



Capitol Reef National Park

Docket Number: 5

WATER RIGHT #97-1094: HALL'S CREEK

Preliminary Docket Information



United States Department of the Interior
NATIONAL PARK SERVICE
INTERMOUNTAIN REGION
Post Office Box 728
Santa Fe, New Mexico 87504-0728



In Reply Refer to:

L1425 (IMLR)
Utah Land Exchange

JUN 17 2004

Mr. Charles Pettee
Supervisory Hydrologist
Water Resources Division
National Park Service
1201 Oak Ridge Drive
Ft. Collins, Colorado 80525

Dear Mr. Pettee:

We are enclosing copies of instruments conveying title to the United States, National Park Service, through the process of acquisition of lands within the boundary of Arches National Park, Utah, Capitol Reef National Park, Utah, Dinosaur National Monument, Utah and Glen Canyon National Recreation Area, Utah. See attached list.

If you have any questions, please call me at 505-988-6810.

Barbara A. Sulhoff
Chief, Land Resources Program Center
Intermountain Region

Enclosures

() = mineral tract

ARCHES NP:

01-102 - 665.24	01-133 - 240.00
01-110 - (320.00)	01-134 - 320.00
01-117 - 640.00	01-135 - 639.92
01-119 - 640.00	01-136 - 640.00
01-120 - 640.00	01-139 - 80.00
01-128 - 640.00	01-146 - 1917.28

CAPITOL REEF NP:

01-109 - 671.96	01-140 - 1192.96
01-110 - 162.00	01-141 - 144.00
01-111 - 478.00	01-143 - 640.00
01-112 - 640.00	01-144 - 640.00
01-114 - 640.00	01-145 - 640.00
01-115 - 1874.52	01-146 - 1280.00
01-116 - 1273.76	01-147 - 480.00
01-117 - 640.00	01-148 - 640.00
01-119 - 640.00	01-149 - 443.00
01-120 - 640.00	01-150 - 500.00
01-122 - 660.80	01-151 - 44.00
01-129 - 635.52	01-158 - 320.00
01-132 - (30.00)	01-166 - 640.00
01-134 - 640.00	01-168 - (40.00)
01-136 - 640.00	01-172 - (640.00)
01-137 - 640.00	01-178 - (210.00)
01-139 - 640.00	

DINOSAUR NM:

01-105 - 304.68	01-118 - 16.00
01-108 - 240.00	01-124 - 49.13
01-110 - 307.76	02-104 - 440.00
01-113 - (72.82)	02-107 - 501.24
01-114 - (163.64)	07-117 - (4.32)
01-117 - (635.02)	07-166 - (11.07)

GLEN CANYON NRA:

01-102 -	640.00	04-119 -	640.00
01-103 -	1281.92	04-120 -	489.24
01-104 -	560.00	04-121 -	495.24
01-105 -	1279.76	04-122 -	640.00
01-106 -	640.00	04-123 -	640.00
01-107 -	1278.76	04-124 -	640.00
01-108 -	640.00	04-125 -	640.00
01-109 -	640.00	04-126 -	640.00
01-110 -	1278.36	04-127 -	1279.68
01-111 -	640.00	04-128 -	639.96
01-112 -	640.00	04-161 -	(640.00)
01-113 -	640.00	04-162 -	640.00
01-114 -	640.00	05-101 -	640.00
01-115 -	1281.88	05-102 -	640.00
01-116 -	640.00	05-104 -	(640.00)
02-102 -	640.00	06-101 -	640.00
02-103 -	640.00	06-102 -	1280.72
03-101 -	640.00	06-103 -	640.00
03-113 -	(639.64)	06-105 -	(1280.00)
04-101 -	40.00	06-107 -	(640.00)
04-102 -	640.00	06-109 -	(640.00)
04-103 -	640.00	06-111 -	(1280.00)
04-104 -	640.00	06-113 -	(640.16)
04-105 -	1280.56	06-115 -	(640.00)
04-106 -	640.00	06-117 -	(640.00)
04-107 -	633.76	06-119 -	(280.00)
04-108 -	640.00	06-121 -	(640.00)
04-109 -	1283.48	06-123 -	(640.00)
04-110 -	640.00	06-125 -	(640.00)
04-111 -	639.36	08-101 -	640.00
04-112 -	640.00	08-102 -	635.60
04-113 -	640.00	08-106 -	(480.00)
04-114 -	640.00	09-101 -	640.00
04-115 -	640.00	09-102 -	640.00
04-116 -	640.00	09-103 -	640.00
04-117 -	640.00	09-104 -	(179.20)
04-118 -	640.00	09-107 -	(140.80)

Water Right Details for 97-1094

Utah Division of Water Rights

11/3/2022 1:22 PM

(WARNING: Water Rights makes NO claims as to the accuracy of this data.)

Water Right: 97-1094

Application/Claim:

Certificate:

Owners:

Name: United States of America, National Park Service, Capitol Reef National Park
Address: 1201 Oakridge Drive #250
Fort Collins CO 80525

Interest:

Remarks:

General:

Type of Right: Diligence Claim

Source of Info.: Proposed Determination

Status:

Quantity of Water:

Source: Hall's Creek

County: Garfield

Common Description:

Proposed Det. Book: 97-

Map: 87

Pub. Date:

Land Owned by Appl.:

County Tax Id#:

Dates:

Filing:

Filed:

Priority: / /1888

Decree/Class:

Advertising:

Publication Began:

Publication End:

Newspaper:

Protest End Date:

Contested: Not Contested

Hearing Held:

Approval:

State Eng. Action:

Action Date:

Recon. Req. Date:

Recon. Req Action:

Certification:

Proof Due Date:

Extension Filed Date:

Election or Proof:

Election/Proof Date:

Cert./WUC Date: 03/29/1967

Lapsed, Etc. Date:

Lap. Ltr. Date:

Wells:

Prov. Well Date:

Most Recent Well Renovate/Replace Date:

Points of Diversion:

Points of Diversion - Point to Point:

- (1) Stream from a point at: S 660 ft E 660 ft from N4 corner, Sec 32 T 35S R 9E SLBM, Sec 32 T 35S R
to a point at: N 660 ft W 660 ft from SE corner, Sec 32 T 35S R 9E SLBM, Sec 32 T 35S R

Comment: Administratively updated by State Engineer.

