



WATER-RIGHT DOCKET

Capitol Reef National Park

Docket No: 11

WATER RIGHT #95-5078: SLEEPING RAINBOW RANCH WELL

State Water Rights Documentation

11-15-2016: E-mail from WRB to CARE conveying the change applictn.

11/15/2016

DEPARTMENT OF THE INTERIOR Mail - Order approving water right Change Application 95-5078 (a41761)



Hughes, Jeff <jeff_hughes@nps.gov>

Order approving water right Change Application 95-5078 (a41761)

1 message

Hughes, Jeff <jeff_hughes@nps.gov>

Tue, Nov 15, 2016 at 4:32 PM

To: Terry Fisk <terry_fisk@nps.gov>

Cc: Peter Fahmy <peter_a_fahmy@nps.gov>

Hi Terry,

Please find the above-referenced Order attached for your records. If anything needs to be changed, please let me know. A Request for reconsideration or an appeal can be filed if needed.

Thanks, Jeff

Jeffrey C. Hughes, Hydrologist
National Park Service, Water Resources Division
Natural Resources Stewardship and Science Directorate
1201 Oakridge Drive, Suite 250
Fort Collins, CO 80525
Telephone: (970) 225-3527, email: jeff_hughes@nps.gov



Order_approving_Change_App_95-5078_a41761.pdf
709K



GARY R. HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

MICHAEL R. STYLER
Executive Director

KENT L. JONES
State Engineer/Division Director

November 14, 2016

USA NATIONAL PARK SERVICE
1201 OAKRIDGE DRIVE SUITE 250
FORT COLLINS CO 80525

Dear Applicant(s):

RE: Water Right Number 95-5078 (A75595)

Enclosed is the Certificate of Beneficial Use issued by the State Engineer as the final step in completing the appropriation relating to the above numbered water right. If this Certificate has been issued pursuant to the reconsideration of a lapsing order or reconsideration of any other issue, it is considered the final action on the granted reconsideration request. If you do not agree with any item of the water right awarded to you by the Certificate, you have rights of recourse as listed in the following paragraph.

If proof of appropriation or permanent change of water was submitted on or after January 1, 1988, this Certificate is subject to the provisions of Rule R655-6-17 of the Division of Water Rights and to Sections 63G-4-302, 63G-4-402, and 73-3-14 of the Utah Code Annotated, 1953, which provide for the filing of 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 letter. 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 letter, or if a Request for Reconsideration has been filed, within 30 days after 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.

Under the law, you have the right to record this Certificate in the office of the County Recorder in the county where the water is diverted. If you decide to record this Certificate, you should attend to this matter at once.

If you have questions or if we can assist you, we will be happy to do so. Your contact with this office, should you need it, is with the Richfield Regional Office. The telephone number is 435-896-4429.

Sincerely,

Kent L. Jones, P.E.
State Engineer

CERTIFICATE OF BENEFICIAL USE

STATE OF UTAH

WATER RIGHT No: 95 - 5078 APPLICATION to APPROPRIATE No: A75595

WHEREAS, it has been made to appear to the satisfaction of the State Engineer that an appropriation of water has been perfected under the above numbered application in accordance with the Laws of Utah; THEREFORE, be it known that the State Engineer hereby certifies that the owner of the water right represented by this certificate has the right to the use of the water in the quantity, for the purpose, at the place, and during the time specified herein, subject to prior rights, if any.

 ATTENTION: In the event that ownership of the water right evidenced by this certificate is transferred, it is the responsibility of the new owner to update the State Engineer's records by submittal of an appropriate report of conveyance.

1. WATER RIGHT AND OWNERSHIP INFORMATION:

A. NAME: USA National Park Service
 ADDRESS: 1201 Oakridge Drive Suite 250
 Fort Collins CO 80525

B. PRIORITY DATE: June 17, 2015 PRIORITY OF CHANGE a41761: June 13, 2016

2. SOURCE INFORMATION:

A. QUANTITY OF WATER: 0.012 cfs OR 3.36 acre-feet

B. DIRECT SOURCE: Underground Water Well

C. POINT OF DIVERSION -- UNDERGROUND:

(1) S 338 feet E 3,227 feet from the NW corner, Section 29, T 30S, R 7E, SLBM
 WELL DIAMETER: 6 inches WELL DEPTH: 100 feet

D. COUNTY: Wayne

3. WATER USE INFORMATION:

OTHER: from Jan 1 to Dec 31. Field station with dormitories (40 person capacity at 75 gpd/person)
 The Acre Foot SOLE SUPPLY contributed by 95-5078 for this OTHER use in this group is 3.36.

Certificate of Beneficial Use

CERTIFICATE OF BENEFICIAL USE for Water Right: 95 - 5078 continued*****

Page: 2

PLACE OF USE: (which includes all or part of the following legal subdivisions:)

----- Northwest Quarter -----*----- Northeast Quarter -----*----- Southwest Quarter -----*----- Southeast Quarter -----																Section	
BS TOWN RANG SC	NW	NE	SW	SE *	NW	NE	SW	SE *	NW	NE	SW	SE *	NW	NE	SW	SE	Totals
SL 30S 7E 20				*				*				*		X		X	0.0000
																Group Total:	0.0000

=====

LIMITATION(S) -- Water Right 95 - 5078 is limited to:
 an annual diversion for OTHER purposes of 3.3600 acre-feet,

4. SIGNATURE OF STATE ENGINEER & ACKNOWLEDGMENT OF NOTARY PUBLIC:

The works used in this appropriation are to be operated and maintained in such a manner and condition as will prevent waste of water. This certificate entitles the holder to use only sufficient water from all rights combined to constitute an economic duty without waste. The right evidenced by this certificate is subject to review by the courts in any adjudication proceeding.

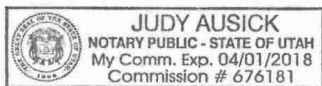
In Witness Whereof, I have hereunto set my hand and affixed the seal of my office this

14th day of November, 20 16.

Kent L. Jones
 Kent L. Jones P.E.
 State Engineer

STATE OF UTAH)
) SS
 COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this

14th day of November, 20 16 KENT L. JONES, P.E., State Engineer of Utah.

Judy Ausick
 Notary Public



GARY R. HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

MICHAEL R. STYLER KENT L. JONES
Executive Director State Engineer/Division Director

ORDER OF THE STATE ENGINEER

For Amendatory Change Application Number 95-5078 (a41761)

Amendatory Change Application Number 95-5078 (a41761) in the name of USA National Park Service, was filed on June 13, 2016, to change the point of diversion, places of use, and uses of 0.042 cubic foot per second (cfs) or 3.36 acre-feet (af) of water as evidenced by Water Right Number 95-5078. Heretofore, the water has been diverted from a well located South 400 feet and East 3310 feet from the NW Corner of Section 29, T30S, R7E, SLB&M (existing 6-inch well, 100 feet deep). The water has been used for the sole supply of 0.787 acre irrigation (group total of 1.00 acre) from April 1 to October 31; year-round, indoor, domestic requirements of 1.00 equivalent domestic unit (EDUs); and year-round commercial purposes (An outdoor educational facility (40 person/day)). The water has been used in all or portion(s) of Sections 20 & 29, T30S, R7E, SLB&M.

Hereafter, it is proposed to divert 0.012 cfs or 3.36 acre-feet of water from a well located South 338 feet and East 3227 feet from the NW Corner of Section 29, T30S, R7E, SLB&M (existing 6-inch well, 100 feet deep, drilled in 2008). The water is to be used for year-round other purposes (Field station with dormitories (40 persons/75 gpd)). The place of use of the water is being changed to all or portion(s) of Section 29, T30S, R7E, SLB&M.

Notice of the application was published in The Wayne and Garfield County Insider on June 30 and July 7, 2016. No protests were received.

Review has been made of the proposed changes and the underlying right. During the review of the application it was noted that the place of use on the application was described as being located in Section 29, T30S, R7E, SLB&M; however, the correct place of use is located in Section 20, T30S, R7E, SLB&M. It is the opinion of the state engineer that this change can be made and the application approved without adversely affecting prior rights provided certain conditions are imposed

It is, therefore, **ORDERED** and Amendatory Change Application Number 95-5078 (a41761) is hereby **APPROVED** subject to prior rights and with the following condition:

The amount of water diverted by the applicant from the well shall be limited to 3.36 acre-feet annually. The water is to be used for year-round other purposes (Field station with dormitories (40 persons/75 gpd)).

It is the applicant's responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership. Additionally, if ownership of this water right or the property with which it is associated changes, the records of the Division of

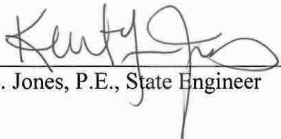
ORDER OF THE STATE ENGINEER
Amendatory Change Application Number
95-5078 (a41761)
Page 2

Water Rights should be updated. For assistance in updating title to the water right please contact the Division at the phone number below.

Your contact with this office, should you need it, is with the Sevier River/Southern Regional Office. The telephone number is 435-896-4429.

This Order is subject to the provisions of Administrative Rule R655-6-17 of the Division of Water Rights and to Sections 63G-4-302, 63G-4-402, and 73-3-14 of the Utah Code 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 Order. 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 Order, 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 9th day of November, 2016.


Kent L. Jones, P.E., State Engineer

Mailed a copy of the foregoing Order this 9th day of November 2016 to:

USA National Park Service
1201 Oakridge Drive, Suite 250
Fort Collins, CO 80525

BY: 
Sonia R. Nava, Applications/Records Secretary

ORDER OF THE STATE ENGINEER
Amendatory Change Application Number
95-5078 (a41761)
Page 3

USA NATIONAL PARK SERVICE
1201 OAKRIDGE DRIVE SUITE 250
FORT COLLINS CO 80525

- - - - -



GARY R. HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER
Executive Director

KENT L. JONES, P.E.
State Engineer/Division Director

>>>>>>OFFICIAL RECEIPT<<<<<<<

RECEIPT No. 16-02141

DATE: June 13, 2016

RECEIVED FROM:

USA NATIONAL PARK SERVICE
1201 OAKRIDGE DRIVE, SUITE 250
FORT COLLINS, CO 80525

NATURE OF SERVICE:

Change Application
Amendatory

95-5078 (a41761)

FEE:

\$ 150.00

TOTAL:

\$ 150.00

METHOD OF PAYMENT: Check 1009

RECEIVED BY: CROBERTS

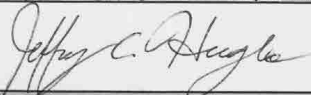
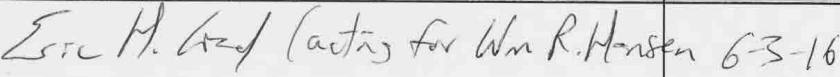
FORM DI-1

REVISED: 04/2016

UNITED STATES
DEPARTMENT OF THE INTERIOR
REQUISITION

BRANCH ACCOUNT #:		BUREAU/OFFICE:		DATE:	
PPWOURADU21/PP		NRSS - WRD		June 3, 2016	
VENDOR:		DELIVER TO:			
State of Utah Division of Water Rights P.O. Box 664 Richfield, UT 84701 (435) 896-4429		1201 Oakridge Drive, Suite 250 Fort Collins, CO 80525			

ITEM OR FORM #	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	Check to cover fees to file amendatory change		EA		\$150.00
	application 95-5078(A75595) for Capitol Reef		EA		\$0.00
	National Park		EA		\$0.00
			EA		\$0.00
			EA		\$0.00
Make check payable to "Utah State Engineer" JUSTIFICATION: Change application needed to correct proof of appropriation application for a water right within Capitol Reef National Park					
				TOTAL:	\$150.00

FUND CERTIFICATION: The funds requested in the amount shown in the TOTAL above, are available and chargeable to the cost authorities shown in the BRANCH ACCOUNT # above.	
REQUESTED BY (Signature of Requestor):	DATE:
	June 3, 2016
APPROVED BY (Signature of Approving Official):	DATE:
	6-3-16



United States Department of the Interior

NATIONAL PARK SERVICE
Water Resources Division
1201 Oak Ridge Drive, Suite 250
Fort Collins, CO 80525

In reply use:
L54 (2380)

CARE/Water Rights

Mr. Dion J. Gardner
Engineering Technician
Utah Department of Natural Resources
Division of Water Rights
130 N. Main Street
P.O. Box 664
Richfield, UT 84701-0664

Re: Amendatory Change Application for 95-5078(A75595)

Dear Mr. Gardner,

We received your May 19, 2016, letter requesting the National Park Service to file an Amendatory Change Application for 95-5078(A75595). Please find the signed application enclosed along with a check for \$150.00.

If you have any questions concerning this letter or the enclosures, please contact Jeff Hughes of my staff at (970) 225-3527.

Sincerely,

William R. Hansen
Chief, Water Rights Branch

cc: CARE - Fisk

APPLICATION FOR PERMANENT CHANGE OF WATER

STATE OF UTAH

Rec. by _____

Fee Amt. \$150.00

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:

WATER RIGHT NUMBER: 95-5078

(c132150GARDNER)

This AMENDATORY Change Application proposes to change the POINT(S) OF DIVERSION, PLACE OF USE, and NATURE OF USE.

1. OWNERSHIP INFORMATION.

A. NAME: USA National Park Service
ADDRESS: 1201 Oakridge Drive, Suite 250
Fort Collins, CO 80525
INTEREST: 100%

B. PRIORITY OF CHANGE:

FILING DATE:

C. EVIDENCED BY: 95-5078 (A75595)

* DESCRIPTION OF CURRENT WATER RIGHT: *

2. SOURCE INFORMATION.

A. QUANTITY OF WATER: 0.042 cfs OR 3.36 acre-feet

B. SOURCE: Underground Water Well

COUNTY: Wayne

C. POINT(S) OF DIVERSION.

POINT OF DIVERSION -- UNDERGROUND:

(1) S 400 feet E 3,310 feet from NW corner, Section 29, T 30S, R 7E, SLBM
WELL DIAMETER: 6 inches WELL DEPTH: 100 feet

3. WATER USE INFORMATION.

IRRIGATION: from Apr 1 to Oct 31. Acres: 0.7870 Supplemental Acres: 1.0000.

