

FILED

1045 A. M. _____ P. M.

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MYRTLE BERNARD, Clerk

C. D. Bush

DEPUTY.

FARMERS CO-OPERATIVE DITCH COMPANY,
a corporation,)
Plaintiff,)
- vs -)
RIVERSIDE IRRIGATION DISTRICT, Ltd.,)
a corporation, et al,)
Defendants,)
ISLAND HIGHLINE DITCH COMPANY, a)
corporation,)
Intervener.)

DECREE

This matter came on regularly to be heard the 12th day of November, 1930, upon the complaint in intervention of Island Highline Ditch Company, the said intervener appearing by its attorney, John C. Rice, and defendants Neil O'Donnell, Pat O'Donnell, Guss A. Barth, Lester J. Shippy, Charles Jurries and James Finlay appeared by their attorney, Thos. E. Buckner, and defendants Farmers' Union Ditch Company, Ltd., and Middleton Water Company appeared in said action by their attorney, T. L. Martin, and the other defendants and cross-complainants in said action not appearing by attorney or otherwise. The default of such non-appearing defendants were duly entered according to law. Evidence was introduced on behalf of the plaintiff and the cause submitted to the Court, and the Court after due consideration filed its Findings of Fact and Conclusions of Law and directed judgment to be entered for the intervener in accordance therewith.

WHEREFORE, IT IS ORDERED ADJUDGED AND DECREED, That the intervener, Island Highline Ditch Company, be and it is hereby awarded the use of water of the Boise River and the tributaries thereof, to be carried through its ditch or canal

in Township Five (5) North, of Range Five (5) West
of the Boise Meridian, in Canyon County, Idaho,

through a ditch described in the complaint in intervention,
to-wit: Running in a westerly and northwesterly direction for
a distance of about four miles, for use upon the lands hereinafter
described, the following amounts of water, measured under a
four-inch pressure, as follows:

One Hundred fifty (150) inches of water, with date of
priority as of April 1, 1879;

Three hundred fifty (350) inches of water, with date
of priority as of April 1, 1910;

Five Hundred (500) inches of water, with date of
priority as of April 1, 1915.

The lands upon which the same is to be used and to
which it is appurtenant are the lands lying under the level of
the said canal and on the northerly and easterly sides thereof,
and more particularly described as follows:

All that portion of the North Half ($N\frac{1}{2}$) of the
Southwest Quarter ($SW\frac{1}{4}$) of Section Seventeen (17), lying
north of and below the bluff running through the same;
also the South Half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$)
and that portion of the Northwest Quarter ($NW\frac{1}{4}$) of the
Northwest Quarter ($NW\frac{1}{4}$) of Section Seventeen (17), lying
south and west of Boise River; the East Half ($E\frac{1}{2}$) of the
Northeast Quarter ($NE\frac{1}{4}$) of Section Eighteen (18); all of
Section Seven (7) lying south and west of Boise River;
and that portion of the South Half ($S\frac{1}{2}$) of the Southwest
Quarter ($SW\frac{1}{4}$) of Section Six (6) lying South and West of
Boise River; all the above described lands being in
Township Five (5) North, of Range Five (5) West of the
Boise Meridian, all of said lands being situated in the
County of Canyon, State of Idaho.

Also, the East Half ($E\frac{1}{2}$) of the Northeast Quarter
($NE\frac{1}{4}$), the Southeast Quarter ($SE\frac{1}{4}$), and the Northeast
Quarter ($NE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section
Twelve (12), in Township Five (5) North, of Range Six (6)
West of the Boise Meridian, all of said lands being situated
in the County of Canyon, State of Idaho.

Done in Open Court this 18 day of November, 1930.

E. D. Bryan
District Judge.