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Department of Water Resources

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.

MICROFILMED

MAY 14 1996

FRANCIS RASMUSSEN  
District Judge

## PROPOSED FINDING OF WATER RIGHTS - WORM CREEK DRAINAGE

171655

48-90

SOURCE: Worm Creek

| IDENT. NO. | NAME AND ADDRESS                                                                                       | PRIORITY               | PURPOSE                  | PERIOD OF USE<br>From To | AMOUNT<br>ACRE FEET<br>PER ANNUM | MAXIMUM<br>RATE OF<br>DIVERSION<br>c.f.s. | POINT OF<br>DIVERSION                                                                        | PLACE OF USE<br>and<br>LANDS IRRIGATED                                                                                                                                                                                                                                                                                                                                                                                                                                           | BASIS OF RIGHT<br>and<br>REMARKS                                                                   |
|------------|--------------------------------------------------------------------------------------------------------|------------------------|--------------------------|--------------------------|----------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| 13-0278    | WRIGHT, Archie<br>&/or Alayon<br>Rt. #1<br>Preston, Idaho                                              | 4-01-1918              | Irrigation               | 4-1 11-1                 | 3.5                              | 0.04                                      | NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S.25<br>T15S, R39E                                       | Sec. 25<br>NE $\frac{1}{4}$ SW $\frac{1}{4}$<br>T15S, R39E                                                                                                                                                                                                                                                                                                                                                                                                                       | Beneficial Use<br>Unnamed Stream<br>1.0<br><u>1.0</u>                                              |
| 13-0215    | WEST WHITNEY WATER<br>ASSOCIATION by<br>BECKSTEAD, Ferrell N.<br>President<br>Rt. #1<br>Preston, Idaho | 4-01-1920              | Domestic                 | 1-1 12-31                | 18.0                             | 0.14                                      | SE $\frac{1}{4}$ NW $\frac{1}{4}$ , S.24<br>T15S, R39E                                       | Sec. 35<br>SE $\frac{1}{4}$ NE $\frac{1}{4}$<br>NE $\frac{1}{4}$ SE $\frac{1}{4}$<br>SE $\frac{1}{4}$ SE $\frac{1}{4}$<br>Sec. 36<br>NW $\frac{1}{4}$ SW $\frac{1}{4}$<br>T15S, R39E<br>Sec. 1<br>NE $\frac{1}{4}$ NE $\frac{1}{4}$ Lot 1<br>NW $\frac{1}{4}$ SW $\frac{1}{4}$<br>Sec. 2<br>NE $\frac{1}{4}$ SE $\frac{1}{4}$<br>Sec. 12<br>NW $\frac{1}{4}$ NE $\frac{1}{4}$<br>NE $\frac{1}{4}$ NW $\frac{1}{4}$<br>Sec. 11<br>SE $\frac{1}{4}$ NE $\frac{1}{4}$<br>T16S, R39E | Beneficial Use<br>Spring<br>15 families                                                            |
| 13-0290    | HAMPTON, Adrian B.<br>& Athene<br>Rt. #4, 4th S. & 6th E.<br>Preston, Idaho                            | 6-01-1920<br>6-01-1920 | Irrigation<br>Stockwater | 4-1 11-1<br>1-1 12-31    | 60.0<br>1.0<br><u>61.0</u>       | 0.34<br>0.02<br>0.34                      | SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S.26<br>T15S, R39E                                       | Sec. 26<br>NE $\frac{1}{4}$ SE $\frac{1}{4}$<br>Sec. 25<br>NW $\frac{1}{4}$ SW $\frac{1}{4}$<br>T15S, R39E                                                                                                                                                                                                                                                                                                                                                                       | Beneficial Use<br>Academy Hollow<br>Creek tributary<br>to Worm Creek<br>12.0<br>5.0<br><u>17.0</u> |
| 13-0063    | GILBERT, Melvin Ray<br>& Carolyn R.<br>495 E. Center<br>Lewiston, Utah                                 | 6-09-1923              | Irrigation               | 4-1 11-1                 | 273.0                            | 1.94                                      | NW $\frac{1}{4}$ SE $\frac{1}{4}$ ,<br>SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S.23<br>T16, R39E | Sec. 23<br>NW $\frac{1}{4}$ NE $\frac{1}{4}$<br>SW $\frac{1}{4}$ NE $\frac{1}{4}$<br>NW $\frac{1}{4}$ SE $\frac{1}{4}$<br>T16S, R39E                                                                                                                                                                                                                                                                                                                                             | Decree<br>26.0<br>30.0<br>22.0<br><u>78.0</u>                                                      |

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