



WATER-RIGHT DOCKET

Cedar Breaks National Monument

Docket No: 1

TWIN SPRINGS

State Water Rights Documentation

06-29-1999: memorandum to hydrologist/jeff hughes/water rights branch, water resources division from hydrologist/dave sharrow/



United States Department of the Interior

NATIONAL PARK SERVICE

Zion National Park

Springdale, UT 84767-1099

June 29, 1999

IN REPLY REFER TO:
L54 (CEBR)

Memorandum

To: Jeff Hughes, Hydrologist, Water Rights Branch, Water Resources Division
John Reber, Water Resources Coordinator, Intermountain Regional Office

From: Dave Sharrow, Hydrologist, Zion National Park *Dave*

Subject: Change Application for Water Rights for Cedar Breaks National Monument

On June 24, 1999, Cedar Breaks National Monument filed for a change in their water rights, a copy of which is attached for your information. This was undertaken in order to address possible inadequacies in our potable water supply due to surface water influence. The change is to rights 73-424 and 73-1211, for Twin Springs and Blowhard Springs, which together supply potable water to the park. The change requests that a well at one of three possible locations be added to the rights. This will allow the use of a well as the primary supply, yet retain the potential to use the springs during emergencies. No other changes in the amount of water diverted or consumed, place of use or nature of use are requested.

As currently planned, one well will be drilled this year at site 1 as indicated on the enclosed memorandum. If this well proves unsuccessful, it will be plugged and the need to drill sites 2 and 3 will be considered for 2000, providing time to investigate running power and pipelines to these more remote sites.

Drilling a well in this area involves a great deal of uncertainty. The target strata is a thin layer of volcanic breccia, or the uppermost layers of the claron formation. Strata below about 200 feet are thought to be very unfavorable for groundwater production. The target structures for drilling were identified by Larry Martin (WRD-WOB), with the specific sites selected by Superintendent Henry and me. All of the targets attempt to drill fracture zones along faults that influence the location of known springs.

Drilling at site 1 will be categorically excluded, while the other sites might require an EA. The park will have to file a Preliminary Evaluation Report and Source Protection Plan under Utah Regulations for Drinking Water.

We will keep you informed of our progress. Please Call me at 435-586-2765 if you have any questions.

Attachments (2)

cc: IMFA - Barry Davis

APPLICATION FOR PERMANENT CHANGE OF WATER

STATE OF UTAH

Rec. by **KHC**
Fee Paid \$ **75⁰⁰**
Receipt #

For the purpose of obtaining permission to make a permanent change of water in the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of Section 73-3-3 Utah Code Annotated 1953, as amended.

CHANGE APPLICATION NUMBER: a23462

WATER RIGHT NUMBER: 73 - 424

This Change Application proposes to change the POINT(S) OF DIVERSION.

75 - 1211

1. OWNERSHIP INFORMATION.

A. NAME: USA National Park Service INTEREST: 100%
Cedar Breaks National Monument
ADDRESS: 2390 West Highway 56, Suite 11, Cedar City, UT 84720

B. PRIORITY OF CHANGE: FILING DATE:

C. EVIDENCED BY:
73-424, (A9386, 0.06 cfs), & 73-1211, (A35622, 0.02 cfs)

-----*
* DESCRIPTION OF CURRENT WATER RIGHT: *

2. SOURCE INFORMATION.

A. QUANTITY OF WATER: 0.08 cfs

B. SOURCE: Twin Springs & Blowhard Spring COUNTY: Iron

C. POINT OF DIVERSION -- SURFACE:
(1) N 2590 feet E 1860 feet from SW corner, Section 11, T 37S, R 9W, SLBM
SOURCE: Twin Springs

D. POINT OF DIVERSION -- OTHER:
(1) Domestic directly on spring located
in the NE1/4 of Sec 10, T37S, R9W, SLBM.

3. WATER USE INFORMATION.

RECREATION: from Jan 1 to Dec 31. Domestic use at Cedar Breaks Lodge

RECREATION: from Jan 1 to Dec 31. Sanitation Facilities/120,000 people per
year @ Cedar Breaks National Monument

-----*

RECEIVED

JUN 24 1999

WATER RIGHTS
CEDAR CITY

CHANGE APPLICATION NUMBER: a23462 for Water Right: 73 - 424 continued***** Page: 2

4. PLACE OF USE.

* THE FOLLOWING CHANGES ARE PROPOSED: *

5. SOURCE INFORMATION.

A. QUANTITY OF WATER: 0.08 cfs

B. SOURCE: Twin Springs, Blowhard Spring & Underground Wells COUNTY: Iron

C. POINTS OF DIVERSION -- UNDERGROUND: Changed as Follows:

- (1) N 2190 feet E 1600 feet from NW corner, Section 14, T 37S, R 9W, SLBM
WELL DIAMETER: 8 inches WELL DEPTH: 100 to 500 feet
COMMENT: First choice
- (2) N 2000 feet W 320 feet from NE corner, Section 15, T 37S, R 9W, SLBM
WELL DIAMETER: 8 inches WELL DEPTH: 100 to 500 feet
- (3) N 2680 feet W 310 feet from NE corner, Section 15, T 37S, R 9W, SLBM
WELL DIAMETER: 8 inches WELL DEPTH: 100 to 500 feet

D. POINT(S) OF DIVERSION -- SURFACE: Same as HERETOFORE.

E. COMMON DESCRIPTION: Cedar Breaks National Monument

6. WATER USE INFORMATION. Same as HERETOFORE.

7. PLACE OF USE. Same as HERETOFORE.

8. EXPLANATORY.

It is intended by this change application to add a well to the existing points of diversion and hereby comingle the springs and well to allow the applicants to divert the water from any, each, or all points of diversion for the uses previously perfected. Three well sights are requested under this change, however only the first well drilled that produces sufficient flows will be developed and completed. If a well is drilled that is not sufficient, it will be filled and abandoned according to Utah Code.

Under this change, the place of use is not changed and therefore application maps are not required.

CHANGE APPLICATION NUMBER: a23462 for Water Right: 73 - 424 continued***** Page: 3

9. SIGNATURE OF APPLICANT(S).

The undersigned hereby acknowledges that even though he/she/they may have been assisted in the preparation of the above-numbered application, through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of the information contained herein, at the time of filing, rests with the applicant(s).

A handwritten signature in cursive script, appearing to read "Thomas E. Henry", is written over a horizontal line.

Signature of Applicant(s)

June 17, 1999

To: Tom Henry
From: Dave Sharrow
Subject: Update on Well Project for CEBR

Following our reconnaissance of possible well sites on 6-16-99, I offer this evaluation of those sites, an a list of action items for this project.

Three possible sites are evaluated and depicted on the attached map. All are on or near faults with the intention of intersection the fracture zones around them. Site one is the most desirable due to the ease of access and close proximity to the existing pump house and power. The site selected, 150 feet north of the pump house provides easy access for a drill rig and permits drilling most closely to the fault trace.

While both potential drill sites near Blowhard Spring offer a greater opportunity to drill into the fault and have a successful well, they will require running power and water lines a much greater distance. Both would be accessed by driving the drill rig across the meadow. Sites further south on the Blowhard Spring fault are not considered further because surface drainage is either clearly into the Sevier River Basin, or is unclear. Moving a water right from the Coal Creek basin to the Sevier River basin would be very difficult.

Site 1

Location: 150 Feet at N. 10° E. from the existing pump house
(2,190 feet N, 1,600 feet E of the NW corner Section 14, T.37S., R.9W.)
Access: Easily accessible off of little used road extending north past the pump house. Slope is <10%.
Utilities: Power and pipe connection 150' away at pump house
Comments: This point provides the closest lateral approach to the Twin Spring fault. It is possible to proceed 600-800 feet further north on little used road, but this trends away from the mapped fault.

Site 2

Location: 100 feet north of Blowhard Spring, about 10 feet lower in elevation.
(2,000feet N, 320 feet W. of the NE corner Section 15, T.37S., R.9W.)
Access: Across about 800 feet of meadow, not difficult for drill rig. Slope is 10%
Utilities: Pipeline 100 feet away at Blowhard Spring.
Overhead power line located about 1,000 feet away at park boundary.
Comments:

Site 3

Location: 200 feet south of Blowhard Spring, and about 40 feet higher in elevation. In an alcove of meadow pushing onto the forest.
(2,680feet N, 310 feet W. of the NE corner Section 15, T.37S., R.9W.)
Access: Across about 600 feet of meadow, the last 100 feet is on slopes of 15-20%. Slope at drill site is 20%

Test the Water as Required by the state.

Secure funding for

Setting a Pump and installing a Control Panel

Power Supply

Pipeline to Pump house

The combined water right for the two springs is 0.08 CFS or 35.8 gpm. the pump and pipe should be sized to produce at least this capacity.

