

#18-Morse Orders & Decrees

When the water belonging to the city canal and South Jordan Canal was used by the Power Company, it was returned to said canals at points above where water was used for any purpose from either of said canals.

The Court further finds from the evidence that it is practicable for said defendant Power Company to use the waters of said river, the right of use of which is also in said South Jordan Canal Company and said Salt Lake City, thru the wheels and machinery to said power house of said power company, and to discharge the same undiminished in quantity and unimpaired in quality into the said canal of said South Jordan Canal Company, and that of Salt Lake City, opposite the said power house, by means of proper machinery and appliances therefor at said power plant.

That the appropriation of the use of such water for and on behalf of the Power Company in order to be completed requires the use of the City's canal by said Power Company for the purpose of discharging water after being used by the Power Co. thru a flume across the Jordan river and into the City Canal at a point about $1\frac{1}{2}$ miles below the head thereof, and that without such use by the Power Co. of the City's Canal, the appropriation of the use of such water by the Power Co. cannot be made effective.

That the said Salt Lake City Water & Electrical Power Co. has commenced an action in the court to condemn the right to use the canal of Salt Lake City in the manner aforesaid, and to make effective its appropriation of the use of the city's water.

That the Salt Lake City Water & Electrical Power Co. is the owner in fee simple of the land on which the said power house and plant and its appurtenances stand, being about 20 acres of land situated on the banks of said Jordan River to the thread of the stream.

SEVENTEENTH.

That the irrigation season in ordinary years, extends from the 1st day of April to the 30th day of September.