

This is a duplicate copy
made of the original because
of the poor quality of orig. from wear & tear.
11-2
~~Original can be found in this same file.~~
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 Westerburg, Peter Westerburg 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

North half of the Southeast quarter of Section 19, Township 11 South, Range 40 East, B. M.

ADLER CREEK

13-0628

258. Neil M. Sorenson and E. F. Zeigler, known as Sorenson & Zeigler, a partnership, successors in interest to R. E. Hansen. ~~11-0568 Trans. 2029~~
(a) 1882—December 8 1.0 c.f.s.

To be diverted from said creek in the Southwest quarter of the Northwest quarter of Section 22, Township 11 South, Range 40 East, for the irrigation of 50 acres of land in the Southeast quarter of the Northeast quarter of Section 21, and the Northeast quarter of Section 22, said Township and Range.

- ~~11-0568 Trans. 2029~~
(b) 1890—June 1 1.0 c.f.s.
13-0629

To be diverted at the same point described in paragraph (a) above, for the irrigation of 50 acres of land in the Southeast quarter of the Northeast quarter of Section 21, and the Northeast quarter of Section 22, said Township and Range.

- ~~11-0568 13-0630~~
259. John Bartlome:
1882—December 8 0.5 c.f.s.

To be diverted from said creek in the Southeast quarter of the Northeast quarter of Section 20, for the irrigation of 25 acres of land in the Northeast quarter of the Northwest quarter, and the West half of the Northeast quarter of Section 21, all in Township 11 South, Range 40 East.

- ~~11-0568 13-0631~~
260. Charles Izatt:
(a) 1908—April 28 0.8 c.f.s.

To be diverted from said creek in the Southwest quarter of the Northeast quarter of Section 21, and impounded in a reservoir in the vicinity of said point of diversion, for the irrigation of 40 acres of land in the Southeast quarter of the Northwest quarter of Section 21, all in Township 11 South, Range 40 East, B. M.

- ~~11-0568 13-0632~~
(b) 1908—April 28 0.2 c.f.s.

To be diverted and impounded in the reservoir described in paragraph (a) above, to be used for domestic purposes.

NORTH BURTON CREEK

- 11-1110
261. John E. Martinson:
1880—May 1 0.1 c.f.s.
11-1118 1907—May 1 2.5 c.f.s.

To be diverted from said creek and/or Watercress Spring in the Southeast quarter of the Northwest quarter of Section 33, for the irrigation of 125 acres of land in the Northeast quarter of Section 33, the

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.

MICROFILMED

MAY 14 1966