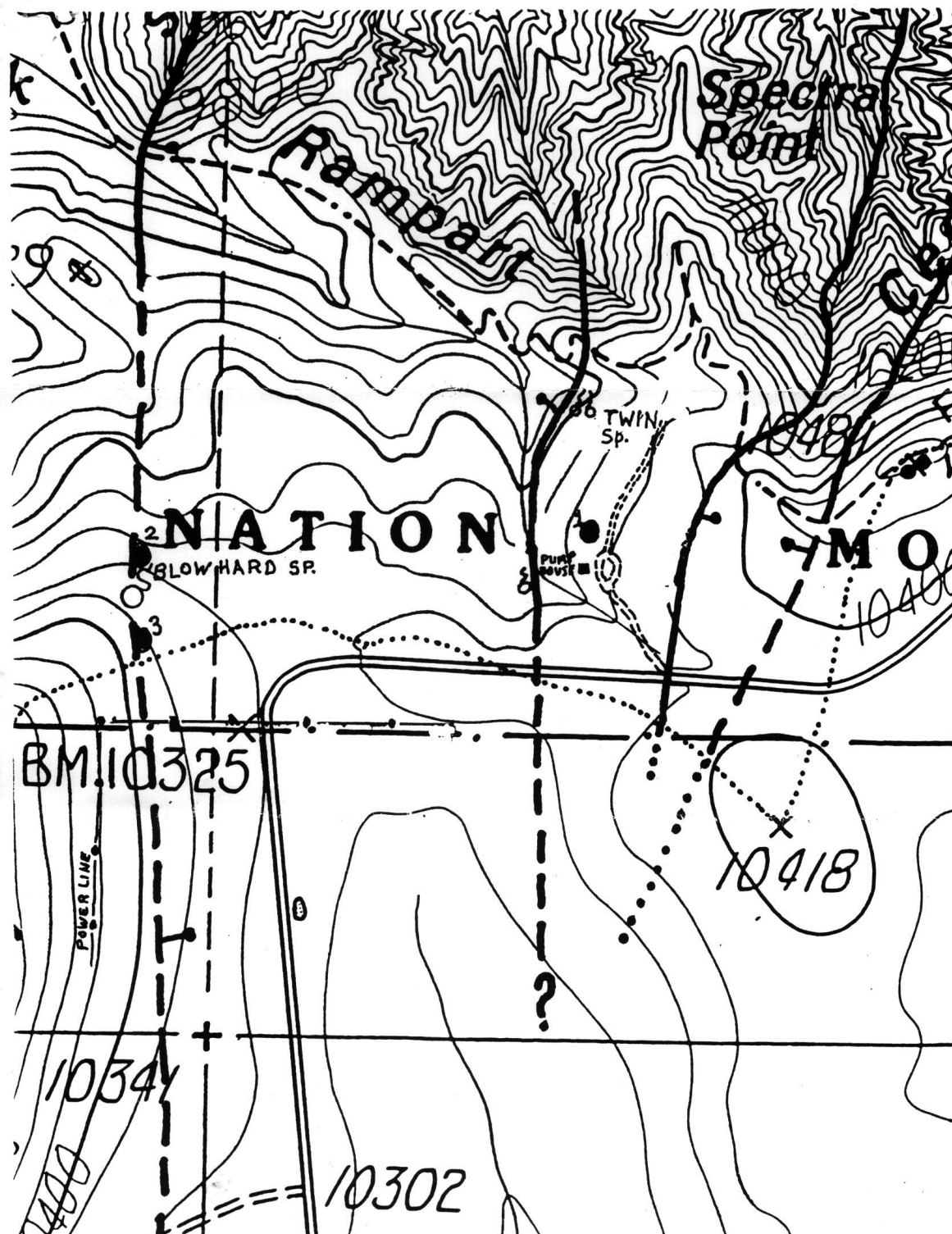
Prepare Drinking Water Source Protection Plan

Required within 1 year after the Preliminary Evaluation Report is approved.

File Proof of Beneficial Use with State Engineer

This will complete the process to change the water right

Evaluate the desirability of Abandoning and Reclaiming developments at Twin Spring





United States Department of the Interior

NATIONAL PARK SERVICE
CEDAR BREAKS NATIONAL MONUMENT
2390 West Highway 56, Suite 11
CEDAR CITY, UTAH 84720

IN REPLY REFER TO:

L54

September 8, 1999

Memorandum

To: Chief, Water Rights Branch,
Water Resources Division

From Superintendent, Cedar Breaks National Monument

Subject: Approved Change Application Number 73-424 (a23462)

A copy of the Utah State Engineer's approval of a change application for water rights for the public water supply at Cedar Breaks National Monument is enclosed for your information and records. This change was filed on June 24, 1999 and approved August 25, 1999. It was intended to facilitate the drilling of a well to provide a more reliable water source that would be less subject to surface water influences.

The water rights involved are 73-424 and 73-1211 for Twin Springs and Blowhard Springs. These rights are effectively joined with that of a new well to be drilled at one of three possible locations. Only one productive well will be developed and all unsuccessful wells will be closed in a manner consistent with Utah Administrative Code. Funding has already been obtained and we now expect to drill in August or September of 2000. A Preliminary Evaluation Report will have to be submitted to the state Division of Drinking Water and approved prior to drilling.

If a water supply well is successfully established, it is our intent to close and officially abandon water developments at Twin Springs. Water developments at Blowhard Spring would be retained as an emergency supply only.

Please contact Dave Sharrow, Hydrologist, or me at 435-586-2765 with any questions regarding this project.

Sincerely,

Thomas E. Henry
Superintendent

Enclosure

cc: IMR - John Reber
WRD - Larry Martin
USPHS Denver - Barry Davis
CEBR - Robinson
ZION - Sharrow, Bradybaugh



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor
Kathleen Clarke
Executive Director
Robert L. Morgan
State Engineer

1594 West North Temple, Suite 220
PO Box 146300
Salt Lake City, Utah 84114-6300
801-538-7240
801-538-7467 (Fax)

August 25, 1999

USA National Park Service 73-424
Cedar Breaks National Monument
2390 West Highway 56, Suite 11
Cedar City, UT 84720

Dear Applicant:

RE: APPROVED CHANGE APPLICATION
NUMBER 73-424 (a23462)

This is your authority to proceed with the actual construction work under the above referenced application which under Sections 73-3-10 and 73-3-12, Utah Code Annotated, 1953, as amended, must be diligently prosecuted to completion. The water must be put to beneficial use and proof of beneficial use be made to the State Engineer on or before December 31, 2002; otherwise, the application will be lapsed.

Proof of beneficial use is evidence to the State Engineer that the water has been placed to its full intended beneficial use. By law, it must be prepared by a registered engineer or land surveyor, who will certify to the location and the uses for the water. Your proof of change will become the basis for the extent of your water right.

Failure on your part to comply with the requirements of the statutes may result in forfeiture of this application. **It is the applicant's obligation to maintain a current address with this office. Please notify this office immediately of any change.**

Also enclosed are two post cards. You must give the Driller (Start) Card to the licensed driller with whom you contract to construct the well(s). The other card is the Applicant Card which is your responsibility to sign and return to this office immediately after final completion of the well. CAUTION: There may be local health department requirements for the actual siting of your well. Please check with the proper local authority before construction begins.

Your contact with this office, should you need it, is with the Cedar City Regional Office. The telephone number is (435)586-4231.

Sincerely,

A handwritten signature in cursive script, reading 'Robert L. Morgan'.

Robert L. Morgan, P.E.
State Engineer

RLM:et
Encl.: Memorandum Decision

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

IN THE MATTER OF CHANGE APPLICATION)
NUMBER 73-424 (a23462))

MEMORANDUM DECISION

Change Application Number 73-424 (a23462), in the name of USA National Park Service (for Cedar Breaks National Monument), was filed on June 24, 1999, to change the point of diversion of 0.08 cfs of water evidenced by Water Right Numbers 73-424 and 73-1211. Heretofore, the water has been diverted from Twin Springs (also known as "Shooting Star Spring") and from Blowhard Spring, at points located North 2590 feet and East 1860 feet from the SW Corner of Section 11, T37S, R9W, SLB&M. (Twin Springs); and in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T37S, R9W, SLB&M (Blowhard Spring). The water has been used for recreational, domestic and sanitation uses in Cedar Breaks Lodge at Cedar Break National Monument.

Hereafter, it is proposed to divert 0.08 cfs of water from the springs as heretofore, but also from an 8-inch well, 100 feet to 500 feet deep, to be located at one of the following locations sites: (1) North 2190 feet and East 1600 feet from the NW Corner of Section 14; (2) North 2000 feet and West 320 feet from the NE Corner of Section 15; or (3) North 2680 feet and West 310 feet from the NE Corner of Section 15, all in T37S, R9W, SLB&M. The water is to be used as heretofore.

The application was advertised in The Daily Spectrum on July 8, 1999, and July 15, 1999, and was not protested. In evaluating the various elements of the underlying rights, it is the primary intention of the State Engineer to provide sufficient definition of the rights to assure that other vested rights are not impaired by the change without compensation and that no enlargement occurs. The applicant has submitted a memorandum geological report in support of the application which concludes that the proposed well locations would encounter water that is essentially the same water that would naturally appear at the springs, but being diverted at the well would enable better protection against potential surface contamination. It appears reasonable to believe that the proposed development can be approved without impairment nor enlargement if certain conditions are met.

It is, therefore, **ORDERED** and Application Number 73-424 (a23462) is hereby **APPROVED** subject to prior rights and the following conditions:

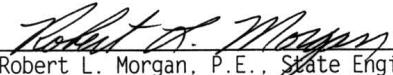
- 1) Any well drilled under this application and found unsuitable for the proposed uses shall be properly abandoned under the supervision of a licensed water well driller per Utah Administrative Code (R655-4-12).

MEMORANDUM DECISION
CHANGE APPLICATION NUMBER
73-424 (a23462)
PAGE 2-

- 2) This approval is limited to the right to divert and use water from the well to be drilled but does not grant any approvals related to the design, construction nor operation of a public water supply system. Such authority must be acquired separately.
- 3) The maximum rate of diversion from the existing and proposed sources is limited to 0.08 cfs (approximately 36 gallons per minute) from all sources combined, and the beneficial uses are limited to those already established in the underlying rights for this change application.

