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IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

FARMERS CO-OPERATIVE DITCH COMPANY,
a corporation,

Plaintiff

-vs-

RIVERSIDE IRRIGATION DISTRICT, Ltd.,
a corporation, et al,

Defendants

✓ ISLAND HIGHLINE DITCH COMPANY, a
corporation,

Intervener.

DECREE

Filed 10:45 A.M.
Nov. 18, 1930.
Myrtle Bernard, Clerk,
C. D. Rush, Deputy.

This matter came on regularly to be heard the 12th day of November, 1930, upon the complaint in intervention of Island Highline Ditch Company, the said intervener appearing by its attorney, John C. Rice, and defendants Neil O'Donnell, Pat O'Donnell, Guss A. Barth, Lester J. Shippy, Charles Jurries and James Finlay appeared by their attorney, Thos. E. Buckner, and defendants Farmers' Union Ditch Company, Ltd., and Middleton Water Company appeared in said action by their attorney, T. L. Martin, and the other defendants and cross-complainants in said action not appearing by attorney or otherwise. The default of such non-appearing defendants were duly entered according to law. Evidence was introduced on behalf of the plaintiff and the cause submitted to the Court, and the Court after due consideration filed its Findings of Fact and Conclusions of Law and directed judgment to be entered for the intervener in accordance therewith.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED, That the intervener, Island Highline Ditch Company, be and it is hereby awarded the use of water of the Boise River and the tributaries thereof, to be carried through its ditch or canal having its heading in Boise River at a point near the

Southeast corner of the Northeast quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Sixteen (16), in Township Five (5) North, of Range Five (5) West of the Boise Meridian, in Canyon County, Idaho,

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through a ditch described in the complaint in intervention, to-wit: Running in a westerly and northwesterly direction for a distance of about four miles, for use upon the lands hereinafter described, the following amounts of water, measured under a four-inch pressure, as follows:

63 0291

One hundred fifty (150) inches of water, with date of priority as of April 1, 1879;

63 0292

Three Hundred fifty (350) inches of water, with date of priority as of April 1, 1910;

63 0293

Five Hundred (500) inches of water, with date of priority as of April 1, 1915.

The lands upon which the same is to be used and to which it is appurtenant are the lands lying under the level of the said canal and on the northerly and easterly sides thereof, and more particularly described as follows:

All that portion of the North Half ($N\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Seventeen (17), lying north of and below the Bluff running through the same; also the South Half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) and that portion of the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Seventeen (17), lying South and west of Boise River; the East Half ($E\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Eighteen (18); all of Section Seven (7) lying south and west of Boise River; and all that portion of the South Half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Six (6) lying South and West of Boise River; all the above described lands being in Township Five (5) North, of Range Five (5) West of the Boise Meridian, all of said lands being situated in the County of Canyon, State of Idaho.

Also, the East Half ($E\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$), the Southeast Quarter ($SE\frac{1}{4}$), and the Northeast Quarter ($NE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Twelve (12), in Township Five (5) North, of Range Six (6) West of the Boise Meridian, all of said lands being situated in the County of Canyon, State of Idaho.

Done in open Court this 18 day of November, 1930.

Ed L. Bryan
District Judge.

RECORDED

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