IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF UINTAH, STATE OF UTAH.

THE UINTAH RIVER IRRIGATION CO. (A corporation). Plaintiff. v. CLARA VAN, a minor Indian allottee, E. RASMUSSEN, Arreep, and Indian Allottee, BOYCE ARREEP, a minor Indian Allottee, NEPHI WINCHESTER, an Indian Allottee, REBECCA ARROWCHISS, a minor Indian Allottee, ALICE ARROWCHISS, an Indian Allottee, ARROWCHISS, an Indian allottee, QUIUP, an Indian allottee, and CAPTAIN C. G. HALL, Capt. 5th U. S. Cavalry U. S. A., and acting Indian Agent, Uintah and Ouray Agency, Utah, & JOHN QUIUP, and Indian allottee, and CLARK APP NEWCOWREE, an Indian allottee, who have voluntarily entered appearance herein.	DECREE

The above entitled cause having come on regularly for hearing this 29th day of November, A. D. 1911, upon the amended complaint of the plaintiff, and all of the defendants except E. Rasmussen having appeared in open court, by Hiram E. Booth, U. S. District Attorney and William M. McCrea, Assistant U. S. District Attorney, their attorneys, and the court having acquired jurisdiction of all of the defendants herein by service of Summons and by their appearance in open court, thru their said attorneys; and John Quipp and Clark App Newcowree having come into Court and demanded damages in the sum of One Dollar ($1.00) each for their lands embraced in Section One (1) Township Two (Tp. 2) South, Range One East (R. 1 E.) U. S. Meridian, and the plaintiff herein having consented, and now hereby consenting to that said amount of damages, and the court having heard the evidence offered in this cause, respecting the matters at issue, and being fully advised in the premises, now, on motion of T. W. O'Donnell, Attorney for the plaintiff the court does hereby,

ORDER, ADJUDGE AND DECREE.

That the right of way sought to be condemned as prayed for in the plaintiff's amended complaint and the amendments thereto, may be condemned to the use of the said plaintiff, its successors and assigne, for all time, upon payment to the said defendants of the following sums, which payment may be made to the Acting Indian Agent of the Whiterocks and Ouray Agency, Utah, deducting therefrom, however, the costs of this action, pro rata from the several defendants.

Clara Van, NW¼ of SW¼	Sec. 23, T. 1 S. R. 1 E.	$ 3.00
Allotment of Arreep, SE¼ of SE¼	26 1 1	60.00

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Boyce Arreep, SW¼ of SW¼	Sec. 25,	T. 1 S.	R. 1 E.	$ 47.00
Nephi Winchester, NW¼ of NW¼	36	1	1	60.00
Rebecca Arrowchiss, SW¼ of NW¼	36	1	1	30.00
Arrowchiss, NE¼ of SE¼	35	1	1	30.00
Quiup, N½ of NW¼	1	2	1	2.00
John Quipp, NW¼ of NE¼	1	2	1	1.00
Clark App Newcowree, NE¼ of NE¼	1	2	1	1.00
				$ 234.00

Being a total of Two Hundred Thirty-four ($234.00) Dollars.

It is further decreed that the use for which said property is sought to be taken, and which is described by metes and bounds in plaintiff's amended complaint, to-wit, a right of way for road and canal purposes, is a public use, is authorized by law, and that the taking of said property as prayed for in said amended complaint, is necessary for such use by said plaintiff.

(1) That this is a proper case for the condemnation of said land as prayed for in plaintiff's amended complaint.

(2) That the plaintiff herein is a corporation and is the owner of 35 cubic feet of water per second of time of the waters of the Uintah, Deep Creek and from an unnamed wash in the Green River drainage system, streams in Uintah County, State of Utah.

(3) That the plaintiff herein has the right to irrigate approximately 5000 acres of land in Uintah County, Utah, along and near its said canal and laterals; which lands are arid and unproductive without artificial irrigation, but when irrigated become fertile, and produce abundant agricultural products; and which said 35 feet of water per second of time is the only water of the plaintiff available for the irrigation of the said lands, and for domestic use in that immediate vicinity, and under the canal and laterals of the plaintiff.

(4) That the said canal of the said plaintiff Company is now, and has been, constructed, and that the same extends thru lands owned by the defendants, severally, and the center line of which said canal and lateral extending thru the defendants lands, is as follows:

(5)

(a) A strip of land 50 feet in width, being 25 feet on either side of a meander line over and across the NW¼ of the SW¼ Section, 23, Tp. 1 South, Range 1 East. U. S. Meridian, said described tract belonging to Clara Van, a minor Indian allottee, but

whose parents as plaintiff is informed and believes are Philip Van and Maggie Van; and the land now condemned herein will be a strip 297 feet long and 50 feet wide containing 0.34 acres.

(b) A strip of land 50 feet wide, being 25 feet on either side of a meander line, over and across the SW¼ of the SE¼ of Section 26, Tp. 1 S. R. 1 E. U. S. M., said described tract being claimed by one Ephriam Rasmussen, one of the defendants herein under his Homestead Entry No. 925, Uintah Indian Series. Said strip of land being 1370 feet long and 50 feet wide, and containing 1.57 acres.

(c) A strip of land being 50 feet wide, of which 25 feet is on either side of a meander line, through, over and across the SE¼ of the SE¼ of Sec. 26, Tp. 1 S. R. 1 E. U. S. M., said described tract being owned by_____Arreep, whose first and given name to the plaintiff is unknown, an Indian allottee, Said strip of land now condemned being 1570 feet long and 50 feet wide, and containing 1.8 acres.