This Decision is subject to the provisions of Rule R655-6-17 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code Annotated, 1953, which provide for filing either a Request for Reconsideration with the State Engineer or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20 days of the date of this Decision. However, a Request for Reconsideration is not a prerequisite to filing a court appeal. A court appeal must be filed within 30 days after the date of this Decision, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Dated this 25th day of August, 1999.


Robert L. Morgan, P.E., State Engineer

RLM:KEC:et

Mailed a copy of the foregoing Memorandum Decision this 25th day of August, 1999, to:

USA National Park Service
Cedar Breaks National Monument
2390 West Highway 56, Suite 11
Cedar City, UT 84720

Scott Hacking, P.E.
District Engineer
Department of Environmental Quality
88 E Fiddlers Canyon Road, Suite H
Cedar City, UT 84720

BY: 
Eileen Tooke, Secretary

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..... Depth 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 in 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

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

COUNTY OF

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.

Signature of Claimant

Subscribed and sworn to before me this day of 19.....

NOTARY PUBLIC

STATE OF ~~UTAH~~ COLORADO

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

COUNTY OF JEFFERSON...

William L. Mekeel being first duly sworn, upon oath deposes and says that he is the representative 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 10th day of December 1974

My Commission expires August 11, 1976

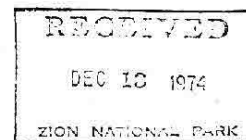
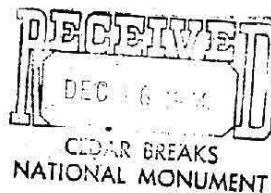
H
✓
Cedar Breaks

Gerald W. Stoker
Area Engineer
Division of Water Rights
P.O. Box 506
Cedar City, Utah 84720

Enclosed is the notarized Statement of Water Users Claim for our Application No. 35622 (73-1211) at Cedar Breaks National Monument. One copy of the statement has been retained for our records.

TS/ WILLIAM MEKEEL
William L. Mekeel
Legal Assistant
Rocky Mountain Region

cc:
Supt., CEBR w/enc
WASO, MN Mr. Berte w/enc



IN THE MATTER OF THE GENERAL DETERMINATION
OF RIGHTS TO THE USE OF ALL THE WATER, BOTH
SURFACE AND UNDERGROUND, WITHIN THE DRAINAGE
AREA OF THE BEAVER RIVER-ESCALANTE VALLEY AND
ALL TRIBUTARIES IN MILLARD, BEAVER, IRON,
WASHINGTON, KANE AND GARFIELD COUNTIES IN UTAH.

STATEMENT OF WATER
USER'S CLAIM

CODE NO. SERIAL NO.

73 1211

MAP NO. 37

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

....., 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.

- UNITED STATES OF AMERICA, NATIONAL WATER SERVICE
1. Name of Claimant Rocky Mountain Region Interest Claimed Full
P. O. Box 25287, Denver Colorado, 80225
2. Address Twin Springs in Iron County.
3. Name of particular spring, stream or other source from which water is diverted is
Twin Springs
4. Priority date claimed September 20, 1963 Date when water was first used
Date when work on diverting system was first begun Date when diverting system was completed
- Nature of work
5. 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)XX Application filed, State Engineer's Office No. 35622 Cert. of App. No. Election
(e).....Right acquired by adverse use prior to 1939
6. 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 to (both dates incl.)
(c)XX Domestic Sec. Ft. 0.02 from January 1 to December 31 (both dates incl.)
(d).....Municipal Sec. Ft. from to (both dates incl.)
(e).....Sec. Ft. from to (both dates incl.)
7. Direct Flow Appropriation (must be described with reference to U. S. Government Survey Corner)
(a) Point of diversion from spring, stream, well, tunnel, lake
N. 2590 ft. and E. 1860 ft. from the SW cor. Sec. 11, T37S, R9W, S1B&M.
(b) Description of spring area
(c) Point of re-diversion or point of return to natural channel
(d) If flow is intermittently diverted, list by number or description, all rights involved
8. 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)
- (b) Do you get water under a ditch owned by several users, ... If so, give names of all users and divisions of interest
9. Where water is used for Stockwatering:
(a) Number of each kind of stock watered
(b) All sources of water for same stock. (Describe by name or claim number)
10. Where water is used for Domestic: Sanitation Facilities for 120,000 visitors per year
(a) Number of families or their equivalent Breaks National Monument All sources of water for same use.
(Describe by name or claim number)

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 Depth 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

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

COUNTY OF

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.

Signature of Claimant

Subscribed and sworn to before me this day of 19.....

NOTARY PUBLIC

STATE OF ~~UTAH~~ COLORADO

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

COUNTY OF JEFFERSON.....

William L. McKeel being first duly sworn, upon oath deposes and says that he is the.....
 representative..... 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 10th day of DECEMBER 1974

NOTARY PUBLIC

My Commission expires August 11, 1978

L54(MWR)PSW
CEBR/WR#1

June 8, 1973

☒	Superintendent	4
☐	Secretary	
☐	Administration	
☐	Personnel	
☐	Procurement	
☐	Maintenance	
☐	Ranger Division	
☐	Interpretation	
COPIES SENT:		
☐		
☒	Cedar Breaks	
☐	Pipe Spring	

CWB

Dee C. Hansen
State Engineer
442 State Capitol
Salt Lake City, Utah 84114

Dear Mr. Hansen:

In reply to your letter of May 31, 1973, enclosed is your form 152 showing
beneficial use of Water Application No. 35822 (73-1211).

Sincerely yours,

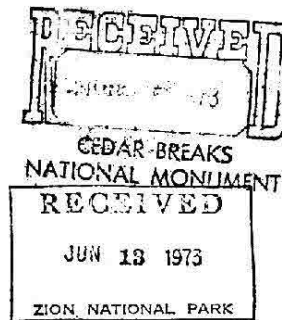
(Sgd.) Richard W. Ketcham

Richard W. Ketcham
Supervisory Hydraulic Engineer

Enclosure

cc:
WASO-PN w/enc*
Supt., CEBR w/enc*
Utah State Director
ROMO-Bill Makeel w/enc

* Please file in CARE Water Right Docket #1.





Form 37

STATE OF UTAH
DEPT. OF NATURAL RESOURCES
442 STATE CAPITOL
SALT LAKE CITY, UTAH 84114
May 31, 1973

DIVISION OF
WATER RIGHTS

U.S. National Park Service
ATTENTION: Richard W. Ketcham
1709 Jackson Street
Omaha, Nebraska 68102

Gentlemen:

Re: Application No. 35622 (73-1211)

To appropriate water in Utah or to change the point of diversion, place, and nature of use of water, you must make application, receive approval, complete the intended development work, and submit proof that the water has been put to beneficial use. Our records indicate that you have not made proof on your application. This is due July 31, 1973 by Special Order.

In those areas in which general adjudication proceedings are pending and elections are authorized, the applicant can either:

1. Submit a satisfactory proof of appropriation.
or
2. Elect to file a statement of water user's
claim in lieu of proof of appropriation.
or
3. Request an extension of time.

Failure to complete one of the above three actions on or before the proof-due date shall cause the application to lapse.

If development is not complete, additional time may be allowed by completing the enclosed request for extension of time and submitting it in affidavit form on or before the proof-due date. Submission of a request for extension of time in no way guarantees that it will be granted. Extensions of time are granted only after the applicant has made a showing of diligence before the State Engineer. Also enclosed is an election to file a water user's claim form for submission in lieu of proof if the project is complete.

Yours truly,

A handwritten signature in cursive script that reads "Dee C. Hansen".

Dee C. Hansen
State Engineer

Encs. Forms 29 & 152

jh
CERTIFIED MAIL

PROOF DUE

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH
IN THE MATTER OF APPLICATION)
)
NUMBER 35622 (73-1211)) SPECIAL ORDER

WHEREAS, Application No. 35622 (73-1211) was filed by U.S. National Park Service and was approved by the State Engineer and the time to submit proof of appropriation ended December 31, 1970, and,

WHEREAS, the State Engineer failed to give the applicant of record notice of sixty days of the proof-due date as required by statute,

NOW, THEREFORE, IT IS ORDERED that the applicant be allowed to and including July 31, 1973, which is sixty days from the date hereof within which to submit proof of appropriation or an extension request or an election. If one of these is not received on or before the above-mentioned date, the application shall lapse.

Dated this 31st day of May, 1973.


Dee C. Hansen, State Engineer

jh

CERTIFIED MAIL

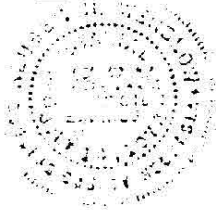
Enc.: Forms 29 & 152

"Certificate of Change", the applicant hereby elects to file a
"Statement of Water User's Claim" or an "Amended Statement of
Water User's Claim" in the pending GENERAL DETERMINATION OF WATER
RIGHTS; and that the applicant requests that said statement be
prepared by the State Engineer and submitted for execution at an
early date.

Richard W. Ketchum
APPLICANT

Subscribed and sworn to before me this 8 day of

June, 19 73



Frederic H. Meadows
NOTARY PUBLIC

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

IN THE MATTER OF APPLICATION	)	
	)	SPECIAL ORDER
NUMBER 35622 (73-1211)	)	

WHEREAS, Application No. 35622 (73-1211) was filed by U.S. National Park Service and was approved by the State Engineer and the time to submit proof of appropriation ended December 31, 1970, and,

WHEREAS, the State Engineer failed to give the applicant of record notice of sixty days of the proof-due date as required by statute,

NOW, THEREFORE, IT IS ORDERED that the applicant be allowed to and including July 31, 1973, which is sixty days from the date hereof within which to submit proof of appropriation or an extension request or an election. If one of these is not received on or before the above-mentioned date, the application shall lapse.

