

IN THE DISTRICT COURT OF TOOELE COUNTY, UTAH.

JAMES SPAULDING and JOHN F.
CONNOR,

Plaintiffs,

vs.

N. A. SCRIBNER, GEORGE DENTON,
JOHN DENTON, ELIZABETH WILSON,
and ELIZABETH WILSON, Executrix
of the Estate of William Wilson,
Deceased,
Defendants.

DECREE.

a-12874 (15-7) 5.5 cts
a-4209 (15-81) 0.5 cts

Said cause coming on to be heard and the said plaintiffs being represented by L. L. Baker and E. B. Critchlow, and the said defendants by W. S. Marks, and Arthur Brown, the said parties have by stipulation entered in open court here in consented to this decree, which represents a contract and agreement and the order of the court; The said decree to stand in lieu of all findings and written stipulations.

In this cause it appearing that William Wilson, one of the defendants herein has died since the commencement of this suit and that Elizabeth Wilson has been appointed as Executrix of his estate by this Court, it is hereby ordered that the said Elizabeth Wilson be substituted in place of said William Wilson, and that said proceedings shall continue with her as a party.

That the plaintiffs herein personally and as representing the residents and inhabitants of the unorganized town or village of Stockton in Stockton Precinct, in Tooele County, Utah, and all of them, and the defendants above named are the owners by appropriation and the users of all the waters of Soldier Canyon Creek mentioned and described in the complaint; That the amount and extent of the several interests of the various parties hereto is as follows, to-wit: The plaintiffs personally and as representatives of the inhabitants and residents of the village of Stockton and said residents and inhabitants are entitled to and it is hereby adjudged and decreed that they have $\frac{45}{100}$ of one cubic foot per second of the waters of said Creek, during the portion of the year from May 30th until November 15th of each and every year, so long and during such portion of such time as there shall flow in said creek at the head of what is known as the Stockton Ditch an amount of water equal to one and thirty five hundredths ($\frac{1-35}{100}$) cubic feet per second or more; That whenever the amount of water flowing during said period in said creek at the place aforesaid shall amount to less than $\frac{1-35}{100}$ cubic feet per second the parties plaintiff and the persons whom they represent as above set forth shall be entitled to take through their ditch one third of all the waters flowing or to flow in said creek, and the said defendants shall be entitled to the remaining two thirds of said waters; That whenever during said period of the year from May 30th to November 15th the waters of said Soldier Canyon Creek shall

MICROFILMED