

1.

That the defendants George A. Day, Charles Johnston, Mrs. Charles Johnston, Eva Fairchild, Julius B. Fairchild, James P. Okleberry, Charles Smith, Peter I. Rock, Lowell B. Wilson, Ray Karlson, George Bunn, Eugene Emery Jr., and George C. Carson, having been duly served with Summons in this cause, and the time for answering or pleading to the complaint herein having expired, and no appearance having been entered or made herein by said defendants, the default of said defendants for failing to appear and answer herein is hereby entered, and the said defendants have not, nor has any of them, any right, title or interest in or to the water of Goose Creek or any of its tributaries, or any right to the use thereof.

2.

That Goose Creek is an interstate stream, having its source in the State of Idaho, with a number of small tributaries, some of which have their source in the State of Idaho and others in the States of Utah and Nevada; that said tributaries empty into Goose Creek above plaintiff's reservoir and point of diversions hereinafter described.

3.

OAKLEY CANAL COMPANY

That subject to such rights as are hereinafter decreed to the defendants herein, plaintiff is the owner of those certain water rights and water appropriations which were adjudged and decreed as owned and held by the parties herein after named, by the decree of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Cassia, in a certain action in said Court, wherein one, Mary H. Botzet was plaintiff, and George Chapin and others, were defendants, which decree bears date of the 19th day of March, 1892, and was filed for and entered of record in the office of the Clerk of said Court on the 9th day of April, 1892, and by which said decree the said District Court decreed and established the following rights and priorities now owned and held by plaintiff as aforesaid, to-wit:

<u>Date of Priority</u>	<u>Name of party to whom water right was Decreed.</u>	<u>Number of Inches Awarded, or/</u>	<u>Cubic Feet per second</u>
April 1, 1875	H. D. Haight	160	3.2
April 1, 1876	George Chapin	320	6.4
March 1, 1877	S. R. Worthington	80	1.6
March 1, 1877	S. R. Worthington	70	1.4
March 1, 1877	F. M. Cummins	75	1.5
March 1, 1877	H. H. Severe	115	2.3
Mar. 31, 1877	Henry Adamson	100	2.
July 1, 1877	J. F. Tatro	170	3.4
May 31, 1878	Mary H. Gillespie	80	1.6