

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 0297 (g) 1898—May 1	.4 c.f.s.	To be diverted from Middle Fork, later known as Nounan Creek, through a ditch diverting therefrom 40 rods North and 20 rods East of the Southwest corner of the Northwest quarter of the Southwest quarter, said Section 34.
11 0298 (h) 1898—May 1	0.7 c.f.s.	To be diverted from Spring Creek, hereinabove described, through a ditch having its intake at the Spring. The water decreed in paragraphs (g) and (h) to be used for the irrigation of 55 acres in the South half of the Southwest quarter, Section 34, Township 11 South, Range 43 East, and Lots 2 and 3 of Section 3, Township 12 South, Range 43 East, B.B.M.
11 0299 (i) 1900—May 1	1.6 c.f.s.	To be diverted from Stauffer Creek, later known as Nounan Creek, through ditches diverting therefrom in Sections 32 and 33, said Township and Range, for the irrigation of 80 acres, in the East half of the Southeast quarter, Section 32, and the West half of the Southwest quarter, Section 33, Township 11 South, Range 43 East, B.B.M.
11 0300 28. Oliver Williams: 1876—May 1	3.0 c.f.s.	To be diverted from Stauffer Creek, later known as Nounan Creek, through four ditches diverting therefrom in Sections 34 and 27, Township 11 South, Range 43 East, for the irrigation of 150 acres of land in the North half of the Northeast quarter, the Northeast quarter of the Northwest quarter of Sec. 34 and the southwest quarter of the southeast quarter of Section 27, Township 11 South, Range 43 East, B.B.M.
11 0301 29. Edgar M. Lindsay: (a) 1877—May 1	1.6 c.f.s.	To be diverted from Spring Creek, a tributary of Nounan Creek, through ditches diverting therefrom in Sections 34 and 35, Township 11 South, Range 43 East, for the irrigation of 80 acres of land in the East half of the Southeast quarter, the Southeast quarter of the Northeast quarter, Section 34, the West half of the Southwest quarter and the West half of the Northwest quarter of Section 35, said Township and Range.

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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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DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 11-0296, 11-0297, 11-0298, 11-0299
11-0291, 11-0292, 11-0293, 11-0294, 11-0295,
Adjudication Claim Number(s) _____
2. The following REQUIRED information must be submitted with this form.
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Louie Cerri
25 Julie Ct., Winnemucca, NV 89445
4. New Owner/Claimant(s) Bushman Farm and Livestock Co.
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 680 W. Main
City, State and ZIP Code Lehi, UT 84043
New Telephone Number (801) 768 - 8730
5. Date you acquired the property 12/1/99
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres actually irrigated _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) [Signature] Date 12/1/99
Bushman Farm & Livestock Co. Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 28, 2000

BUSHMAN FARM & LIVESTOCK CO
680 W MAIN
LEHI UT 84043

RE: Change of Ownership for Water Rights 11-00291 thru 11-00299

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Jeff Peppersack
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures