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Farmers Co-operative Ditch Company,
a corporation.

Plaintiff,

v.

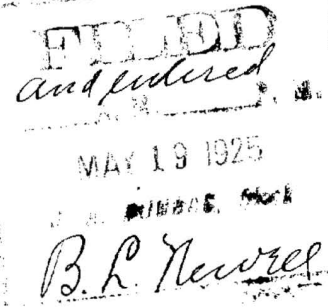
Riverside Irrigation District,
Limited, et al., (said action being
commonly known as the Boise River
Priority Suit.)

Defendants,

The First National Bank of Pueblo,
a corporation (substituted in place
of M. D. Thatcher who was heretofore
substituted in place of W. T. Booth.)

Intervenor.
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JUDGEMENT AND DECREE.



THIS CAUSE, came on regularly for trial upon the
answer and cross-complaint of the above named intervenor
M. D. Thatcher who was substituted by order of the Court in
place of W. T. Booth as said intervenor, and that said cause
continue in the name of said M. D. Thatcher as said inter-
venor, the said intervenor appearing in person and by his
counsel Cavanah, Blake and MacLane, said answer and cross-
complaint in intervention having been heretofore, by consent
of all parties to this action and by the order of this Court
permitted to be filed in this action, the trial upon the said
answer and cross-complaint in intervention of the said M. D.
Thatcher was then had, all of the parties to said suit having
heretofore, under stipulation, answered and denied the alleg-
ations of said answer and cross-complaint of said intervenor,
and the several parties being before the Court, all present
consented to the hearing of the evidence in the above entitled
cause, and since the submission of the evidence the said First
National Bank of Pueblo, a corporation, has become the owner
of the premises and water right hereinafter mentioned, and an

ant and intervenor in place of said M. D. Thatcher.

WHEREUPON, Witnesses were sworn and testified in behalf of said intervenor, and documentary evidence introduced, and no other evidence was introduced by any of the parties to said cause on said hearing upon the said answer and cross-complaint of said intervenor, the evidence being closed, the cause was submitted to the Court for its consideration and decision, and the Court having filed its findings of fact and conclusions of law, from which it appears that the said First National Bank of Pueblo, a corporation, since the filing of said answer and cross-complaint in intervention has become the owner of the premises and water rights herein mentioned and described and was substituted as such intervenor in place of said M. D. Thatcher who was heretofore substituted in place of said W. T. Booth, and that all of the material facts stated in said answer and cross-complaint in intervention are sustained and that the matters so alleged and proved are sufficient in law to entitle the said intervenor, The First National Bank of Pueblo, a corporation, to the relief prayed for in its said answer and cross-complaint in intervention; that said intervenor is the owner of the lands described in his said answer and cross-complaint in intervention, and that he is entitled to the use of water in the Boise river and its tributaries in the amount claimed in his said answer and cross-complaint in intervention; and it further appearing that all the material allegations in said answer and cross-complaint in intervention are true, and that said intervenor has a priority of right to the use of 90 inches of water from the Boise river, beginning with the spring of 1865, and the Court having been fully advised in the premises,

artificial application of water to render them valuable for agricultural purposes;

That the quantity of water required for the successful cultivation and irrigation of said lands, measured at the intake of the Canal or ditch of the "Bubb Canal" on the Southerly bank of Boise river and where such bank is intersected by the line between Township 3 North of Range 2 East and Township 3 North of Range 3 East, is one inch of water per acre.

That the above mentioned one inch of water per acre is understood to be in the same status as the one inch of water per acre in the judgement rendered in the above entitled action, on or about January 19, 1906, and is subject to such modifications and temporary orders as this Court may make for the above entitled cause;

And it is further ordered, adjudged and decreed, that the said intervenor, The First National Bank of Pueblo, a corporation, be, and it is hereby, awarded the use of the water of the Boise river and the tributaries thereof, subject to the above modifications of 90 inches of water of said river beginning with the irrigation season of 1865, to wit: April 1st, 1865, to be carried through the Canal or ditch known as the said "Bubb Canal", and diverted from Boise river at the point of the intake of said Canal at a point on the southerly bank of said Boise river near where such bank is intersected by the line between Township 3 North of Range 2 East and Township 3 North of Range 2 East and Township 3 North of Range 3 East, and running thence in a westerly direction along the South bank of said river to a point in Section 24, Township 3 North of Range 2 East about 30 rods North from the South line of said Section and running

and upon the following described lands situated in the County of Ada, State of Idaho:

The Southwest Quarter of the Southeast Quarter and Lot four (4) Section twenty-four (24), Township three (3) North of Range two (2) East of Boise Meridian, and the Northeast Quarter of the Northwest Quarter of Section twenty-five (25), Township three (3) North of Range two (2) East of the Boise Meridian, and Lot four (4) in Section thirty (30), and Lot six (6) in Section nineteen (19), Township three (3) North of Range three (3) East of the Boise Meridian, all in Ada County, Idaho.

It is further ordered, adjudged and decreed, that the said answer and cross-complaint in intervention and all pleadings filed in this case be, and the same are hereby, amended to conform to the facts as found by the Court herein.

Done in open Court this

11 day of ^{May}~~April~~, A.D. 1925.


District Judge.