Right No. 195, Jos. Rhodes, 48 hours of every 8 days and

Charles Rhodes, 18 hours of every 8 days.

(i) That the owners and holders of Rights Number 157, 158, and 263, may use high water from Cole Canyon in accordance with the terms of Paragraph 9 (a), as long as it is available for them; that Low water from Cole Canyon is to be distributed to them as follows:

Right #263 may use all of the water until midnight June 15.

Right #157 and Right #158
may use all of the water from June 16 to June 22, inclusive.

Right #263 may use all of the water from June 23 to July 1, inclusive.

Right #157 and Right #158
may use all of the water from July 2 to July 7, inclusive.

Creek is usually dry after July 7.

(j) That whenever, during the irrigation season, there is water available from Chicken Creek for Rights numbered 223, 225, 226, 228, and 221, it is to be distributed to them according to the following schedule, and not according to priority:

Right No. 223, W. A. Chadwick (¼) thereof,

Right No. 225, A. G. Ward, (¼) thereof,

Right No. 226, Henry C. Clerk, (¼) thereof,

Right No. 228, C. L. Poulson (13/23 of ¼) thereof,

Right No. 221, Woodrow K. Shaw (10/23 of ¼) thereof.

13 (a). That during the irrigation season, regardless of priority as between the owners of Right Nos. 173 and 194, the owner of Right No. 194 is to have during his first water turn, which is for a period of eight (8) days, 1.75 second feet of the flow of Liberty Spring Creek. During each water turn thereafter Right No. 194 is to have 1.65 second feet of the flow of Liberty Spring Creek.

(b) That during the irrigation season, subject to the conditions shown in Paragraph (a) above, Right No. 173 is to have the balance of the flow of said Liberty Spring Creek.

14 (a) That the Rice Creek Irrigation Company, Right # 59, has the first or prior right to 1.44 second feet of the water of Ogden Hole Creek, otherwise known as North Ogden Canyon.

That during the non-irrigation season, the owner and holder of Right No. 59 is entitled to the use of all of its water for municipal, domestic, stock use or for the purpose of recharging underground water and springs in the North Ogden area.

That whenever, during the irrigation season, there is more than 1.44 second feet of water in Ogden Hole Creek, the owners and holders of Rights Numbers 105, 106, 107, 108, 116 and 128 shall have no priority as between themselves, but shall use their combined allotments of water in one stream as follows:

Right #105 - 8 hours of every 192 hours.

Right #106 - 23 hours of every 192 hours.

Right #107 - 23 hours of every 192 hours.

Right #108 - 69 hours of every 192 hours.

Right #116 - 46 hours of every 192 hours.

Right #128 - 23 hours of every 192 hours.

(b) That Nephi P. Mathews and Federal Building and Loan Association have the prior right, during the irrigation season, to the Shaw or Upper Spring for use on their land, which is adjacent to it, except during high water stage or whenever it cannot be used beneficially by them, in which case the water of said Shaw Spring is to be released into Spring Creek, for the use of Clifford S. Potter (Right #73), Harold S. Campbell and Parley A. Shaw (Right #71).

That Clifford S. Potter Right (#73) is hereby given the right, whenever prior right, during the irrigation season, to the lower springs, which flow into Spring Creek above their land, whenever they can use said springs beneficially to irrigate their lands as shown in Rights numbers 71 and 73.

That Clifford S. Potter Right #73) is hereby given the right, whenever it can be used beneficially on his land, to the entire flow of the lower springs and the waters of Spring Creek for three and one-half days out of every seven (3½/7) or one half of the entire stream each week.

That Harold S. Campbell (Right #71) has the right, whenever it can be used beneficially on his land, to the entire flow of the lower springs and the waters of Spring Creek for one and one-quarter days out of every seven (1¼/7) days or one and one quarter sevenths of the entire stream each week.

That Parley A. Shaw (Right #71) has the right, whenever it can be used beneficially on his land, to the entire flow of the lower springs and the waters of Spring Creek for two and one-quarter days out of every seven days 2¼/7) or two and one-quarter sevenths of the entire stream each week; that the said waters of the lower springs and of Spring Creek which flow into the North Ogden Canal are to be measured, and that a like amount is to be delivered by the North Ogden Irrigation Company to the headgates of said Clifford S. Potter, Harold S. Campbell and Parley A. Shaw, as aforesaid.

15. That the expenses incurred in the preparation of the findings of fact, conclusions of law and judgment and decree herein and the printing of the same as hereafter determined by the Court, and the Court retains jurisdiction so to determine said expenses, shall be assessed against the persons, firms, associations or corporations entitled to the use of the water of said Ogden River and its tributaries above its junction with the Weber River and the tributaries and streams on the north side below said junction, as set out in the findings of fact and the judgment and decree herein, in proportion to their rights as herein set out, upon the same basis as the expenses of the distribution of the water of said Ogden River and its tributaries above its junction with the Weber River and the tributaries and streams on the north side below said junction are assessed by the State Engineer, and upon the land upon which the same is used, and such expenses shall be and constitute a first lien upon said water rights until paid, and if the same are not paid within three months after the entry of the judgment and decree herein, and the determination thereof by the Court, and the mailing of notices of such assessment, the same shall be sold by the Sheriff of Weber County as upon execution, except that there shall be no right of redemption, and the balance, if any, of the proceeds of sale, after paying such expenses, shall be delivered by the Sheriff to the owners of said rights.

16. That all persons, firms, associations and corporations, and all persons, firms, associations and corporations claiming, by, under, or through them, and their agents, servants and employees, be and they are hereby perpetually enjoined and restrained from using any of the waters of the Ogden River and its tributaries above its junction with the Weber River and the tributaries and streams on the north side below said junction, as herein adjudicated except as set out in the Tabulation hereinbefore set out, with the modifications thereof set out in paragraphs numbered 7, 8, 9, 10, 11, 12, 13 and 14 hereof, and all of the subdivisions of said paragraphs, and from interfering with the use of any of the water of said Ogden River and its tributaries above its junction with the Weber River and the tributaries and streams on the north side below said junction, as hereinbefore set out, which any other user is entitled to use, as set out in said Tabulation, with the modifications thereof set out in Paragraphs numbered 7, 8, 9, 10, 11, 12, 13 and 14 hereof and all of the subdivisions of said paragraphs.

Dated this 1st day of April, 1948.

JOHN A. HENDRICKS,
JUDGE