Source:

Proposed Water Uses:

Proposed Water Uses - Group Number: 620683

Water Use Types:

Stock Water-Beneficial Use Amount: 75 ELUs Group Total: 75

Period of Use: 01/01 to 12/31

Place of Use Stock:																
	North West				North East				South West				South East			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
Sec 32 T 35S R 9E SLBM					X											X
Use Totals:																
Stock Water sole-supply total: 75 ELUs for a group total of: 75 ELUs																

Quit Claim Deed and Exchange Patent #19223, pursuant to the Utah Schools and Lands Exchange Act of 1998, transferred the entire right, title and interest to the United States of America, December 28, 1998, and assigned the tract or parcels of land in Capital Reef National Park.

A report of Water Right Conveyance was filed and received July 1, 2021, in order to update the owner of the water right from the Utah School and Institutional Trust Lands to United States of America National Park Service Capitol Reef National Park. Signing date, December 09, 2021.

02 STATE

Capitol Reef National Park

WATER RIGHT #97-1094: HALL'S CREEK

State Water Rights Documentation

SCANNED

W. U. CLAIM NO.	NAME & ADDRESS OF CLAIMANT	SOURCE & TYPE OF RIGHT	PRIORITY DATE	FLOW		POINT OF DIVERSION	PERIOD OF USE, Inclusive	
				cfs	ac ft		FROM	TO
1094	State of Utah Board of State Lands State Capitol Salt Lake City, Utah	Hall's Creek, Diligence Map 87	1888			Stock water directly on stream from point where stream enters NW 4NE 4 Sec. 32, T35S, R9E, SLBEM, to point where stream leaves SE 4SE 4 Sec. 32, T35S, R9E, SLBEM.	Jan. 1	Dec. 31

ANNUAL WATER ALLOWED		PURPOSE, EXTENT & PLACE OF USE	CLAIMS USED FOR PURPOSE DESCRIBED	REMARKS	W. U. CLAIM NO.
Farm Headgate	Diversion from Source				
ac ft	ac ft	STOCKWATERING: 75 cattle SEE CLAIM USED FOR PURPOSE DESCRIBED	1094		1094

Form 114
25M 4-63IN THE SIXTH JUDICIAL DISTRICT COURT, IN AND FOR THE
COUNTY OF WAYNE STATE OF UTAHIN THE MATTER OF THE GENERAL DETERMINATION
OF RIGHTS TO THE USE OF WATER, BOTH SURFACE
AND UNDERGROUND, WITHIN THE DRAINAGE AREA OF THE
COLORADO RIVER IN UTAH BUT EXCLUDING THE GREEN
RIVER AND THE VIRGIN RIVER DRAINAGE AREA.STATEMENT OF WATER
USER'S CLAIM

CODE NO. SERIAL NO.

97 1094MAP NO. 87

NOTE: This blank is sent to you in accordance with Utah Law. The information called for herein will be used in connection with the adjudication of water rights on the above mentioned drainage area. All questions applicable to your claim must be answered fully, and one copy of this form must be filed with the Clerk of the District Court at Loa, Utah, within sixty (60) days from date of service of the attached Notice. A copy shall be filed with the State Engineer, State Capitol, Salt Lake City. Failure to file the attached Statement of the Water User's Claim with the Clerk of the District Court within the time stated will forever bar and estop you from asserting any right to the use of water from said drainage area.

- Name of Claimant State of Utah
State Land Board, State Capitol Interest Claimed
- Address Salt Lake City, Utah
- Name of particular ~~spring, stream, or other source~~ from which water is diverted is Hall's Creek in Garfield County.
- Priority date claimed 1888 Date when water was first used
Date when work on diverting system was first begun Date when diverting system was completed
Nature of work
- Class of Right (Indicate by X):
(a) ☒ Right to surface water initiated by beneficial use before 1903 Claim No.
(b) Right to underground water initiated before 1935 Claim No.
(c) Right decreed by court, cite title of case
(d) Application filed, State Engineer's Office No. Cert. of App. No.
(e) Right acquired by adverse use prior to 1939
- Nature (Indicate by X), Amount, and Annual Period of Use (by month & day):
(a) Irrigation Sec. Ft. from to (both dates incl.)
(b) ☒ Stockwatering Sec. Ft. from Jan. 1 to Dec. 31 (both dates incl.)
(c) Domestic Sec. Ft. from to (both dates incl.)
(d) Municipal Sec. Ft. from to (both dates incl.)
(e) Sec. Ft. from to (both dates incl.)
- Direct Flow Appropriation (must be described with reference to U. S. Government Survey Corner)
(a) Point of diversion from ~~spring, stream, or other source~~ Stock water directly on stream from point where stream enters NW 1/4, Sec. 32, T35S, R9E, S16M to point where stream leaves SE 1/4, Sec. 32, T35S, R9E, S16M
(b) Description of spring area
(c) Point of redirection or point of return to natural channel
(d) If flow is intermittently diverted, list by number or description, all rights involved
- Where water is used for irrigation purposes:
(a) Area irrigated in legal subdivisions of land by 40-acre tract. (All sources of water for same land or lands must be described in each instance by name or claim number)
- Where water is used for Stockwatering: 75 cattle
(a) Number of each kind of stock watered
(b) All sources of water for same stock. (Describe by name or claim number)
- Where water is used for Domestic:
(a) Number of families or their equivalent All sources of water for same use.
(Describe by name or claim number)