DOMESTIC: from Jan 1 to Dec 31. Families: 1.0000.

Permanent Change

CHANGE APPLICATION No.:

for Water Right: 95-5078 (c13215DGARDNER) Page: 2

COMMERCIAL: from Jan 1 to Dec 31. An outdoor educational facility (40 person/day)

4. PLACE OF USE.

(Which includes all or part of the following legal subdivisions:)

BASE TOWN RANG SEC	NORTH-WEST¼				NORTH-EAST¼				SOUTH-WEST¼				SOUTH-EAST¼			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
SL 30S 7E 20				***					***				***			X
29				***					***				***			X

* THE FOLLOWING CHANGES ARE PROPOSED: *

5. SOURCE INFORMATION.

A. QUANTITY OF WATER: 0.012 cfs OR 3.36 acre-feet

B. SOURCE: Underground Water Well

COUNTY: Wayne

C. POINT(S) OF DIVERSION. Changed as Follows:

POINT OF DIVERSION -- UNDERGROUND:

(1) S 338 feet E 3,227 feet from NW corner, Section 29, T 30S, R 7E, SLBM

WELL DIAMETER: 6 inches

WELL DEPTH: 100 feet

D. COMMON DESCRIPTION: 15 miles SE of Torrey

6. WATER USE INFORMATION. Changed as Follows:

OTHER: from Jan 1 to Dec 31. Field station with dormitories (40 persons/75 gpd)

7. PLACE OF USE. Changed as Follows:

(Which includes all or part of the following legal subdivisions:)

BASE TOWN RANG SEC	NORTH-WEST¼				NORTH-EAST¼				SOUTH-WEST¼				SOUTH-EAST¼			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
SL 30S 7E 29				***					***				***		X	X

CHANGE APPLICATION No.:

for Water Right: 95-5078 (c13215DGARDNER) Page: 3

8. 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 including maps and other documents attached, at the time of filing, rests with the applicant(s).



USA National Park Service

June 3, 2016



State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER

Executive Director

Division of Water Rights

KENT L. JONES

State Engineer/Division Director

May 19, 2016

USA National Park Service
1201 Oakridge Drive, Suite 250
Fort Collins, CO 80525

RE: 95-5078 (A75595)

Dear Applicant:

The 'Proof of Beneficial Use of Water' for the above-referenced application has been reviewed.

During the review it was noted that the original application was approved for one home, an outdoor education facility and 0.787 acres of irrigation; however, according to the proof, the water is being used for 3 boarding facilities. This constitutes a change in the nature of use of the water. Any change in nature of use requires an amendatory change application.

Enclosed with this letter is an Amendatory Change Application. There is a mandatory filing fee of \$150.00 for this application. This can be paid by check or money order made payable to the "Utah State Engineer". After reviewing the application, please return the signed application and filing fee to the following address:

Division of Water Rights
PO Box 664
Richfield UT 84701

We would encourage you to give this matter your immediate attention. Upon approval of this amendatory change application, a certificate can be issued to finalize the application. If you have any questions or require any further information please feel free to contact our office at your convenience.

Sincerely,

Dion J. Gardner
Engineering Technician

enc: Amendatory Change Application

Southern Region, Richfield Office, 130 N Main Street, P.O. Box 664, Richfield, UT 84701-0664
telephone (435) 896-4429 • facsimile (435) 893-8114 • www.waterrights.utah.gov



APPLICATION FOR PERMANENT CHANGE OF WATER

STATE OF UTAH

Rec. by _____

Fee Amt. **\$150.00**

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:

WATER RIGHT NUMBER: 95-5078

(c13215DGARDNER)

This AMENDATORY Change Application proposes to change the POINT(S) OF DIVERSION, PLACE OF USE, and NATURE OF USE.

1. OWNERSHIP INFORMATION.

A. NAME: USA National Park Service
 ADDRESS: 1201 Oakridge Drive, Suite 250
 Fort Collins, CO 80525
 INTEREST: 100%

B. PRIORITY OF CHANGE:

FILING DATE:

C. EVIDENCED BY: 95-5078 (A75595)

* DESCRIPTION OF CURRENT WATER RIGHT: *

2. SOURCE INFORMATION.

A. QUANTITY OF WATER: 0.042 cfs OR 3.36 acre-feet

B. SOURCE: Underground Water Well

COUNTY: Wayne

C. POINT(S) OF DIVERSION.

POINT OF DIVERSION -- UNDERGROUND:

(1) S 400 feet E 3,310 feet from NW corner, Section 29, T 30S, R 7E, SLBM
 WELL DIAMETER: 6 inches WELL DEPTH: 100 feet

3. WATER USE INFORMATION.

IRRIGATION: from Apr 1 to Oct 31. Acres: 0.7870 Supplemental Acres: 1.0000.

DOMESTIC: from Jan 1 to Dec 31. Families: 1.0000.

Permanent Change

CHANGE APPLICATION No.: for Water Right: 95-5078 (c13215DGARDNER) Page: 2

COMMERCIAL: from Jan 1 to Dec 31. An outdoor educational facility (40 person/day)

4. PLACE OF USE.

(Which includes all or part of the following legal subdivisions:)

BASE TOWN RANG SEC	NORTH-WEST $\frac{1}{4}$				NORTH-EAST $\frac{1}{4}$				SOUTH-WEST $\frac{1}{4}$				SOUTH-EAST $\frac{1}{4}$			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
SL 30S 7E 20				***					***				***			X
29				***					***				***			X

THE FOLLOWING CHANGES ARE PROPOSED:

5. SOURCE INFORMATION.

A. QUANTITY OF WATER: 0.012 cfs OR 3.36 acre-feet

B. SOURCE: Underground Water Well

COUNTY: Wayne

C. POINT(S) OF DIVERSION. Changed as Follows:

POINT OF DIVERSION -- UNDERGROUND:

(1) S 338 feet E 3,227 feet from NW corner, Section 29, T 30S, R 7E, SLBM
WELL DIAMETER: 6 inches WELL DEPTH: 100 feet

D. COMMON DESCRIPTION: 15 miles SE of Torrey

6. WATER USE INFORMATION. Changed as Follows:

OTHER: from Jan 1 to Dec 31. Boarding school (40 persons/75 gpd)

7. PLACE OF USE. Changed as Follows:

(Which includes all or part of the following legal subdivisions:)

BASE TOWN RANG SEC	NORTH-WEST $\frac{1}{4}$				NORTH-EAST $\frac{1}{4}$				SOUTH-WEST $\frac{1}{4}$				SOUTH-EAST $\frac{1}{4}$			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
SL 30S 7E 29				***					***				***		X	X

CHANGE APPLICATION No.:

for Water Right: 95-5078 (c13215DGARDNER) Page: 3

8. 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 including maps and other documents attached, at the time of filing, rests with the applicant(s).

USA National Park Service



GARY R. HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

MICHAEL R. STYLER
Executive Director

KENT L. JONES
State Engineer/Division Director

ORDER OF THE STATE ENGINEER

On Extension of Time Request

For Application to Appropriate Water Number 95-5346 (A75595a)

Application to Appropriate Water Number 95-5346 (A75595a), in the name of USA National Park Service, was filed on October 20, 2004, to appropriate 0.008 cubic foot per second (cfs) or 0.64 acre-foot (af) of water from a well to be located South 400 feet and East 3310 feet from the NW Corner of Section 29, T30S, R7E, SLB&M (existing 6-inch well, 100 feet deep). The water is to be used for the irrigation of 1.00 acre (sole supply of 0.213 acre) from April 1 to October 31. The application was approved on April 22, 2005, and proof of beneficial use was last due on April 30, 2015.

The applicant has filed a request for an extension of time within which to file proof with the State Engineer stating that proof has been submitted on the original right for indoor use. Additional time is needed to develop this segregated portion of the right.

The above numbered application lapsed on April 30, 2015, because neither proof nor an extension request was received in our office. The application was reinstated June 25, 2015, because an extension request was received in our office. The priority date of the application is now **June 25, 2015**.

It has been more than ten years since the Application to Appropriate Water was approved, and at least nine years since the well was drilled. Approvals are issued with the understanding that the applicant has the means to pursue the proposed project in a timely manner. However, the applicant's affidavit in support of the Application to Appropriate Water may justify reasonable cause for delay.

The applicant is placed on notice that extension requests must comply with the provisions of Section 73-3-12 of the Utah Code which provides that the applicant is to construct works if necessary, apply water to beneficial use, and file proof with the State Engineer OR file a request for an extension of time with the State Engineer on or before the date set for filing proof. The State Engineer is to extend the date set for submitting proof if the applicant shows reasonable and due diligence in completing the appropriation or reasonable cause for delay in completing the appropriation. If the State Engineer finds unreasonable delay or lack of reasonable and due diligence in completing the appropriation, the State Engineer may deny the extension of time; or grant the request in part or upon conditions, including a reduction of the priority of all or part of the application.

ORDER OF THE STATE ENGINEER

Extension of Time to Submit Proof

Application to Appropriate Water Number 95-5346 (A75595a)

Page 2

It is, therefore, **ORDERED** and an extension of time within which to submit proof is **GRANTED** on Application to Appropriate Water Number 95-5346 (A75595a), to and including **April 30, 2019, the end of the 14-year period**, but with the understanding that this extension is granted only for the purpose of submitting proof and is likely the last extension of time.

It is the applicant's responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership.

Your contact with this office, should you need it, is with the Sevier River/Southern Regional Office. The telephone number is 435-896-4429.

This Order is subject to the provisions of Administrative Rule R655-6-17 of the Division of Water Rights and to Sections 63G-4-302, 63G-4-402, and 73-3-14 of the Utah Code 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 Order. 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 Order, 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 12th day of September 2015.


Kent L. Jones, P.E., State Engineer
BY: John R. Mann, P.E., Assistant State Engineer

Mailed a copy of the foregoing Order this 12th day of September, 2015 to:

USA National Park Service
1201 Oakridge Drive, Suite 250
Fort Collins, CO 80525

BY: 
Sonia R. Nava, Applications/Records Secretary



GARY R. HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER KENT L. JONES
Executive Director *State Engineer/Division Director*

July 2, 2015

USA National Park Service
1201 Oakridge Drive, Suite 250
Fort Collins, CO 80525

RE: Application Number: 95-5346

Dear Applicant(s):

PROOF DUE: April 30, 2015

The above-numbered application lapsed on April 30, 2015, because neither Proof, nor an Extension Request was received in our office prior to the Proof Due date.

The application was reinstated July 2, 2015, because an Extension Request was received in our office. The priority date of the application is now July 2, 2015.

Sincerely,

A handwritten signature in black ink, appearing to read "Kent L. Jones".

Kent L. Jones, P.E.
State Engineer

KLJ:Rj

NOTICE OF LAPSING AND REINSTATEMENT



State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Water Rights
KENT L. JONES
State Engineer/Division Director

June 18, 2015

USA National Park Service
1201 Oakridge Drive, Suite 250
Fort Collins CO 80525

RE: 95-5346, a segregated portion of 95-5078

Dear Applicant:

As requested, a portion of your ownership interest (0.64 acre-foot) in Water Right Number 95-5078 has been segregated and assigned the new Water Right Number 95-5346.

Please find enclosed a copy of the Statement of a Water Right Segregation for your records.

Also, your corresponding interest in application number A75595 has been segregated and assigned the new application number A75595a.

In all future correspondence from our office, these identifying numbers will be used. You should also use these numbers in any of your future correspondence or conveyances.

If you have any questions please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, reading "Dion J. Gardner".

Dion J. Gardner
Engineering Technician

pc: Savage Surveying, Inc.
Attn: Jeffery T. Albrecht
1925 South Industrial Park Road
Richfield UT 84701

enc: Statement of a Water Right Segregation

Southern Region, Richfield Office, 130 N Main Street, P.O. Box 664, Richfield, UT 84701-0664
telephone (435) 896-4429 • facsimile (435) 893-8114 • www.waterrights.utah.gov



STATEMENT OF A WATER RIGHT SEGREGATION

STATE OF UTAH

For the purpose of informing the State Engineer of the segregation of a portion of a perfected or water right application consistent with section 73-3-27, this statement is hereby made, based upon the following showing of facts.

(This document was created on: June 18, 2015 by DGARDNER.)

WATER RIGHT #: 95-5346 APPLICATION #: A75595a Priority Date: October 20, 2004

SEGREGATED FROM: 95-5078 (A75595a) on June 18, 2015

Parent Water Right Type: Application To Appropriate

Parent Water Right Status: Lapsed

1. OWNERSHIP INFORMATION:

A. NAME: USA National Park Service
ADDRESS: 1201 Oakridge Drive, Suite 250
Fort Collins, CO 80525

2. SOURCE INFORMATION:

A. QUANTITY OF WATER: 0.008 cfs OR 0.64 acre-feet

B. SOURCE: Underground Water Well

COUNTY: Wayne

C. COMMON DESCRIPTION: 15 miles SE of Torrey

D. POINT OF DIVERSION -- UNDERGROUND:

(1) S 400 E 3,310 from the NW corner, Section 29, T 30S, R 7E, SLBM

WELL DIAMETER: 6 inches

WELL DEPTH: 100 feet

3. WATER USE INFORMATION:

Water Rights Appurtenant to the following use(s):
95-5078,5346

IRRIGATION: from Apr 1 to Oct 31. SOLE SUPPLY: 0.2130 acres

of the Group Total of 1.0000

PLACE OF USE: (which includes all or part of the following legal subdivisions:)

		----- Northwest Quarter -----				----- Northeast Quarter -----				----- Southwest Quarter -----				----- Southeast Quarter -----				Section
BS	TOWN	RANG	SC	NW	NE	SW	SE	*	NW	NE	SW	SE	*	NW	NE	SW	SE	Totals
SL	30S	7E	20					*					*				X	0.0000
SL	30S	7E	29					*					*				1.0000*	1.0000
																	Group Total:	1.0000

=====

Segregation

APPLICATION TO SEGREGATE for Water Right: 95 - 5346 continued*****

Page: 2

LIMITATION(S) -- Water Right 95 - 5346 is limited to:
the sole irrigation requirements of 0.2130 acres,
an annual diversion for irrigation of 0.6390 acre-feet.

