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

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WILLIAM D. JACKSON, Plaintiff vs. SPANISH FORK WEST FIELD IRRIGATION COMPANY, a corporation; SPANISH FORK SOUTH IRRIGATION COMPANY, a corporation; SPANISH FORK SOUTH EAST IRRIGATION COMPANY, a corporation; THE SALEM IRRIGATION & CANAL COMPANY, a corporation; SPANISH FORK EAST BENCH IRRIGATION & MANUFACTURING COMPANY, a corporation; LAKE SHORE IRRIGATION COMPANY, a corporation; ED WATSON, State Engineer of the State of Utah; and Wayne Francis, Defendants.	)	Civil No. 15,139

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J U D G M E N T

This case having been tried before the court, sitting without a jury, and having been submitted to the court for its decision on the merits; and the court having made in writing and filed herein its findings of facts and conclusions of law and decision, and being fully advised in the premises, it is now, on motion of P. N. Anderson, of counsel for the plaintiff:

ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. That as against all of the defendants in this action and as against all the world the plaintiff is the owner, and for more than 35 years next prior to the commencement of this action he and his predecessors in interest and in title have been the owners, of the right to the use of a continuous flow throughout the entire year of one cubic foot per second of the waters of Thistle Creek, a tributary of Spanish Fork River, to be diverted from said creek at the head of the West Simmons ditch, also called the West Jackson ditch, near the south boundary of the lands herein described, and to be used upon said lands for the irrigation of about 19 acres thereof and for stockwatering and domestic and culinary purposes, which said water right is appurtenant to the following described tracts of land owned by the plaintiff and situated in Utah county, state of Utah, to-wit:

The southwest quarter of the southeast quarter of section 5; the northeast quarter of the northwest quarter, and the west half of the northeast quarter of section 8, all in Township 10 South, Range 4 East, Salt Lake Meridian.

Extra Copy - one on file for decree

2. That the restraining order heretofore issued out of this court and in this cause be and the same is hereby made permanent, and that the defendants in this action and their successors, servants, officers, agents and employees are hereby forever restrained and enjoined from interfering with the plaintiff in the use of the said one cubic foot per second of the flow of the waters of Thistle Creek upon the said lands and for the purposes aforesaid.

3. That the plaintiff do have and recover of and from the defendants Spanish Fork West Field Irrigation Company, a corporation; Spanish Fork South Irrigation Company, a corporation; Spanish Fork South East Irrigation Company, a corporation; The Salem Irrigation Company, a corporation; Spanish Fork East Bench Irrigation & Manufacturing Company, a corporation; and Lake Shore Irrigation Company, a corporation, jointly and severally, the sum of four hundred and eighty dollars in lawful money of the United States, as damages; and his costs in this behalf expended, taxed at $_____.

Done this 28th day of April, A. D. 1949.

BY THE COURT:

/s/ Wm. Stanley Dunford
Judge.

Attest:

Verl G. Dixon
Clerk

By Odessa Snow
Deputy Clerk

(Court Seal)