Dated this 31st day of May, 1973.


Dee C. Hansen, State Engineer

jh

CERTIFIED MAIL

Enc.: Forms 29 & 152



Form 37

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
442 STATE CAPITOL
SALT LAKE CITY, UTAH 84114
May 31, 1973

DIVISION OF
WATER RIGHTS

U.S. National Park Service
ATTENTION: Richard W. Ketcham
1709 Jackson Street
Omaha, Nebraska 68102

Gentlemen:

Re: Application No. 35622 (73-1211)

To appropriate water in Utah or to change the point of diversion, place, and nature of use of water, you must make application, receive approval, complete the intended development work, and submit proof that the water has been put to beneficial use. Our records indicate that you have not made proof on your application. This is due July 31, 1973 by Special Order.

In those areas in which general adjudication proceedings are pending and elections are authorized, the applicant can either:

1. Submit a satisfactory proof of appropriation.
or
2. Elect to file a statement of water user's
claim in lieu of proof of appropriation.
or
3. Request an extension of time.

Failure to complete one of the above three actions on or before the proof-due date shall cause the application to lapse.

If development is not complete, additional time may be allowed by completing the enclosed request for extension of time and submitting it in affidavit form on or before the proof-due date. Submission of a request for extension of time in no way guarantees that it will be granted. Extensions of time are granted only after the applicant has made a showing of diligence before the State Engineer. Also enclosed is an election to file a water user's claim form for submission in lieu of proof if the project is complete.

Yours truly,

Dee C. Hansen
State Engineer

Encs. Forms 29 & 152

jh
CERTIFIED MAIL

PROOF DUE

LS4(WHR)PM
CEBR/WR#1

December 10, 1974

*File in
Cedar Breaks Water
Right Docket for
Appl. 35622*

CERTIFIED MAIL

Gerald W. Staker
Area Engineer
Division of Water Rights
P.O. Box 506
Cedar City, Utah 84720

Dear Mr. Staker:

Enclosed is the notarized Statement of Water Users Claim for our
Application No. 35622 (73-1211) at Cedar Breaks National Monument. One
copy of the statement has been retained for our records.

Sincerely yours,

/s/ WILLIAM MEKEE

William L. Mekeel
Legal Assistant
Rocky Mountain Region

Enclosure

cc:
Supt, CEBR w/enc
WASD, MN Mr. Berte w/enc

Form 152

APPLICATION NO. 35622 (73-1211)

In lieu of submitting "Proof of Appropriation" or "Certificate of Change", the applicant hereby elects to file a "Statement of Water User's Claim" or an "Amended Statement of Water User's Claim" in the pending GENERAL DETERMINATION OF WATER RIGHTS; and that the applicant requests that said statement be prepared by the State Engineer and submitted for execution at an early date.

Richard W. Kelcham
APPLICANT

Subscribed and sworn to before me this 12 day of

June, 1973

Robert H. Williams
NOTARY PUBLIC

Form 114
25M 4-63IN THE FIFTH..... JUDICIAL DISTRICT COURT, IN AND FOR THE
COUNTY OF IRON..... STATE OF UTAHIN THE MATTER OF THE GENERAL DETERMINATION
OF RIGHTS TO THE USE OF ALL THE WATER, BOTH
SURFACE AND UNDERGROUND, WITHIN THE DRAINAGE
AREA OF THE BEAVER RIVER-ESCALANTE VALLEY AND
ALL TRIBUTARIES IN MILLARD, BEAVER, IRON,
WASHINGTON, KANE AND GARFIELD COUNTIES IN UTAH.STATEMENT OF WATER
USER'S CLAIM

CODE NO. SERIAL NO.

73 1211

MAP NO. 37

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 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.

1. Name of Claimant UNITED STATES OF AMERICA, NATIONAL PARK SERVICE
..... Rocky Mountain Region Interest Claimed Full
2. Address P. O. Box 25287, Denver, Colorado, 80225
3. Name of particular spring, ~~and place of diversion~~ from which water is diverted is Twin Springs in Iron County.
4. Priority date claimed September 20, 1963 Date when water was first used
Date when work on diverting system was first begun Date when diverting system was completed
..... Nature of work
5. 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. 35622 Cert. of App. No. Election
(e).....Right acquired by adverse use prior to 1939
6. 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 to (both dates incl.)
(c) ☒ Domestic Sec. Ft. 0.02 from January 1 to December 31 (both dates incl.)
(d).....Municipal Sec. Ft. from to (both dates incl.)
(e)..... Sec. Ft. from to (both dates incl.)
7. Direct Flow Appropriation (must be described with reference to U. S. Government Survey Corner)
(a) Point of diversion from spring, ~~from the SW cor. Sec. 11, T37S, R9W, S1B&M.~~
N. 2590 ft. and E. 1860 ft. from the SW cor. Sec. 11, T37S, R9W, S1B&M.
(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
8. 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)
.....
.....
.....
(b) Do you get water under a ditch owned by several users If so, give names of all users and divisions of interest
9. Where water is used for Stockwatering:
(a) Number of each kind of stock watered
(b) All sources of water for same stock. (Describe by name or claim number)
10. Where water is used for Domestic: Sanitation Facilities for 120,000 visitors per year at Cedar
(a) Number of families or their equivalent Breaks National Monument All sources of water for same use.
(Describe by name or claim number)

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 Depth 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

} 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.

Signature of Claimant

Subscribed and sworn to before me this day of 19.....

NOTARY PUBLIC

STATE OF ~~UTAH~~ COLORADO

COUNTY OF ...JEFFERSON.....

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

..... William L. Mekeel being first duly sworn, upon oath deposes and says that he is the
Representative 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 10th day of December 1974

NOTARY PUBLIC

My Commission expires August 11, 1976



STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

DEE C. HANSEN
STATE ENGINEER
JOHN BENE
DEPUTY

P.O. BOX 506
CEDAR CITY, UTAH 84720
586-4231
November 18, 1974

GERALD W. STOKER
AREA ENGINEER
Regional Office

NOV 21 1974

1254
United States of America
National Park Service
Rocky Mountain Region
P. O. Box 25287
Denver Colorado 80225

Attention: Mr. William L. Mekeel
Div. of Protection & Natural Resources

Planning	
Policy & Procedure	
NPS History	
Administration	
Professional Svcs	
Coord. Activities	
Operations Eval.	
Public Affairs	
FEO	

RE: Appl. No. 35622 (73-1211) Not Taken
Cedar Breaks National Monument

Dear Mr. Mekeel:

In lieu of Proof of Appropriation on Application No. 35622 you elected to file an Election to have the State Engineer's Office prepare a Statement of Water User's Claim.

The enclosed Water User's Claim has been prepared by the Division of Water Rights to cover your development and proof on the above numbered application. Please examine the claim carefully, and if you are in agreement with the information on the claim, please sign the original and five copies in the presence of a Notary Public and return the original and four copies to us. The fifth copy is for your records.

If you have any questions please contact this office in Cedar City, Utah. You are allowed to and including December 18, 1974, in which to return the completed claim.

Yours truly,

Gerald W. Stoker
Area Engineer

GWS/sm

Enc: W.U.C. 73-1211

A T T E N T I O N

THIS FORM IS TO BE USED ONLY WHEN WATER HAS BEEN PLACED TO FULL
BENEFICIAL USE

Form 152

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

ELECTION TO FILE WATER USER'S CLAIM

APPLICATION NO. 35622 (73-1211)

STATE OF UTAH)
COUNTY OF Iron) ss.

Richard W. Ketcham for the United States of America, being first duly sworn,
says that he is the owner of the above application; that the
development contemplated under this application has been completed
and the water placed to beneficial use.

In lieu of submitting "Proof of Appropriation" or
"Certificate of Change", the applicant hereby elects to file a
"Statement of Water User's Claim" or an "Amended Statement of
Water User's Claim" in the pending GENERAL DETERMINATION OF WATER
RIGHTS; and that the applicant requests that said statement be
prepared by the State Engineer and submitted for execution at an
early date.

Richard W. Ketcham
APPLICANT

Subscribed and sworn to before me this 8 day of

June, 19 73

Richard H. Williams
NOTARY PUBLIC



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
SUITE 3426, FEDERAL BUILDING
125 SOUTH STATE STREET
SALT LAKE CITY, UTAH, 84111

RECEIVED
San Francisco Planning and Service Center
Office of Land and Water Rights
NATIONAL PARK SERVICE
FEB 8 - 1968
RCY INFO
CHIEF
ASST. CHIEF
STAT. ATTY.
SUPV. REG. N.
SUP. REG. FILE
DOCKET
February 6, 1968

Mr. William T. Thurman
United States Attorney
200 U. S. Post Office & Court House
350 South Main St.
Salt Lake City, Utah 84101

Attention: Mr. H. Ralph Klemm,
Assistant United States Attorney

Dear Sir:

Your December 27, 1967, letter advised that you had been officially served with process in the adjudication of water rights in Beaver River-Escalante Valley, Cedar City Valley Division, Code No. 73. You asked to be advised of any protests or objections to the Proposed Determination of water rights published by the Utah State Engineer.

