

Southwest quarter of the Northeast quarter ($SW\frac{1}{4} NE\frac{1}{4}$)
and the Northwest quarter of the Southeast quarter
($NW\frac{1}{4} SE\frac{1}{4}$), Section 13, Township 15 South, Range 21
East Boise Meridian.

L.

DAREL WHITTLE

45 0169

The defendant, Darel Whittle, shall be entitled to receive 20 inches or
.4 cubic foot per second of the waters of Goose Creek and its tributaries, for use
upon the following described real estate in the County of Cassia, State of Idaho,
to-wit:

North half of the Northeast quarter ($N\frac{1}{2} NE\frac{1}{4}$)
Southeast quarter of the Northeast quarter ($SE\frac{1}{4} NE\frac{1}{4}$) and
Northeast quarter of the Southeast Quarter ($NE\frac{1}{4} SE\frac{1}{4}$)
of Section 13, Township 15 South, Range 21 East Boise
Meridian.

Provided, however, that none of the defendants and cross-complaints
named in sub-paragraphs "A" to "L" both inclusive, of paragraph 19 of this decree,
shall be entitled to take or receive any water from Goose Creek or any of its
tributaries excepting when the combined flow of Goose Creek and Trapper Creek
measured at or near the measuring stations of plaintiff or said creeks herein-
after more particularly referred to, is less than 25 cubic feet per second, ex-
clusive of any water developed by artesian wells or otherwise, by the plaintiff,
and when there is not at the same time in the reservoir, owned and operated by
the plaintiff and particularly described in the complaint of the plaintiff, 15,000
acre-feet of water, exclusive of water developed as aforesaid, but so long as there
is more than 15,000 acre-feet of water in said reservoir, exclusive of water ac-
quired by the plaintiff as aforesaid, the said defendants may use the waters herein
specified to the extent hereinbefore set forth, within the periods as above limited,
without regard to the flow of said Goose Creek, Trapper Creek and their tributaries.

Provided, however, that these limitations are based upon the amount of
water required to be turned out of the reservoir, to make available for use upon
an area of 21,500 acres, 1.5 acre-feet per acre per irrigation season, and in the
event the cultivated area served by said reservoir, or the amount of water delivered
per acre be increased so as to require a greater amount to be turned out of the
reservoir, then the 15,000 acre-feet of storage required shall be reduced in pro-
portion to such increase in the amount of water turned out of the reservoir; and
in the event that the amount of water turned out of the reservoir for any irriga-
tion season be decreased, for any reason, then the amount of such storage shall be
increased in the same percentage beyond 15,000 acre-feet as the amount turned out
of the reservoir during such irrigation season, is decreased.