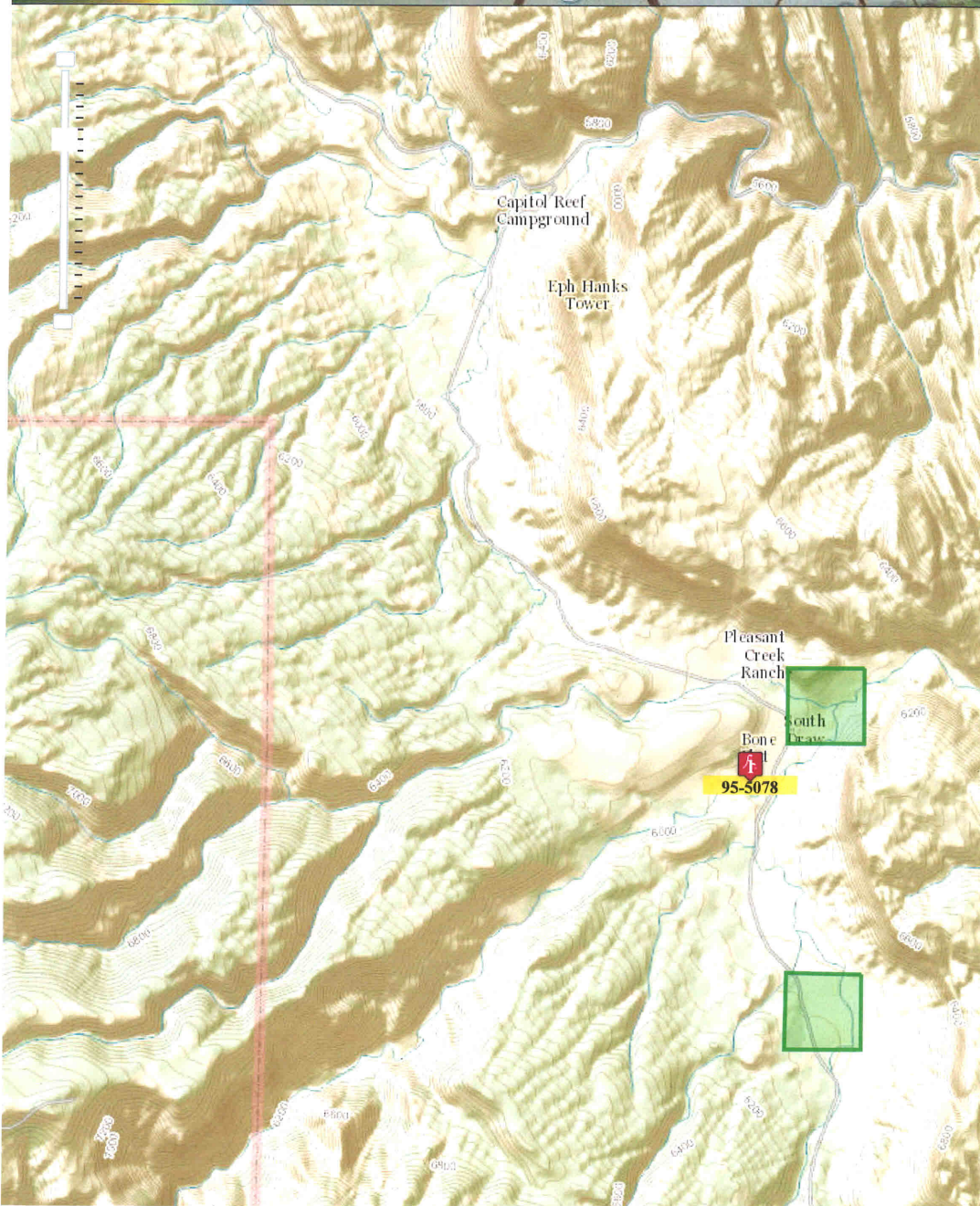
5/18/2015

Map

Utah.gov Services

Agencies

Utah Division of Water Rights



http://maps.waterrights.utah.gov/Esr/Map/map.asp?layersToAdd=adjudication_books,esri_labels,duty,parcels,pls,pod,wr_areas,&layersToTurnOn=esri_labels... 1/1

6



GARY R. HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER KENT L. JONES
Executive Director State Engineer/Division Director

MAY 15, 2015

USA NATIONAL PARK SERVICE
1201 OAKRIDGE DRIVE, SUITE 250
FORT COLLINS, CO 80525

LAPSED

Dear Applicant:

FINAL NOTICE OF LAPSING
RE: Application No. 95-5078 (A75595)
PERMANENTLY LAPSED DATE: APRIL 30, 2015

The above-numbered application LAPSED because neither proof of beneficial use nor an extension of time request was received on or before APRIL 30, 2015.

Under Utah Laws, even if an application has lapsed because proof was not submitted or an election was not filed (in areas under an adjudication order of the court), or an extension of time was not requested with the proper showing of diligence, that application might still be reinstated within sixty days after this notice of lapsing.

REQUEST FOR REINSTATEMENT CANNOT BE RECEIVED LATER THAN SIXTY DAYS FROM THE DATE HEREOF. IF YOUR APPLICATION IS REINSTATED, ITS PRIORITY DATE WILL BE CHANGED TO THE DATE ON WHICH REQUEST FOR REINSTATEMENT IS FILED.

IF YOUR APPLICATION IS NOT REINSTATED WITHIN SIXTY DAYS FROM THE DATE HEREOF, UNDER THE LAW, THE ABOVE-NUMBERED APPLICATION WILL BE PERMANENTLY LAPSED AND YOU WILL HAVE LOST THE RIGHT INITIATED BY THIS APPLICATION. THIS IS THE ONLY NOTICE OF PERMANENT LAPSING YOU WILL BE SENT UNDER THIS APPLICATION.

IF YOU USE THIS WATER WITHOUT PROPER AUTHORITY, YOU ARE PERFORMING AN ILLEGAL ACT THAT MUST BE DISCONTINUED UNTIL PROPER PROCEDURES HAVE BEEN FOLLOWED.

IF YOU HAVE QUESTIONS OR IF WE CAN ASSIST YOU FURTHER, WE WILL BE HAPPY TO DO SO. YOUR CONTACT WITH THIS OFFICE, IF NECESSARY, IS WITH OUR REGIONAL OFFICE IN RICHFIELD. THE TELEPHONE NUMBER IS (435)896-4429.

Yours truly,

Kent L. Jones, P.E.
State Engineer

PERMANENTLY LAPSEING NOTICE

866 632 7984
359802(4)



GARY R. HERBERT
Governor
GREG BELL
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER KENT L. JONES
Executive Director State Engineer/Division Director

ORDER OF THE STATE ENGINEER

On Extension of Time Request
For Water Right Application Number 95-5078 (A75595)
April 1, 2010

Water Right Application Number 95-5078 (A75595) was filed on October 20, 2004, and approved on April 22, 2005. Proof of Beneficial use was last due on April 30, 2010.

The applicant has filed for an extension of time within which to file proof requesting additional time to complete the project. The request for extension of time has been considered and it is the opinion of the State Engineer that the applicant has satisfied Section 73-3-12 of the Utah Code, by providing adequate documentation of due diligence or reasonable cause for delay.

It is, therefore, **ORDERED** and an extension of time within which to submit proof is **GRANTED** on Water Right Application Number 95-5078 (A75595) to and including **April 30, 2015**, but with the condition that any future request for extension of time will be critically reviewed. Unless substantial progress is shown in the form of physical development within the time hereby granted or reasonable cause for delay is demonstrated, the State Engineer will likely deny any further request for extension of time.

The applicant is placed on notice that extension requests must continue to comply with the provisions of Section 73-3-12 of the Utah Code. This extension is granted in accordance with the law which states: "The construction of the works and the application of water to beneficial use shall be diligently prosecuted to completion within the time fixed by the State Engineer Extensions of time. . . may be granted by the State Engineer on proper showing of diligence or reasonable cause of delay. . . In considering an application to extend the time in which to place water to beneficial use under an approved application, the State Engineer shall deny such extension and declare the application lapsed, unless the applicant affirmatively shows that the applicant has exercised or is exercising reasonable and due diligence in working toward completion of the appropriation."

ORDER OF THE STATE ENGINEER
Extension of Time to Submit Proof
95-5078 (A75595)
Page 2

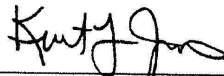
It is the applicant's responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership.

It is earnestly recommended that you complete your development and submit Proof of Beneficial Use at the earliest possible date.

Your contact with this office, should you need it, is with our Regional Office in Richfield. The telephone number is (435)896-4429.

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, 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 1st day of April, 2010.



Kent L. Jones, P.E., State Engineer

Mailed a copy of the foregoing Memorandum Decision this 1st day of April, 2010, to:

USA National Park Service
1201 Oakridge Drive, Suite 250
Fort Collins, CO 80525

Before Fourteen Years
REQUEST FOR EXTENSION OF TIME TO FILE PROOF OF BENEFICIAL USE
STATE OF UTAH

WATER RIGHT NO. **95-5078 (A75595)** APPLICANT: **USA National Park Service**
 1201 Oakridge Drive, Suite 250
 Fort Collins, CO 80525

Provide all information requested below:

Construction completed to date: WATER WELL HAS BEEN COMPLETED, BUT
DOES NOT MEET WATER DRINKING STANDARDS

Work completed since last extension: N/A

Reasons why the project has not been completed: DECISION HAS BEEN MADE TO
DEVELOP A NEW WELL THAT WILL MEET STATE
STANDARDS

Estimated time for completion of project: DECEMBER 31 2012

Pursuant to Section 73-3-12, Utah Code Annotated 1953 (as amended), request is made for EXTENSION OF TIME to file proof of beneficial use. I assert that to the best of my knowledge all information provided herein is true and complete. By signing this form, I assert that I am the applicant or I have been granted authority on behalf of the applicant.

APPLICANT or REPRESENTATIVE (signature)

Date

435-4263391 x143
 Telephone Number (Optional)

DAVID J. WORTHINGTON
 APPLICANT or REPRESENTATIVE (print)

CHIEF RESOURCE MANAGEMENT & SCIENCE
 REPRESENTATIVE'S TITLE

FOR OFFICE USE ONLY

\$50 FEE RECD. #1056 BY [Signature] RECEIPT NO. 10-00984 COMPUTER

PROOF DUE DATE: **April 30, 2010**

14 YEAR PERIOD ENDS: **April 22, 2019**

REMARKS:

RETURN TO: DIVISION OF WATER RIGHTS*1594 West North Temple, Suite 220, SALT LAKE CITY, UT 84114*(801)538-7240.

Extension Request

DIVISION OF WATER RIGHTS

OCT , 2004

SCANNED

RICHFIELD AREA

DIVISION OF WATER RIGHTS

OCT 20 2004

RICHFIELD AREA

FILING FOR WATER IN THE STATE OF UTAH

APPLICATION TO APPROPRIATE WATER

Rec. by RFFee Rec. 75.00Receipt # 04-04597

Microfilmed _____

Roll # _____

For the purpose of acquiring the right to use a portion of the unappropriated water of 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 to Title 73, Chapter 3 of the Utah Code Annotated (1953, as amended).

*WATER RIGHT NO. 95 - 5078*APPLICATION NO. A 755951. *PRIORITY OF RIGHT: 10/20/04*FILING DATE: 10/20/04

2. OWNER INFORMATION

Name(s): USA NATIONAL PARK SERVICE*Interest: 100 %Address: 1201 OAKRIDGE DRIVE, SUITE 250City: FORT COLLINSState: COLORADOZip Code: 80525Is the land owned by the applicant? Yes ☐ No ☐ (If "No", please explain in EXPLANATORY section.)3. QUANTITY OF WATER: .05 cfs

cfs and/or _____

ac-ft. _____

4. SOURCE: UNDERGROUND WATER WELL

*DRAINAGE: _____

which is tributary to _____

which is tributary to _____

POINT(S) OF DIVERSION:

COUNTY: WAYNEWell located in S. 400 feet E. 3310 feet from NW cornerSection 29, T.30 S., R. 7 E., SLBM.Description of Diverting Works: 6 inch diameter well casing, 100 feet deep

*COMMON DESCRIPTION: _____

5. POINT(S) OF REDIVERSION N/A

The water will be rediverted from _____ at a point: _____

Description of Diverting Works: _____

6. POINT(S) OF RETURN N/A

The amount of water consumed will be _____ cfs or _____ ac-ft.

The amount of water returned will be _____ cfs or _____ ac-ft.

The water will be returned to the natural stream/source at a point(s): _____

7. STORAGE N/A

Reservoir Name: _____

Storage Period: from _____ to _____

Capacity: _____ ac-ft. Inundated Area: _____ acres.

Height of dam: _____ feet

Legal description of inundated area by 40 acre tract(s): _____

* These items are to be completed by the Division of Water Rights

Appropriate

SCANNED

95-5078 (A75595)

SCANNED

8. List any other water rights which will supplement this application N/A

9. NATURE AND PERIOD OF USE

Irrigation:	From <u>April 1</u> to <u>October 31</u>
Stockwatering:	From _____ to _____
Domestic:	From <u>January 1</u> to <u>December 31</u>
Municipal:	From _____ to _____
Mining:	From _____ to _____
Power:	From _____ to _____
Other:	From _____ to _____

10. PURPOSE AND EXTENT OF USE

Irrigation: 1.0 _____ acres. Sole supply of 1.0 _____ acres.
 Stockwatering (number and kind): _____
 Domestic: _____ 1 Families and/or _____ 40. Persons.
 Municipal (name): _____
 Mining: _____ Mining District in the _____ Mine.
 Ores mined: _____
 Power: Plant name: _____ Type: _____ Capacity: _____
 Other (describe): _____

11. PLACE OF USE

Legal description of place of use by 40 acre tract(s):

SE SE SECTION 20, T. 30 S., R. 7 E., SLBM

12. EXPLANATORY

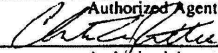
The following is set forth to define more clearly the full purpose of this application. (Use additional pages of the same size if necessary):

The well will be the source of irrigation and domestic water for the
Utah Valley State College Outdoor Education Facility.

