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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 1956

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 Bench 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 McCuen, 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. Bosen, 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

SCANNED

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

1 0366 (d) Through the 5 ditches here-
inabove described.
1912—May 15 1.5 c.f.s.

For the irrigation of 75 acres of land in the East half of the Southwest quarter, the Northwest quarter of the Southeast quarter, and the Northeast quarter of the Northeast quarter and the South half of the Northeast quarter of Section 20, and the Southwest quarter of the Southwest quarter of Section 16, all in Township 10 South, Range 42 East.

Largilliere Ditch, diverting from said Eight Mile Creek in the Southwest quarter of the Southwest quarter of Section 16, Township 10 South, Range 42 East, B.M. The following parties are entitled to divert through said ditch, with priorities and in the amounts hereinbelow set forth:

64. *Largilliere Company, Ltd., a Corporation:*

1 0367 1894—May 1 0.2 c.f.s.

For the irrigation of 10 acres of land in the Northeast quarter of the Southwest quarter of said Section 16.

BAILEY CREEK

65. *Idaho Ranch Company, Ltd.:*

1 0368 (a) 1891—May 1 0.6 c.f.s.

To be diverted from said stream through the Higley & Body ditch diverting therefrom in the Southwest quarter of the Southwest quarter, Section 5, and the Rhinehart ditch diverting therefrom in the Northeast quarter of the Northwest quarter, Section 5, Township 10 South, Range 42 East, B.B.M.

1 0369 (b) 1896—May 1 0.24 c.f.s.

To be diverted from said stream on the West side thereof in the Southeast quarter of the Northeast quarter of Section 7, said Township and Range. Water diverted in paragraphs (a) and (b) immediately above, is to be used for the irrigation of 42 acres of land in the South half of the Southwest quarter, Section 32, Township 9 South, Range 42 East, and the South half of the Southwest quarter of Section 5, and the South half of the Southeast quarter and the Northwest quarter of the Northwest quarter, Section 8, Township 10 South, Range 42 East, B.M.

66. *Harvey W. Higley:*

1 0370 1891—May 1 0.3 c.f.s.
1 0371 1901—May 1 0.7 c.f.s.
1 0372 1908—May 1 4.0 c.f.s.

To be diverted from said creek through either the Higley-Body ditch hereinabove mentioned or the Rhinehart-Hopkins ditch diverting therefrom in the Northwest quarter of the Southwest quarter of Section 5, Township 10 South, Range 42 East,

MAY 14 1936

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~~

~~MAY 1 1926~~

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MAILED
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