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PROPOSED FINDING OF WATER RIGHTS - WORM CREEK DRAINAGE

SOURCE: Worm Creek

IDENT. NO.	NAME AND ADDRESS	PRIORITY	PURPOSE	PERIOD OF USE		AMOUNT ACRE FEET PER ANNUM	MAXIMUM RATE OF DIVERSION c.f.s.	POINT OF DIVERSION	PLACE OF USE and LANDS IRRIGATED	BASIS OF RIGHT and REMARKS
				From	To					
13-0289	KENNINGTON, Mack H. 1113 North Park Pomona, Calif. 91768	12-8-1927	Irrigation	4-1	11-1	14.0	0.08	SE $\frac{1}{4}$ NE $\frac{1}{4}$, S.26 T15S, R39E	Sec. 26 SE $\frac{1}{4}$ NE $\frac{1}{4}$ T15S, R39E 4.0 <u>4.0</u>	Beneficial Use Academy Hollow Creek
13-0143	PRESTON WHITNEY IRRIGATION COMPANY Preston, Idaho	4-01-1929	Irrigation	4-1	11-1	2133.0	5.0	SW $\frac{1}{4}$ SW $\frac{1}{4}$, S.8 T15S, R40E	Same as listed under 13-0271	Decree Larsen Springs
13-0206	DONEY, Wayne W. &/or Marilyn L. Preston, Idaho	4-01-1933	Stockwater	1-1	12-31	0.4	0.02	SW $\frac{1}{4}$ NW $\frac{1}{4}$, S.24 T15S, R39E	Sec. 24 SW $\frac{1}{4}$ NW $\frac{1}{4}$ T15S, R39E	Beneficial Use Unnamed Spring
13-0266	ALDER, Reo G. &/or Karl G. Rt. #1, Box 135 Preston, Idaho	1-01-1940	Stockwater	1-1	12-31	0.7	0.02	SE $\frac{1}{4}$ NE $\frac{1}{4}$, S.26 T15S, R39E	Sec. 26 SE $\frac{1}{4}$ NE $\frac{1}{4}$ T15S, R39E	Beneficial Use
13-0227	VAN ORDEN, Neal &/or Ervin Lewiston, Utah	4-01-1943	Irrigation	4-1	11-1	214.0	0.5	NW $\frac{1}{4}$ NW $\frac{1}{4}$, S.25 T16S, R39E	Sec. 25 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 37.0 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 35.0 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 38.0 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 35.0 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.0 T16S, R39E <u>152.0</u>	Beneficial Use Unnamed Drain
13-2161	VAN ORDEN, Neal &/or Ervin Lewiston, Utah	3-07-1952	Irrigation	4-1	11-1	532.0	2.18	SE $\frac{1}{4}$ NW $\frac{1}{4}$, S.25 T16S, R39E	Sec. 25 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 37.0 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 35.0 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 38.0 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 35.0 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.0 T16S, R39E <u>152.0</u>	License

The amount of water diverted using this right,
13-2161 and 13-0314 shall not exceed 3.5 af/acre
or 532.0 af/yr.

The amount of water diverted using this right,
13-0227, and 13-0314 shall not exceed 3.5 af/acre
or 532.0 af/yr.

MAY 14 1995

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF FRANKLIN

IN THE MATTER OF THE GENERAL	)	
DETERMINATION OF THE RIGHTS TO	)	CIVIL NO. 3236
THE SURFACE AND GROUNDWATERS	)	
OF THE WORM CREEK DRAINAGE BASIN.	)	D E C R E E

The report of the Department of Water Resources entitled PROPOSED FINDING OF WATER RIGHTS IN THE WORM CREEK DRAINAGE BASIN, was filed with this Court on September 30, 1975. The report contains FINDINGS OF FACT, CONCLUSIONS OF LAW, and a LISTING OF WATER RIGHTS.

As a result of objections to the PROPOSED FINDINGS, changes were made with regard to the following rights:

13-0062, 13-0144, 13-0210, 13-0216, 13-0217, 13-0239, 13-0255, 13-0263, 13-0264, 13-0273, 13-0274, 13-0315, 13-0316, 13-0317, 13-0318, 13-0319, 13-0320, 13-0321, 13-0322, 13-0323, 13-0329, 13-0333, 13-2022, 13-2102, and 13-2287. Changes were also made to finding of fact 7 and conclusion of law 2. These amendments, additions, and deletions to the PROPOSED FINDINGS are set forth in the attached appendix A which is incorporated as part of this decree.

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the water rights of the persons made party to this action are as described in the PROPOSED FINDING OF WATER RIGHTS IN THE WORM CREEK DRAINAGE BASIN as amended by appendix A attached to this decree and incorporated herein by reference.

DATED this 21 day of May, 1981.


FRANCIS RASMUSSEN
District Judge

RECORDED
MAY 14 1986