CLERK OF DISTRICT COURT

11. Where water is used for Municipal Purposes:
 (a) Name of city or town supplied Population
 Number of families Quantity of water
12. Where water is used for a purpose not above enumerated:
 (a) Nature of Use Extent of Use
13. Appropriation for Storage Purposes:
 (a) Name of reservoir
 (b) Location of reservoir by legal subdivisions described by 40-acre tracts
 (c) Maximum capacity of reservoir in acre feet : Year construction commenced
 Completed : Water first used Is reservoir located on or off stream
 (d) Period of Storage from to (both dates incl.). Period of use from
 to (both dates incl.). Maximum area in acres inundated Max. depth in feet
 Average depth in feet Is reservoir drained each year Maximum number of fillings per
 year Is reservoir used for equalizing purposes If feeder canal is used, give maximum
 carrying capacity in sec. ft.
14. Diverting Works:
 (a) Surface water diverting dam: Material composed of
 Max. length Max. height Max. width at bottom Max. width
 at top
 (b) Underground water diverting works: Is well flowing or pump Depth of well
 Diameter of well Length of drain Width of drain
 Diameter of drain Length of tunnel Width of tunnel Height of tunnel
 Type of pump Capacity of pump
 (c) Surface and underground water conveying works: Length of ditch to first place of use Width of
 ditch at top Width of ditch at bottom Depth of water Grade of
 ditch per 1000 ft. Material through which ditch passes Maximum length of
 pipe line to first place of use Diameter of pipe line Grade of pipe line per
 1000 feet
15. The undersigned hereby enters his appearance and waives service of summons or other process.

STATE OF UTAH

COUNTY OF Salt Lake
MAX C. GARDNER

} SS. (To be used if claimant is an individual)

being first duly sworn, upon oath deposes and says that he is the claimant
 whose name appears hereon, that he has read the foregoing statement of his claim and knows the contents thereof, that
 he has signed the same, and that the answers set forth therein are true to his best knowledge and belief.

STATE OF UTAH, STATE LAND BOARD

Signature of Claimant

MAX C. GARDNER, DIRECTOR
 March 19 67

Subscribed and sworn to before me this 19 day of March

NOTARY PUBLIC

STATE OF UTAH

COUNTY OF

} SS. (To be used if claimant is a corporation or an estate)

being first duly sworn, upon oath deposes and says that he is the
 of the above claimant, that he makes this certification on behalf of said
 claimant, that he has read the foregoing statement of claim and knows the contents thereof, and that he has signed the name
 of said claimant to said statement, that the answers set forth therein are true to his best knowledge and belief.

Subscribed and sworn to before me this day of 19

NOTARY PUBLIC

CARE

STATE OF UTAH -- DIVISION OF WATER RIGHTS -- DATA PRINT OUT for 97-1094

(WARNING: Water Rights makes NO claims as to the accuracy of this data.) RUN DATE: 07/19/2004 Page 1

WRNUM: 97-1094 APPLICATION/CLAIM NO.: CERT. NO.:

OWNERSHIP*****

NAME: Utah School and Institutional Trust Lands Admin.
 ADDR: 675 East 500 South, 5th Floor
 Salt Lake City UT 84102-2810

LAND OWNED BY APPLICANT?

DATES, ETC.*****

FILED:	PRIORITY: / /1888	PUB BEGAN:	PUB ENDED:	NEWSPAPER:
ProtestEnd:	PROTESTED: [No]	HEARNG HLD:	SE ACTION: []	ActionDate:
EXTENSION:	ELEC/PROOF: []	ELEC/PROOF:	CERT/WUC: 03/29/1967	LAP, ETC:
RENOVATE:	RECON REQ:	TYPE: []		PROV LETTER:

PD Book No. Map: 87

Type of Right: Diligence Claim Source of Info: Proposed Determination Status:

LOCATION OF WATER RIGHT*****

FLOW: SOURCE: Hall's Creek

COUNTY: Garfield COMMON DESCRIPTION:

POINT OF DIVERSION -- POINT TO POINT:

{ 1) Stockwatering directly on stream from a point in NW4NE4 Sec 32, T35S, R9E, SLBM,
 to a point in SE4SE4 Sec 32, T35S, R9E, SLBM.
 Source:

USES OF WATER RIGHT*****

CLAIMS USED FOR PURPOSE DESCRIBED: 1094

Referenced To:	Claims Groups: 1	Type of Reference -- Claims:	Purpose:	Remarks:
###STOCKWATERING: 75 Cattle or Equivalent		Diversion Limit:	PERIOD OF USE: 01/01 TO 12/31	

*****E N D O F D A T A*****

REPORT OF WATER RIGHT CONVEYANCE

WATER RIGHT: 97-1094

SECTION C: DIVISION OF WATER RIGHTS - FOR OFFICIAL USE ONLY

ROC Received: 07/19/2021

ROC Filed: 07/19/2021

Reviewed By: Glenn, Sue

Remarks: WR conveyed in Deed & map attached for the appurtenance.

Amount of Water Right Retained: 0 retained by State of Utah, Utah School & Inst Trust Lands

No agency of the State of Utah warrants or guarantees title to certain water rights. The water right ownership information of record in the Division of Water Rights concerning this water is based on the information which has been submitted by this Report of Water Right Conveyance.

REPORT OF WATER RIGHT CONVEYANCE

\$40 Fee Rec'd by

CU# 134

Receipt #

21-04099

USE THIS CONVEYANCE REPORT FORM WHEN 100% OF THE WATER RIGHT IS CONVEYED.

