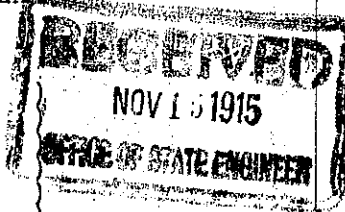


IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI.

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^C 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, ADJUDG*
ED AND DECREED as follows;

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75 0036

That the plaintiff, W. S. ANDREWS, be and he is 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, his right to said eight-tenths 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 North half 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.

75 0037

That the plaintiff, The FIRST NATIONAL BANK OF SALMON, A corporation, be and it is hereby awarded the use of two and two-tenths (2.2) cubic feet 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, its right to said two and two-tenths (2.2) cubic feet 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 North-west quarter of the South-east quarter of Section eighteen (18), the East half of the South-west quarter of the South-east quarter of Section eighteen (18), the South-west quarter of the South-west quarter of the South-east quarter of Section eighteen (18), and the South half of the South-west quarter of the North-west quarter of Section nineteen (19), and the North-east quarter of the South-west quarter of the North-east quarter of Section nineteen (19), all in Township twenty-one (21) North, Range twenty-two (22) East of the Boise Meridian, in the County of Lemhi, State of Idaho.

75 0038

That the defendant and cross-complainant, THOMAS FERGUSON, be and he is 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, his right to 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 waters being for the irrigation of

the North half of the South-west quarter of the North-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 0039

That the defendant and cross-complainant ELIZABETH McDONALD, 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 North-west quarter of the North-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.

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ditch and to distribute to the parties herein the quantity of said waters claimed by them each respectfully, pending the determination of this action, herein taxed at Dollars, shall be divided and paid by all the parties herein in ratio as the quantity of said waters claimed and awarded to each said party bears to the whole amount appropriated and diverted by the said ditch, and in the event that any of said parties shall fail to pay his proportionate share of said costs, execution shall issue against said parties for said costs.

Dated this 24th day of June, 1915.

James R. Bothwell,

District Judge.

Filed August 12th, 1915, at

12:30 P. M.,

Judgment Book B, Pages 242, 43, 44- 45

J. L. Kirtley, Jr.,

Clerk.

State of Idaho)

ss

County of Lemhi)

I, J. L. Kirtley, Jr., Clerk of the District Court, in and for the State and County aforesaid, do hereby certify that the above and foregoing is a full, true and complete copy of the decree rendered, filed and recorded, in the case of H. V. Ferguson, et al vs Joseph Seyfers, et al.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court this 17th day of November, 1915.

J. L. Kirtley, Jr.
Clerk.

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Book B
Page 242-45
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