

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT

OF IDAHO, IN AND FOR THE COUNTY OF FREMONT

ARTHUR L. RAMMELL and
PEARL RAMMELL, husband and wife
Plaintiffs

vs.

LYNN CRANDALL, Watermaster,
District 36, Idaho
Defendant

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JUN 15 1956

DECREED Department of Reclamation

This cause came on regularly to be heard before the Court, sitting without a jury, in Chambers, in the courthouse at Idaho Falls, Bonneville County, State of Idaho, on this 8th day of June, 1956; Plaintiffs appearing in person and by their attorney, H. S. Forbush; and the defendant appearing not, either in person or by counsel, and it appearing to the Court, from the records and files in this action, that the defendant was regularly served with process, and that a Notice of Pendency of this action, containing such matter as are required by law, having been published in the Fremont County Chronicle News, a weekly newspaper published at St. Anthony, Fremont County, Idaho; and the Teton Valley News, a weekly newspaper published at Driggs, Teton County, Idaho; in accordance with the Order issued out of this Court on the 18th day of May, 1956, and as required by law, and the time allowed by law for answering or appearing having expired, and the defendant or anyone for or on behalf of said defendant, having failed to appear or answer plaintiffs's complaint on file herein, and the default of said defendant having been duly and regularly entered, and the Court, having heard the evidence introduced by and on behalf of plaintiffs, and having duly considered the same, and being fully advised in the premises; and it appearing that each and all of the allegations in plaintiffs's complaint contained are true and correct.

NOW, THEREFORE, in consideration of the premises, and on motion of H. S. Forbush, attorney for plaintiffs,

IT IS ORDERED, that the default of said defendant be, and it is hereby entered against said defendant; and

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inches of the waters of North Leigh Creek, with a priority date of January 22, 1916, with point of diversion as set out in paragraph VII hereof, for the use of said village and for domestic and other uses of the inhabitants thereof, as set out in paragraph XIII of the Findings of Fact.

22 01368. That the plaintiffs, Miles Hastings, David Hansen, William Hansen, Alfred Hansen, Glenn Peterson and Lillie M. Hansen be awarded the use of 10.4 cubic feet per second or 520 miners inches of the waters of North Leigh Creek, with a priority date of January 22, 1916, with point of diversion and for the irrigation of lands described in paragraph XIV of the Findings of Fact.

22 01379. That the plaintiff, David Hansen, be awarded the use of .8 cubic feet per second of 40 miners inches of the waters of an unnamed spring, with a priority date of January 22, 1916, with point of diversion and for the irrigation of the lands described in paragraph XV of the Findings of Fact.

IT IS FURTHER ORDERED, That the rights awarded and decreed in that certain decree commonly known as the "Rexburg" or "Snake River Decree", made and entered in this court December 16, 1910, both as to dates of priority and the amounts of the rights awarded, are binding upon the plaintiffs, and each of them, in this action.

Done in open Court this 24th day of January, 1938.

C. J. Taylor

District Judge

Filed for record Jan. 26, 1938
at 10:20 A.M.

L. H. H. H., Recorder
By F. H. H. H., Deputy

RECORDED

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