WATER RIGHT # 97-1094

SECTION A. CONVEYANCE SUMMARY

If no water right number is mentioned on deed, is a map attached? Yes ☒ No ☐

1. Assignment ☐ Warranty Deed ☐ Quitclaim Deed ☐ Sheriff's Deed ☐ Trustee's Deed ☐ Water Deed ☐ Trust Deed ☐
Other : Exchange Patent #19223

2. Date Signed 12 / 09 / 2021 Date Recorded 12 / 28 / 1998
Book 344 Page # 143-146 Entry # 219885

3. Grantor State of Utah, Utah School and Institutional Trust Lands Administration

4. Grantee(s) United States of America

5. Mailing Address : National Park Service, Capitol Reef National Park, 1201 Oakridge Dr., #250, Fort Collins, CO 80525

6. E-mail Address (to be notified of ownership updates) : joseph_chafey@nps.gov

7. Special Conditions/Information of Conveyance See Supplemental Explanation (Exhibit A); Exchange Patent (Exhibit B); Map (Exhibit C)

If no water right number is mentioned on deed, is a map attached? Yes ☐ No ☐

1. Assignment ☐ Warranty Deed ☐ Quitclaim Deed ☐ Sheriff's Deed ☐ Trustee's Deed ☐ Water Deed ☐ Trust Deed ☐
Other :

2. Date Signed ____ / ____ / ____ Date Recorded ____ / ____ / ____
Book ____ Page # ____ Entry # ____

3. Grantor United States of America

4. Grantee(s) _____

5. Mailing Address : _____

6. E-mail Address (to be notified of ownership updates) : _____

7. Special Conditions/Information of Conveyance _____

If no water right number is mentioned on deed, is a map attached? Yes ☐ No ☐

1. Assignment ☐ Warranty Deed ☐ Quitclaim Deed ☐ Sheriff's Deed ☐ Trustee's Deed ☐ Water Deed ☐ Trust Deed ☐
Other :

2. Date Signed ____ / ____ / ____ Date Recorded ____ / ____ / ____
Book ____ Page # ____ Entry # ____

3. Grantor _____

4. Grantee(s) _____

5. Mailing Address : _____

6. E-mail Address (to be notified of ownership updates) : _____

7. Special Conditions/Information of Conveyance _____

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JUL 19 2021

FL
WATER RIGHTS
SALT LAKE

REPORT OF WATER RIGHT CONVEYANCE

WATER RIGHT # 97-1094

SECTION B. CERTIFICATION

I, Elizabeth A. Schulte, certify that I am authorized by Administrative Rule R655-3-7 to complete this report, and that the information contained herein or attached hereto is true and accurate to the best of my knowledge.

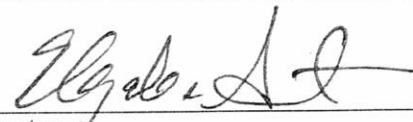

Signature

7/16/21
Date

801-239-0552
Phone #

FOR LICENSED PROFESSIONALS ONLY

I, Elizabeth A. Schulte, certify that I am licensed as an Attorney in the State of Utah, that my license number is 10624, that I was retained by an owner of the water right to prepare or supervise the preparation of the Report of Conveyance; that the report is true and accurate to the best of the preparer's knowledge; that an appropriate search of County Records records has been made and that the attached documents evidence the ownership interest of the grantee.


Signature

7/16/21
Date

801-239-0552
Phone #

Address: Dept. of Interior, Office of the Solicitor, Intermountain Region, 125 S. State St., Rm. 6201, SLC, UT 84138

This report is not a title opinion based on the title search made. It does not warrant or guarantee title to water rights. This report was prepared for the purpose of updating records of the Division of Water Rights.

SECTION C. DIVISION OF WATER RIGHTS - FOR OFFICIAL USE ONLY

Received: / / Filed: / / Reviewed By:

Database Changed: / / By:

File Changed: / / By:

New File Number based on Segregation

Remarks:

AMOUNT OF WATER RIGHT RETAINED

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WATER RIGHTS
SALT LAKE

No agency of the State of Utah warrants or guarantees title to certain water rights. The water right ownership information of record in the Division of Water Rights concerning this water is based on the information which has been submitted by this Report of Water Right Conveyance.

REPORT OF WATER RIGHT CONVEYANCE

SCANNED SM

Exhibit A

Supplemental Explanation

Water Right #97-1094

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**WATER RIGHTS
SALT LAKE**

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Supplemental Explanation for the Report of Conveyance
For Water Right Nos.:

97-524
97-1047
97-1057
97-1059
97-1094

On December 9, 1998, pursuant to the Utah Schools and Lands Exchange Act of 1998, Pub. L. 105-335 (1998), the State of Utah, acting by and through the Utah School and Institutional Trust Lands Administration (SITLA), issued Exchange Patent No. 19223, which conveyed certain SITLA lands, which were located within the boundaries of Capitol Reef National Park, to the United States of America (Patent).

For certain Parcels included in the Patent, the State of Utah expressly conveyed certain enumerated water rights appurtenant to specific parcels that were part of the Patent and intended to be conveyed to the United States. These enumerated water rights, which are the subject of this Report of Conveyance, are listed on Page 145 of the Patent.

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WATER RIGHTS
SALT LAKE

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Exhibit B

Exchange Patent No. 19223

Water Right #97-1094

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**WATER RIGHTS
SALT LAKE**

SCANNED SM

219885

ENTRY NO. _____ RECORDED 12-28 1998 AT 11:30am

AT REQUEST OF State of Utah

FEE \$100.00

RECORDER GARFIELD CO, UT

DEPUTY Deborah Hatch

**STATE OF UTAH
EXCHANGE PATENT NO. 19223**

WHEREAS, pursuant to the Utah Schools and Lands Exchange Act of 1998, Pub. L. 105- 335, (1998) the UNITED STATES OF AMERICA is required to convey to the State of Utah certain federal lands and assets in exchange for the trust lands hereinafter described;

NOW THEREFORE I, MICHAEL O. LEAVITT, Governor, by virtue of the power and authority vested in me by the laws of the State of Utah, do issue this PATENT, in the name and by the authority of the State of Utah, hereby granting and confirming to UNITED STATES OF AMERICA, and to its successors and assigns forever, the following tracts or parcels of land in the Capitol Reef National Park, situated in the County of Garfield, State of Utah, to-wit:

Parcel No. 19
Township 31 South, Range 7 East, SLB&M
Section 16: W½ [Surface and Minerals]
Containing 320.00 acres, more or less

Parcel No. 20
Township 31 South, Range 7 East, SLB&M
Section 32: All [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 21
Township 32 South, Range 7 East, SLB&M
Section 16: All [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 22
Township 32 South, Range 7 East, SLB&M
Section 36: All [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 23
Township 32 South, Range 8 East, SLB&M
Section 32: All [Surface and Minerals]
Containing 640.00 acres, more or less

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WATER RIGHTS
SALT LAKE

Parcel No. 24

Township 33 South, Range 7 East, SLB&M

Section 2: Lots 1-4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ (All) [Surface and Minerals]
Containing 552.96 acres, more or less

Parcel No. 25

Township 33 South, Range 8 East, SLB&M

Section 16: All [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 26

Township 33 South, Range 8 East, SLB&M

Section 32: All [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 27

Township 34 South, Range 8 East, SLB&M

Section 16: All [Minerals only]
Containing 640.00 acres, more or less

Parcel No. 28

Township 34 South, Range 8 East, SLB&M

Section 32: All [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 29

Township 34 South, Range 8 East, SLB&M

Section 36: All [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 30

Township 35 South, Range 8 East, SLB&M

Section 2: Lots 1-4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ (All) [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 31

Township 35 South, Range 8 East, SLB&M

Section 16: N $\frac{1}{2}$, SE $\frac{1}{4}$ [Surface and Minerals]
Containing 480.00 acres, more or less

Parcel No. 32

Township 35 South, Range 8 East, SLB&M

Section 36: All [Surface and Minerals]
Containing 640.00 acres, more or less

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JUL 19 2021

WATER RIGHTS
SALT LAKE

Book 344 Page 144

SCANNED SM

Parcel No. 33
Township 35 South, Range 9 East, SLB&M
Section 32: All [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 34
Township 36 South, Range 9 East, SLB&M
Section 16: All [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 35
Township 36 South, Range 9 East, SLB&M
Section 36: SW $\frac{1}{4}$ (part) [Surface and Minerals]
Containing 80.00 acres, more or less

The above parcels aggregate 9,112.96 surface acres and 9,752.96 mineral acres, more or less.

Together with the following water rights:

1. Water Right No. 97-524 (affects Parcel No. 26).
2. Water Right No. 97-1047 (affects Parcel No. 27).
3. Water Right No. 97-1046 (affects Parcel No. 29).
4. Water Right No. 97-1057 (affects Parcel No. 30).
5. Water Right No. 97-1094 (affects Parcel No. 33).
6. Water Right No. 97-1059 (affects Parcel No. 34).

TO HAVE AND TO HOLD the above described and granted premises unto the said UNITED STATES OF AMERICA, and to its successors and assigns forever, subject to the following leases, easements, and permits:

1. Grazing Permit No. 20610; issued to Leland S. Haws; expires April 30, 2010 (affects Parcel No. 24).
2. Grazing Permit No. 21025A; issued to Elvin Taft; expires April 30, 2013 (affects Parcel Nos. 29, 33, 34, 35).
3. Grazing Permit No. 21025B; issued to Tercero Corp.; expires April 30, 2013 (affects Parcel Nos. 29, 33, 34, 35).
4. Grazing Permit No. 22584; issued to Tercero Corp.; expires April 30, 2010 (affects Parcel Nos. 19, 20, 21, 22, 23, 25).

RECEIVED

Book 344 Page 145 JUL 19 2021

WATER RIGHTS
SALT LAKE

SCANNED SM

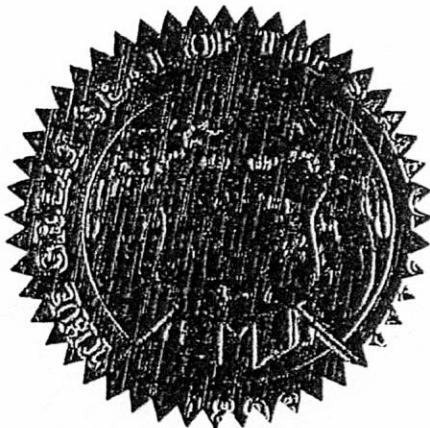
Subject to any valid, existing easement or right of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by authority of the United States as provided by Statute.

Further subject to all applicable provisions of that certain Agreement to Exchange Utah School Trust Lands Between the State of Utah and the United States of America, dated May 8, 1998, as ratified by the Utah Schools and Lands Exchange Act of 1998, Pub. L. 105-335, (1998), including, without limitation, Section 4(A) (Valid Existing Rights), Section 7 (Grazing Permits) and Section 9 (Surface Use and Rights of Way).

FOR AND IN CONSIDERATION of the receipt of those certain federal lands and assets to be conveyed to the State of Utah by the United States pursuant to the Utah School and Lands Exchange Act of 1998, Pub. L. 105-335 (1998).

IN TESTIMONY WHEREOF, I have caused the great seal of the State of Utah to be hereunto affixed. Done at Salt Lake City, this ninth day of December in the year of our Lord, one thousand nine hundred and ninety-eight, and of the independence of the United States of America the two hundred and twenty-third, and in the one hundred and third year of the State of Utah.

