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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.

MAY 14 1935

DATE OF  
PRIORITY

AMOUNT IN  
SECOND FEET

POINT OF DIVERSION AND  
PLACE OF USE

quarter Southeast quarter, and the North-east quarter Southwest quarter of Section 2, and the Southwest quarter Southeast quarter of Section 12, and the Northwest quarter, the North half Southwest quarter and the West half Northeast quarter of Section 13; of Township 12 South, Range 40 East, of the Boise Meridian.

Said water to be diverted from the natural flow of Bear River, and used through the Gentile Valley Irrigation Company's canal, as above described, for the irrigation of 560 acres of land, situated under what is known as the Pond Canal in the South half of the Northwest quarter and the Southwest quarter of Section 25, the Northwest quarter of the Northeast quarter, the Southeast quarter, the North half of the Southwest quarter, and the Southeast quarter of the Southwest quarter of Section 26, the East half and the Northeast quarter of the Northwest quarter of Section 35, the West half of the Northwest quarter, and the Northeast quarter of the Southwest quarter of Section 36, of Township 11 South, Range 40 East; and the Northwest quarter of the Northwest quarter of Section 1, and the North half of the Northeast quarter of Section 2, of Township 12 South, Range 40 East, of the Boise Meridian.

Said water to be diverted by means of a dam in the channel of Bear River at a point South 65°19' East 977 feet from the Southwest corner of Section 21, Township 10 South, Range 40 East, B.B.M., in Bannock County, Idaho, through a flume commonly known as the Cove Flume, to the Cove generating station in the Northwest quarter of Section 33, Township 10 South, Range 40 East, B.B.M., and there used for the generation of electric power or energy and returned to the channel of Bear River.

Said water to be diverted from the channel of Bear River into the Cove Reservoir at a point North 46°30' East, 1456 feet from the Southwest corner of Section 21, Town-

MAY 14 1996

- ~~11-0267~~ 13-0961  
11. Pond Brothers and Bartlome, a partnership composed of L. A. Pond, J. T. Pond and David Bartlome:  
1904—April 18 12 c.f.s.

- ~~11-0268~~ 13-0962  
12. Utah Power & Light Company:  
Cove Power Plant:  
(a) 1916—March 9 1500 c.f.s.

- ~~11-0269~~ 13-0963  
(b) 1916—March 28 4000 ac. ft.

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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