

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT
IN AND FOR WEBER COUNTY, STATE OF UTAH

PLAIN CITY IRRIGATION
COMPANY, a Corporation

-vs-

HOOPER IRRIGATION COMPANY,
a Corporation, et al.

ORDER SUPPLEMENTING

JUDGMENT AND DECREE

No. 7487

The petition of Dexter Farr, Lewis L. Farr, Esther S. Farr, Catherine F. Fenny, and Elaine F. Corbett, having come on regularly for hearing before the above and entitled court and,

IT APPEARING that pursuant to an order to this court notice of this petition was given by publication in two successive issues of the Ogden Standard-Examiner and,

IT FURTHER APPEARING and the court finding that the petitioners are owners of certain lands in Section 33, Township 7, North Range 3 East, Salt Lake Base and Meridian, which are and have been irrigated for many years from the South Fork of Ogden River, Beaver Creek, a tributary of South Fork, and certain springs and spring areas in the vicinity of South Fork. That the water rights for the irrigation of said lands were included in the state engineer's proposed determination of water rights in the above cause, and were evidenced by claim No. 688 filed in the District Court of Weber County, and,

IT FURTHER APPEARING that the water rights hereinafter and more specifically described were initiated by actual diversion and beneficial use of water by the predecessors of the said petitioner during or about the year 1898, and that water has been used pursuant to said rights openly, notoriously, continuously, and under claim of right since said date, and good cause appearing therefor,

IT IS ORDERED that the decree of the above and entitled court, dated April 1, 1948, is hereby supplemented by adding thereto the following:

1. Dexter Farr, Lewis L. Farr, Esther S. Farr, Catherine F. Fenny, and Elaine F. Corbett are the owners of the following water rights in the sources indicated below with the priority set opposite each of such rights:

a. 0.12 c.f.s. from May 1 to September 30 during high water stage.
0.09 c.f.s. from May 1 to September 30 during low water stage.
Priority 1898 Said water is diverted from the South Fork of the Ogden River and used to irrigate 7.0 acres of land.

~~WATER
HOLLOW~~

b. 0.83 c.f.s. from May 1 to September 30 during high water stage.
0.63 c.f.s. from May 1 to September 30 during low water stage.
Priority 1898 Said water is diverted from Beaver Creek at a point 1320 ft. S. of the N $\frac{1}{4}$ cor. of Sec. 33, T. 7 N., R. 3 E. into an unnamed ditch and used to irrigate 50.0 acres of land embraced in the SW $\frac{1}{4}$ of said Sec. 33.

BEAVER
CREEK

c. 0.08 c.f.s. from May 1 to September 30 during high water stage.
0.06 c.f.s. from May 1 to September 30 during low water stage.
Priority 1898 Said water is diverted from Warm Springs at a point in the SE $\frac{1}{4}$ Sec. 33, T. 7 N., R. 3 E. into an unnamed ditch and used to irrigate 5.0 acres of land embraced in the SE $\frac{1}{4}$ of said Sec. 33.

HOMES & POOL
WARM SPRING

2. The said water rights shall be added to the priority schedule contained in the said judgment and decree herein, and shall be subject to all of the administrative provisions thereof.

3. The owners of said rights are hereby ordered forthwith to install at the places indicated by the state engineer or his representative appropriate water control and measuring devices.

4. The said owners are hereby directed and required to purchase water from the Weber Basin Water Conservancy District or from some other source to be used to exchange, in the proper quantity and flow,

1. Dexter Farr, Lewis L. Farr, Esther S. Farr, Catherine F. Fenny, and Elaine F. Corbett are the owners of the following water rights in the sources indicated below with the priority set opposite each of such rights:

- a. 0.12 c.f.s. from May 1 to September 30 during high water stage. *WATER HOLLOW*
0.09 c.f.s. from May 1 to September 30 during low water stage
Priority 1898 Said water is diverted from *35-5600* the South Fork of the Ogden River and used to irrigate 7.0 acres of land.
- b. 0.83 c.f.s. from May 1 to September 30 during high water stage.
0.63 c.f.s. from May 1 to September 30 during low water stage. *BEAVER CREEK*
Priority 1898 Said water is diverted from Beaver Creek at a point 1320 ft. S. of the N $\frac{1}{4}$ cor. of Sec. 33, T. 7 N., R. 3 E. into an unnamed ditch and used to irrigate 50.0 acres of land embraced in the SW $\frac{1}{4}$ of said Sec. 33. *35-5601*
- c. 0.08 c.f.s. from May 1 to September 30 during high water stage. *HOMES & POOL WARM SPRING*
0.06 c.f.s. from May 1 to September 30 during low water stage.
Priority 1898 Said water is diverted from Warm Springs at a point in the SE $\frac{1}{4}$ Sec. 33, T. 7 N., R. 3 E. into an unnamed ditch and used to irrigate 5.0 acres of land embraced in the SE $\frac{1}{4}$ of said Sec. 33. *35-5602*

2. The said water rights shall be added to the priority schedule contained in the said judgment and decree herein, and shall be subject to all of the administrative provisions thereof.

3. The owners of said rights are hereby ordered forthwith to install at the places indicated by the state engineer or his representative appropriate water control and measuring devices.

4. The said owners are hereby directed and required to purchase water from the Weber Basin Water Conservancy District or from some other source to be used to exchange, in the proper quantity and flow,

for the water diverted and used consumptively at the Farr summer homes. Such purchase shall be made as soon as such exchange water becomes available, and in the meantime, the diversion and use of, not to exceed .06 second feet of water, may be diverted and used at said summer homes for household purposes, watering of lawns, and use in the present swimming pool, provided that the water diverted into said pool shall be returned directly to the natural stream below said summer homes.

Dated this 6th day of July, 1959

John F. Wahlquist
Judge

Filed July 6th, 1959
Lawrence M. Malan, Clerk
By Barbara Banks, Deputy

STATE OF UTAH }
County of Weber } ss.

I, LAWRENCE M. MALAN, County Clerk and Ex-Officio Clerk of the
Second Judicial District Court of the State of Utah, in and for the County of Weber, do hereby cer-
tify that the foregoing is a full, true and correct copy of the original.

ORDER SUPPLEMENTING JUDGMENT
AND DECREE.

In the Case of

PLAIN CITY IRRIGATION
COMPANY, a Corporation,

as Plaintiff,

vs

HOOPER IRRIGATION COMPANY,
a Corporation, et al.,

Defendants - - - - -

as appears on file..... - - - - and of record - - - - - in my office in Ogden City.

Witness my hand and Seal, this the..... 6th day
of..... July....., 19..59..

.....
LAWRENCE M. MALAN,
Clerk
By.....
Deputy Clerk