

FARMERS' CO-OPERATIVE DITCH COMPANY, )  
a corporation, )

Plaintiff, )

vs. )

RIVERSIDE IRRIGATION DISTRICT, )  
LIMITED, a corporation, THE )  
SIEBENBERG CO-OPERATIVE DITCH )  
COMPANY, LIMITED, a corporation, )  
et al. (The said action being )  
commonly known as the Boise River )  
Priority Suit.) )

Defendants, )

and )

REBECCA BELL, ANNA SPENCER and )  
WILLIS B. SPENCER, )

Intervenors. )

J U D G M E N T

This cause came on regularly for trial on the 19th day of July, 1917, the above named Rebecca Bell, Anna Spencer and Willis B. Spencer, intervenors, defendants and cross-complainants appearing in person and by their counsel, Alfred F. Stone, said parties having been heretofore by consent of all parties to this action and by the order of this Court, permitted to intervene in this action and file herein their cross-complaints, and asked to proceed with the trial, the same being the day set for the hearing thereof, and several parties being before the Court, all present consented to the hearing of the evidence in the above entitled case.

Whereupon said Rebecca Bell, Anna Spencer and Willis B. Spencer were sworn and testified in their behalf and in behalf of each other and documentary evidence intro-

1910 and Mrs. A. O. McCamley, Jess Rowland and H. P. Johnson were called, duly sworn and examined as witnesses in behalf of the above named defendants and cross-complainants. The evidence being closed, the cause was submitted to the Court for its consideration and decision, and after due deliberation the Court finds:

That the lands in the cross-complaint of Rebecca Bell, Anna Spencer and Willis B. Spencer and each of them, are arid lands and require artificial application of waters thereto in order to produce paying crops. That said lands require not less than one inch per acre of water for the irrigation thereof.

That said parties and each of them are the owners of the lands in their respective cross-complaints mentioned and hereinafter described and that said parties and each of them are entitled to the use of waters of Boise River and its tributaries in the amount claimed in their cross-complaints.

The Court further finds that all the allegations of each of said parties' answers and cross-complaints are true with the exception of the priority of use of waters and the Court finds that the priority of right of each of the parties to use of the waters of Boise River is June 1, 1890.

IT IS ORDERED ADJUDGED AND DECREED, That the lands hereinafter described are arid in character and require the artificial application of waters to render them valuable for agricultural purposes;

at the intake of the canal of the Riverside Irrigation District, is one inch per acre.

That the above mentioned one inch per acre is understood to be in the same status as the one inch per acre in the judgment entered in the above entitled action on January 19, 1906, and is subject to such modification and temporary orders as this Court may make for the above entitled case.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the complaint and cross-complaint and all pleadings filed in this case shall be and the same are hereby amended to conform to the facts as found by the Court herein;

That the defendants, cross-complainants and intervenors, Rebecca Bell, Anna Spencer and Willis B. Spencer be and they are hereby awarded the use of the waters of Boise River and the tributaries thereof, subject to the above modifications from June 1, 1990, to be carried through the Riverside Canal and diverted from Boise River at a point on the South side of Boise River near the center line of Section 20 in Township 4 North of Range 3 West of the Boise Meridian in the quantities and upon the lands hereinafter set forth and described:

To Rebecca Bell 20 inches of water to be used on the South Half ( $S\frac{1}{2}$ ) of the South West Quarter ( $SW\frac{1}{4}$ ) of Section Ten (10), and the North Half ( $N\frac{1}{2}$ ) of the North West Quarter ( $NW\frac{1}{4}$ ) of Section Fifteen (15) in Township Four (4) North of Range Four (4) West of the Boise Meridian.

To Anna Spencer 36 inches of water to be used upon the North West Quarter ( $NW\frac{1}{4}$ ) of the North East Quarter ( $NE\frac{1}{4}$ ), the East Half ( $E\frac{1}{2}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) or the North East Quarter ( $NE\frac{1}{4}$ ) and the South Half ( $S\frac{1}{2}$ ) of the North East Quarter ( $NE\frac{1}{4}$ ) of Section Fifteen (15) in Township Four (4) North of Range Four (4) West of the Boise Meridian.

Dated January <sup>th</sup> 18, 1921.

*E. L. Bryan*

Judge of the District Court