The applicant(s) hereby acknowledges that he/she/they are a citizen(s) of the United States of America or intends to become such a citizen(s). The quantity of water sought to be appropriated is limited to that which can be beneficially used for the purposes herein described. 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).

U.S.A. National Park Service
 Signature of Applicant(s)*

*If applicant is a corporation or other organization, signature must be the name of such corporation or organization by its authorized agent, or in the name of the partnership by one of the partners.

Charles W. Pettee
 Authorized Agent (please print)

 Authorized Agent (signature)

SCANNED



JON M. HUNTSMAN, JR.
Governor
GARY R. HERBERT
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER JERRY D. OLDS
Executive Director *State Engineer/Division Director*

October 21, 2005

USA NATIONAL PARK SERVICE
C/O CHIEF WATER RIGHTS
1201 OAK RIDGE DRIVE
FORT COLLINS, CO 80525

Dear Applicant(s):

RE: Water Right Number 95-544 ()

Enclosed is the Certificate of Beneficial Use issued by the State Engineer as the final step in completing the appropriation relating to the above-numbered water right. If you do not agree with any item of the water right awarded to you by the Certificate, you have rights of recourse as listed in the following paragraph.

If proof of appropriation or permanent change of water was submitted on or after January 1, 1988, this Certificate is subject to the provisions of Rule R655-6-17 (formerly Rule R625-6-17) 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 the filing of 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 letter. 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 letter, or if a Request for Reconsideration has been filed, within 30 days after 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.

Under the law this Certificate must be recorded in the office of the County Recorder in the county where the water is diverted, within thirty (30) days from the receipt hereof. You should attend to this matter at once.

If you have questions or if we can assist you, we will be happy to do so. Your contact with this office, should you need it, is with the Richfield Regional Office. The telephone number is 435-896-4429.

Sincerely,

Jerry D. Olds, P. E.
State Engineer

JDO:whs

CERTIFICATE OF BENEFICIAL USE

STATE OF UTAH

WATER RIGHT No: 95 - 544

1. WATER RIGHT AND OWNERSHIP INFORMATION:

A. NAME: USA National Park Service
ADDRESS: c/o Chief Water Rights
1201 Oak Ridge Drive
Fort Collins, CO 80525

B. RIGHT EVIDENCED BY:
95-544 (Decree)

C. PRIORITY DATE: July 15, 1935 PRIORITY OF CHANGE a19741: February 15, 1996

2. SOURCE INFORMATION:

A. QUANTITY OF WATER: 0.0557 cfs OR 15.0 acre-feet

B. DIRECT SOURCE: Fremont River and Underground Water Well

C. POINT OF DIVERSION -- SURFACE:
(1) N 406 feet E 504 feet from the SW corner, Section 14, T 29S, R 6E, SLBM

D. POINT OF DIVERSION -- UNDERGROUND:
(1) S 1,748 feet W 2,439 feet from the NE corner, Section 22, T 29S, R 6E, SLBM
WELL DIAMETER: 6 inches WELL DEPTH: 78 feet

E. COUNTY: Wayne

3. WATER USE INFORMATION:

MUNICIPAL: from Jan 1 to Dec 31. Capitol Reef National Park.

4. PLACE OF USE: (which includes all or part of the following legal subdivisions:)

BASE	TOWN	RANG	SEC	NORTH-WEST¼ ***				NORTH-EAST¼ ***				SOUTH-WEST¼ ***				SOUTH-EAST¼ ***						
				NW	NE	SW	SE	***	NW	NE	SW	SE	***	NW	NE	SW	SE	***	NW	NE	SW	SE
SL	29S	6E	14	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
			15	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
			22	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
			23	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X

5. EXPLANATORY:

Certificate of Beneficial Use

CERTIFICATE OF BENEFICIAL USE for Water Right: 95 - 544 continued*****

Page: 2

6. SIGNATURE OF STATE ENGINEER & ACKNOWLEDGMENT OF NOTARY PUBLIC:

The right evidenced by this certificate is restricted to the change described herein, and the certificate in no way establishes nor validates the water right claimed by the applicant, and the change is to in no way enlarge the original right or rights. This certificate entitles the holder to use only sufficient water from all rights combined to constitute an economic duty without waste of water. The works used in this change are to be operated and maintained in such a manner and condition as will prevent waste of water.

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office this

21st day of OCTOBER, 20 05.

In the event ownership of the right evidenced by this certificate is transferred, it is the responsibility of the new owner to update the State Engineer's records by submittal of the appropriate report of conveyance

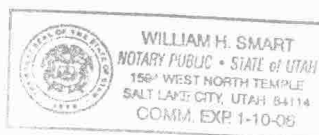
STATE OF UTAH)
COUNTY OF SALT LAKE)



Jerry D. Olds
JERRY D. OLDS, P.E.
State Engineer

The foregoing instrument was acknowledged before me this

21st day of OCTOBER, 20 05 by JERRY D. OLDS, State Engineer of Utah.



William H. Smart
Notary Public

Naser Engineering
460 West 400 South
Richfield, Utah 84701
(801) 896-6022

Feb. 4, 2004

Mr. Jim Hart
USA National Park Service
1201 Oak Ridge Drive
Fort Collin, CO 80525

RE: "Proof of Diversion and Use of Water, 95-544 (a19741)

Dear Mr. Hart,

Enclosed is the original "Proof of Diversion and Use of Water" along with a copy for your file. Please have the "Certificate of Applicant" signed and the signature notarized. If you will then return the "Proof", along with your payment to me, I will forward it to the Division of Water Rights office.

Thanks again for allowing me to complete your "Proof"

Sincerely,

A handwritten signature in dark ink, appearing to read "Don L. Naser", written in a cursive style.

Don L. Naser, P.E.

DIVISION OF WATER RIGHTS

PROOF OF BENEFICIAL USE OF WATER STATE OF UTAH

JAN 31 2005

RICHFIELD AREA

Proof is hereby submitted to the State Engineer that water has been placed to beneficial use (Section 73-3-16, Utah Code).

1. TYPE OF RIGHT (Mark applicable box and fill in blanks.)

- ☐ New Appropriation: Water Right# _____ Application# _____
- ☒ Change of Right: Water Right# 95-544 Change# a19741
- ☐ Resumption of Use by Water Right# _____ (being completed at the same time as the change. Only one form is needed for both.)

970-225-3538

2. OWNER DATA (Same as on application or provide title update.)

Branch

Name USA National Park Service, Chief Water Rights Telephone: _____Street or Box No. 1201 Oak Ridge DriveCity Fort Collins State CO Zip Code 80525

3. QUANTITY OF WATER 0.0557 cfs and/or _____ acre-feet.

4. SOURCE OF WATER 1) Underground 2) Surface
County Wayne

5. POINT(S) OF DIVERSION (Must be based on a competent land survey; all ties must be given by rectangular coordinates with reference to a regularly established U.S. land corner.)

Location: 1) South 1,748' & West 2,439' from the NE Cor. of
Sec. 22, T29S, R6E, SLB & M2) North 406' & East 504' from the SW Cor. of
Sec. 14, T29S, R6E

Address (if applicable) _____

Description of Diversion and Carrying Works: _____

6. POINT(S) OF REDIVERSION (If applicable, same format as diversions.)

Location: _____

Description of Works: 6" dia pumped well - 76' deep

7. POINT(S) OF RETURN (If applicable, same format as diversions.)

Location of Return to Natural Stream/Source: _____

Amount of Consumed Water: _____ cfs and/or _____ acre-feet

Amount of Returned Water: _____ cfs and/or _____ acre-feet

8. STORAGE (If applicable, describe reservoir, lake, etc.)

Facility Name (if any): _____ Capacity: _____ acre-feet

Storage Period: from _____ to _____

Dam Height: _____ Inundated Area: _____ acres

Legal Description of Storage Area (by competent survey): _____

9. SUPPLEMENTAL WATER RIGHTS FOR THE PURPOSES DESCRIBED H

RECEIVED

FEB 01 2005

WATER RIGHTS
SALT LAKE

Please Sign
&
Return this
Copy

Proof

10. NATURE, EXTENT AND PERIOD OF USE (Enter Beginning and Ending Dates; if uses exceed amounts in application, explain the supplemental rights in Item 9.)

Irrigation: from: _____ to: _____
 Total Acres _____ Acres under this right: _____
 Stockwatering: from: _____ to: _____
 Number and Kind of Stock: _____
 Domestic: from: _____ to: _____
 Number of Families: _____ and/or Number of Persons: _____
 Municipal: from: Jan. 1 to: Dec. 31
 Name of City, District, etc.: Capitol Reef National Park
 Mining: from: _____ to: _____
 Mine Name: _____ Mining District: _____
 Power: from: _____ to: _____
 Type: _____ Plant Name: _____ Capacity: _____
 Other: from: _____ to: _____
 Description: _____

11. PLACE OF USE (By competent survey. Since water rights can be appurtenant to the place of use, be specific and exact in describing the location of each use for the water right owner. Written descriptions and any maps should coincide. The legal description of the property where the water is used should accompany the proof (land deed, tax notice, county plat, etc.). Maps must show the configuration of the place of use and the acreage of irrigated land.)

Sec. 14, Sec. 15, Sec. 22, & Sec. 23 all in T29S, R6E SLB & 6M

MAPS AND DRAWINGS (Must comply with rules and standards established by the State Engineer.)

These documents shall be based on competent land surveys, signed and stamped by the licensed engineer/surveyor, and submitted on standard drafting medium (if paper, at least 50% cotton) that is durable and reproducible with all information legible and in **black permanent drafting ink or other media of equivalent durability and opacity**. Standard mapping conventions must be used (north arrow, scale in both written and graphic form, legend describing any symbols, etc.). Lines must be distinct. Shading or hatching may show irrigated acreage, but the boundary of the irrigated area must be delineated. All property surveys must tie to the section-township-range survey for the area of use, and the basis of bearing for the bearings must be shown. Any public roads or other access information near the surveyed property should be shown. The most convenient map sizes are 8 1/2" x 11" or 8 1/2" x 14", particularly for irrigated acreages of 5 acres or less. Maps of small parcels should be drawn to the largest scale practical and at the least 1"=300'. There must be at least a 1 1/4" margin at the top and a 1/2" margin on the sides and bottom. The title block should appear on the lower right-hand side of the page (the short side being the bottom). If a larger map is needed, the dimensions should be 24" x 36" with the title block in the lower right-hand corner (the long side being the bottom). The title block must include the water right number, application number, survey date, the applicant(s)' name, professional engineer/surveyor's name, professional license number, and section, township, and range of the described parcel(s). Maps must not be folded.

Proof for Water Right Number 95-544 (a19741)

12. **WATER MEASUREMENT** (Provide sufficient details to enable the State Engineer to compute the quantity of water measured in each case, including current meter notes, rating table, field observation notes, etc. Measurements must be made by engineer/surveyor or his/her authorized representative and may be made by vessel, weir, meter, rated flume, reservoir capacity table or other standard method. Where the source of supply is of a fluctuating nature, a series of measurements should be submitted to show the variation and period(s) during which flow is available. The maximum diverted flow and/or acre-footage cannot exceed that approved in the application. If larger amounts are measured, control devices should be described.)

Date(s) Water Measured: _____

Name of Measurement Taker: _____

Method of Measurement: Meter

Flow rate information provided by "Drinking Water Source Protection Plan", Capitol Reef National Park, Fremont River Gorge Well
By David Harry & LaMont Chappell

Flow = 80 gpm = 0.178 cfs

13. **EXPLANATORY** (Additional space for above items and to define use of water such as crop rotation plans, facility plans and capacities, operation schedules, lot numbers, mining claim numbers, sewage systems, etc. Use additional 8 1/2" x 11" pages if needed.)

CAUTION: File proof only if all desired development is done. Otherwise, seriously consider requesting an extension of time. The water right will be limited to the accepted proof.

CERTIFICATE OF APPLICANT

(Don't sign until proof is accepted as sufficient by the State Engineer.)

STATE OF UTAH) ss

COUNTY OF _____)

Charles W. Pettee, Chief Water Rights Branch being first duly sworn, certify that I/we filed Water Right No. 95-544 (a19741), employed Don L Naser to complete proof, hereby accept and submit this proof and certify that all items contained herein are true to the best of my/our knowledge and belief.

Charles W. Pettee

Applicant

Applicant

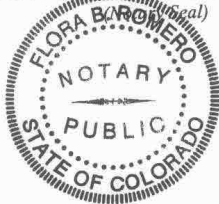
Subscribed and sworn to before me this 4th day of August, 192005

Flora B. Romero, Notary Public
State of Colorado

My commission expires _____

My Commission Expires 7/31/2006

Flora B. Romero
 Notary Public



CERTIFICATE OF PROOF ENGINEER/LAND SURVEYOR

(Sign only after State Engineer's review.)

STATE OF UTAH) ss
COUNTY OF SEVIER)

Don L Naser being first duly sworn, certify that I was employed to prepare proof for Water Right No. 95-544, that the proof fully describes the method and extent of beneficial use of water, and that all items herein are true to the best of my knowledge.

Don L Naser	152222
Printed Name	Signature
460 West 400 South, Richfield, Utah 84701	435-896-6022
Address	Telephone Number

Subscribed and Sworn to before me this _____ day of _____, 19_____

My commission expires _____
Notary Public

(Notary Seal)

(Engineer/Surveyor's Seal)

STATE ENGINEER'S ENDORSEMENTS

Date proof originally filed 1-31-05.