One of the water rights mentioned in the Proposed Determination is Water Users Claim No. 1211. It represents an application to appropriate water filed by the National Park Service, Application No. 35622. I am advised by this agency that the claim is properly included in the Proposed Determination and that no objection or protest need be made on behalf of the National Park Service to the Proposed Determination.

I did find out, however, that the Water Users Claim No. 1211 had not been formally filed in court as required by the adjudication procedure. There is enclosed, in triplicate, this water users claim signed by a representative of the National Park Service. You should file the original copy with the Clerk of the District Court and a copy should be filed with the State Engineer.

There are numerous claims involved in this division being asserted by the Bureau of Land Management. I will furnish you a report on these claims in the near future.

Very truly yours,


J. Stuart McMaster
Regional Solicitor

Enclosure (in trip.)

cc: National Park Service, San Francisco Planning and Service Center,
450 Golden Gate Ave., Box 36025, San Francisco, Calif. 94102
(w/o encl.)



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
SUITE 3426, FEDERAL BUILDING
125 SOUTH STATE STREET
SALT LAKE CITY, UTAH 84111

IN REPLY REFER TO:

January 18, 1968

To: National Park Service, San Francisco Planning and Service
Center, Office of Land and Water Rights, San Francisco,
California 94102 Attention: Mr. James W. Roberts

From: Regional Solicitor, Salt Lake City, Utah

Subject: Adjudication of water rights in Beaver River-Escalante Valley

I mentioned to you in my January 11, 1968, subject letter that you should locate the claim for for Water User's Claim No. 1211, sign it, and send it to me. I have obtained this form from the Utah State Engineer and enclose it in quadruplicate. All four copies should be signed and notarized and returned to me. The information already filled in on the form is all that is needed. If there are any questions, please advise.

J. Stuart McMaster
J. Stuart McMaster
Regional Solicitor

Encl. (in quad.)

RECEIVED	
San Francisco Planning and Service Center Office of Land and Water Rights NATIONAL PARK SERVICE	
JAN 22 1968	
ACT. INFO	INITIALS/DATE
☒ CHIEF	
☒ ASST. CHIEF	
☐ STAFF ASST.	
☐ SUPV. AFR.	
☒ SUP. Hyd. Eng.	
☐ DOCKET	
☐ FILE	



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR

SUITE 3426, FEDERAL BUILDING
125 SOUTH STATE STREET
SALT LAKE CITY, UTAH 84111

IN REPLY REFER TO:

January 11, 1968

To: National Park Service, San Francisco Planning and Service
Center, Office of Land and Water Rights, San Francisco,
California 94102 Attention: Mr. Roberts

From: Regional Solicitor, Salt Lake City, Utah

Subject: Adjudication of water rights in Beaver River-Escalante
Valley

Pursuant to your telephone call there is enclosed the Utah State Engineer's proposed determination of water rights in Beaver River-Escalante Valley, Cedar City Valley Division, consisting of four books. Your Application No. 35622, Water Users Claim No. 1211, Twin Spring Area, is referred to in Book 4 on pages 365, 420, and 431. The Utah Parks Company Certificated Right No. 1494, Water Users Claim No. 424, is found on page three of Book 1. Reference is also made to this right in Book 4 on pages 420 and 426. I have marked these rights with a red pencil notation on the pages referred to above for your ready reference.

I would appreciate it if you could return these four volumes as soon as possible since further review involving other Interior agencies is required. If you need to keep them longer than a week, I would appreciate being so notified.

As mentioned in my January 2 memorandum to the Regional Director, Southwest Region, copy to you, Water Users Claim No. 1211 should be executed on behalf of the National Park Service and forwarded to the United States Attorney through me for filing in court. Enclosed is a copy of the water user's claim form. These claim forms are usually prepared by the Utah State Engineer's office and I suggested to Mr. Roberts that the claim forms for Water Users Claim No. 1211 have undoubtedly been prepared and are available. I suggested that he contact the Cedar City Area Office of the Utah State Engineer. The Area Engineer is Mr. Gerald W. Stoker and the address is P.O. Box 506, Cedar City, Utah 84720.

162 N. Main

(801-586-4236

J. Stuart McMaster
J. Stuart McMaster
Regional Solicitor

Enclosures (5)

cc: Reg. Dir., Southwest Reg., National Park Service, P.O. Box 728,
Santa Fe, New Mexico 87051



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
SUITE 3426, FEDERAL BUILDING
125 SOUTH STATE STREET
SALT LAKE CITY, UTAH, 84111

January 2, 1968

Memorandum

To: Regional Director, Southwest Region, National Park Service,
P. O. Box 728, Santa Fe, New Mexico 87051

From: Regional Solicitor, Salt Lake City, Utah 84111

Subject: Adjudication of water rights in Beaver River-Escalante Valley

I have been notified by the United States Attorney that the United States was officially served with process on December 19, 1967, on the following matters:

1. Proposed Determination of Water Rights in Beaver River-Escalante Valley, Cedar City Valley Division, Code No. 73 (Books 1-4); and
2. Proposed Determination of Water Rights in Beaver-River-Escalante Valley, Parowan Valley Division, Code No. 75 (Books 1-3).

Because of this official service it is now incumbent on us to inform the United States Attorney as to any objections or protests on behalf of Department of the Interior agencies that need to be made with respect to the proposed determinations.

I have examined the proposed determinations described above. In the Parowan Division no water rights have been included for the Park Service, but in the Cedar City Valley Division one water right is listed. It is described as Application No. 35622, Water Users Claim No. 1211, Twin Spring Area, located in Section 11, Township 37 South, Range 9 West, Salt Lake Base and Meridian (Cedar Breaks National Monument). The proposed determination lists this right as a pending application on Page 365 of Book No. 4, Cedar City Valley Division, "Proposed Determination of Water Rights in Beaver River-Escalante Valley." I assume that your Cedar Breaks office has already received a copy of this proposed determination. Would you advise me by February 23, 1968, of any protests or objections that need to be made with respect to these determinations. These protests and objections, if any, should relate to the rights of the United States National Park Service which are not properly recognized in the determinations as well as to any private rights which you regard as being improperly included in the determinations and which adversely affect your agency.

As part of the procedure in the adjudication, it is necessary that Water Users Claim No. 1211 be executed on behalf of the National Park Service and forwarded to the United States Attorney through me for filing in court. It is the practice of the Utah State Engineer's Office to prepare the water users' claim forms as part of the preliminary work leading to the publication of the State Engineer's proposed determination. Your field personnel for Cedar Breaks National Monument are probably fully familiar with this matter and may be able to assist in getting this claim to you or the appropriate officer, for signature.

If I can assist you in this matter, please let me know.



J. Stuart McMaster
Regional Solicitor

cc: National Park Service
San Francisco Planning and Service Center
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
San Francisco, California 94102

Superintendent
Zions National Park
Springdale, Utah

Form 19



THE STATE OF UTAH
OFFICE OF STATE ENGINEER

SALT LAKE CITY
May 10, 1967

HUBERT C. LAMBERT
STATE ENGINEER

RECEIVED		
NPS SOUTHWEST REGIONAL OFFICE		
MAY 12 1967		
Regional Director	Surname	Date
Operations		
Administration		
Coop. Activities		
Development		
Files		

United States of America
National Park Service
Southwest Region Office
P. O. Box 1728
Santa Fe, New Mexico

CC SSC - Water Rights

Gentlemen:

RE: APPLICATION NO. 35622 (73-1211)

Request for extension of time in which to submit Proof of Appropriation or Proof of Change contemplated by the above application has been considered and the time for receiving proof is hereby extended from December 31, 1966 to December 31, 1970 inclusive.

Yours truly,

Hubert C. Lambert

ADDRESS ALL COMMUNICATIONS TO: STATE ENGINEER
442 State Capitol
Salt Lake City, Utah 84114
HCL:nh

EXTENSION GRANTED

P.S. Although this extension is granted in accordance with the provisions of the law, I earnestly recommend that you proceed to prepare and submit proof at the earliest possible date. One cannot foresee what contingencies might arise in the future; the present possession of your certificate might stand you in good stead.

CEDAR Breaks

L54 abr

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY 84114
April 7, 1967

cc Bill Field
4/11
SLW-ESC
522 (73-1211) 7/11

RE: APPLICATION NO. 35622 (73-1211)

Yours truly,

Yours truly,
Charles Stewart

mt

Cedar Breaks

254 Cabr



THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY
December 12, 1966

Hubert C. Lambert
HUBERT C. LAMBERT
STATE ENGINEER

U. S. Dept. of Interior
National Park Service
Office of Land and Water Rights
450 Golden Gate Ave., Box 36063
San Francisco, California 94102

Attention: Manuel Morris, Supervisory Hydraulic Engineer

Gentlemen:

RE: L54 LWSSC
APPLICATIONS NOS. 9386 (73-424) AND
35622 (73-1211), CEDAR CITY VALLEY
DETERMINATION

In reference to your letter of December 5, 1966, and to your telephone conversation with Mr. Donald G. Stewart, Chief Appropriations Engineer of this office, on Friday, December 9th, please be advised of the following filings recorded in this office within Sections 10, 11 and 12, T37S, R9W, S1E&M. Copies of the filings are enclosed.

*applicable to
W_{1/2} Sec. 11, T37S, R9W, S1E&M*
Application No. 9386, Certificate No. 1494, in the name of Utah Parks Company, evidences the right to divert 0.06 sec.-ft. of water from an unnamed spring located at a point N. 10°54' W. 1941 ft. from SW Cor. Sec. 11, T37S, R9W. The water is collected and conveyed by pipe line to a storage tank, from which it is released and used during the entire year for domestic and culinary purposes at the Cedar Breaks Lodge located within NW_{1/4} said Sec. 11. This water right is covered by Water Users Claim 73-424 in the Cedar City Valley Determination.

