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In the District Court of the United States for the
District of Idaho, Eastern Division.

UTAH POWER & LIGHT COMPANY,

Plaintiff

vs.

THE LAST CHANCE CANAL COMPANY,
Limited, et. al.

Defendants.

In Equity
No. 203.

FINAL DECREE

Before HON. F. S. DIETRICH,
District Judge.

Filed July 14, 1920.

W. D. McREYNOLDS,

Clerk.

By PEARL ZANGER,

Deputy.

MAY 14 1926

In Equity No. 203

**In the District Court of the United States
for the District of Idaho, Eastern Division**

UTAH POWER & LIGHT COMPANY, a Corporation, *Plaintiff,*

vs.

The Last Chance Canal Company, Limited; The Tanner Canal Company, Limited; The Central Canal Company, The North Extension Canal Company, Limited; West Branch Canal Company, Limited; The Turner Canal Company, Limited; The East Branch Canal Company, The Beneh Canal, and Budge Land & Live Stock Company, Limited, corporations; W. H. Larkins, Jas. Ellsmore, Geo. Hogan, Lewis S. Pond and Alex Harris as Trustees of the Gentile Valley Irrigation Company, Limited, late a corporation; The Thatcher Irrigation Company, Limited, a corporation; Nathan D. Thatcher, J. A. Folkman, Milton Robbins and Geo. M. Smith, as Trustees of Thatcher Canal & Power Company, Limited, late a corporation; Nelson Ditch Company, a corporation; A. J. Nielson, B. R. Meek, Henry McQueen, C. S. Burton and Eli Fosgreen, as Trustees of Riverdale-Preston Irrigation Company, late a corporation; The Riverdale Irrigating Company, Nielson-Meek Company and West Cache Irrigation Company, corporations; E. P. Johnson, Albert Johnson, Hyrum Johnson, Geo. D. Anderson, Joseph T. Pond, Frank W. Harris, A. C. Rosen, Hyrum J. Smith, John E. Hill, Melvin Green, Robert L. Smith, Charles Westerburg, Peter Westerburg and David P. Evans.

Horace Howard, Henry Rhinehart, Harvey W. Higley, James Monroe (or Munro), Nellie Simmons, John Baird, William Monroe (or Munro), Orrin Monroe (or Munro), Charles Monroe (or Munro), Charles Foster, Hyrum Foster, Mary Baird, John Woodall (or J. D. Woodall), George Ellis, Skinner Irrigation Company, a corporation; Heber Crane, Fred Bartschi, Charles Bartschi, David Chugg, Phillip Chugg, Fred Stauffer, William Williams, Sr. (or William Morgan Williams), William Williams, Jr. (or William Mormon Williams), Oliver Williams, E. M. Lindsay, Georgetown Irrigation Company, a corporation, and Thomas Freeman.

MAY 14 1996

RAFT January 28, 2000

13-04333	0.04 cfs	06/01/1905	Claim	Domestic	Grace Hydro
13-04334	0.01 cfs	06/01/1905	Claim	Irrigation	Grace Hydro
RIGHT NO.	AMOUNT	PRIORITY DATE	STATUS	TYPE OF USE	PLACE OF USE
13-04335	0.06 cfs	05/01/1905	Claim	Irrigation	Grace Hydro
13-04336	0.25 cfs	05/01/1905	Claim	Domestic / Irrigation	Grace Hydro
13-00893	0.07 cfs	06/01/1913	Decree	Domestic	Oneida Hydro
13-00967	1000 cfs	06/17/1910	Decree	Power	Oneida Hydro
13-00968	1500 cfs	01/18/1911	Decree	Power	Oneida Hydro
13-04129	700 cfs	01/01/1910	License	Power	Oneida Hydro
13-04337	0.08 cfs	06/17/1910	Claim	Domestic	Oneida Hydro
13-04338	0.08 cfs	06/17/1910	Claim	Irrigation	Oneida Hydro
13-00962	1500 cfs	03/09/1916	Decree	Power	Cove Hydro
13-00963	4000 af	03/28/1916	Decree	Power	Cove Hydro
13-00976	270 cfs	12/01/1903	Decree	Power	Cutler Hydro

13-0887 DATE OF PRIORITY *trans #864* AMOUNT IN SECOND FEET
~~11-0887~~ (d) 1895-June 1 1.4 c.f.s.
 0888
~~11-0888~~ (e) 1870-June 1 5 c.f.s. *trans #863*
~~11-0889~~ (f) 1904-Jan. 1 (14) c.f.s. *trans #864*
 0889

POINT OF DIVERSION AND
PLACE OF USE

To be diverted from said Cottonwood Creek through the Eldridge ditch.

To be diverted from said Cottonwood Creek through ditches diverting therefrom on the lands hereinafter described, for the irrigation of 624 acres in Section 36, Township 12 South, Range 41 East, and Lots 3 and 4 and the East half of the Southwest quarter of Section 31, Township 12 South, Range 41 East, B.M.

Should be R 40 E see maps TJD. 7-7-92

DEVILS DIVE CREEK, a tributary of Cottonwood Creek.

459. Ole Hansen, Henry Larsen, George A. Smith, William Smith, Antone Nelson, Charles Christensen, Associates known as the Upper Cleveland Irrigation Company, substituted for Ole Hansen, Henry Larsen, and Geo. A. Smith:

0890
~~11-0837~~ 1894-June 1 3.5 c.f.s.
~~11-0834~~ 1904-Jan. 1 4.0 c.f.s.