Date signed/amended proof filed _____.

Maps and/or drawings filed herewith or Hanger _____, Page(s) _____.

This written proof and the maps, profiles, and/or drawings pertaining thereto are found to comply with the requirements of state statutes and State Engineer's rules and are hereby approved.

_____, 19_____
State Engineer



JON M. HUNTSMAN, JR.
Governor
GARY R. HERBERT
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER
Executive Director

JERRY D. OLDS
State Engineer/Division Director

ORDER OF THE STATE ENGINEER
For Application to Appropriate Water Number 95-5078 (A75595)

Application to Appropriate Water Number 95-5078 (A75595) in the name of USA National Park Service was filed on October 20, 2004, to appropriate 0.05 cfs of water from a well to be located South 400 feet and East 3310 feet from the NW Corner of Section 29, T30S, R7E, SLB&M. The water is to be used for the irrigation of 1.00 acre from April 1 to October 31, the indoor domestic requirements of one family, and for commercial purposes (an outdoor educational facility serving 40 persons/day. The water is to be used in all or portion(s) of Section 20, T30S, R7E, SLB&M.

Notice of the application was published in The Wayne County Insider on November 18 and November 25, 2004. No protests were received.

Subsequent to the filing of the application, the applicant submitted information detailing the domestic and commercial purposes. It appears that the use of water at the educational facility includes 25 overnight users for 160 days, 15 day users for 160 days plus a caretaker and family for 365 days out of the year. Given this information, the State Engineer believes the combined domestic and commercial purposes will require an annual diversion of 1.0 acre-foot of water.¹ The State Engineer has assigned the 95- area an irrigation duty value of 3.0 acre-feet/acre; therefore, annual diversion of water for irrigation of 1.00 acre shall be limited to 3.0 acre-feet. Total annual diversion of water under this application shall be limited to 4.0 acre-feet.

It is the opinion of the State Engineer that there is unappropriated water that can be developed by the applicant under this application. Based on the recent appropriation policy adopted by the State Engineer, applications requesting this quantity of flow can be approved in perpetuity. The applicant is put on notice that diligence must be shown in pursuing the development of this water right which can be demonstrated by placing the water to beneficial use as outlined in the application.

It is, therefore, **ORDERED** and Application to Appropriate Water Number 95-5078 (A75595) is hereby **APPROVED** subject to all prior rights and according to the conditions of the current appropriation policy for the Colorado River Drainage, adopted March 7, 1990. This water right must be totally developed and placed to beneficial use on or before the noted proof due date which is at least five years from the date of approval. Extensions of time on this application beyond this time period will only be considered under unusual conditions. Total diversion of water under this application shall not exceed 4.0 acre-feet annually for the indoor domestic purposes of one family, irrigation of 1.00 acre and an outdoor educational facility serving 40

¹ Calculated from: Administrative Rules for Public Drinking Water Systems, Part II, R309-200 through R309-211, Table 203-4.

ORDER OF THE STATE ENGINEER
Application to Appropriate Water Number
95-5078 (A75595)
Page 2

persons/day for 160 days per year. The applicant is responsible for obtaining any other permits which may be necessary for the development of the proposed project.

This is your authority to develop the water 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 must be filed on or before **April 30, 2010**, or a request for extension of time must be acceptably filed; otherwise the application will be lapsed. This approval is limited to the rights to divert and beneficially use water and does not grant any rights of access to, or use of land, or facilities not owned by the applicant.

As noted, this approval is granted subject to prior rights. The applicant shall be liable to mitigate or provide compensation for any impairment of or interference with prior rights as such may be stipulated among parties or decreed by a court of competent jurisdiction.

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 uses of the extent of your water right.

Upon the submission of proof as required by Section 73-3-16, Utah Code, for this application, the applicant must identify every source of water used under this application and the amount of water used from that source. The proof must also show the capacity of the sources of supply and demonstrate that each source can provide the water claimed to be diverted under this right as well as all other water rights which may be approved to be diverted from those sources.

Section 73-5-4 of the Utah Code provides that "every person using water in this state shall construct or install and maintain...controlling works...and measuring device at each point where water is diverted or turned out, for the purpose of regulating and measuring the quantity of water that may be used..." In the event that the State Engineer or an authorized representative is required to administer and/or distribute your water right, you will be notified in writing. At that time, if you have not already installed an adequate measuring device, you will be required to do so by a specific deadline. Instruction will also be given concerning any monitoring of your water diversion. Failure to comply could result in an order to cease the use of water and/or the revocation of this approval.

Failure on your part to comply with the requirements of the applicable statutes may result in forfeiture of this Application to Appropriate Water.

It is the applicant's responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership.

Your contact with this office, should you need it, is with the Sevier River/Southern Regional Office. The telephone number is 435-896-4429.

ORDER OF THE STATE ENGINEER
Application to Appropriate Water Number
95-5078 (A75595)
Page 3

This Order is subject to the provisions of Administrative Rule R655-6-17 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code 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 Order. 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 Order, 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 22nd day of April, 2005.


for Jerry D. Olds, P.E., State Engineer

Mailed a copy of the foregoing Order this 22nd day of April, 2005 to:

USA National Park Service
1201 Oakridge Drive, Suite 250
Fort Collins, CO 80525

Utah Division of Drinking Water
PO Box 144830
Salt Lake City, UT 84114-4830

BY: 
Kelly K. Horne, Appropriation Secretary

APPLICANT CARD for WATER RIGHT: 95-5078

IMPORTANT: THIS CARD MUST BE COMPLETED, SIGNED AND RETURNED BY THE WELL
 OWNER/APPLICANT AS SOON AS THE WELL IS DRILLED BY A LICENSED UTAH WATER
 WELL DRILLER. PROOF DUE/EXPIRATION DATE: April 30, 2010
 OWNER/APPLICANT NAME: USA National Park Service
 MAILING ADDRESS: 1201 Oakridge Drive, Suite 250, Fort Collins, CO 80525.
 PHONE NUMBER:
 WELL LOCATION: S 400' E 3310' from NW Cor. S29, T30S, R7E, SLB&M.
 WELL UTM COORDINATES: Northing: 4225651 Easting: 484079
 WELL ACTIVITY: NEW ☒ REPAIR () REPLACE () ABANDON ()
 CLEAN () DEEPEN ()

WELL COMPLETION DATE: _____

NAME OF DRILLING COMPANY/LICENSEE: _____

Owner/Applicant Signature_____
Date

***COMPLETE, SIGN AND RETURN THIS PORTION UPON FINAL WELL COMPLETION -
 DO NOT GIVE THIS CARD TO LICENSED WELL DRILLER - YOU MUST RETURN IT.
 STATE OF UTAH DIVISION OF WATER RIGHTS Phone No. 801-538-7416
 Fax No. 801-538-7467

COMMENTS: _____

START/APPLICANT CARD INSTRUCTIONS: First, for each well, you must give a Driller
 (Start) Card to the licensed driller with whom you contract to construct the well.
 Second, it is your responsibility to sign and return this Applicant Card to this
 office immediately after completion of the well. **CAUTION:** There may be local health
 requirements for the actual siting of your well. Please check with the proper local
 authority before construction begins. See the enclosed sheet addressing construction
 information.

DRILLER (START) CARD for WATER RIGHT: 95-5078

IMPORTANT: THIS CARD MUST BE RECEIVED BY THE DIVISION OF WATER RIGHTS PRIOR TO
 THE BEGINNING OF WELL CONSTRUCTION. PROOF DUE/EXPIRATION DATE: April 30, 2010
 OWNER/APPLICANT NAME: USA National Park Service
 MAILING ADDRESS: 1201 Oakridge Drive, Suite 250, Fort Collins, CO 80525,
 PHONE NUMBER:
 WELL LOCATION: S 400' E 3310' from NW Cor, S29, T30S, R7E, SLB&M.
 WELL UTM COORDINATES: Northing: 4225651 Easting: 484079
 WELL ACTIVITY: NEW ☒ REPAIR () REPLACE () ABANDON ()
 CLEAN () DEEPEN ()

For surface seals in unconsolidated formations (clay, silt, sand, and gravel), will you be using a temporary conductor casing or other formation stabilizer (e.g., drilling mud) in the surface seal interval to maintain the required annular space?

YES or NO (Circle one).

Answering 'NO' suggests that you will be placing the surface seal in an open and unstabilized annular space, which may require onsite inspection of seal placement by the State Engineer's Office.

PROPOSED START DATE: _____

PROJECTED COMPLETION DATE: _____

LICENSE #: _____ LICENSEE/COMPANY: _____

Licensee Signature

Date

NOTICE TO APPLICANT: THIS CARD IS TO BE GIVEN TO A UTAH LICENSED WATER WELL
 DRILLER FOR SUBMITTAL TO THE DIVISION OF WATER RIGHTS PRIOR TO WELL CONSTRUCTION.
 STATE OF UTAH DIVISION OF WATER RIGHTS Phone No. 801-538-7416
 Fax No. 801-538-7467

COMMENTS: _____

ORDER OF THE STATE ENGINEER
Application to Appropriate Water Number
95-5078 (A75595)
Page 4

USA NATIONAL PARK SERVICE
1201 OAKRIDGE DRIVE SUITE 250
FORT COLLINS CO 80525

- - - - -



OLENE S. WALKER
Governor
GAYLE F. McKEACHNIE
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

ROBERT L. MORGAN
Executive Director

JERRY D. OLDS
State Engineer/Division Director

TALKED WITH DON 7/5/05
- is OK he is sending Form(s)
for Chuck's Signature.

He will also send copy of
INVOICE.

June 23, 2005

Don L. Naser
460 W 400 S
Richfield, UT 84701

RE: 95-544 (a19741)

Dear Mr. Naser:

Your "Proof of Change of Water" has been reviewed by our office.

No amendments or corrections are necessary; therefore, complete "Certificate of Applicant" and the "Certificate of Proof Engineer" by the proper parties and have the signatures acknowledged before a notary public.

You are allowed to and including July 23, 2005, within which to complete this proof and return it to this office.

Yours truly,

Kirk Forbush, P.E.
Regional Engineer

Enclosure: Proof of Change

✓ Pc: USA National Park Service
1201 Oak Ridge Drive
Fort Collins, CO 80525



JON M. HUNTSMAN, JR.
Governor
GARY R. HERBERT
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER
Executive Director

JERRY D. OLDS
State Engineer/Division Director

February 15, 2005

USA NATIONAL PARK SERVICE
CHIEF WATER RIGHTS BRANCH
1201 OAK RIDGE DRIVE
FORT COLLINS, CO 80525

Application Number 95-544 (a19741)

Dear Applicant (s):

Your proof for the above numbered application was received from your engineer, Don L. Naser, on January 31, 2005. It will be checked in the field by a representative of this office as part of routine processing. It will be reviewed and returned to your engineer for any necessary corrections and signatures.

The primary responsibility for its form and its accuracy lies with your engineer; however, you will receive copies of the letter of review and any other correspondence related to your proofs.

Proofs are normally reviewed as groups from the various areas; therefore, they may be in our possession for several months before being checked and reviewed. During this time, no further action is required on the part of you or your engineer unless notified by this office.

Sincerely,

A handwritten signature in cursive script that reads "Jerry D. Olds".

Jerry D. Olds, P.E.
State Engineer

JDO:kkh

DIVISION OF WATER RIGHTS

OCT 20 2004

RICHFIELD AREA

FILING FOR WATER IN THE STATE OF UTAH

APPLICATION TO APPROPRIATE WATER

Rec. by _____

Fee Rec. _____

Receipt # _____

Microfilmed _____

Roll # _____

For the purpose of acquiring the right to use a portion of the unappropriated water of 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 to Title 73, Chapter 3 of the Utah Code Annotated (1953, as amended).

*WATER RIGHT NO. _____ - _____

*APPLICATION NO. A _____

1. *PRIORITY OF RIGHT: _____ *FILING DATE: _____

2. OWNER INFORMATION

Name(s): USA NATIONAL PARK SERVICE

*Interest: 100 %

Address: 1201 OAKRIDGE DRIVE, SUITE 250

City: FORT COLLINS

State: COLORADO

Zip Code: 80525

Is the land owned by the applicant? Yes ___ No ___ (If "No", please explain in EXPLANATORY section.)

3. QUANTITY OF WATER: .05 cfs _____ cfs and/or _____ ac-ft.

4. SOURCE: UNDERGROUND WATER WELL

*DRAINAGE: _____

which is tributary to _____

which is tributary to _____

POINT(S) OF DIVERSION: _____

COUNTY: WAYNE

Well located in S. 400 feet E. 3310 feet from NW corner

Section 29, T.30 S., R. 7 E., SLBM.

Description of Diverting Works: 6 inch diameter well casing, 100 feet deep

*COMMON DESCRIPTION: _____

5. POINT(S) OF REDIVERSION N/A

The water will be rediverted from _____ at a point: _____

Description of Diverting Works: _____

6. POINT(S) OF RETURN N/A

The amount of water consumed will be _____ cfs or _____ ac-ft.

The amount of water returned will be _____ cfs or _____ ac-ft.

The water will be returned to the natural stream/source at a point(s): _____

7. STORAGE N/A

Reservoir Name: _____ Storage Period: from _____ to _____

Capacity: _____ ac-ft. Inundated Area: _____ acres.

