

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT,
STATE OF IDAHO, COUNTY OF FREMONT

ABERDEEN-SPRINGFIELD CANAL COMPANY, et als,

Plaintiff.

vs

HENRY EAGLE, WATERMASTER DISTRICT # 36

Defendant,

SUPPLEMENTAL DECREE

March 12, 1969

MAY 13 1996

Sections 12, 13, 24, 25, 35 and 36 in Township 3 North, Range 37 E.B.M., lying west of the Snake River.

Sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34 and 35 Township 2 North, Range 37 E.B.M., lying west of the Snake River.

Sections 4, 5, 6, 7, 8, 9 and 30 in Township 1 North Range 37 E.B.M.

Section 1, 12, 13, 24, 25, and 36 in Township 1 North, Range 36 E.B.M.

Sections 1, 2, 11, 12, 13, 14, 22, 23, 24, 26, 27, 28, 31, 32, 33 and 34 in Township 1 South Range 35 E.B.M., lying West of the Snake River

Sections 5 and 6, Township 2 South, Range 35 E.B.M.
All in Bonneville County and Bingham County, Idaho.

Y. MARVON M. NEWBY 1 0321

That Marvon M. Newby shall have the right to divert and use 6.0 cubic feet of water per second at the following point of diversion and upon the following described lands:

Point of Diversion

Northeast Quarter of the Southeast Quarter of Section 31, Township 4 North, Range 31 E.B.M.

Lands to Which Appurtenant

Lots 3, 4, 5 and 6, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31 Township 4 North, Range 41 E.B.M.

Lots 1 and 2 and E $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, Township 4 North, Range 41 E.B.M.

All in Jefferson County, Idaho.

Z. PROGRESSIVE IRRIGATION DISTRICT 1 0322

That Progressive Irrigation District shall have the right to divert and use 80.0 cubic feet of water per second at the following point of diversion and upon the following described lands:

Point of Diversion

Southwest Quarter of Section 31, Township 4 North, Range 41 E.B.M. and in the Southwest Quarter of Section 31, Township 3 North Range 41 E.B.M.

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Lands to Which Appurtenant

Sections 1 and 12, Township 2 North, Range 37 E.B.M.

Sections 1, 2, 3, 10, 11, 12, 14, 15 16 and 22 Township 1 North Range 38 E.B.M.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 21, 22, 23, 24, 25, 26, 27, 34 35 and 36 Township 2 North Range 38 E.B.M.

Section 36, Township 3 North, Range 37 E.B.M.

Sections 19, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 20, 21 and 22, Township 3 North Range 38 E.B.M.

Sections 6, 7, 17, 18, 19, 20, 30, and 31, Township 2 North, Range 39 E.B.M.

Sections 16, 18, 19, 20, 29, 30 and 31, Township 3 North, Range 39 E.B.M.

Sections 1, 2 and 3, Township 3 North, Range 40 E.B.M.

All in Bonneville County, Idaho.

Sections 34, 35 and 36, Township 4 North, Range 40 E.B.M., Jefferson County, Idaho.

AA. REID CANAL CO

1 0323

That Reid Canal Co. shall have the right to divert and use 35.0 cubic feet of water per second at the following point of diversion and upon the following described lands:

Point of Diversion

Southwest Quarter of the Southwest Quarter of Section 6, Township 4 N. Range 40 E.B.M.

Lands to Which Appurtenant

Commencing at the diversion works from the South Fork of the Snake River in Section 6, Township 4 North, Range 40 E.B.M. The service area is bounded thusly; (1) on the East by the main canal from the division point in the Texas Slough Section 1, Township 4 North, Range 39 E.B.M., northly to the place of diversion of the Gilbert Ditch, thence on the east by that ditch and by the abrupt rise in the land, continuing to the point of intersection of the hills with the north line of Section 6, Township 5 North, Range 40 E.B.M. (2) on the north by the north line of Section 6, Township 5 North, Range 39 E.B.M., to its point of intersection with the south branch of the Rexburg Canal, thence

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confirmed by all other parties plaintiff in amendatory and supplemental contracts, a copy of which pertinent Paragraphs is attached hereto as Exhibit E and by this reference is made a part hereof as though set out in full herein, is hereby ratified, confirmed and approved.

VII

That the Memorandum of Agreement between the Bureau of Reclamation and the Bureau of Indian Affairs, a copy of the pertinent provisions of which is attached hereto as Exhibit F and by this reference is made a part hereof as though set out in full herein, is hereby ratified, confirmed and approved.

Done this 12th day of March, 1969

/s/ Willard C. Burton
District Judge

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