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3A-AX-1

OFFICE OF STATE ENGINEER

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF IDAHO
TERRITORY IN AND FOR ALTURAS COUNTY.

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JUL 6 1909

GEO. W. CASE,
Plaintiff.
vs.

WILLIAM HOOD, JOHN CAMERON,
W. J. CROOKS, JOHN LOUCKS AND
BYRON LOUCKS,
Defendants.

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STATE ENGINEER

JUDGMENT BY THE COURT.

OFFICE OF June 23, 1890.

This cause came on regularly for trial on the 16th day of June 1890, Angel & Sullivan and N. M. Ruick appearing on behalf of the plaintiff and G. L. Waters Esq. and F. E. Ensign Esq. appearing for the defendants Hood Crooks and Cameron, Defendants John Loucks and Loucks having made default. A trial by jury having been expressly waived in open Court the cause was tried before the Court without a jury, whereupon witnesses on the part of the plaintiff and defendants were duly sworn and examined and documentary evidence introduced by respective parties and the evidence being closed, the same was submitted to the Court for his consideration and decision and now on this day the Court files his findings and decision in writing and orders that judgment be entered herein in favor of the plaintiff in accordance therewith.

37-1194

37-1195

37-1196

Wherefore it is ordered, adjudged and decreed, that the plaintiff as against all of the defendants in said action is entitled to 750 inches measured under a four inch pressure of the water of Fish Creek described in his complaint. That the defendant Crooks is thereafter entitled to one hundred inches of water measured under a four inch pressure of the water of East Fork tributary of said Fish Creek. That the plaintiff is thereafter entitled to one hundred and fifty inches of the water of said Fish Creek in addition to said 750 inches and that the defendants and each of them be and they are hereby restrained from the use of said water except in accordance with the foregoing judgment that the plaintiff have judgment against each and all of the defendants for his costs taxed at \$188.32 dollars.

Dated June 23, 1890.

MAY 28 1896

JAS. H. BEATTY,
Judge.

State of Idaho,
County of Blaine.

SS.

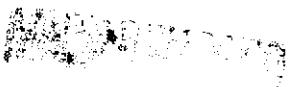
I, W. F. Horne, Clerk of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Blaine, do hereby certify that the foregoing is a full, true and correct copy of the original decree in the above entitled action now of record in my office in Judgment Book 5 on page 309.

Given under my hand and the seal of said Court at my office at Hailey, Idaho, this, the 17th day of July A. D. 1909.

Attest:

W. F. Horne
Clerk of the District Court.

By Desmond
Deputy.



MAY 28 1906

DISTRICT
IN THE DISTRICT COURT OF THE SECOND JUDICIAL OF THE TERRITORY OF IDAHO
in and for Alturas County.

George W. Case,

Plaintiff,

VS

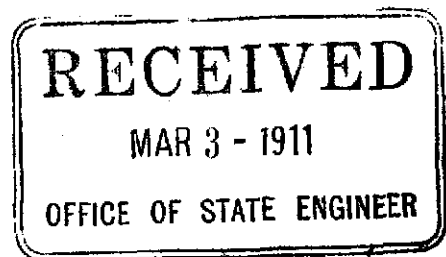
Complaint.

William Hood John Ameron,
W J. Crooks, John Loucks
and Byron Loucks,
Defendants.

The above named Plaintiff complains against the above named Defendants and for cause of action herein respectfully shows to the Court.

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That this Plaintiff for five years and upwards last past has been and now is the owner and in possession of the following described real estate situate, lying and being in the County of Alturas, Territory of Idaho, to-wit:- The East half of the East half of Section Twelve (12), the East half and the South West quarter ($\frac{1}{4}$) of Section Thirteen (13), the South East quarter of the South East quarter of Section Fourteen (14), and the North half of the North half of Section Twenty-four (24), Township One (1) South Range Twenty-one (21) East. Also the West half of the South West quarter ($\frac{1}{4}$) of Section Eighteen (18) and the North West quarter ($\frac{1}{4}$) of the North West quarter ($\frac{1}{4}$) of Section Nineteen (19) and Lot One (1) and the North East quarter of the North West quarter and North half of the North East quarter of Section Seven (7) Township One (1) South of Range Twenty-two (22) East of Boise Meridian and of the right to use for irrigating the same all the flow of that certain stream of water situate in said County of Alturas, Territory of Idaho, known as FISH CREEK.



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Defendant for further Answer to Plaintiff's Complaint and for Cross Complaint thereto the said Defendant William Hood alleges that he is now the owner and in the actual possession of one hundred and sixty acres of unsurveyed lands of the United States, situate, lying and being on Fish Creek in the County of Alturas and Territory of Idaho and described as follows, to-wit:- That certain piece or parcel of land ^{entirely} enclosed by a good, lawful and substantial fence and inclosure, containing one hundred and sixty acres of land, and lying north of the ^{north} boundary line of lands of John Cameron, and on the west side of Fish Creek and Era road, and through the western portion of which Fish Creek runs, and being the same lands and premises formerly owned and occupied by one Edward Patton, and being the same premises now occupied by the said Defendant William Hood.

Defendant for further Answer to Plaintiff's Complaint and for Cross-Complaint thereto the said Defendant John Cameron alleges:

That ^{Defendant} for four years and upwards last past has been and now is the owner and in actual possession of the following described real estate, situate, lying and being on Fish Creek in the County of Alturas and Territory of Idaho, to-wit:

The W. $\frac{1}{2}$ N. W. $\frac{1}{4}$ of Sec. 1, Township ----- 22 E. 1 North of Boise Meridian, Eighty acres of unsurveyed lands lying North of ##### and adjoining the last described lands, all of which said lands last described are inclosed by a good and lawful fence.

Defendant for further Answer to Plaintiff's Complaint, and for Cross Complaint thereto, the said Defendant, William J. Crooks, alleges:

That he is the owner and in actual possession of the following described real estate, situate, lying and being on Fish Creek, and one of the tributaries thereof in the County of Alturas and Territory of Idaho, to-wit: S. W. $\frac{1}{4}$ and S. E. $\frac{1}{4}$ of Sec. 2 and N. $\frac{1}{2}$ N. E. $\frac{1}{4}$ and N. E. $\frac{1}{4}$ and N. W. $\frac{1}{4}$ of Sec. 11 Township 1 North of Range 22 East, Boise Meridian.

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