

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

H. V. FERGUSON, A. E. FERGUSON, W. C. WHITWELL,
WILLIAM COLLINS, TIMOTHY DORE, P. J. DEMPSEY,
JOSEPH SEYFERS, EMMA SEYFERS, HOMER C. CHAFFEE,
MARY V. CHAFFEE, W. S. ANDREWS, and THE FIRST
NATIONAL BANK OF SALMON, a corporation,
Plaintiffs,

VS

THOMAS FERGUSON, ELIZABETH McDONALD, AXEL LARSON,
E. L. HUBBARD, ALBERT J. QUARLES, JOHN A. WOOD,
HELEN WOOD, M. J. FROST, M. J. FROST, as adminis-
tratrix of the estate of HENRY E. FROST, deceased,
AUGUST LUND, and E. S. EDWARDS, JR.,
Defendants.

DECREE

This cause coming on to be heard on the 24th day of June, 1915, before the Court sitting without a jury, Messrs Stevens and Clute appearing as counsel for the plaintiffs H. V. Ferguson, A. E. Ferguson, W. C. Whitwell, William Collins, Timothy Dore, P. J. Dempsey, Joseph Seyfers, Emma Seyfers, Homer Chaffee, Mary V. Chaffee, W. S. Andrews, and the First National Bank of Salmon, a corporation; and E. W. Whitcomb, Esq., appearing for the defendant E. S. Edwards, Jr.; and Messrs O'Brien & Glennon appearing as counsel for the defendants, Thomas Ferguson, Elizabeth McDonald, Axel Larson, E. L. Hubbard, Albert J. Quarles, John A. Wood, Helen Wood, M. J. Frost, M. J. Frost as administratrix of the estate of Henry E. Frost, deceased, and August Lund; And the Court having heard the evidence and proof submitted by all of the parties hereto, and having heard the argument of counsel, and the testimony being closed, and the matter submitted to the Court for final determination, and the Court having made its findings of fact and conclusions of law, and having ordered judgment to be entered according to the findings and conclusions;

WHEREFORE, by reason of the law and the premises and the findings of fact and conclusions of law, as aforesaid, IT IS ORDERED, ADJUDGED AND DECREED as follows;

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75 0032

That the plaintiff, TIMOTHY DORE, be and he is hereby awarded the use of four-tenths (.4) of one cubic foot per second of time of the flow of the waters of the Salmon River, diverted and conveyed therefrom by the Minzer-Runsten Irrigation Ditch, situated in the County of Lemhi, State of Idaho, his right to said four-tenths (.4) of one cubic foot per second of time of the flow of said waters of the Salmon River, as aforesaid, to date from the month of April, 1894, Said water being for the irrigation of

the North-west quarter of the South-west quarter of the North-east quarter of Section nineteen (19), Township twenty-one (21) North, Range twenty-two (22) East of the Boise Meridian, in the County of Lemhi, State of Idaho.

75 0033

That the plaintiff, P. J. DEMPSEY, be and he is hereby awarded the use of four-tenths (.4) of one cubic foot per second of time of the flow of the waters of the Salmon River, diverted and conveyed therefrom by the Minzer-Runsten Irrigation Ditch, situated in the County of Lemhi, State of Idaho, his right to said four-tenths (.4) of one cubic foot per second of time of the flow of said waters of the Salmon River, as aforesaid, to date from the month of April, 1894, Said waters being for the irrigation of

the South-east quarter of the South-west quarter of the North-east quarter of Section seventeen (17), Township twenty-one (21) North, Range twenty-two (22) East of the Boise Meridian, in the County of Lemhi, State of Idaho.

75 0034

That the plaintiffs, Joseph SEYFERS and EMMA SEYFERS, be and they are hereby awarded the use of eight-tenths (.8) of one cubic foot per second of time of the flow of the waters of the Salmon River, diverted and conveyed therefrom by the Minzer-Runsten Irrigation Ditch, situated in the County of Lemhi, State of Idaho, their right to said eight-tenths (.8) of one cubic foot per second of time of the flow of said waters of the Salmon River, as aforesaid, to date from the month of April, 1894; Said water being for the irrigation of

the East half of the North-west quarter of the North-east quarter of Section eighteen (18), Township twenty-one (21) North, Range twenty-two (22) East of the Boise Meridian, in the County of Lemhi, State of Idaho.

75 0035

That the plaintiffs, HOMER C. CHAFFIN and MARY V. CHAFFIN, be and they are hereby awarded the use of two-tenths (.2) of one cubic foot per second of time of the flow of the waters of the Salmon River, diverted and conveyed therefrom by the Minzer-Runsten Irrigation Ditch, situated in the County of Lemhi, State of Idaho, their right to the said two-tenths (.2) of one cubic foot per second of time of the flow of said waters of the Salmon River, as aforesaid, to date from the month of April, 1894; Said water being for the irrigation of

the North half of the South-west quarter of the North-west quarter of the South-east quarter of Section eighteen (18), Township twenty-one (21) North, Range twenty-two (22) East of the Boise Meridian, in the County of Lemhi, State of Idaho.

State of Idaho,)
County of Lemhi,) SS.

I W.O. Smith Clerk of the District Court of the Sixth Judicial District of the State of Idaho, in and for Lemhi County,

do hereby certify that the within and foregoing described land is the land covered by and for which water was allotted by Decree dated June 2, 1899, as shown by the Judgment roll filed herein in the above entitled action.

In witness whereof I have hereunto set my hand and affixed the seal of said Court this 24th, day of June A.D. 1904.

W.O. Smith
Clerk.

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