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summarized Copy

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.

RECORDED
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
11 0317 (b) 1876—May 1	0.3 c.f.s.	To be diverted from Chugg Spring, which rises 30 rods South and 5 rods West of the Northeast corner of the Southwest quarter of the Southeast quarter of Section 17, said township and range. The water decreed in the above paragraphs (a) and (b) is for the irrigation of 55 acres in the Southeast quarter of the Southeast quarter and the Northeast quarter of the Southeast quarter of said Section 17.
11 0318 ³⁸ Fred Bartschi: 1889—May 1	0.2 c.f.s.	To be diverted through a ditch diverting on the land immediately hereinafter described for the irrigation of 10 acres in the Northwest quarter of the Northwest quarter of Section 22, said township and range.
11 0319 ³⁹ Charles Bartschi: 1885—May 1	0.2 c.f.s.	To be diverted through a ditch diverting about 40 rods South of the Northeast corner of the Southwest quarter of the Northeast quarter of Section 20, Township 11 South, Range 43 East, B. M., for the irrigation of 70 acres in the Northeast quarter of the Northeast quarter of Section 20, the Northwest quarter of the Northwest quarter of Section 21, said township and range.
11 0320 1893—May 1	1.2 c.f.s.	

PEARL CREEK

11 0321 ⁴⁰ Budge Land & Live Stock Company: 1883—May 1	6.0 c.f.s.	To be diverted by means of five (5) ditches diverting from said Pearl Creek, having their intakes as follows: (a) At a point 1 degree 15 minutes East 630 feet from the quarter corner on the West boundary of Section 31, Township 10 South, Range 43 East, B. M. (b) At a point North 63 degrees East 1572 feet from the quarter corner aforesaid. (c) At a point South 1211 feet from the quarter corner on the North boundary of Section 31, Township 10 South, Range 43 East, B.M. (d) At a point South 31 degrees 40 minutes East 1045 feet from the quarter corner on the North boundary of Section 31, Township 10 South, Range 43 East, B. M.
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RECORDED

MAY 14 1996

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

(e) At a point 4 degrees East 1650 feet from the quarter section corner on the North boundary of said Section 31 (which last named ditch diverts the waters of a certain spring, a tributary of said Pearl Creek).

For the irrigation of 300 acres within the following legal subdivisions: The Northwest quarter of the Southwest quarter; the Northwest quarter; the Northwest quarter of the Northeast quarter of Section 31; the West half of the Southeast quarter; the Southwest quarter, and the South half of the Northwest quarter of Section 30, Township 10 South, Range 43 East, B. M., and the Northeast quarter of the Northeast quarter of Section 36; the East half of the Southeast quarter; and the Northeast quarter of Section 25, and the Southwest quarter of the Southeast quarter of Section 24, Township 10 South, Rang 42 East, B. M.

TRAIL CREEK

11 0322

41. *Budge Land & Live Stock Company:*
1886—May 1

2.9 c.f.s.

To be diverted from said Trail Creek through a ditch diverting therefrom at a point North 70 degrees East 1710 feet from the Southwest corner of Section 14, Township 10 South, Range 42 East, B. M. Also through a ditch diverting therefrom at a point South 82 degrees East 620 feet from the Northwest corner of Section 24, said township and range. For the irrigation of 145 acres in the West half of the Southwest quarter of Section 13, the East half of the East half of Section 14, the Southeast quarter of the Southeast quarter of Section 11, said township and range.

UNNAMED SPRINGS

In Section 19, Township 10 South, Range 42 East, B.M.

11 0322

42. *Budge Land & Livestock Company:*
1885—May 1

4.4 c.f.s

To be diverted from said springs through seven (7) ditches diverting therefrom at the following points:

(a) At a point North 80 degrees 30 minutes East 3430 feet.

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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.

MICROFILMED

MAY 14 1996