By the Governor:



Michael O. Leavitt
Michael O. Leavitt

Olene S. Walker
Olene S. Walker
Lieutenant Governor

David T. Terry
David T. Terry, Director
School and Institutional
Trust Lands Administration

APPROVED AS TO FORM
Jan Graham
Attorney General

By *Mark W. Anderson*
Special Assistant Attorney General

Recorded Patent Book 39 Page 23
Exchange No. 205
Fund: School

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JUL 19 2021

WATER RIGHTS
SALT LAKE

Book 344 Page 146

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Exhibit C

Map

Water Right #97-1094

**Point to Point
from**

- (a) T35S R9E SLBM Section 32 NWNE
to
(b) T35S R9E SLBM Section 32 SESE**

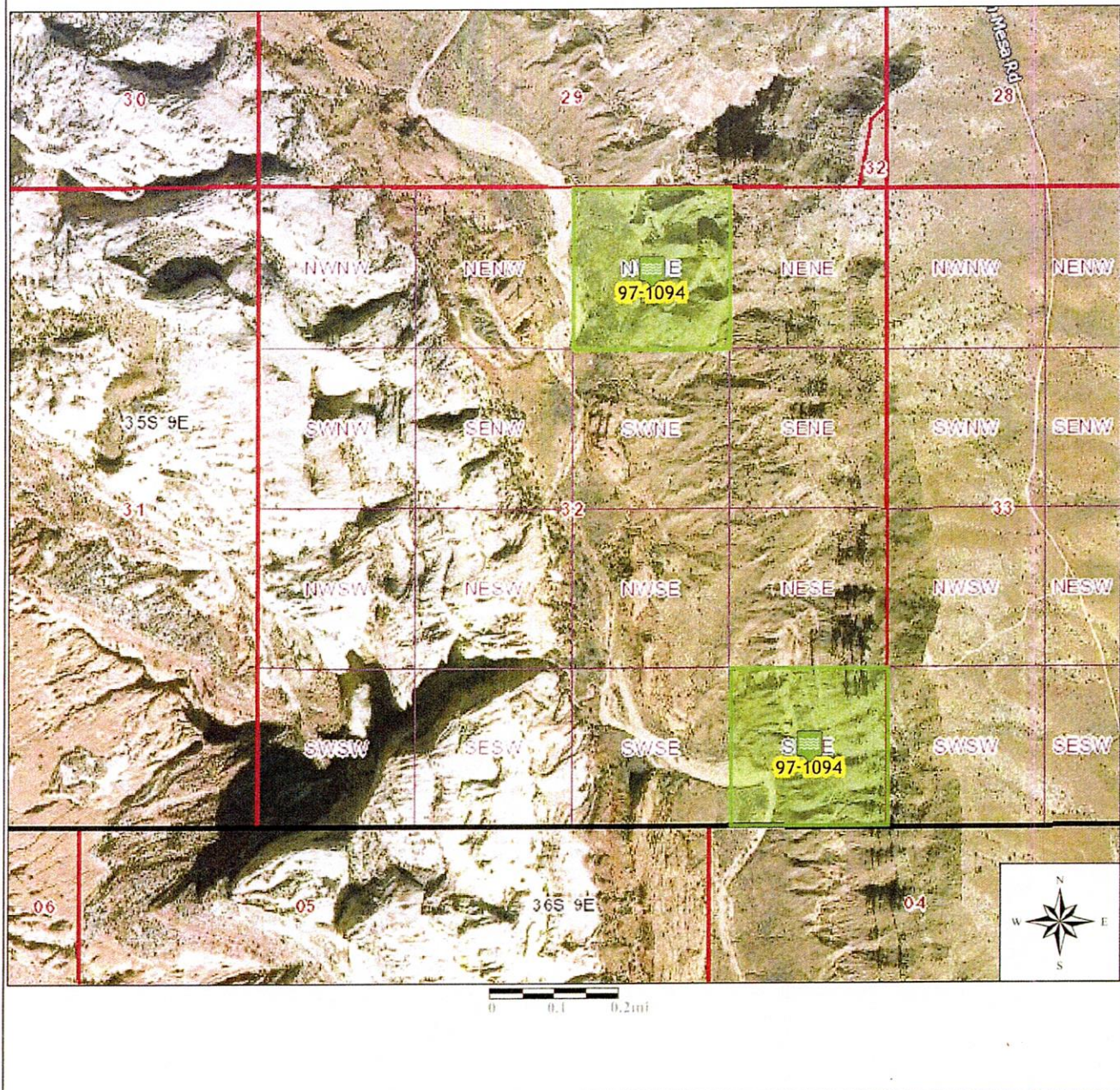
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**WATER RIGHTS
SALT LAKE**

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Water Right Number 97-1094 Map



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WATER RIGHTS
SALT LAKE

1/1

REPORT OF WATER RIGHT CONVEYANCE REVIEW CHECKLIST

WATER RIGHT # 97-1094

TYPE OF ROC: ☒ FULL ☐ PORTION

Criteria	YES	NO	Comments
SECTION A: CONVEYANCE SUMMARY			
➤ GRANTOR(S) (same person shown to be owner of record on the Division of Water Rights Database)	☒	☐	
➤ MAILING ADDRESS FOR GRANTEE (New Owner: Usually the last grantee in the chain of title would be the new owner)	☒	☐	
SECTION B: CERTIFICATION (2nd Page)			
SIGNATURE			
➤ Preparer: must sign ROC	☒	☐	
➤ Professional (If a map needs to be attached) Authorized Professionals: Attorney, Engineer, Title Insurance Agent or Land Surveyor	☐	☐	
SUPPORTING DOCUMENTATION			
ALL conveyance documents as listed on the ROC (including maps, if required).	☒	☐	
➤ MAPS If any of the deeds fail to mention the Water Right Number a map must be submitted to establish appurtenance.	☒	☐	
PORTIONS			
<u>All items should be checked as listed above and also include the following:</u>			
➤ Beneficial Uses (irrigation, stockwatering, domestic etc.) will need to be listed, shown in acre-foot, or percentages.	☐	☐	
Filing fee submitted?	☒	☐	
Water Right Number listed on ROC?	☒	☐	
Comments			

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JUL 19 2021

WATER RIGHTS
SALT LAKE

SCANNED SM



SPENCER J. COX
Governor
DEIDRE M. HENDERSON
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

BRIAN C. STEED
Executive Director

TERESA WILHELMSSEN
State Engineer/Division Director

July 20, 2021

UTAH SCHOOL AND INSTITUTIONAL TRUST LANDS ADMIN
675 EAST 500 SOUTH 5TH FLOOR
SALT LAKE CITY UT 84102-2810

RE: Report of Water Right Conveyance for Water Right file: 97-1094

This letter is notice to you that the Utah Division of Water Rights has processed a Report of Conveyance (ROC) which is used to reflect changes in ownership of Water Rights on the records of the Division. Our records now show that all or a portion of the Water Right interest previously owned by you has been updated to another owner.

