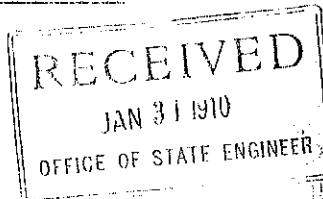


In the District Court of the Fourth Judicial District
of the
State of Idaho, in and for the County of Lincoln.



S. C. Frost, et al.,

Plaintiffs,

vs.

DECREE.

Alturas Water Company, et al.,

Defendants.

This cause coming on to be heard this 6th day of October,
1909, upon the Report of F. J. Cowen, Referee heretofore appointed for
the purpose of taking the testimony and making recommendations as to Find-
ings of Fact, Conclusions of Law and Decree, to be entered herein, and the
said F. J. Cowen having filed his Report of the testimony taken, and his
recommendations as to Findings of Fact, Conclusions of Law, which have
heretofore been adopted, and the respective plaintiffs and defendants and
cross-complainants appearing herein by their respective counsel, and the
court being fully informed and advised in the premises, and having ordered
that judgment be entered in accordance with the Report and recommenda-
tions of the said Referee, Wherefore, by reason of the law and the Report
and Findings of Fact and Conclusions of Law aforesaid,

It is Ordered, Adjudged and Decreed, that the several parties, **SCANNED**
plaintiffs and defendants herein named, receive judgment respectively for **MAR 20 2003**

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MICROFILM

37 0326	Hunter, John W.	20 inches.	Nov. 1, 1882.	Little Wood River.
37 0327	" "	110 "	TE May 15, 1884.	" " "
37 0328	" "	50 "	90 Apr. 1, 1885.	" " "
37 0329	" "	100 "	114 May 15, 1886.	" " "
37 0330	" "			(Also shares in Big Cottonwood Canal Co.)
37 0331	Idaho Electric Supply Company	14000 "	164 June 1, 1889.	Big Wood River. (For power purposes.)
37 0332	Idaho Consolidated Mines Company	50 "	140 July 1, 1887.	Big Wood River.
37 0333	Idon, C. H.	80 "	174 Nov. 1, 1889.	Silver Creek.
37 0334	Ifland, Adam	300 "	64 June 30, 1884.	Big Wood River. #589-721
	Ifland, Adam, and Fred. W. Fator			(See Fator, Fred. W., and Adam Ifland.)
37 0335	Ivers, Thomas C.	150 "	41 May 15, 1882.	Big Wood River.
37 0336	" "	50 "	245 May 15, 1895.	" " "
37 0337	Ivie, A. S.	260 "	134 June 1, 1887.	East Fork of Big Wood River.
37 0338	Ivie, John A.	105 "	251 May 1, 1900.	Big Wood River.
37 0339	Jeffers, Benjamin F.	150 "	141 May 1, 1888.	Soldier Creek. ✓
37 0340	" "	75 "	259 May 9, 1901.	" " "
37 0341	Jenkins, Mrs. Emily	25 "	44 May 29, 1883.	" " ✓
37 0342	" "	75 "	14 Nov. 20, 1883.	" " "
37 0343	Johnson, Andrew	240 "	162 May 1, 1889.	Dyer Creek, a tributary of Upper Malad.
37 0344	Johnson, C. P.	250 "	35 Apr. 6, 1883.	Little Wood River.
37 0345	" "	60 "	124 Apr. 1, 1887.	" " "
	" "			(Also shares in Big Cottonwood Canal Co.)
37 0346	Johnson, George F.	150 "	120 June 15, 1886.	Soldier Creek. ✓
37 0347	" "	10 "	143 June 1, 1892.	" " "
37 0348	Johnson, H. P.	40 "	145 Apr. 1, 1888.	Mallett Branch of Silver Creek.
37 0349	" "	80 "	173 Apr. 1, 1890.	Mallett Branch of Silver Creek.

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is superior to the rights of the plaintiffs in this action, as well as their co-defendants, and the priority of dates fixed in this decree should not affect the amount of water nor the use of the said water by the said Adam Ifland and Frederick W. Fator.

9. That the defendant, John J. Grey, is entitled to a decree of this court adjudging and declaring that he shall have the right to the use of 160 inches of the waters of the said Early Creek from May 15, 1895, and 160 inches of the waters of the said Burgess Creek from July 1, 1883.

10. That the defendant, M. S. Lawson, is entitled to fill the reservoir mentioned in the Findings herein, from the waters of Silver Creek, during the high water season, or at times when the waters of said stream are not being used for irrigating purposes.

Dated at Pocatello, Idaho, December... 13th....., 1909.

Alfred R. Budge

Presiding Judge.

IN THE DISTRICT COURT;
FOURTH JUDICIAL DISTRICT,
LINCOLN COUNTY, IDAHO

J. C. Frost et al
Plaintiffs

—VS.—

Alluvial Water Co. et al
Defendants

Findings of Fact and
Conclusions of Law

Filed Dec 17th 1909 at M.

Harry Anderson
Clerk

Recorded in Book or
Civil Judgments page 191 -

Harry Anderson
Clerk

RR.

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