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Numbered Copy

In the District Court of the United States for the
District of Idaho, Eastern Division.

UTAH POWER & LIGHT COMPANY,

Plaintiff

vs.

THE LAST CHANCE CANAL COMPANY,
Limited, et. al.

Defendants.

In Equity

No. 203.

FINAL DECREE

Before HON. F. S. DIETRICH,
District Judge.

Filed July 14, 1920.

W. D. McREYNOLDS,
Clerk.

By PEARL ZANGER,
Deputy.

SCANNED

FEB 14 2007

MAY 14 1996

In Equity No. 203

**In the District Court of the United States
for the District of Idaho, Eastern Division**

UTAH POWER & LIGHT COMPANY, a Corporation, *Plaintiff*,

vs.

The Last Chance Canal Company, Limited; The Tanner Canal Company, Limited; The Central Canal Company, The North Extension Canal Company, Limited; West Branch Canal Company, Limited; The Turner Canal Company, Limited; The East Branch Canal Company, The Bench Canal, and Budge Land & Live Stock Company, Limited, corporations; W. H. Larkins, Jas. Ellsmore, Geo. Hogan, Lewis S. Pond and Alex Harris as Trustees of the Gentile Valley Irrigation Company, Limited, late a corporation; The Thatcher Irrigation Company, Limited, a corporation; Nathan D. Thatcher, J. A. Folkman, Milton Robbins and Geo. M. Smith, as Trustees of Thatcher Canal & Power Company, Limited, late a corporation; Nelson Ditch Company, a corporation; A. J. Nielson, B. R. Meek, Henry McCuen, C. S. Burton and Eli Fosgreen, as Trustees of Riverdale-Preston Irrigation Company, late a corporation; The Riverdale Irrigating Company, Nielson-Meek Company and West Cache Irrigation Company, corporations; E. P. Johnson, Albert Johnson, Hyrum Johnson, Geo. D. Anderson, Joseph T. Pond, Frank W. Harris, A. C. Bosen, Hyrum J. Smith, John E. Hill, Melvin Green, Robert L. Smith, Charles Westerborg, Peter Westerborg and David P. Evans.

Horace Howard, Henry Rhinehart, Harvey W. Higley, James Monroe (or Munro), Nellie Simmons, John Baird, William Monroe (or Munro), Orrin Monroe (or Munro), Charles Monroe (or Munro), Charles Foster, Hyrum Foster, Mary Baird, John Woodall (or J. D. Woodall), George Ellis, Skinner Irrigation Company, a corporation; Heber Crane, Fred Bartschi, Charles Bartschi, David Chugg, Phillip Chugg, Fred Stauffer, William Williams, Sr. (or William Morgan Williams), William Williams, Jr. (or William Mormon Williams), Oliver Williams, E. M. Lindsay, Georgetown Irrigation Company, a corporation, and Thomas Freeman.

MAY 14 1996

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

13-0690 317. Nels L. Sorensen: T. # 167, 2214
1877—May 11 ~~0627~~ 0.9 c.f.s.
13-0691 1905—May 11 ~~0627~~ 1.2 c.f.s.

For the irrigation of 105 acres in the Southwest quarter of the Southeast quarter, and the Southeast quarter of the Southwest quarter of Section 19, the West half of the Northeast quarter, and the Northeast quarter of the Northwest quarter of Section 30, said Township and Range.

13-0692 318. Alma Turner:
1877—May 11 ~~0627~~ 0.3 c.f.s.
13-0693 1905—May 11 ~~0627~~ 0.3 c.f.s.

For the irrigation of 30 acres in Lot 4 of Section 19, said Township and Range.

13-0694 319. Michael Nickelsen:
1883—May 1 0.8 c.f.s.

For the irrigation of 40 acres in the South half of the Northeast quarter, the Northwest quarter of the Southeast quarter, Northeast quarter of the Southwest quarter, and the Southeast quarter of the Northwest quarter of Section 19, Township 11 South, Range 41 East.

13-0695 320. John R. Turner:
1880—May 1 0.4 c.f.s.

For the irrigation of 20 acres in the East half of Section 25, Township 11 South, Range 40 East, B.M.

Lars Rasmussen Ditch, diverts on the West side of said Whiskey Creek at a point South 78 degrees West 2400 feet from the Northeast corner of Section 18, Township 11 South, Range 41 East, B.M. The following parties are entitled to divert through said ditch, with priority and in the amount hereinbelow set forth:

13-0696 321. Carston Bennett:
1905—May 1 0.8 c.f.s.

For the irrigation of 40 acres in the West half of the Northeast quarter of Section 24, said Township and Range.

13-0697 322. Hyrum Swensen:
1881—May 11 ~~0631~~ 1.0 c.f.s.
13-0698 1905—May 11 ~~0631~~ 1.5 c.f.s.

For the irrigation of 125 acres in the East half of the Southwest quarter and Lot 2, the Southeast quarter of the Northwest quarter and the Southwest quarter of the Northeast quarter of Section 18, said Township and Range. Said water may also be diverted through ditches diverting from said Whiskey Creek, (1) at a point South 84 degrees West 1750 feet from the Northeast corner of Section 18, (2) at a point South 89 degrees West 2500 feet from the quarter corner on the East boundary of Section 18, said Township and Range, or by means of the Mickelson-Swenson ditch, hereinbefore described.

All the foregoing reservations of jurisdiction shall extend after the term at which this decree is entered, and during any subsequent term prior to January 1, 1924, at which time, or at such earlier time as the court may determine these matters, this decree shall be closed. In all other respects this decree shall be final.

The court further retains jurisdiction, however, at all times, and from time to time, to make all reasonable rules touching the manner of diverting, measuring and distributing the waters, and the devices to be installed and used for such purposes where it may be impracticable to fully comply with the terms of this decree, and to direct that the parties keep accurate and detailed records of the amounts of water diverted, and to require reports to be filed from time to time of the amount so diverted, and generally to make such orders as may be found reasonably necessary to give effect to the decree, and to appoint commissioners or water masters to make distribution in accordance with its terms, and to punish the parties hereto, their officers, agents and employes, and their grantees and successors in interest, for any violation of the provisions thereof.

Done in open court this 14th day of July, 1920.

FRANK S. DIETRICH,
Judge.

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