*applicable
to this district*
Application No. 35622, Water Users Claim 73-1211, Cedar City Valley Determination, in the name of U.S. Dept. of Interior, National Park Service, Southwest Region, seeks to appropriate 0.02 sec.-ft. of water from Twin Springs, at a point N. 35°43'40" E. 3186.19 ft. from SW Cor. Sec. 11, T37S, R9W. The water is collected and conveyed by pipe line to the existing storage tank and released and used during the entire year for domestic purposes at Cedar Breaks Lodge for visitors and permanent residents. This application has a present proof due date of December 31, 1966. A formal request for extension of time has been filed with this office regarding this proposed development.

We also have knowledge of a spring located approximately at a point N. 750 ft. and E. 200 ft. from W_{1/2} Cor. said Sec. 11. However, this spring has not been recorded in this office, establishing any use made of the water.

Yours very truly,

Mildred Evans

Mildred Evans,
TECHNICAL COORDINATOR, APPROP. DIV.

ME/s
Encs.

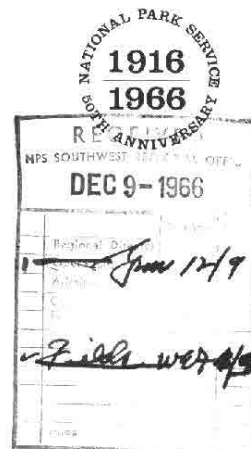


IN REPLY REFER TO

L54

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Zion National Park
Springdale, Utah 84767

December 7, 1966



Memorandum

To: Regional Director, Southwest Region
Attention: Hydraulic Engineer, SSC, Santa Fe

From: Superintendent, Zion

Subject: Docket material, Cedar Breaks

In July of this year our collecting and distribution system at Twin Springs, Cedar Breaks National Monument, was reconstructed to serve as a permanent water source. We plan to put this spring to use every year, rather than on a "need" basis as we have in the past.

From your memorandum, November 28, to the Supervisory Hydraulic Engineer, SSC, we note a Proof Due Notice on our Application to Appropriate Water, No. 35622, Twin Springs, Cedar Breaks, has been received from the State Engineer of Utah. Because the spring is snowed-in for the winter, your request for extension of time on this notice is all that could be done. However, we would like to have proof ready when this extension expires so there will be no further delay in processing the application. By proof, we presume photographs and drawings will be needed from us.

While we are on the subject, is there any chance for a survey of potential water sources at Cedar Breaks in the near future? The present Utah Parks owned system we operate under is less than adequate, and does not look like it will get any better.

Warren F. Hamilton
Warren F. Hamilton

cc:
Mgmt. Asst., Cedar Breaks

L54 cabu

FORM 29

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH
REQUEST FOR REINSTATEMENT AND EXTENSION OF TIME
(Before Fourteen Years)

APPLICATION NO. 35622
STATE OF ~~UTAH~~ New Mexico
COUNTY OF Santa Fe

Daniel B. Beard, being first duly sworn says that he is the (agent of the) owner of the above-numbered application; that he knows of his own knowledge of the construction of works completed to date.

Describe briefly the type and extent of construction completed to date; cost of this construction, and the estimated cost of any remaining construction to be done for completion of project and to submit Proof of Appropriation. Give reasons why the work could not be completed and water put to beneficial use within time heretofore allowed. We have installed a collecting system of tile and 600' of 1" plastic pipe to a 750 gallon storage tank. The cost was approximately \$500.00. This serves as a temporary partial solution to a water shortage. We intend to install a permanent system with steel pipe and concrete collecting system as soon as a water use study has been completed for the entire area and as soon as funds become available.

Request is made for reinstatement and extension of time for filing proof from December 31, 19 66, to December 31, 19 70.

Affiant understands he will be notified of a hearing date, at which time he or his representative must attend, be able to defend data given; and affiant upon oath states that the information given above is to the best of his knowledge true and correct.

UNITED STATES OF AMERICA
National Park Service, Southwest Region

Daniel B. Beard APPLICANT Regional Director
(If a corporation, give title of officer signing)

Subscribed and sworn to before me this 23rd day of November, 19 66.

[Signature]
NOTARY PUBLIC
My Commission Expires June 23, 1970

FOR OFFICE USE ONLY

PROOF DUE DATE _____ 14 YEAR PERIOD ENDS _____

HEARING _____

APPLICANT DID APPEAR _____ APPLICANT DID NOT APPEAR _____

APPLICANT REPRESENTED BY _____

REMARKS: _____

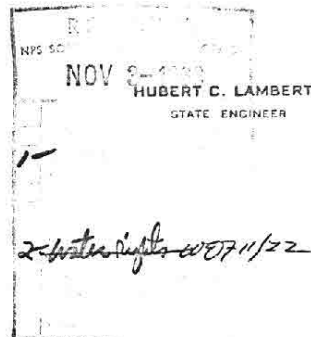
RECOMMENDED DISPOSITION: _____



THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

November 1, 1966

United States of America
National Park Service
Southwest Region Office
P. O. Box 1728
Santa Fe, New Mexico



Gentlemen:

RE: APPLICATION NO. 35622 (73-1211)

To appropriate water in Utah or change the point of diversion, place and nature of use of water, you must make application, receive approval, complete the intended development work and submit proof that the water has been put to beneficial use.

Our records indicate that you have not made proof on your application. This is due December 31, 1966.

In those areas in which general adjudication proceedings are pending and elections are authorized, the applicant can either

1. Submit a satisfactory Proof.

OR

2. Elect to file a Statement of Water User's Claim in lieu of Proof of Appropriation.

OR

3. Request an Extension of Time.

Failure to do one of the above three on or before the Proof Due Date shall cause the application to lapse.

If development is not complete, additional time may be allowed by completing the enclosed request for extension of time and submitting it in affidavit form on or before the Proof Due Date. Submission for a request for extension of time in no way guarantees that it will be granted. Extensions are granted only after the applicant has made a showing of diligence before the State Engineer.

NOTE: Request for extension of time forwarded Nov 22, 1966. WE 7

Yours truly,

Hubert C. Lambert

Hubert C. Lambert
STATE ENGINEER

Form 38
sjz

Rec'd w/ Hydr. Eng. Sec, Santa Fe mem to Supv. Hyd Eng. Sec dated Nov 28, 1966.

PROOF

FILE

254

Southwest Region
Santa Fe, New Mexico

SEP 18 1963

Wayne B. Criddle
Office of the State Engineer
403 State Capitol
Salt Lake City 14, Utah

Dear Sir:

We have enclosed two original copies of your Form 97 LOM 2-62 "Application to Appropriate Water State of Utah". This application is intended to appropriate 0.02 cubic feet per second of water for domestic and culinary use at Cedar Breaks National Monument from January 1 through December 31 inclusive, each year.

As payment to accompany the above application we have enclosed a personal check from Regional Chief of Lands John E. Kell. This check in the amount of \$10.00 is dated September 17, 1963, and is drawn on the Santa Fe National Bank, Santa Fe, New Mexico. It is check No. 100. Will you please mail an official receipt to us giving Mr. Kell credit for payment of the application fee. The receipt should be mailed to the National Park Service, Southwest Region, P. O. Box 1728, Santa Fe, New Mexico, 87501.

Will you please mark one of the copies "Duplicate" and return it after it has received all of the endorsements for our permanent water right file.

Sincerely,

(SIGNED)

J. M. Carpenter
Acting Regional Director

cc: Director (2)
Chief, WDBC (2) ✓
Superintendent, Zion

W O D C	
SEP 20 1963	
CHF	
ADM	
PERS	
P & P	
ARCH	
ENG	21/9/6
L. A.	
SPEC	
CONT	
SFTY	
HABS	
ACTION TAKEN - DATE	

File

KN



THE STATE OF UTA.
OFFICE OF STATE ENGINEER
SALT LAKE CITY

FORM 33

September 21, 1964

WAYNE D. CRIDDLE
STATE ENGINEER

RECEIVED	
NPS SOUTHWEST REGIONAL OFFICE	
SEP 23 1964	
Regional Director	Surname Date
Operations	
Administration	
Coop. Activities	
Development	
Resource Survey	
Files	

Handwritten: 9/23
west 10/15

United States of America
National Park Service
Southwest Region Office
P. O. Box 1728
Santa Fe, New Mexico

Gentlemen:

RE: APPROVED APPLICATION NO. 35622

Enclosed find Approved Application No. 35622 . This is your authority to proceed with actual construction work which, under Sections 73-3-10 and 73-3-12, Utah Code Annotated, 1953, as amended, must be diligently prosecuted to completion. The water shall be put to beneficial use and proof of appropriation made to the State Engineer on or before ~~December 31, 1966~~ otherwise the application will lapse.

Failure on your part to comply with the requirements of the statutes may result in forfeiture of this application.

Yours truly,

Wayne D. Criddle

ADDRESS ALL COMMUNICATIONS TO:

Wayne D. Criddle
STATE ENGINEER
STATE CAPITOL BUILDING
SALT LAKE CITY, UTAH

sh

Encl: Copy of Approved Application

A P P L I C A T I O N

A P P R O V E D

L 54 abv.

Form 97 K23 2-62

Application No. 95622

APPLICATION TO APPROPRIATE WATER

STATE OF UTAH

NOTE:—The information given in the following blanks should be free from explanatory matter, but when necessary, a complete supplementary statement should be made on the following page under the heading "Explanatory."

