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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 1996

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

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

waters diverted by said Company from said Soda Creek. The water so diverted will be used for the irrigation of lands under the Soda Canal hereinafter described under the rights of Farmers Land & Irrigation Company under Soda Creek. No. 224.

Moore Ditch, diverting from the said Big Spring Creek in the Northwest quarter of the Northwest quarter of Section 18, Township 9 South, Range 42 East. The following parties are entitled to divert through the said ditch with priorities and in the amounts hereinafter set forth:

11 0433

128. *James Moore*:
1898—May 7

1.4 c.f.s

For the irrigation of 56.5 acres of land in the North half of the Northwest quarter, Section 14, and the South half of the Southwest quarter and the South half of the Southeast quarter of Section 11, Township 9 South, Range 41 East, B.M.

11 0434

129. *Jesse Moore*:
1898—May 7

2.5 c.f.s.

For the irrigation of 110 acres of land in the Southeast quarter of Section 10, Township 9 South, Range 41 East.

11 0435

130. *John W. Lauritson*:
1898—May 7

2.2 c.f.s.

For the irrigation of 99.3 acres of land in the Southwest quarter of Section 10, Township 9 South, Range 41 East.

11 0436

131. *Hans Neilson*:
1898—May 7

0.8 c.f.s.

For the irrigation of 34 acres of land in the Northeast quarter of Section 13, Township 9 South, Range 41 East.

Anderson-Horsley Ditch, diverting from said Big Spring Creek in the Northeast quarter of the Northeast quarter of Section 13, Township 9 South, Range 41 East, with supplemental diversion from Little Spring Creek in the Southeast quarter of the Southeast quarter of Section 12, said Township and Range. The following parties are entitled to divert through said ditch with priorities and in the amounts hereinafter set forth:

11 0437

132. *Abraham C. Anderson*:
1880—June 1

1.5 c.f.s.

For the irrigation of 77 acres of land in the South half of the Southwest quarter of Section 12, Township 9 South, Range 41 East, B.M.

11 0438

Hans Neilson:
1880—June 1

0.4 c.f.s.

For the irrigation of 18.1 acres of land in the Northeast quarter of Section 13, Township 9 South, Range 41 East.

11 0439

134. *James Moore*:
1898—June 1

2.1 c.f.s.

For the irrigation of 107.5 acres of land in the South half of the Southeast quarter and the South half of the Southwest quarter, Section 11, Township 9 South, Range 41 East.

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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MAY 14 1986