

and thereupon be conducted in accordance with Title 100 of Revised Statutes of Utah, 1933 as amended.

VI

That the defendants or their predecessors, were and/or, are either stockholders of the Hyrum Irrigation or parties to the Utah Power & Light Company v. Richmond Irrigation Company action and by reason of that fact, entitled to certain waters from Little Bear River at certain times each year, but by reason of said relationship between the parties, have failed to affirmatively establish adverse claims or uses to said waters in excess of their decreed or stockholders rights excepting only as to the high waters which flow down Little Bear River or its tributaries prior to July First of each year. But as said defendants are not associated with or parties to any decree heretofore entered as to State Engineer's filings No. 10528 and 10529, their use of certain summer waters is hereby determined to be adverse and superior to such filings aforesaid.

VII

That the plaintiffs, (except during the high water period) as between the parties hereto, have not abandoned or surrendered up any waters allotted to them by the Utah Power and Light Company v. Richmond decree.

Dated this 11th day of April, 1941

LEWIS JONES  
D I S T R I C T J U D G E

Filed April 11, 1941,  
N. J. Crookston, Clerk,  
By Elizabeth Scrowther, Deputy Clerk.