

①

37-A-2

numbered
copy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE
COUNTY OF BLAINE.

---oOo---

ADELBERT L. POTTER ET AL,	}	Transfers Noted #
PLAINTIFFS,		
VS.		DECREE.
JOSEPH R. PATTERSON ET AL,		
-----DEFENDANTS-----		

The testimony in this case having been taken by Mr. E. H. Weaver, Referee, pursuant to stipulation and cause submitted for decision at the May 1914 term of said Court, held at Hailey, Blaine County, Idaho and the Court having made and filed its findings of fact and conclusions of law, and the Court being fully advised;

It is hereby ordered, adjudged and decreed that the several parties, plaintiffs and defendants herein named, do have judgement respectively for a right to use for irrigation and other purposes the following number of inches of water, each fifty inches thereof to be equivalent to the flow of one cubic foot per second, as prescribed by law, from Fish Creek and its tributaries, in the County of Blaine, State of Idaho, their priorities to date from the times hereinafter named to wit;

0733 Allred, E. A. 11½ inches from March 30, 1883 for the irrigation of the following tract; commencing at a point 45 rods South of the North East corner of the NW¼, of the NE¼, Sec. 13, T. 1 S., R. 21 E., thence West 80 rods; thence South 22½ rods; thence East 80 rods; thence North 22½ rods to the place of beginning, containing 11½ acres, known as Tax Lot No. 765

SCANNED
SEP 20 2006

MAY 28 1996

That defendants, E. A. Alfred, Aaron Boulton, William G. Briggs, G. A. Condie, Ira Eldridge, S. L. Hammer, E. P. Knutson, Joseph R. Patterson, Fred T. Phillips, Teresa Parks, A. L. Welch and B. Wolpert as successors in interest of George W. Case as against Isabella McDougal as successor in interest of W. J. Crooks and John Cameron, are entitled, pro rata, to the amount of land owned by them as such successors, to 750 inches, measured under a four inch pressure of the waters of said Fish Creek; that the defendant Isabella McDougal is thereafter entitled to 100 inches of water measured as aforesaid of the waters of East Fork, a tributary of said Fish Creek, that said defendants, successors of said George W. Case, as aforesaid, are thereafter entitled to 150 inches of the waters of said Fish Creek in addition to said 750 inches, and 150 inches divided pro rata as aforesaid.

That each party hereto be, and he and his agents, servants, employees, successors, assigns and all others acting by, through or under him are hereby perpetually enjoined from in any manner interfering with the flow of the waters of Fish Creek, except as in this decree provided.

That each party hereto pay his own costs and expenses.

Done at Twin Falls, Idaho this 16th day of December, 1914.

EDWARD A. WAITERS

District Judge.

filed Dec. 22, 1914.
W. F. Horne, Clerk.
By L. A. Duvall, Deputy.

---oOo---

STATE OF IDAHO)
)ss.
County of Blaine,)

I, Cassie M. Russell, Clerk of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Blaine, do hereby certify that the foregoing is a full, true and correct copy of the original Decree in the above entitled action now on file in my office, and recorded in Judgment Book 7, Page 269.

Given under my hand and the seal of said Court in my office, at Hailey, this, the 18th day of May, A. D., 1926.

Attest: Cassie M. Russell, Clerk.

(SEAL)

By Geo A. McLeod, Deputy.

MAY 28 1996

37 0777 Sparks, Myrum

155 inches from June 30, 1899 for the irrigation of $E\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 2 N., R. 22 E., containing 160 acres.

37 0778 Sparks, Hannah

110 inches from June 15, 1907 for the irrigation of SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 2 N., R. 22 E., containing 160 acres.

37 0779 Stinson, Alice J.

53 inches from April 21, 1905 from West Fork for the irrigation of SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T. 1 N., R. 22 E., containing 160 acres.

37 0780 Wolpert, B.

120 inches from March 30, 1883 for the irrigation of SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T. 1 S., R. 21 E., Lot 4, Sec. 18, T. 1 S., R. 22 E., containing 120 acres.

37 0781 Welch, Mabel.

Trans. # 229

160 inches from March 30, 1883 for the irrigation of E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, T. 1 S., R. 21 E., Lot 3, Sec. 18, T. 1 S., R. 22 E. containing 160 acres.

37 0782 Ward, John

60 inches from May 18, 1904, for the irrigation of Lot 1, Sec. 4, T. 1 N., R. 22 E., Lot 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 2 N., R. 22 E., containing 160 acres.

37 0783 Ward, John

80 inches from May 15th, 1905 for the irrigation of W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 2 N., R. 22 E., containing 160 acres.

RECORDED

MAY 28 1996