If you believe the updated ownership to be erroneous, we urge you to contact the Division of Water Rights at (801) 538-7240.

Sincerely,

A handwritten signature in cursive script that reads "Teresa Wilhelmsen".

Teresa Wilhelmsen, P.E.
State Engineer

Water Right Owners

7/20/2021 1:36 PM

Utah Division of Water Rights

Water Right: 97-1094

Application/Claim:

1 Name: United States of America, National Park Service, Capitol Reef National Park
Address: 1201 Oakridge Drive #250, Fort Collins CO 80525

Interest:

Remarks:



SPENCER J. COX
Governor
DEIDRE M. HENDERSON
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

BRIAN C. STEED
Executive Director

TERESA WILHELMSSEN
State Engineer/Division Director

July 20, 2021

UNITED STATES OF AMERICA NATIONAL PARK SERVICE CAPITOL REEF NATIONAL PARK
1201 OAKRIDGE DRIVE #250
FORT COLLINS CO 80525

RE: Report of Water Right Conveyance for Water Right No.: 97-1094

Dear Water User:

Thank you for submitting a Report of Water Right Conveyance (ROC) to update owner contact information on the water right records of the Division of Water Rights. The Division has completed the processing of your ROC, so our records now reflect the information you have provided. As a water right owner, it is important that you continue to maintain a current mailing address with this office so that we may contact you if the need arises. Instructions and forms to update your address are available on our website at <http://waterrights.utah.gov> or can be obtained in any of our offices.

Please feel free to contact us at the phone number or email listed below if you have further questions.

Sincerely,

A handwritten signature in cursive script that reads "Teresa Wilhelmsen".

Teresa Wilhelmsen, P.E.
State Engineer

CC: joseph_chafey@nps.gov

03 HISTORY

Capitol Reef National Park

WATER RIGHT #97-1094: HALL'S CREEK

Land History

WHEN RECORDED RETURN TO:

QUITCLAIM DEED – WATER RIGHTS

Capitol Reef National Park

THE STATE OF UTAH, acting by and through the School and Institutional Trust Lands Administration, 675 East 500 South Suite 500, Salt Lake City, Utah 84102 ("Grantor"), for good and valuable consideration, receipt of which is hereby acknowledged, hereby quitclaims and conveys to THE UNITED STATES OF AMERICA ("Grantee"), all of Grantor's right, title and interest in and to those certain water rights described as follows (the "Water Rights").

Water Right	Type	Parcel No.	Legal Description
97-524	DIL	26	Sec. 32, T33S, R8E, SLB&M
97-1047	DIL	27	Sec. 16, T34S, R8E, SLB&M
97-1046	DIL	29	Sec. 36, T34S, R8E, SLB&M
97-1057	DIL	30	Sec. 2, T35S, R8E, SLB&M
97-1094	DIL	33	Sec. 32, T35S, R9E, SLB&M
97-1059	DIL	34	Sec. 16, T36S, R9E, SLB&M

This quitclaim deed is intended to transfer the entire right, title and interest of the Grantor in and to the Water Rights, which rights are appurtenant to lands being conveyed by Grantor to Grantee concurrently with this Quitclaim Deed pursuant to the Utah Schools and Land Exchange Act of 1998, Pub. L. No. 105-335, 112 Stat. 3139.

The undersigned hereby acknowledges and affirms to the below-named notary public that: (1) he holds the position or title set forth below; (2) he executed the foregoing document on behalf of the State of Utah by proper authority; and (3) the foregoing document was the act of the State of Utah for the purposes stated herein.

Dated this 4th day of January, 1999.

STATE OF UTAH, School & Institutional
Trust Lands Administration ("Grantor")

By: David T. Terry
Director

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 4th day of January, 1999, by David T. Terry, the Director of the State of Utah, School & Institutional Trust Lands Administration ("Grantor").



My commission expires:

4/16/2002

Notary Public, residing at:

SLC, UT

219885

ENTRY NO. _____ RECORDED 12-28 1998 AT 11:30am
AT REQUEST OF State of Utah
FEE \$100.00

RECORDER GARFIELD CO, UT

DEPUTY Deborah Hatch**STATE OF UTAH
EXCHANGE PATENT NO. 19223**

WHEREAS, pursuant to the Utah Schools and Lands Exchange Act of 1998, Pub. L. 105- 335, (1998) the UNITED STATES OF AMERICA is required to convey to the State of Utah certain federal lands and assets in exchange for the trust lands hereinafter described;

NOW THEREFORE I, MICHAEL O. LEAVITT, Governor, by virtue of the power and authority vested in me by the laws of the State of Utah, do issue this PATENT, in the name and by the authority of the State of Utah, hereby granting and confirming to UNITED STATES OF AMERICA, and to its successors and assigns forever, the following tracts or parcels of land in the Capitol Reef National Park, situated in the County of Garfield, State of Utah, to-wit:

Parcel No. 19

Township 31 South, Range 7 East, SLB&M

Section 16: W½ [Surface and Minerals]

Containing 320.00 acres, more or less

Parcel No. 20

Township 31 South, Range 7 East, SLB&M

Section 32: All [Surface and Minerals]

Containing 640.00 acres, more or less

Parcel No.21

Township 32 South, Range 7 East, SLB&M

Section 16: All [Surface and Minerals]

