the S.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ and the lots numbered 1, 2/ and 3 of section 4 in Township 7 South of Range 44 East of Boise Meridian, and containing an area of 568 44/100 acres.

John Sharp, Sr.,

That the defendant John Sharp, Sr., now is and said defendant and his grantors and predecessors in interest, have been since the year 1885 the owners of and in the possession and entitled to the possession of the following described land situate in Bingham Co., Idaho, to-wit:

The S $\frac{1}{2}$ of section 26, in Township 7 S. of R. 43 E. of Boise Meridian, and containing an area of 320 acres.

That the said defendant is now and himself his grantors and predecessors in interest have been since the year 1885 the owners and in the possession and entitled to the possession of the following described lands situate in Bingham County, Idaho, to-wit:

The S $\frac{1}{2}$ of N.W. $\frac{1}{4}$ and the S $\frac{1}{2}$ of NE $\frac{1}{4}$ and the lots numbered 1, 2, 3 and 4 of section three in Township 7 South of Range 44 East of Boise Meridian, and containing 294 64/100 acres of ground.

That said defendant is now and himself his grantors and predecessors have been since the year 1885 the owners and in the possession of and entitled to the possession of the following lands situate in Bingham County, Idaho, to-wit:

The W $\frac{1}{2}$ and SE $\frac{1}{4}$ and W $\frac{1}{2}$ of NE $\frac{1}{4}$ of section 32 in township of Range 43 East of Boise Meridian, containing an area of 560 acres.

T7S, R 43E
S $\frac{1}{2}$ Sec. 26

T7S, R 44E.
Sec. 3

S $\frac{1}{2}$ NW
S $\frac{1}{2}$ NE

S3, L-1, 2, 3 & 4.
284.64 ac.

T7S, R 43E

Sec. 32
W $\frac{1}{2}$, SE, W $\frac{1}{2}$ NE

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MAY 15 1966