Height of dam: _____ feet

Legal description of inundated area by 40 acre tract(s): _____

* These items are to be completed by the Division of Water Rights

Appropriate

8. List any other water rights which will supplement this application. N/A

9. NATURE AND PERIOD OF USE

Irrigation:	From <u>April 1</u>	to <u>October 31</u>	-
Stockwatering:	From _____	to _____	-
Domestic:	From <u>January 1</u>	to <u>December 31</u>	-
Municipal:	From _____	to _____	-
Mining:	From _____	to _____	-
Power:	From _____	to _____	-
Other:	From _____	to _____	-

10. PURPOSE AND EXTENT OF USE

Irrigation: 1.0 _____ acres. Sole supply of 1.0 _____ acres.
 Stockwatering (number and kind): _____
 Domestic: _____ 1 Families and/or _____ 40. Persons.
 Municipal (name): _____
 Mining: _____ Mining District in the _____ Mine.
 Ores mined: _____
 Power: Plant name: _____ Type: _____ Capacity: _____
 Other (describe): _____

11. PLACE OF USE

Legal description of place of use by 40 acre tract(s):
SE SE SECTION 20, T. 30 S., R. 7 E., SLBM

12. EXPLANATORY

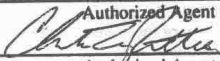
The following is set forth to define more clearly the full purpose of this application. (Use additional pages of the same size if necessary):

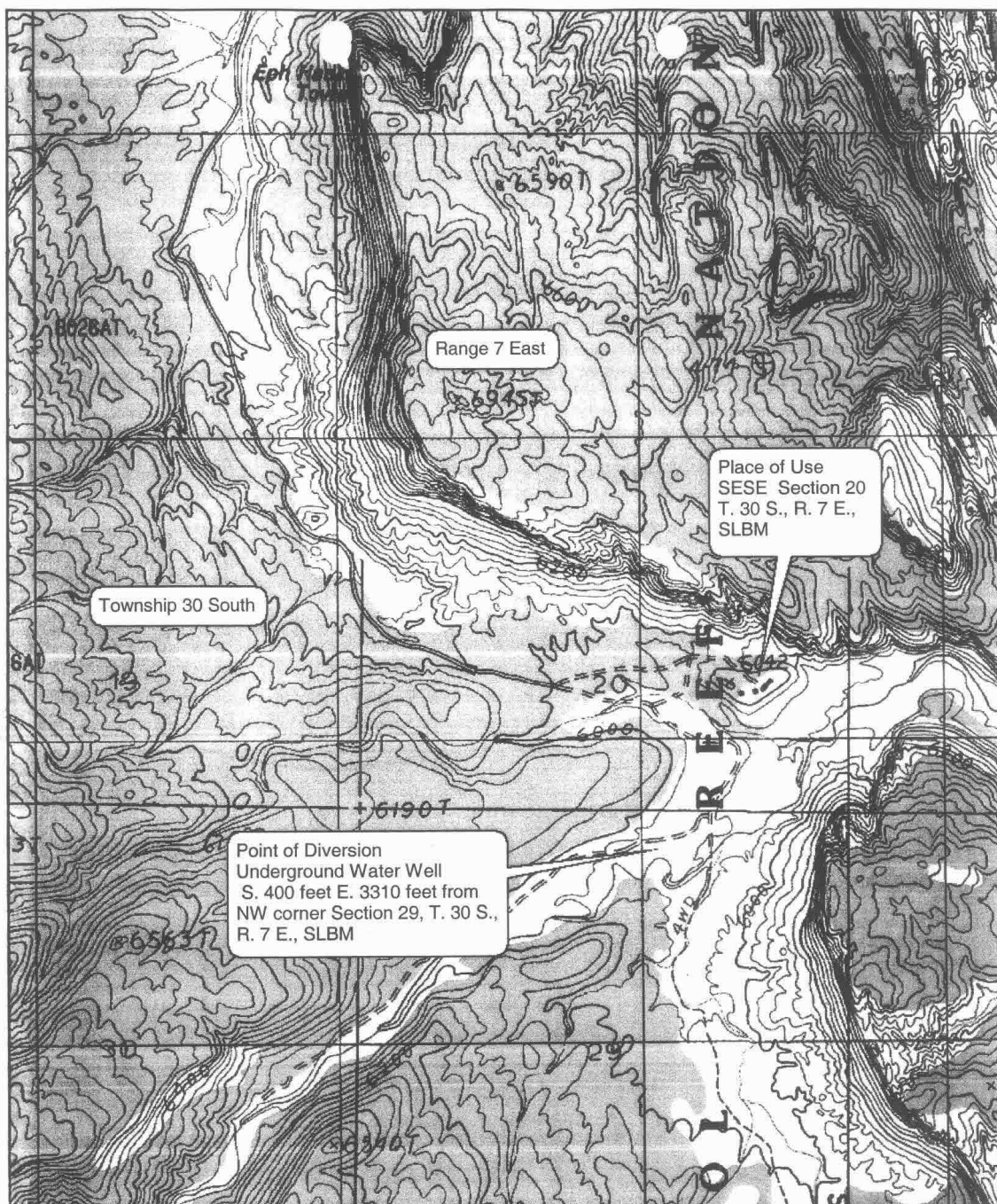
The well will be the source of irrigation and domestic water for the
Utah Valley State College Outdoor Education Facility.

The applicant(s) hereby acknowledges that he/she/they are a citizen(s) of the United States of America or intends to become such a citizen(s). The quantity of water sought to be appropriated is limited to that which can be beneficially used for the purposes herein described. 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).

U.S.A. National Park Service
 Signature of Applicant(s)*

*If applicant is a corporation or other organization, signature must be the name of such corporation or organization by its authorized agent, or in the name of the partnership by one of the partners.

Charles W. Pettee
 Authorized Agent (please print)

 Authorized Agent (signature)



Name: GOLDEN THRONE
Date: 10/25/2004
Scale: 1 inch equals 1333 feet

Location: 038° 11' 14.84" N 111° 11' 15.83" W
Caption: USA National Park Service
Application to Appropriate Water
Capitol Reef National Park

Copyright (C) 1998, Maptech, Inc.



United States Department of the Interior

NATIONAL PARK SERVICE
Water Resources Division
1201 Oakridge Drive, Suite 250
Fort Collins, Colorado 80525-5596

IN REPLY REFER TO:

March 29, 2005

L54/ (2380)
CARE/Water Rights

Mr. Kirk Forbush, P.E.
State of Utah
Department of Natural Resources
Division of Water Rights
Southern Region, Richfield Office
130 N Main Street, P.O. Box 563
Richfield, Utah 84701-0563

Re: 95-5078

Dear Kirk:

In response to your letter of March 11, 2005 requesting additional information in order to quantify application number 95-5078 we provide the following information.

	<u>Number of users</u>	<u>Number of days per year</u>	<u>Period of use</u>
1. Caretaker and family	365 days		Jan 1-Dec 31
2. 25 overnight users	160 days		Jan 1-Dec 31
3. 15 day users	160 days		Jan 1-Dec 31

Please contact Jim Harte (970) 225-3538 if you require additional information.

Thanks,

Charles W. Pettee
Chief, Water Rights Branch



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER
Executive Director

JERRY D. OLDS
State Engineer/Division Director



March 11, 2005

USA National Park Service
1201 Oakridge Drive, Suite 250
Fort Collins, CO 80525

RE: 95-5078

Dear Sir:

This letter is in response to the above referenced application to appropriate. The beneficial uses described by this application include an outdoor educational facility for 40 persons per day. In order to quantify this application to see if it fits within the limitations of new appropriations we need to know how many days each year or the period of use that this particular use will require water.

Please return this information to this office and we can then process your application. If you have any questions please feel welcome to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk Forbush".

Kirk Forbush, P.E.



OLENE S. WALKER
Governor
GAYLE F. McKEACHNIE
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

ROBERT L. MORGAN JERRY D. OLDS
Executive Director *State Engineer/Division Director*

October 22, 2004

USA National Park Service
1201 Oakridge Drive, Suite 250
Fort Collins, CO 80525

RE: APPLICATION TO APPROPRIATE

Dear Sir:

I am returning your Application to Appropriate and Check Number 2800 – 012784 herewith because additional information is needed before the application can be processed.

See the Items below:

Submit a map which shows the proposed place of use and point of diversion along with the signed Applicant's Map Verification Statement.

Item Number 9. – NATURE AND PERIOD OF USE
Indicate Domestic Use here and the period of use applying for

Item Number 10. – PURPOSE AND EXTENT OF USE
Indicate Number of stock and kind
Indicate how many families or persons

Call or write this office if you need assistance or further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk Forbush".

Kirk Forbush, P.E.
Regional Engineer

/cr
enclosure: app & ck

Southern Region, Richfield Office, 130 N Main Street, P.O. Box 563, Richfield, UT 84701-0563
telephone (435) 896-4429 • facsimile (435) 893-8114 • www.waterrights.utah.gov

Utah!
Where ideas connect™

APPLICANT'S MAP VERIFICATION STATEMENT

"I/we, _____, hereby
acknowledge that this map (or, the map attached to this application), consisting of
_____ pages numbered _____ to _____ was prepared in support
of Application _____. I/we hereby accept and submit this map as a
true representation of the _____ thereon to the best of my/our knowledge
and belief."

SIGN
HERE



Signature

8. List any other water rights which will supplement this application N/A

9. NATURE AND PERIOD OF USE

Irrigation:	From <u>April 1</u>	to <u>October 31</u>
Stockwatering:	From <u>January 1</u>	to <u>December 31</u>
Domestic:	From <u>January 1</u>	to <u>December 31</u>
Municipal:	From _____	to _____
Mining:	From _____	to _____
Power:	From _____	to _____
Other:	From _____	to _____

10. PURPOSE AND EXTENT OF USE

Irrigation: 1.0 _____ acres. Sole supply of 1.0 _____ acres.
 Stockwatering (number and kind): _____
 Domestic: _____ 1 Families and/or 40 Persons.
 Municipal (name): _____
 Mining: _____ Mining District in the _____ Mine.
 Ores mined: _____
 Power: Plant name: _____ Type: _____ Capacity: _____
 Other (describe): _____

11. PLACE OF USE

Legal description of place of use by 40 acre tract(s):
SE SE SECTION 20, T. 30 S., R. 7 E., SLBM

12. EXPLANATORY

The following is set forth to define more clearly the full purpose of this application. (Use additional pages of the same size if necessary):

The well will be the source of irrigation and domestic water for the
Utah Valley State College Outdoor Education Facility.

The applicant(s) hereby acknowledges that he/she/they are a citizen(s) of the United States of America or intends to become such a citizen(s). The quantity of water sought to be appropriated is limited to that which can be beneficially used for the purposes herein described. 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).

USA National Park Service
 Signature of Applicant(s)*

*If applicant is a corporation or other organization, signature must be the name of such corporation or organization by its authorized agent, or in the name of the partnership by one of the partners.

Charles W. Pettee
 Authorized Agent (please print)
Charles W. Pettee
 Authorized Agent (signature)



OLENE S. WALKER
Governor
GAYLE F. MCKEACHNIE
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

ROBERT L. MORGAN JERRY D. OLDS
Executive Director State Engineer/Division Director

>>>>>>>OFFICIAL RECEIPT<<<<<<<<

RECEIPT No. 04-04597		DATE: October 27, 2004	
RECEIVED FROM:			
USA NATIONAL PARK SERVICE 1201 OAKRIDGE DRIVE, SUITE 250 FORT COLLINS, CO 80525			
NATURE OF SERVICE:		FEE:	
Application to Appropriate 95-5078(A75595)		75.00	
TOTAL:		\$75.00	
METHOD OF PAYMENT: Check 2800-012784			
RECEIVED BY:		CROBERTS	



United States Department of the Interior

NATIONAL PARK SERVICE

Water Resources Division
1201 Oak Ridge Drive, Suite 250
Fort Collins, Colorado 80525-5596

May 17, 2001

IN REPLY REFER TO:

L54 (2380)
CARE/Water Rights

State of Utah
Natural Resources
Division of Water Rights
Southern Area Office
P.O. Box 563
Richfield, UT 84701-0563

To Division of Water Rights, State of Utah:

In October of 2000, the National Park Service (NPS) provided written notice that we wanted to drill a test well at Capitol Reef National Park. In response, your office issued a Provisional Permit (Permit No.00-95-007-P). This permit expires May 3, 2001. NPS is just completing an environmental review process that must precede the work and will not be able to complete drilling of the well prior to the expiration date. NPS is therefore submitting a request for issuance of a new provisional permit for this test well. The information regarding the well is the same as provided in 2000, and is as follows:

Capitol Reef National Park would like to drill a test well within the park, at a location that is approximately 400 feet south and 3310 feet east of the northwest corner of Section 29, Township 30 South, Range 7 East, Salt Lake Benchmark and Meridian. If the test well is successful, the park's intention would be to transfer part or all of the water right described in Water User's Claim No. 95-5 to this new location. The well would be used for culinary purposes.

Thank you for your cooperation in this matter. If you have any questions, please contact Jeff Albright of my staff at (970) 225-3528.

Sincerely,

Charles Pettee
Chief, Water Rights Branch

cc: CARE - Clark

05/17/01 THU 10:18 FAX

CAPITOL REEF NAT. PARK

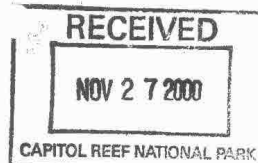
002



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

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

Southern Area
130 North Main Street
PO Box 563
Richfield, Utah 84701-0563
435-896-4429



NATIONAL PARK SERVICE
CAPITOL REEF NATIONAL PARK
1201 OAK RIDGE DRIVE SUITE 250
FORT COLLINS, CO 80525-5596

November 6, 2000

Dear Applicant:

RE: PROVISIONAL WELL: 00-95-007-P

Reference is made to your request to drill provisional wells at the following location(s):

1. 3 400 ft. to 2310 ft. from the NW corner Section 29, Township 30S, Range-

The purpose of the provisional well(s) is to determine the quality and availability of an adequate water supply to be covered by the above noted application filed with the Division of Water Rights.

This letter grants you permission to proceed with the construction of the well with the understanding that this letter DOES NOT GRANT ANY PERMISSION OR APPROVAL TO PROCEED WITH THE DIVERSION OR USE OF THE WATER FOR ANY PURPOSE WHATSOEVER.

The well driller must have a current license with the State Engineer (if the well is to be deeper than 30 feet), and the well must be constructed in accordance with the State of Utah Administrative Rules for Water Well Drillers.

Following completion and testing, the well casing either must be sealed with a tamper-resistant, water-tight cap or permanently abandoned by the licensed driller (if deeper than 30 feet) before the drill rig is removed from the site.

