

IN THE DISTRICT COURT OF THE UNITED STATES
IN AND FOR THE DISTRICT OF IDAHO
SOUTHERN DIVISION.

TWIN FALLS CANAL COMPANY,
a corporation,

Plaintiff,

-vs-

TWIN FALLS LAND AND WATER
COMPANY, a corporation, TWIN
FALLS NORTH SIDE LAND AND WATER
COMPANY, a corporation, and
NORTH SIDE CANAL COMPANY, a
corporation,

Defendants.

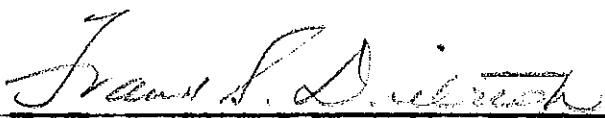
J U D G M E N T.

This cause came on to be heard on this the 25th day of March, 1919, during the regular February, 1919 term of this court, upon the petition of the Twin Falls North Side Land and Water Company, and the North Side Canal Company, Ltd., two of the defendants above named, wherein such defendants pray that the water in the Forebay of the Milner Dam in Snake River be by the plaintiff above named, maintained and kept at the eleven foot gauge height and that a certain decree of this court made and entered in the above entitled cause on the 28th day of December, 1915, be amended so as to require the plaintiff above named to so maintain said water at said gauge height, and evidence having been duly taken and submitted and the court being fully advised in the premises, it is hereby ordered, adjudged and

decreed as follows:

1. That during the irrigation season in each year hereafter, the water in the forebay of the Milner Dam shall be held and kept at or about the depth of eleven feet above the sills of the waste gates, so long as the same may be necessary or required by either of said Canal Companies, and in the case of the North Side Canal Company, Limited, it is hereby required to give two days written notice during each irrigation season, of the period during which it will require said dam to be so operated as to afford such depth of water; Provided, That should danger appear imminent to said dam, or any of its appurtenant structures then either party may require the operation of said dam to be so regulated as to relieve such danger until the cause is remedied or removed, and in the event the said parties are unable to agree as to the manner of such operation or the method of removing such danger, then the same shall be forthwith brought to the attention of the court for such action as to it may appear necessary.
2. That that certain decree entered in the above entitled cause on the 28th day of December, 1915, be and the same is hereby modified and amended as herein indicated, and as above set forth.

Done in open court this 25th day of March, 1919.


District Judge.