

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT OF IDAHO, AND
FOR FREMONT COUNTY.

Mary S. Moon,

Plaintiff,

vs.

Joseph W. Bowman,

Defendant.

DECREE

This cause having come regularly on for hearing on this 17th day of March, 1925, before the court, without a jury (a jury having been expressly waived by the parties hereto) and all the parties being before the court with their respective counsel, and the said parties and the said counsel having agreed upon the form, terms and conditions of a judgment and decree herein, subject to the approval of the court, and said proposed judgment and decree having been set out at length as an exhibit attached to and made a part of said stipulation as filed in this cause, and said stipulation having been submitted to the court for its approval, by the parties hereto, and the court having examined and considered the same, and the court considering said stipulation and the decree therein agreed upon to be fair and equitable in the premises, and the matter being submitted to the court for decision and judgment and the court being fully advised.

NOW THEREFORE, by reason of the law and the premises, it is hereby ordered, adjudged and decreed,-

That the plaintiff, Mary S. Moon, is the owner, in possession and entitled to the possession of the South half of the North west quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$), South east quarter of the North east quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) and the North west quarter of the South east quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section thirteen (13), Township Nine (9) North, Range Forty one (41) E. B. M. in Fremont County, Idaho, and that the defendant, Joseph W. Bowman, is the owner, in possession and entitled to the possession of the North half of the North west quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$), the North half of the North east quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) and the South east quarter of the North east quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Thirteen (13), Township Nine, North (9-N), Range Forty one (41) E. B. M. in Fremont County, Idaho; that all of said lands are arid in character and require the artificial application of water thereon to produce profitable crops.

That said Plaintiff and said Defendant are, each of them, entitled to the beneficial use of one half of the flood, or stored, waters of East Lake and of West Lake, two small natural bodies of water situated in said Township Nine (9), for the purpose of irrigating their said, respective, lands, and are, each, also, equal one half owners of the means of storing, conserving and diverting said waters to and upon their said lands.

That the division of the said waters shall be according to time, between the said parties, each of said parties to receive the entire flow thereof for and during alternate periods of one week each, during the irrigating season, beginning with the Defendant, at Twelve o'clock, Noon, on the first Monday in May of each and every year.

That each of the parties hereto are liable for and it shall be his or her duty to do, perform and bear one half of the labor, cost and expense of constructing and maintaining the jointly used dams, ditches, headgates, measuring devices and other means of conserving, impounding, storing, diverting or measuring said waters and applying the same to said lands, including renewals and repairs when reasonably necessary.

That Plaintiff is the owner of an easement and right of way through river and upon

the said lands of said defendant for a ditch of sufficient size and capacity in and through which to conduct her said water to her said lands as said ditches are now located on defendants said lands, and used jointly by Plaintiff and Defendant, together with the right to maintain the same, and it shall be her duty to keep the same in reasonable repair, proportionately, according to her interest therein and use thereof.

That each of the parties hereto, their agents, servants, employees and all persons acting for or in their behalf, are perpetually restrained and enjoined from in anywise hindering, molesting or interfering with the other in the free exercise of his or her rights as fixed by this decree;

That all claim, or claims, for damages, claimed by the plaintiff against the defendant in the complaint filed herein, is hereby dismissed.

It is further ordered that each party hereto shall pay and be liable for their respective costs and that neither party shall recover costs from the other.

Done in open court, at St. Anthony, Fremont County, Idaho, this 17th day of March, A. D. 1925.

Geo. W. Edgington,
DISTRICT JUDGE.

Filed for record at 1 P. M., March 17th, 1925.

S. D. Farnsworth, Recorder.

MAILED
MAY 14 1925

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
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Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

Ownership - OIC 8/15/04

Reviewer: _____ Date: _____