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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 1 1936

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.

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DATE OF PRIORITY	AMOUNT IN SECOND FEET	POINT OF DIVERSION AND PLACE OF USE
11 0361 61. <i>George Ellis:</i> (a) 1889—May 1	0.9 c.f.s.	For the irrigation of 45 acres of land in the North half of the Northwest quarter of Section 35, and the North half of the Northeast quarter of Section 34, said Township and Range.
11 0361 (b) 1912—May 15	1.0 c.f.s.	For the irrigation of 50 acres of land in the last above described legal subdivision.

Foster Ditch, diverting from said Eight Mile Creek in the Northwest quarter of the Southeast quarter of Section 9, Township 10 South, Range 40 East, B.M. The following parties are entitled to divert through said ditch, with priorities and in the amounts hereinbelow set forth:

11 0362 62. <i>Charles Foster:</i> 1912—May 15	0.5 c.f.s.	For the irrigation of 25 acres of land in the Northwest quarter of the Southeast quarter of Section 9, Township 10 South, Range 42 East.
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Woodall Ditches. These ditches are five (5) in number, having their respective intakes, (1) in the Northeast quarter of the Northeast quarter of Section 20, Township 10 South, Range 42 East; (2) in the Southeast quarter of the Northeast quarter of said Section 20; (3) in a spring situate in the Northeast quarter of the Southwest quarter of said Section 20; (4) in the Wilson Canyon in the Northeast quarter of the Southwest quarter of said Section 20; (5) in the Northeast quarter of the Northwest quarter of Section 29, said Township and Range. The following parties are entitled to divert through said ditches, with priorities and in the amounts hereinbelow set forth:

11 0363 63. <i>J. D. Woodall, D. A. Woodall and George Green</i> , as administrator of the estate of Patrick W. Gallagher, deceased: (a) 1892—May 1	1.4 c.f.s.	For the irrigation of 70 acres of land in the West half of the Southwest quarter of Section 16, the East half and the Southwest quarter of the Northeast quarter, the Northwest quarter of the Southwest quarter, and the Northeast quarter of the Southwest quarter of said Section 20, all in said Township and Range.
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11 0364 (b) Through Ditch (4) hereinabove described. 1894—May 1	0.4 c.f.s.	For the irrigation of 20 acres of land in the Northeast quarter of the Southwest quarter, and the Northwest quarter of the Southeast quarter of said Section 20.
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11 0365 (c) Through Ditch (5) hereinabove described. 1912—May 1	0.24 c.f.s.	For the irrigation of 12 acres of land in the Northeast quarter of the Northwest quarter of Section 29, and the Southeast quarter of the Southwest quarter of Section 20, said Township and Range.
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RECORDED

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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.

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