Water may not be diverted from the provisional well and used for any beneficial purpose until proper authorization (approval) is granted by the State Engineer.

Please note that your permission to proceed with the drilling of a provisional well(s) expires May 3, 2001.

Sincerely,

Kirk Forbush, P.E.
Regional Engineer.

RECEIVED		
CAPITOL REEF NATIONAL PARK		
	init.	DATE
SUPT	AN	11/27
Admin Off		
Res Mgmt		
CH VP		
CH Interp		
Fac Mgmt		
B & U		
R & T		
Archeo		
FILES		



United States Department of the Interior

NATIONAL PARK SERVICE

Water Resources Division
1201 Oak Ridge Drive, Suite 250
Fort Collins, Colorado 80525-5596

October 30, 2000

IN REPLY REFER TO:

L54 (2380)

CARE/Water Rights

State of Utah
Natural Resources
Division of Water Rights
Southern Area Office
P.O. Box 563
Richfield, UT 84701-0563

To Division of Water Rights, State of Utah:

In February of 1997, the National Park Service (NPS) provided written notice that we wanted to drill a test well at Capitol Reef National Park. In response, your office issued a Provisional Permit (Permit No. 97-95-004-P). Due to funding constraints NPS was unable to complete the work at that time. We are now prepared to do the work and are therefore resubmitting notice to your office. The information regarding the test well is the same as provided in 1997, and is as follows:

Capitol Reef National Park would like to drill a test well within the park, at a location that is approximately 400 feet south and 3310 feet east of the northwest corner of Section 29, Township 30 South, Range 7 East, Salt Lake Benchmark and Meridian. If the test well is successful, the park's intention would be to transfer part or all of the water right described in Water User's Claim No. 95-5 to this new location. The well would be used for culinary purposes.

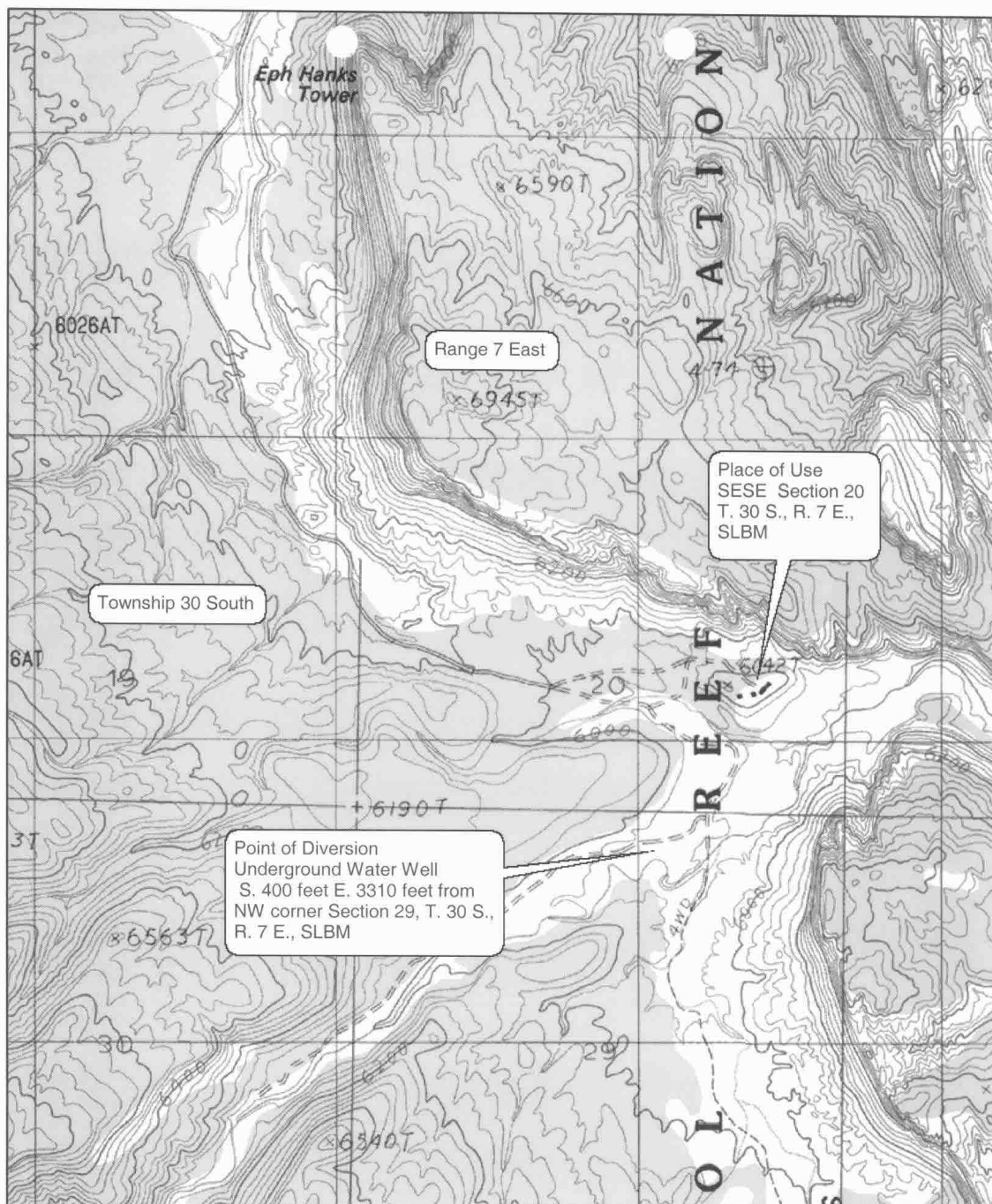
Thank you for your cooperation on this matter. If you have any questions, please contact Jeff Albright of my staff at (970) 225-3528.

Sincerely,

Charles Pettee
Chief, Water Rights Branch

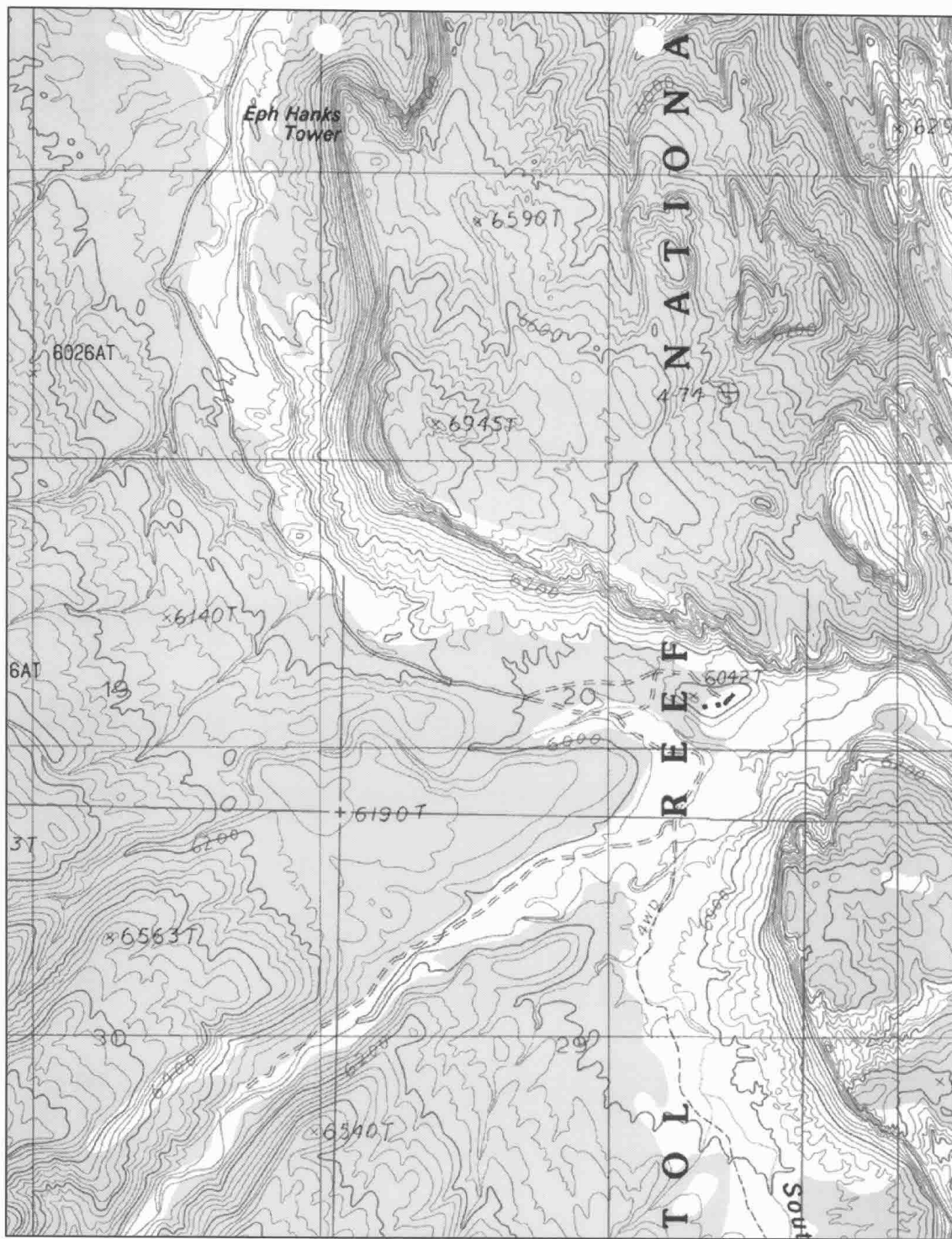
cc: CARE - Clark

Supporting Hydro Data



Name: GOLDEN THRONE
Date: 10/25/2004
Scale: 1 inch equals 1333 feet

Location: 038° 11' 14.84" N 111° 11' 15.83" W
Caption: USA National Park Service
Application to Appropriate Water
Capitol Reef National Park



Copyright (C) 1998, Maptech, Inc.

Other Supporting Information

NASER ENGINEERING

**460 WEST 400 SOUTH
RICHFIELD, UTAH 84701**

Bill To:

**USA National Park Service
Chief Water Rights
1201 Oak Ridge Drive
Fort Collins, Colorado 80525**

Invoice #: 00002209

Date: 2/2/2005

<u>Description</u>	<u>Amount</u>
Preparation of "Proof of Beneficial Use of Water" 95-544 (a19741)	\$150.00

Terms: Net 10

Total	\$150.00
Amount	\$0.00
Balance Due:	\$150.00

PROOF OF BENEFICIAL USE OF WATER STATE OF UTAH

JAN 31 2005

RICHFIELD AREA

Proof is hereby submitted to the State Engineer that water has been placed to beneficial use (Section 73-3-16, Utah Code).

1. TYPE OF RIGHT (Mark applicable box and fill in blanks.)

- ☐ New Appropriation: Water Right# _____ Application# _____
☒ Change of Right: Water Right# 95-544 Change# a19741
☐ Resumption of Use by Water Right# _____ (being completed at the same time as
the change. Only one form is needed for both.)

970-225-3538

2. OWNER DATA (Same as on application or provide title update.)

Branch

Name USA National Park Service, Chief Water Rights Telephone: _____Street or Box No. 1201 Oak Ridge DriveCity Fort Collins State CO Zip Code 80525

3. QUANTITY OF WATER 0.0557 cfs and/or _____ acre-feet.

4. SOURCE OF WATER 1) Underground 2) Surface
County Wayne

5. POINT(S) OF DIVERSION (Must be based on a competent land survey; all ties must be given by rectangular coordinates with reference to a regularly established U.S. land corner.)

Location: 1) South 1,748' & West 2,439' from the NE Cor. of
Sec. 22, T29S, R6E, SLB & M2) North 406' & East 504' from the SW Cor. of
Sec. 14, T29S, R6E

Address (if applicable) _____

Description of Diversion and Carrying Works: _____

6. POINT(S) OF REDIVERSION (If applicable, same format as diversions.)

Location: _____

Description of Works: 6" dia pumped well - 76' deep

RECEIVED

FEB 01 2005

WATER RIGHTS
SALT LAKE

7. POINT(S) OF RETURN (If applicable, same format as diversions.)

Location of Return to Natural Stream/Source: _____

Amount of Consumed Water: _____ cfs and/or _____ acre-feet

Amount of Returned Water: _____ cfs and/or _____ acre-feet

8. STORAGE (If applicable, describe reservoir, lake, etc.)

Facility Name (if any): _____ Capacity: _____ acre-feet

Storage Period: from _____ to _____

Dam Height: _____ Inundated Area: _____ acres

Legal Description of Storage Area (by competent survey): _____

9. SUPPLEMENTAL WATER RIGHTS FOR THE PURPOSES DESCRIBED HEREIN: _____

Proof

10. NATURE, EXTENT AND PERIOD OF USE (Enter Beginning and Ending Dates; if uses exceed amounts in application, explain the supplemental rights in Item 9.)

Irrigation: from: _____ to: _____
 Total Acres _____ Acres under this right: _____
 Stockwatering: from: _____ to: _____
 Number and Kind of Stock: _____
 Domestic: from: _____ to: _____
 Number of Families: _____ and/or Number of Persons: _____
 Municipal: from: Jan. 1 to: Dec. 31
 Name of City, District, etc.: Capitol Reef National Park
 Mining: from: _____ to: _____
 Mine Name: _____ Mining District: _____
 Power: from: _____ to: _____
 Type: _____ Plant Name: _____ Capacity: _____
 Other: from: _____ to: _____
 Description: _____

11. PLACE OF USE (By competent survey. Since water rights can be appurtenant to the place of use, be specific and exact in describing the location of each use for the water right owner. Written descriptions and any maps should coincide. The legal description of the property where the water is used should accompany the proof (land deed, tax notice, county plat, etc.). Maps must show the configuration of the place of use and the acreage of irrigated land.

Sec. 14, Sec. 15, Sec. 22, & Sec. 23 all in T29S, R6E SLB & M

MAPS AND DRAWINGS (Must comply with rules and standards established by the State Engineer.)

