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IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR BUTTE COUNTY.

33-B ✓
NUMBERED

THE BLAINE COUNTY INVESTMENT
COMPANY, a corporation,

Plaintiff,

ROBERT G. MAYS, et al.,

Defendants.

D E C R E E

This matter having been referred to Honorable L. E. Glenn by an order of this court, made and entered on the 4th day of May, 1923, to take the testimony herein and to try all of the issues in said action, both of fact and law, and to report findings and judgment thereon, as required by law, and the said Referee having heard and considered said cause and having submitted a full and complete report thereon setting forth his findings of fact and conclusions of law, and the court having duly considered said report and the objections filed thereto, and having heard the arguments of counsel for the respective parties in support of their objections to said report, and given due consideration thereto, and the court having heretofore made an order approving and adopting the report of the Referee, and the court having heretofore made and filed findings of fact and conclusions of law,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

I.

That all of the lands hereinafter described are arid in character and require artificial irrigation in order to produce profitable crops thereon.

II.

That the duty of water upon the several tracts of land herein described corresponds to the quantity of water awarded thereto, respectively, and the quantity of water herein awarded,

XIX

JOSEPH RODGERS and IDA RODGERS, husband and wife:

From Little Lost River: 30 inches, April 1, 1888; 33 0058
80 inches, June 1, 1891; 33 0058
From Saw Mill Creek: 50 inches, May 25, 1891. 33 0066

Points of diversion:

From Little Lost River:

From Saw Mill Creek: At the mouth of said stream.

to be used upon and appurtenant to:

The Southwest quarter of the Northwest quarter, the Northwest quarter of the Southwest quarter of Section Thirteen, the South half of the Northeast quarter, the Northeast Quarter of the Southeast quarter, Section Fourteen, Township Six North, Range Twenty-eight East of the Boise Meridian.

XX.

LORENZO FALLERT and ROSE FALLERT, husband and wife:

From Little Lost River: 20 inches, April 1, 1885; 33 0061
65 inches, June 1, 1891; 33 0062
From Saw Mill Creek: 50 inches, May 25, 1891; 33 0063
From Spring Creek: 25 inches, April 1, 1888. 33 0064

Points of diversion:

From Little Lost River:

From Saw Mill Creek: At the mouth of said stream.

From Spring Creek:

to be used upon and appurtenant to:

The East half of the Southeast quarter, Section Seventeen; the Northeast quarter of the Northeast quarter of Section Twenty; the Northwest quarter of the Northwest quarter of Section Twenty-one; the Southeast Quarter of the Northeast quarter of Section Twenty, the South half of the Northwest quarter, and the Northeast quarter of the Southwest Quarter of Section Sixteen, all in Township Seven North, Range Twenty-eight East of the Boise Meridian.

XXI.

MERCHANTS TRUST & SAVINGS BANK, a corporation:

33 0065

(a) From Bell Mountain Creek, quaken Asp Springs, Mahogany Creek: All of the water thereof, not exceeding 320 inches, with date of priority June 1, 1899; that none of said sources of supply are tributary to Little Lost River.

Point of diversion:

to be used upon and appurtenant to:

(Bell Mountain Ranch). The South half of the Northeast quarter and the Southeast quarter of Section 1, Township 10 North, Range 26 East of the Boise Meridian; and the South half of the Northwest quarter of Section 6; Township 10 North, Range 27 East of the Boise Meridian.

6. In all other respects this decree shall be final.

Dated this 4th day of March, 1927.

Ralph W. Adair,
District Judge.

Filed March 5, 1927.

J. F. Tiedeman, Clerk,

By, Ora F. Martin, Deputy.

Recorded Book One of Orders & Decrees, page 425.

By order of the Court of the Sixth Judicial District of the State of Idaho,
in and for the County of Butte, at the March term - first judicial day,

The following changes were made in the Decree in the case
of THE BLAINE COUNTY INVESTMENT COMPANY, a corporation, Plaintiff,
vs. ROBERT G. MAYS, et al., Defendants:

On page 22 - LESLIE A SERMON:

The following addition was made:

"Homestead Entry No. 258 in Butte County, Idaho, particularly
described in Book 2 of Patents in the office of the Recorder of said
Butte County, at page 179."

On page 9 - EPHRAIM HANSEN and MARY HANSEN, husband and wife:

The date of the water decreed from Saw Mill Creek was changed
to read "50 inches, May 25 (instead of May 26) 1891.

MAY 28 1927