(d) A strip of land 50 feet in width, being 25 feet on either side of a meander line, through over and across the SW¼ of the SW¼ Sec. 25, Tp. 1 S. R. 1 E. U. S. M., said described tract being a portion of an Indian allotment, and belonging to Boyce Arreep, a minor Indian allottee, whose guardian is unknown to this plaintiff. Said strip of land now condemned being 921 feet long and 50 feet wide and containing 106 acres.

(e) A strip of land 50 feet wide, being 25 feet on either side of a meander line through, over and across the NW¼ of the NW¼ Sec. 36, Tp. 1 S. R.1E. U. S. M., said described tract being an Indian allotment, and belonging to Nephi Winchester, an Indian. Said strip of land herein now condemned being 1009 ft. long and 50 ft. wide, and containing 1.16 acres.

(f) A strip of land 50 ft. wide, being 25 feet on either side of a meander line, through, over and across the SW¼ of the NW¼ of Sec. 36, Tp. 1 S. R. 1 E. U. S. M.; said tract of land being and Indian allotment, awarded to and owned by Rebecca Arrowchiss, a minor Indian, whose guardian to this plaintiff is unknown, and the said land now condemned by this plaintiff through the property of this said allottee is 600 feet long and 50 ft. wide, being 0.69 acres. It being understood however, that a perpetual easement be granted and had through the said creek or gulch that now traverses the said land, for the purpose of conveying the waters, all or part, that now belong or hereafter may be acquired by the Plaintiff herein.

(g) A strip of land 50 ft. wide, being 25 ft. on either side of a meander line, through, over, and across the SW¼ of the SW¼ of Sec. 36, T. 1 S. R. 1 E. U. S. M. Said land being an Indian allotment, and belonging to Alice Arrowchiss, and Indian

Allottee, one of the d ndants herein, and the said st p now condemned is 859 feet long by 50 ft. wide and contains 0.98 of an acre.

(h) A certain strip of land through the allotment made to Arrowchiss, whose first and given name is unknown, which said strip will be 50 ft. wide, same being 25 feet on either side of a certain line of meander, through, over and across the SE¼ of the SE¼ of Section, 35, T. 1 S. R. 1 E. U. S. M. Said Arrowchiss being an Indian and the land now condemned being a strip 621 feet in length and 50 ft. in width, and containing 0.71 of an acre.

(i) A strip of land 50 ft. wide, being 25 ft. on either side of a certain meander line through, over and across Lots 3 and 4 of Section 1. T. 2 S. R. 1 E. of the U. S. M., being 1040 feet in length and 50 feet in width and containing 1.19 acres; and likewise a strip of land of the same width and similarly situated as to a meander line, through, over and across Lot 4 of said Section 1; 610 feet in length by 50 feet in width and containing 0.68 of an acre. Said land enumerated herein in paragraph (i) belonging to _____Quiup, an Indian allottee, whose other and first name is unknown.

The respective areas of the several strips or parcels of land to which title is now acquired by the Plaintiff corporation herein from the respective owners and claimants thereof, are as follows:

(a)	Clara Van	0.34 acres.
(b)	E. Rasmussen	1.57 acres.
(c)	_____Arreep	1.8 "
(d)	Boyce Arreep	1.06 "
(e)	Nephi Winchester	1.16 "
(f)	Rebecca Arrowchiss	0.69 "
(g)	Alice Arrowchiss	0.98 "
(h)	_____Arrowchiss	0.71 "
(i)	_____Quiup	1.87 "
	Total	10.18 acres.

(6) And it is further ordered, adjudged and decreed concerning the lands of John Quipp and Clark App Newcowree, whose lands have been regularly appraised and damages awarded to each, the said Quipp and Newcowree, in the sum of One Dollars, and whose said lands are situate in Section 1. Tp. 2 S. R. 1 E. U. S. M., that this plaintiff have a full, complete, permanent and perpetual right for 25 ft. on either side of the center and meander line of its said canal, thru their said lands, according to the course of the construction of the said canal as now completed, they having

appeared herein in this suse, and their lands herein having been appraised by the then Acting Agent, Captain C. G. Hall and John Mac Andrews.

(7) That the easement and right of way thru and over the lands above described for the said canal and road way, is for a public use, namely; that of conveying water therethru and thereover for irrigation and domestic purposes, and a road way for travel along the said canal, and that the said canal and lateral is the only practical and feasible way by means of which plaintiff may obtain water for irrigation of the said lands.

(8) It is further ordered, adjudged and decreed that a strip of land 50 feet in width, being 25 feet on each side of the center line hereinbefore described, is necessary for the plaintiff's use; and the same is hereby condemned for said use to and for the plaintiff company and its successors or assigns, for the uses and purposes for which it holds title to the said canal and road, under the laws of the United States and the State of Utah.

(9) The plaintiff having heretofore, and on the 6th day of September, 1906 filed a bond for immediate possession of the said land, pending the determination of this cause, which bond was furnished so that the said canal of plaintiff might be constructed, and which bond was in the sum of One Thousand ($1000) Dollars; the said bond having served its purposes, and no liability thereon having accrued, it is hereby ordered adjudged and decreed, that the said bond be without further force or effect, and the principal and sureties thereon are by this decree released from their obligation.

(10) Payment of damages in the various amounts heretofore set forth in this decree, shall be paid by the plaintiff within sixty days (60) after the signing of this said decree. Such payment may be made by the plaintiff herein to the Clerk of this District Court, to be by him paid to the Acting Indian Agent of the Whiterocks and Ouray Agency, Utah, for the various defendants herein named. Such payment being made, title to the said lands herein condemned shall become final, absolute and irrevocable as to this plaintiff.

Done in open court at Vernal, Utah this 29 day of November, 1911.

J. E. BOOTH, Judge.