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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

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SOURCE: Worm Creek

IDENT. NO.	NAME AND ADDRESS	PRIORITY	PURPOSE	PERIOD OF USE From To	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
13-0201	HAMPTON, Adrian B. & Athene N. Rt. #1 4th S. & 6th E. Preston, Idaho	5-01-1955	Irrigation	4-1 11-1	24.5	0.14	NE $\frac{1}{4}$ SE $\frac{1}{4}$, S.26 T15S, R39E	Sec. 25 NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ T15S, R39E	Beneficial Use Academy Hollow Creek tributary to Worm Creek
									7.0
13-0200	HAMPTON, Adrian B. &/or Athene N. Rt. #1 4th S. & 6th E. Preston, Idaho	4-01-1959	Storage for 1-1 Irrigation & Stockwater	12-31	1.0	0.02	SE $\frac{1}{4}$ NE $\frac{1}{4}$, S.26 T15S, R39E	Sec. 26 NE $\frac{1}{4}$ SE $\frac{1}{4}$ T15S, R39E	Beneficial Use Academy Hollow Cr. Farm Pond located NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T15S, R39E.
13-0224	WHEATLEY, Bert or Ellen B. Rt. #1 Preston, Idaho	4-01-1959	Irrigation	4-1 11-1	144.0	0.82	SE $\frac{1}{4}$ NE $\frac{1}{4}$, S.14 T16S, R39E	Sec. 14 SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ T16S, R39E	Beneficial Use
									5.0 36.0 41.0
13-0294	HALL, Burtis R. Rt. #1 Preston, Idaho	8-30-1960	Irrigation	4-1 11-1	214.0	1.0	SE $\frac{1}{4}$ SE $\frac{1}{4}$, S.23 T16S, R39E	Sec. 23 NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ T16S, R39E	Beneficial Use
									40.0 21.0 61.0
									The amount of water diverted using this right, and 13-0324 shall not exceed 1.0 c.f.s., 3.5 af/acre or 214.0 af/yr.
13-0314	VAN ORDEN, Neal &/or Ervin Lewiston, Utah	3-09-1965	Irrigation	4-1 11-1	97.0		SW $\frac{1}{4}$ NW $\frac{1}{4}$, S.25 T16S, R39E	Sec. 25 NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ T16S, R39E	Beneficial Use On stream reservoir.
									37.0 35.0 38.0 35.0 7.0 152.0

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