These documents shall be based on competent land surveys, signed and stamped by the licensed engineer/surveyor, and submitted on standard drafting medium (if paper, at least 50% cotton) that is durable and reproducible with all information legible and in **black permanent drafting ink or other media of equivalent durability and opacity**. Standard mapping conventions must be used (north arrow, scale in both written and graphic form, legend describing any symbols, etc.). Lines must be distinct. Shading or hatching may show irrigated acreage, but the boundary of the irrigated area must be delineated. All property surveys must tie to the section-township-range survey for the area of use, and the basis of bearing for the bearings must be shown. Any public roads or other access information near the surveyed property should be shown. The most convenient map sizes are 8 1/2" x 11" or 8 1/2" x 14", particularly for irrigated acreages of 5 acres or less. Maps of small parcels should be drawn to the largest scale practical and at the least 1"=300'. There must be at least a 1 1/4" margin at the top and a 1/2" margin on the sides and bottom. The title block should appear on the lower right-hand side of the page (the short side being the bottom). If a larger map is needed, the dimensions should be 24" x 36" with the title block in the lower right-hand corner (the long side being the bottom). The title block must include the water right number, application number, survey date, the applicant(s)' name, professional engineer/surveyor's name, professional license number, and section, township, and range of the described parcel(s). Maps must not be folded.

Proof for Water Right Number 95-544 (a19741)

12. **WATER MEASUREMENT** (Provide sufficient details to enable the State Engineer to compute the quantity of water measured in each case, including current meter notes, rating table, field observation notes, etc. Measurements must be made by engineer/surveyor or his/her authorized representative and may be made by vessel, weir, meter, rated flume, reservoir capacity table or other standard method. Where the source of supply is of a fluctuating nature, a series of measurements should be submitted to show the variation and period(s) during which flow is available. The maximum diverted flow and/or acre-footage cannot exceed that approved in the application. If larger amounts are measured, control devices should be described.)

Date(s) Water Measured: _____

Name of Measurement Taker: _____

Method of Measurement: Meter

Flow rate information provided by "Drinking Water Source Protection Plan", Capitol Reef National Park, Fremont River Gorge Well
By David Harry & LaMont Chappell

Flow = 80 gpm = 0.178 cfs

13. **EXPLANATORY** (Additional space for above items and to define use of water such as crop rotation plans, facility plans and capacities, operation schedules, lot numbers, mining claim numbers, sewage systems, etc. Use additional 8 1/2" x 11" pages if needed.)

CAUTION: File proof only if all desired development is done. Otherwise, seriously consider requesting an extension of time. The water right will be limited to the accepted proof.

CERTIFICATE OF APPLICANT

(Don't sign until proof is accepted as sufficient by the State Engineer.)

STATE OF UTAH) ss

COUNTY OF _____)

_____, being first duly sworn, certify that I/we filed Water Right No. 95-544 (a19741), employed Don L Naser to complete proof, hereby accept and submit this proof and certify that all items contained herein are true to the best of my/our knowledge and belief.

 Applicant

 Applicant

Subscribed and sworn to before me this _____ day of _____, 19 _____

My commission expires _____
 (Notary Seal)

 Notary Public

CERTIFICATE OF PROOF ENGINEER/LAND SURVEYOR

(Sign only after State Engineer's review.)

STATE OF UTAH) ss
 COUNTY OF SEVIER)

Don L Naser being first duly sworn, certify that I was employed to prepare proof for Water Right No. 95-544, that the proof fully describes the method and extent of beneficial use of water, and that all items herein are true to the best of my knowledge.

Don L Naser	152222
Printed Name	License No.
460 West 400 South, Richfield, Utah 84701	435-896-6022
Address	Telephone Number

Subscribed and Sworn to before me this _____ day of _____, 19_____.

My commission expires _____.

Notary Public

(Notary Seal)

(Engineer/Surveyor's Seal)

STATE ENGINEER'S ENDORSEMENTS

Date proof originally filed 1-31-05.

Date signed/amended proof filed _____.

Maps and/or drawings filed herewith or Hanger _____, Page(s) _____.

This written proof and the maps, profiles, and/or drawings pertaining thereto are found to comply with the requirements of state statutes and State Engineer's rules and are hereby approved.

_____, 19_____

State Engineer



JON M. HUNTSMAN, JR.
Governor
GARY R. HERBERT
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER JERRY D. OLDS
Executive Director *State Engineer/Division Director*

ORDER OF THE STATE ENGINEER
For Application to Appropriate Water Number 95-5078 (A75595)

Application to Appropriate Water Number 95-5078 (A75595) in the name of USA National Park Service was filed on October 20, 2004, to appropriate 0.05 cfs of water from a well to be located South 400 feet and East 3310 feet from the NW Corner of Section 29, T30S, R7E, SLB&M. The water is to be used for the irrigation of 1.00 acre from April 1 to October 31, the indoor domestic requirements of one family, and for commercial purposes (an outdoor educational facility serving 40 persons/day. The water is to be used in all or portion(s) of Section 20, T30S, R7E, SLB&M.

Notice of the application was published in The Wayne County Insider on November 18 and November 25, 2004. No protests were received.

Subsequent to the filing of the application, the applicant submitted information detailing the domestic and commercial purposes. It appears that the use of water at the educational facility includes 25 overnight users for 160 days, 15 day users for 160 days plus a caretaker and family for 365 days out of the year. Given this information, the State Engineer believes the combined domestic and commercial purposes will require an annual diversion of 1.0 acre-foot of water.¹ The State Engineer has assigned the 95- area an irrigation duty value of 3.0 acre-feet/acre; therefore, annual diversion of water for irrigation of 1.00 acre shall be limited to 3.0 acre-feet. Total annual diversion of water under this application shall be limited to 4.0 acre-feet.

It is the opinion of the State Engineer that there is unappropriated water that can be developed by the applicant under this application. Based on the recent appropriation policy adopted by the State Engineer, applications requesting this quantity of flow can be approved in perpetuity. The applicant is put on notice that diligence must be shown in pursuing the development of this water right which can be demonstrated by placing the water to beneficial use as outlined in the application.

It is, therefore, **ORDERED** and Application to Appropriate Water Number 95-5078 (A75595) is hereby **APPROVED** subject to all prior rights and according to the conditions of the current appropriation policy for the Colorado River Drainage, adopted March 7, 1990. This water right must be totally developed and placed to beneficial use on or before the noted proof due date which is at least five years from the date of approval. Extensions of time on this application beyond this time period will only be considered under unusual conditions. Total diversion of water under this application shall not exceed 4.0 acre-feet annually for the indoor domestic purposes of one family, irrigation of 1.00 acre and an outdoor educational facility serving 40

¹ Calculated from: Administrative Rules for Public Drinking Water Systems, Part II, R309-200 through R309-211, Table 203-4.

ORDER OF THE STATE ENGINEER
Application to Appropriate Water Number
95-5078 (A75595)
Page 2

persons/day for 160 days per year. The applicant is responsible for obtaining any other permits which may be necessary for the development of the proposed project.

This is your authority to develop the water 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 must be filed on or before **April 30, 2010**, or a request for extension of time must be acceptably filed; otherwise the application will be lapsed. This approval is limited to the rights to divert and beneficially use water and does not grant any rights of access to, or use of land, or facilities not owned by the applicant.

As noted, this approval is granted subject to prior rights. The applicant shall be liable to mitigate or provide compensation for any impairment of or interference with prior rights as such may be stipulated among parties or decreed by a court of competent jurisdiction.

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 uses of the extent of your water right.

Upon the submission of proof as required by Section 73-3-16, Utah Code, for this application, the applicant must identify every source of water used under this application and the amount of water used from that source. The proof must also show the capacity of the sources of supply and demonstrate that each source can provide the water claimed to be diverted under this right as well as all other water rights which may be approved to be diverted from those sources.

Section 73-5-4 of the Utah Code provides that "every person using water in this state shall construct or install and maintain...controlling works...and measuring device at each point where water is diverted or turned out, for the purpose of regulating and measuring the quantity of water that may be used..." In the event that the State Engineer or an authorized representative is required to administer and/or distribute your water right, you will be notified in writing. At that time, if you have not already installed an adequate measuring device, you will be required to do so by a specific deadline. Instruction will also be given concerning any monitoring of your water diversion. Failure to comply could result in an order to cease the use of water and/or the revocation of this approval.

Failure on your part to comply with the requirements of the applicable statutes may result in forfeiture of this Application to Appropriate Water.

It is the applicant's responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership.

Your contact with this office, should you need it, is with the Sevier River/Southern Regional Office. The telephone number is 435-896-4429.

ORDER OF THE STATE ENGINEER
Application to Appropriate Water Number
95-5078 (A75595)
Page 3

This Order is subject to the provisions of Administrative Rule R655-6-17 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code 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 Order. 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 Order, 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 22nd day of April, 2005.

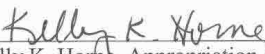


Jerry D. Olds, P.E., State Engineer

Mailed a copy of the foregoing Order this 22nd day of April, 2005 to:

USA National Park Service
1201 Oakridge Drive, Suite 250
Fort Collins, CO 80525

Utah Division of Drinking Water
PO Box 144830
Salt Lake City, UT 84114-4830

BY: 

Kelly K. Horne, Appropriation Secretary

APPLICANT CARD for WATER RIGHT: 95-5078

IMPORTANT: THIS CARD MUST BE COMPLETED, SIGNED AND RETURNED BY THE WELL
 OWNER/APPLICANT AS SOON AS THE WELL IS DRILLED BY A LICENSED UTAH WATER
 WELL DRILLER. PROOF DUE/EXPIRATION DATE: April 30, 2010
 OWNER/APPLICANT NAME: USA National Park Service
 MAILING ADDRESS: 1201 Oakridge Drive, Suite 250, Fort Collins, CO 80525.
 PHONE NUMBER:
 WELL LOCATION: S 400' E 3310' from NW Cor, S29, T30S, R7E, SLB&M.
 WELL UTM COORDINATES: Northing: 4225651 Easting: 484079
 WELL ACTIVITY: NEW ☒ REPAIR () REPLACE () ABANDON ()
 CLEAN () DEEPEN ()

WELL COMPLETION DATE: _____

NAME OF DRILLING COMPANY/LICENSEE: _____

Owner/Applicant Signature_____
Date

***COMPLETE, SIGN AND RETURN THIS PORTION UPON FINAL WELL COMPLETION -
 DO NOT GIVE THIS CARD TO LICENSED WELL DRILLER - YOU MUST RETURN IT.
 STATE OF UTAH DIVISION OF WATER RIGHTS Phone No. 801-538-7416
 Fax No. 801-538-7467

COMMENTS: _____

START/APPLICANT CARD INSTRUCTIONS: First, for each well, you must give a Driller (Start) Card to the licensed driller with whom you contract to construct the well. Second, it is your responsibility to sign and return this Applicant Card to this office immediately after completion of the well. **CAUTION:** There may be local health requirements for the actual siting of your well. Please check with the proper local authority before construction begins. See the enclosed sheet addressing construction information.

BUSINESS REPLY MAIL

FIRST-CLASS MAIL PERMIT NO. 880 SALT LAKE CITY, UT

POSTAGE WILL BE PAID BY ADDRESSEE

UTAH DIV OF WATER RIGHTS - 146300
PO BOX 31431
SALT LAKE CITY UT 84131-9988

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



Please fold on top and bottom lines with reply mail address showing, tape, and mail.

DRILLER (START) CARD for WATER RIGHT: 95-5078

IMPORTANT: THIS CARD MUST BE RECEIVED BY THE DIVISION OF WATER RIGHTS PRIOR TO
 THE BEGINNING OF WELL CONSTRUCTION. PROOF DUE/EXPIRATION DATE: April 30, 2010
 OWNER/APPLICANT NAME: USA National Park Service
 MAILING ADDRESS: 1201 Oakridge Drive, Suite 250, Fort Collins, CO 80525.
 PHONE NUMBER:
 WELL LOCATION: S 400' E 3310' from NW Cor. S29, T30S, R7E, SLB&M.
 WELL UTM COORDINATES; Northing: 4225651 Easting: 484079
 WELL ACTIVITY: NEW ☒ REPAIR () REPLACE () ABANDON ()
 CLEAN () DEEPEN ()

For surface seals in unconsolidated formations (clay, silt, sand, and gravel), will you be using a temporary conductor casing or other formation stabilizer (e.g., drilling mud) in the surface seal interval to maintain the required annular space?

YES or NO (Circle one).

Answering 'NO' suggests that you will be placing the surface seal in an open and unstabilized annular space, which may require onsite inspection of seal placement by the State Engineer's Office.

PROPOSED START DATE: _____

PROJECTED COMPLETION DATE: _____

LICENSE #: _____ LICENSEE/COMPANY: _____

Licensee Signature

Date

NOTICE TO APPLICANT: THIS CARD IS TO BE GIVEN TO A UTAH LICENSED WATER WELL
 DRILLER FOR SUBMITTAL TO THE DIVISION OF WATER RIGHTS PRIOR TO WELL CONSTRUCTION.
 STATE OF UTAH DIVISION OF WATER RIGHTS Phone No. 801-538-7416
 Fax No. 801-538-7467

COMMENTS: _____

BUSINESS REPLY MAIL

FIRST-CLASS MAIL PERMIT NO. 880 SALT LAKE CITY, UT

POSTAGE WILL BE PAID BY ADDRESSEE

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



UTAH DIV OF WATER RIGHTS - 146300
PO BOX 31431
SALT LAKE CITY UT 84131-9988



Please fold on top and bottom lines with reply mail address showing, tape, and mail.

ORDER OF THE STATE ENGINEER
Application to Appropriate Water Number
95-5078 (A75595)
Page 4

USA NATIONAL PARK SERVICE
1201 OAKRIDGE DRIVE SUITE 250
FORT COLLINS CO 80525

- - - - -

Docket Information

Number of Documents in Docket 73

Documents Dated from 10/30/2000 to 11/15/2016

Docket Compiled: 6/23/2017