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, for uses indicated by (X) in the proper box or boxes, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of the Laws of Utah.

1. Irrigation ☐ Domestic ☒ Stockwatering ☐ Municipal ☐ Power ☐ Mining ☐ Other Uses ☐
2. The name of the applicant is United States of America - National Park Service
3. The Post Office address of the applicant is Southwest Region Office, P.O. Box 1728, Santa Fe, N.M.
4. The quantity of water to be appropriated is 0.02 second-feet or - acre-foot
5. The water is to be used for Domestic Use from January 1 to December 31 inclusive
(Major Purpose) (Month) (Day) (Month) (Day)
other use period --- from --- to ---
(Minor Purpose) (Month) (Day) (Month) (Day)
and stored each year (if stored) from --- to ---
(Month) (Day) (Month) (Day)
6. The drainage area to which the direct source of supply belongs is San Juan River
(Leave Blank)
7. The direct source of supply is Twin-Springs
(Name of stream or other source)
which is tributary to Shooting Star Creek tributary to Coal Creek
*Note.—Where water is to be diverted from a well, a tunnel, or drain, the source should be designated as "Underground Water" in the first space and the remaining spaces should be left blank. If the source is a stream, a spring, a spring area, or a drain, so indicate in the first space, giving its name, if named, and in the remaining spaces, designate the stream channels to which it is tributary, even though the water may sink, evaporate, or be diverted before reaching said channels. If water from a spring flows in a natural surface channel before being diverted, the direct source should be designated as a stream and not a spring.
8. The point of diversion from the source is in Iron County, situated at a point*
N. 35° 43' 40" E., 3186.19' from southwest corner Section 11, T. 37 S., R. 9 W., S. 1 B. 4 M.
- *Note.—The point of diversion must be located definitely by course and distance or by giving the distances north or south, and east or west with reference to a United States land survey corner or United States mineral monument, if within a distance of six miles of either, or if at a greater distance, to some prominent and permanent natural object. No application will be received for filing in which the point of diversion is not defined definitely.
9. The diverting and carrying works will consist of Two collecting systems and 600' of 1" plastic pipe flowing by gravity to existing storage tank.
10. If water is to be stored, give capacity of reservoir in acre-feet --- height of dam ---
area inundated in acres --- legal subdivision of area inundated ---
11. If application is for irrigation purposes, the legal subdivisions of the area irrigated are as follows:

Total --- Acres
12. Is the land owned by the applicant? Yes X No --- If "No," explain on page 2.
13. Is this water to be used supplementally with other water rights? Yes X No ---
If "yes," identify other water rights on page 2.
14. If application is for power purposes, describe type of plant, size and rated capacity. ---
15. If application is for mining, the water will be used in --- Mining District at the --- mine, where the following ores are mined ---
16. If application is for stockwatering purposes, number and kind of stock watered ---
17. If application is for domestic purposes, number of persons 120,000 visitors/year ---, or families ---
18. If application is for municipal purposes, name of municipality ---
19. If application is for other uses, include general description of proposed uses. ---
20. Give place of use by legal subdivision of the United States Land Survey for all uses described in paragraphs 14 to 19, incl. Sec. 11, T. 37 S., R. 9 W., S. 1 B. 4 M.
21. The use of water as set forth in this application will consume 0.02 second-feet of water and 0 second feet will be returned to the natural stream or source at a point described as follows: ---

Page No. 2

EXPLANATORY

The following additional facts are set forth in order to define more clearly the full purpose of the proposed application:

The collecting system will tap this source in two places 17.5 feet apart. The point of diversion described in item 8 of this application is 8.75' from the center of each collecting system. The spring area encompasses a rectangle 20' x 6' with the described point of diversion being the geometric center of said rectangle. From said point of diversion we go S.9°16'E., 3' to a point on the southerly line of the below described spring area which is the point of beginning; thence, N.80°44'E., 10' to the southeast corner; thence, N.9°16'W., 6' to the northwest corner; thence, S80°44'W., 20' to the northwest corner; thence, S. 9°16'E., 6' to the southwest corner; thence, N. 80°44'E., 10' to the point and place of beginning. This water to be collected and piped through 600' of 1" plastic pipe to an existing 750 gallon storage tank. It is to be used as a supplemental supply to the existing water system. The existing system conveys water for all uses at Cedar Breaks National Monument under Water Right Application No. 9386, Certificate No. 1494, in the name of Los Angeles and Salt Lake Railroad Company whose successor in interest is Utah Parks Company. This supplemental supply will help supply the needs of 120,000 visitors per year and projected visitation will probably be 230,000 per year by 1975. We also will build a new visitor center, two permanent residences and several comfort stations.

NOTHING HEREIN SHALL CONSTITUTE A WAIVER BY THE UNITED STATES OF ANY RIGHTS, TITLE, PRIORITY OR INTEREST TO ANY WATER IN THE STATE OF UTAH.

(Use page 4 if additional explanatory is needed.)

The quantity of water sought to be appropriated is limited to that which can be beneficially used for the purpose herein described.

UNITED STATES OF AMERICAN, NATIONAL PARK SERVICE

J. H. Carpenter
Signature of Applicant
J. H. Carpenter, Acting Regional Director

*If applicant is a corporation or other organization, signature must be the name of such corporation or organization by its proper officer, or in the name of the partnership by one of the partners, and the names of the other partners shall be listed. If a corporation or partnership, the affidavit below need not be filled in. If there is more than one applicant, a power of attorney, authorizing one to act for all, should accompany the Application.

DECLARATION OF CITIZENSHIP

STATE OF ~~UTAH~~ NEW MEXICO
County of ~~Santa Fe~~ Santa Fe

On the 17th day of September, 1963, personally appeared before me, a notary public for the State of Utah, the above applicant who, on oath, declared that he is a citizen of the United States, ~~or has declared his intention to become such a citizen.~~

My commission expires:

MY COMMISSION EXPIRES APRIL 13, 1965
(SEAL)

Earl H. Howard
Notary Public

Page No. 1

FEES FOR APPLICATIONS TO APPROPRIATE WATER IN UTAH

Flow rate — c.f.s.	Cost
0.0 to 0.1.....	\$ 10.00
over 0.1 to 0.5.....	20.00
over 0.5 to 1.0.....	30.00
over 1.0 to 15.0.....	30.00 plus \$5 for each additional acre foot
over 15.0.....	100.00 per second.
Storage — acre-feet	
0 to 20.....	15.00
over 20 to 500.....	30.00
over 500 to 7500.....	30.00 plus \$5 for each 500 a.f. above the first 500
over 7500.....	100.00 acre feet.



(This section is not to be filled in by applicant)

STATE ENGINEER'S ENDORSEMENTS

1. Sept. 20, 1963 Application received over counter by mail in State Engineer's office by Sec.
2. Sept. 20, 1963 Priority of Application brought down to, on account of
3. Sept. 20, 1963 Application fee, \$ 10.00, received by Sec. Rec. No. 27591
4. Sept. 20, 1963 Application copied in book No. 31, page 373, and indexed by W. B. S.
5. Sept. 20, 1963 Application platted by
6. Sept. 24, 1963 Application examined by JAB
7. Sept. 24, 1963 Application returned, ... or corrected by office
8. Sept. 24, 1963 Corrected Application resubmitted over counter by mail to State Engineer's office.
9. Sept. 24, 1963 Application approved for advertisement by JAB
10. Sept. 27, 1963 Notice to water users prepared by JAB
11. Oct. 14, 1963 Publication began; was completed Oct. 24, 1963
- Notice published in Iron Co. Record, Cedar City, Utah
12. Oct. 7, 1963 Proof slips checked by R. T. L. S.
13. Oct. 7, 1963 Application protested by
14. Nov. 9, 1963 Publisher paid by M.E.V. No. 2-1575
15. Nov. 9, 1963 Hearing held by
16. Nov. 31, 1963 Field examination by
17. Dec. 5, 1963 Application designated for approval
18. Sept. 21, 1964 Application copied or photostated by proofread by
19. Sept. 21, 1964 Application approved
20. Conditions:
- This Application is approved, subject to prior rights, as follows:
- a. Actual construction work shall be diligently prosecuted to completion.
- b. Proof of Appropriation shall be submitted to the State Engineer's office by Dec. 31, 1966
- c.
21. Time for making Proof of Appropriation extended to
22. Proof of Appropriation submitted.
23. Certificate of Appropriation, No., issued
- Application No. 35622

Supporting Hydro Data

MEASUREMENTS OF SPRING OUTFLOW - 1975
(Gallons Per Minute)

	14 July	21 July	28 July	4 August	11 August	18 August	25 August	1 September	8 September
Primary Spring	30	20	15	12	10.6	-	9	8.6	7.8
Secondary Spring	6	5.3	5.6	5.5	4.9	-	4.2	3.7	3.6
Pumphouse Overflow	18	20	13.8	11.3	10.6	-	8.6	8.6	

Other Supporting Information



United States Department of the Interior

NATIONAL PARK SERVICE

WATER RESOURCES DIVISION
301 SOUTH HOWES ST., ROOM 353
FT. COLLINS, COLORADO 80521

July 31, 1991



IN REPLY REFER TO:

L54(479)

RMR/Water Rights

Andy Walch, Attorney
U.S. Department of Justice
Land and Natural Resources Division
999 18th Street, Suite 945
Denver, Colorado 90294

Re: Request For Information Concerning Any Water Right Claims
Filed For Cedar Breaks National Monument, in Utah

Dear Andy:

As part of the Resources Management Planning process for Cedar Breaks National Monument (CEBR), we are investigating the current status of any adjudications involving CEBR. The monument is located north of the Virgin River Basin in the Coal Creek and Sevier River drainages (see enclosed map).