To be diverted from said Devils Dive Creek where the said stream crosses the lands hereinafter described, for the irrigation of 400 acres in the East half of the Northwest quarter, the North half of the Northwest quarter, Section 35, in the East half of the Northeast quarter of Section 34, the Northwest quarter of the Northwest quarter of Section 35, the Southwest quarter of the Southwest quarter of Section 36, and the South half of the Southeast quarter of Section 27, and the West half of the Northeast quarter of Section 34, Township 12 South, Range 40 East, B. M. The interests of the associates are as follows:

Ole Hansen 105/505ths.
 Henry Larsen 150/505ths.
 George A. Smith 97.5/505ths.
 William Smith 97.5/505ths.
 Antone Nelson and Charles Christensen 55/505ths.

0892 460. George A. Ransom and Nathan Smith:
~~11-0837~~ 1904-Jan. 1 3 c.f.s.

To be diverted from the said Devils Dive Creek where the said stream crosses the lands hereinafter described for the irrigation of 160 acres in Sections 27 and 22, Township 12 South, Range 40 East, B.M.

UNNAMED SPRINGS.

In Northwest quarter Section 26, Township 13 South, Range 40 East, B.M.

0893
~~11-0837~~ 1913-June 1 0.07 c.f.s. Utah Power & Light Company:

To be diverted from four small springs in the northwest quarter of Section 26,

MAY 14 1996

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

Township 13 South, Range 40 East, B.M., for domestic and culinary purposes in and around the Oneida power plant, and the dwellings and camps, built in connection therewith, said rights to be continuous throughout the year.

~~11 0834~~ 13-0894 MINK CREEK.

462. Mink Creek Irrigation Company
Number One:
1882—May 1:
Apr. 20 to July 25 10.5 c.f.s.
July 25 to Sept. 1 7.0 c.f.s.
Sept. 1 to Sept. 30 5.25 c.f.s.

To be diverted through Ditch Number One diverting from said Mink Creek in the Southeast quarter of Section 28, Township 13 South, Range 41 East, B.M., for the irrigation of 525 acres in Sections 28, 32 and 33, Township 13 South, Range 41 East, and Sections 5, 6 and 7, Township 14 South, Range 41 East, and Section 12, Township 14 South, Range 40 East.

~~11 0835~~ 0895
463. Mink Creek Irrigation Company
Number Three, successor in
interest to Lewis Keller, et al:
1882—May 1:
Apr. 20 to July 25 6.0 c.f.s.
July 25 to Sept. 1 4.0 c.f.s.
Sept. 1 to Sept. 30 3.0 c.f.s.

To be diverted through Ditch Number Two diverting from said Mink Creek in the Northeast quarter of Section 32, Township 13 South, Range 40 East, for the irrigation of 300 acres in Sections 30, 31 and 32, Township 13 South, Range 41 East.

~~11 0836~~ 0896
464. Mink Creek Irrigation Company
Number Four, successor in
interest to James M. Keller,
et al:
1882—May 1:
Apr. 20 to July 25 13.1 c.f.s.
July 25 to Sept. 1 9.93 c.f.s.
Sept. 1 to Sept. 30 6.55 c.f.s.

To be diverted through Ditch Number Four diverting from said Mink Creek near the East quarter corner of Section 22, Township 13 South, Range 41 East. For the irrigation of 655 acres in Sections 19, 20, 27, 28, 30, 31, 32 and 33, Township 13 South, Range 41 East, and Sections 25 and 36, Township 13 South, Range 40 East, and Section 6, Township 14 South, Range 41 East.

~~11 0837~~ 0897
465. Peoples Dairy Company:
1882—May 1 10.0 c.f.s.

For power purposes only. To be diverted from and returned to said Mink Creek in Section 31, Township 13 South, Range 41 East, B.M.

~~11 0838~~ 0898
466. Christina Nelson:
1882—May 1
Apr. 20 to July 25 0.6 c.f.s.
July 25 to Sept. 1 0.4 c.f.s.
Sept. 1 to Sept. 30 0.3 c.f.s.

To be diverted from said Mink Creek in Section 31, Township 13 South, Range 41 East, for the irrigation of 30 acres of land in Section 6, Township 14 South, Range 41 East.

~~11 0839~~ 0899
467. Mahoney Lanson:
1882—May 1 0.06 c.f.s.

To be diverted from said Mink Creek in the Northwest quarter of Section 7, Town-

All the foregoing reservations of jurisdiction shall extend after the term at which this decree is entered, and during any subsequent term prior to January 1, 1924, at which time, or at such earlier time as the court may determine these matters, this decree shall be closed. In all other respects this decree shall be final.

The court further retains jurisdiction, however, at all times, and from time to time, to make all reasonable rules touching the manner of diverting, measuring and distributing the waters, and the devices to be installed and used for such purposes where it may be impracticable to fully comply with the terms of this decree, and to direct that the parties keep accurate and detailed records of the amounts of water diverted, and to require reports to be filed from time to time of the amount so diverted, and generally to make such orders as may be found reasonably necessary to give effect to the decree, and to appoint commissioners or water masters to make distribution in accordance with its terms, and to punish the parties hereto, their officers, agents and employes, and their grantees and successors in interest, for any violation of the provisions thereof.

Done in open court this 14th day of July, 1920.

FRANK S. DIETRICH,
Judge.

MICROFILMED

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