Containing 640.00 acres, more or less

Parcel No. 22

Township 32 South, Range 7 East, SLB&M

Section 36: All [Surface and Minerals]

Containing 640.00 acres, more or less

Parcel No. 23

Township 32 South, Range 8 East, SLB&M

Section 32: All [Surface and Minerals]

Containing 640.00 acres, more or less

Exchange Patent No. 19223

Page 2

Parcel No. 24

Township 33 South, Range 7 East, SLB&M

Section 2: Lots 1-4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ (All) [Surface and Minerals]
Containing 552.96 acres, more or less

Parcel No. 25

Township 33 South, Range 8 East, SLB&M

Section 16: All [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 26

Township 33 South, Range 8 East, SLB&M

Section 32: All [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 27

Township 34 South, Range 8 East, SLB&M

Section 16: All [Minerals only]
Containing 640.00 acres, more or less

Parcel No. 28

Township 34 South, Range 8 East, SLB&M

Section 32: All [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 29

Township 34 South, Range 8 East, SLB&M

Section 36: All [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 30

Township 35 South, Range 8 East, SLB&M

Section 2: Lots 1-4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ (All) [Surface and Minerals]
Containing 640.00 acres, more or less

Parcel No. 31

Township 35 South, Range 8 East, SLB&M

Section 16: N $\frac{1}{2}$, SE $\frac{1}{4}$ [Surface and Minerals]
Containing 480.00 acres, more or less

Parcel No. 32

Township 35 South, Range 8 East, SLB&M

Section 36: All [Surface and Minerals]
Containing 640.00 acres, more or less

Exchange Patent No. 19223
Page 3

Parcel No. 33

Township 35 South, Range 9 East, SLB&M

Section 32: All [Surface and Minerals]

Containing 640.00 acres, more or less

Parcel No. 34

Township 36 South, Range 9 East, SLB&M

Section 16: All [Surface and Minerals]

Containing 640.00 acres, more or less

Parcel No. 35

Township 36 South, Range 9 East, SLB&M

Section 36: SW $\frac{1}{4}$ (part) [Surface and Minerals]

Containing 80.00 acres, more or less

The above parcels aggregate 9,112.96 surface acres and 9,752.96 mineral acres, more or less.

Together with the following water rights:

1. Water Right No. 97-524 (affects Parcel No. 26). ✓
2. Water Right No. 97-1047 (affects Parcel No. 27). ✓
3. Water Right No. 97-1046 (affects Parcel No. 29). ✓
4. Water Right No. 97-1057 (affects Parcel No. 30). ✓
5. Water Right No. 97-1094 (affects Parcel No. 33). ✓
6. Water Right No. 97-1059 (affects Parcel No. 34). ✓

TO HAVE AND TO HOLD the above described and granted premises unto the said UNITED STATES OF AMERICA, and to its successors and assigns forever, subject to the following leases, easements, and permits:

1. Grazing Permit No. 20610; issued to Leland S. Haws; expires April 30, 2010 (affects Parcel No. 24).
2. Grazing Permit No. 21025A; issued to Elvin Taft; expires April 30, 2013 (affects Parcel Nos. 29, 33, 34, 35).
3. Grazing Permit No. 21025B; issued to Tercero Corp.; expires April 30, 2013 (affects Parcel Nos. 29, 33, 34, 35).
4. Grazing Permit No. 22584; issued to Tercero Corp.; expires April 30, 2010 (affects Parcel Nos. 19, 20, 21, 22, 23, 25).

Subject to any valid, existing easement or right of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by authority of the United States as provided by Statute.

Further subject to all applicable provisions of that certain Agreement to Exchange Utah School Trust Lands Between the State of Utah and the United States of America, dated May 8, 1998, as ratified by the Utah Schools and Lands Exchange Act of 1998, Pub. L. 105-335, (1998), including, without limitation, Section 4(A) (Valid Existing Rights), Section 7 (Grazing Permits) and Section 9 (Surface Use and Rights of Way).

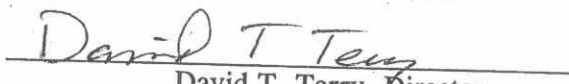
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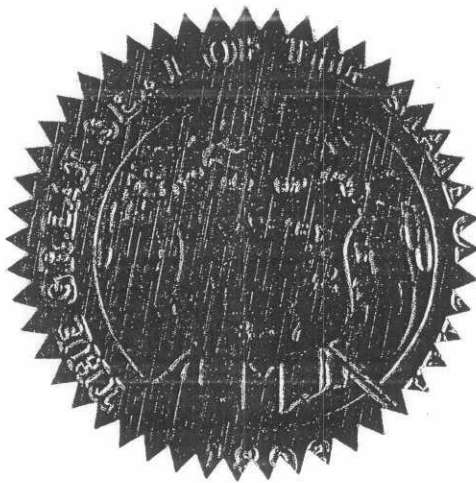
IN TESTIMONY WHEREOF, I have caused the great seal of the State of Utah to be hereunto affixed. Done at Salt Lake City, this ninth day of December in the year of our Lord, one thousand nine hundred and ninety-eight, and of the independence of the United States of America the two hundred and twenty-third, and in the one hundred and third year of the State of Utah.

By the Governor:


Michael O. Leavitt

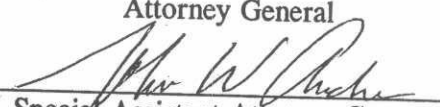

Olene S. Walker
Lieutenant Governor


David T. Terry, Director
School and Institutional
Trust Lands Administration



APPROVED AS TO FORM
Jan Graham
Attorney General

By


Special Assistant Attorney General

Recorded Patent Book 39 Page 23
Exchange No. 205
Fund: School

Docket Information

Number of Documents in Docket : 18

Documents Dated from : 03-29-1967 to 11-07-2022

Docket Compiled: 11/14/2022