Our records indicate that CEBR was included in the adjudication of water rights of Beaver River-Escalante Valley. According to a January 2, 1968, memorandum (enclosed) the United States was "...officially served with process on December 19, 1967," on the Proposed Determination of water rights in the Beaver River-Escalante Valley, Cedar City Division (Code No. 73) and Parowan Valley Division (Code No. 75).

It appears that one claim (Application No. 35622, Water Users Claim No. 73-1211) may have been filed on behalf of the National Park Service. It is also possible that a claim was filed for another appropriative water right, Application No. 9386, Certificate No. 1494, a right which was, at the time, in the name of the Utah Parks Company. Our records are incomplete regarding these and other claims which may have been filed on our behalf. We have no information concerning claims for reserved water rights.

Therefore, I request verification and documentation of any water right claims filed in any adjudications on behalf of the National Park Service, for Cedar Breaks National Monument, as well as a report on the status of any adjudications affecting the monument.



2

If possible I would like this information by August 31, 1991. If you have any questions, please contact me or Alice Johns of my staff.

Sincerely,



Owen R. Williams
Chief, Water Rights Branch

Enclosures

cc: CEBR - Superintendent
RMR - Chaney
479 - Kimball, Sharrow, Pettee, Johns,
SOL (Salt Lake City) - Collins

Jan 17, 1978

MAN

1978

L54 (RMR) MW

Memorandum

TO: Superintendent, Zion National Park
From: Chief, Division of Water Resources
Subject: Legal Notice concerning Water Rights at Cedar Breaks National Monument

Thanks for the legal notice in regard to adjudication of water rights in Iron County and others which appeared to include the Springs in Cedar Breaks.

A Statement of Water Users Claim was filed with the State of Utah on 8 June, 1973 and completed on December 10, 1974. Copies of the appropriate documents should have been sent to you, but in case they were not I am enclosing a copy each for filing in Cedar Breaks Docket #1.

I verified the above filings with Gerry Stoker, Area Engineer in Cedar City and he assured me that everything that needs to be done has been done so we are in good shape on this one. The only thing he indicated that might be lacking is water for the springs if you don't start getting some snow.

Thanks again for bringing this matter to my attention.

/s/ WILLIAM MEKEEL

William L. Mekeel

Enclosures

WLMekeel:rek/17/78

L54

January 4, 1978

Memorandum

To: Regional Director, Rocky Mountain Region
Attention: Regional Chief of Water Rights Mekeel
From: Superintendent, Zion
Subject: Legal Notice Concerning Water Rights at Cedar
Breaks National Monument

Enclosed for Mr. Mekeel's attention is a legal notice from the Iron County Record of Thursday, December 22, 1977. As we read this summons, it is our interpretation that the State will be adjudicating the water rights in Iron County except that which flows into the Sevier River system and into the Virgin River system. Therefore, we are making the assumption that the springs presently in use at Cedar Breaks National Monument would fall under this summons. It would be appreciated if Mr. Mekeel could make the necessary inquiries and proceed to protect our water rights.

Your assistance in this matter is greatly appreciated.

Sd. gnc

Robert C. Heyder

Enclosure

cc:
Asst. to the Regional Director, Utah, w/c enc.
Supt., CEER, w/c inc.



LEGAL NOTICES

IRON COUNTY RECORD - CEDAR CITY, UTAH
Thursday, December 22, 1977

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR TOOELE COUNTY, STATE OF UTAH IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, WITHIN ALL OF TOOELE COUNTY: ALL OF JUAB COUNTY, EXCEPT THAT PORTION DRAINING TO UTAH LAKE AND TO THE SEVIER RIVER DRAINAGE; AND ALL OF MILLARD, BEAVER AND IRON COUNTIES EXCEPT THAT PORTION IN THE SEVIER RIVER AND THE VIRGIN RIVER DRAINAGE IN UTAH.

SUMMONS
Civil No. 6049

THE STATE OF UTAH TO THE SAID DEFENDANT:

You are hereby summoned to appear and defend the above-entitled action which is brought for the purpose of making a general adjudication of rights to the use of all the water, both surface and underground, within all of Tooele County; all of Juab County, except that portion draining to Utah Lake and to the Sevier River Drainage; and all of Millard, Beaver and Iron Counties except that portion in the Sevier River and the Virgin River Drainage in Utah. Upon the service of this Summons upon you, you will thereafter be subject to the

jurisdiction of the above-entitled Court and it shall be your duty to follow further proceedings in the above-entitled action and to protect your rights therein, and you are required to notify the State Engineer of your name and address if you claim a water right which is not now of record in the State Engineer's Office. When the State Engineer has completed his survey you will be given a further written notice, either in person or by registered mail, sent to your last known address, that you must file said Claim within the time set and your failure so to do will constitute a default in the premises and a judgment may be entered against you declaring and adjudging that you have no right in or to the waters of

the described water source.

Dated this 17th day of November, 1977,

Dennis D. Ewing

Tooele County Clerk

Dallin W. Jensen

Assistant Attorney

General

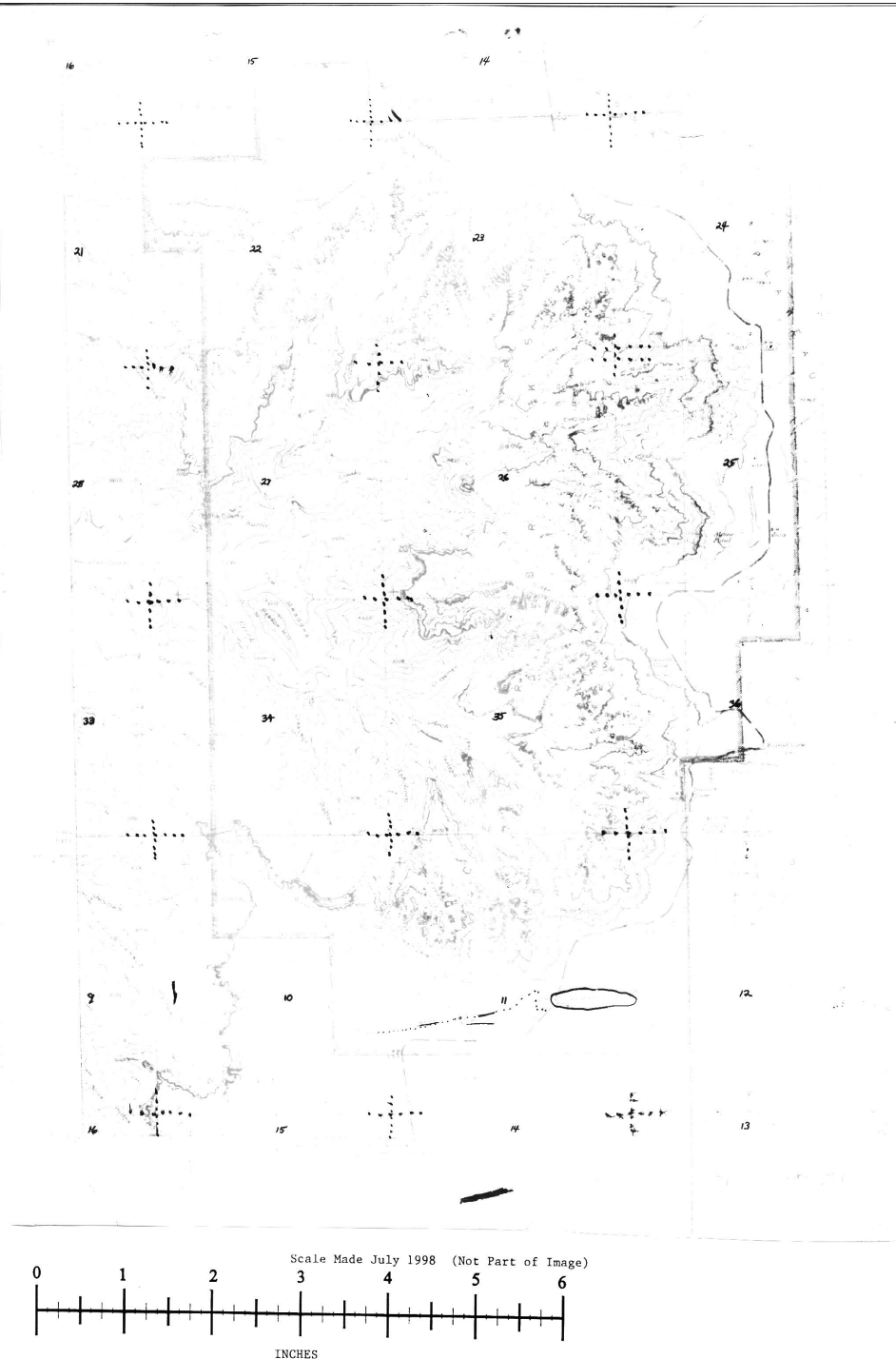
Attorney for State Engineer

442 State Capitol Building

Salt Lake City, Utah 84114

Pub. Dec. 1, 8, 15, 22, 29, 1977.

John,
This is an old map
but I think the
spring location on
Acumt
March, 1997



Docket Information

Number of Documents in Docket 54

Documents Dated from 9/17/1963 to 9/8/1999

Docket Compiled: 6/13/2016