

1 of flow or quantity diverted to the user under their water
2 rights can be adequately measured and regulated and that
3 such structures should be built in accordance with plans
4 approved by the State Engineer.

5 VI.

6 That the Defendants, Regina F. McCormick and Donnie
7 A. Stephens are the owners and the successors in interest to
8 the water rights awarded to Juan Jaca from Ten Mile Creek,
9 with a priority of 1887, in the Judgment on the Mandate in
10 the case of Simpson vs. Bankofier, et al, described in said
11 Judgment as follows:

12 "It is FURTHER CONSIDERED, ORDERED AND DECREED that
13 the defendant, Juan Jaca be and is hereby awarded
14 the entire flow of all springs rising upon his
15 premises, and a right in and to the flood a surplus
16 waters of Ten Mile Creek, subsequent and inferior
17 to the right of the plaintiff and the defendant,
18 Joe Bankofier, with a priority of 1887, to be
19 applied to the irrigation of 250 acres on any part
20 of his real property described as the SW $\frac{1}{4}$ of
21 Section 2, and the NW $\frac{1}{4}$ of Section 11, Township
22 41 South, Range 42, E.W.M.

23 Now, Therefore, in accordance with these Findings,
24 IT IS ORDERED, ADJUDGED AND DECREED, that the Petitioner,
25 Alice D. Bankofier, be, and she is hereby declared to be the
26 owner of a water right, with a priority of 1884, to 149.60
27 miners inches of the water of said Ten Mile Creek, being a
28 duty of three (3) acre feet per acre, for a season of
29 sixty days each year, for the irrigation of 148.36 acres of
30 the real property described as follows, to-wit:

31 Township 40 South, Range 43 E.W.M.

32 Section 29,
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 27.80 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 17.76 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 35.59 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 10.97 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 26.77 acres
Section 30,
SE $\frac{1}{4}$ SE $\frac{1}{4}$ - .09 acres
Section 31,
NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 21.80 acres
Section 32,
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 7.58 acres