

# APPLICATION FOR NONUSE OF WATER

STATE OF UTAH

Rec. by *Sm*

Fee Amt. \$ 75.00

Receipt # 09-01204

To protect a water right from forfeiture due to continued nonuse in accordance with Section 73-1-4, Utah Code Annotated 1953, as amended.

1. **Water Right No.:** 57-7800 Application/Claim #:

2. **OWNER INFORMATION:**

Name: **Kevin Tolton**  
Address: **1454 Skyline Drive**  
**Bountiful, UT 84010**

3. **Priority Date:** June 16, 1910

Filing Date: **September 25, 1962**

4. **QUANTITY, SOURCE, AND LOCATION OF WATER:**

Quantity of Water: **0.0565 cfs OR 0.92 acft**

Source: **Underground Water Well**

County: **Salt Lake**

Common Description:

**POINT OF DIVERSION -- UNDERGROUND:**

[1] N 242 feet E 770 feet from the W4 corner, Section 12 T 3S R 1E SLB&M  
Well Diameter: **8 inches**

5. **WATER USE INFORMATION:**

**Water Rights Appurtenant to the following use(s):**  
**57-7800,9001,10315,10316,10317,10318,10319**

IRRIGATION: from Apr 01 to Oct 31 IRRIGATING: 0.01 acres of the Group Total of 15 acres.

STOCKWATER: from Jan 01 to Dec 31 STOCK UNITS: 15 of the Group Total of 15.

DOMESTIC: from Jan 01 to Dec 31 FAMILIES: 1 of the Group Total of 3.

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

BS TOWN RANG SC	Northwest Quarter				Northeast Quarter				Southwest Quarter				Southeast Quarter				Section Totals
	NW	NE	SW	SE													
SL 38 1E 12			X														0.0000
Group Total:																0.0000	

6. **PLACE OF USE (Stockwatering): [which includes all or part of the following legal subdivisions:]**

BASE TOWN RANG SEC	NORTH-WEST <sup>1/4</sup>				NORTH-EAST <sup>1/4</sup>				SOUTH-WEST <sup>1/4</sup>				SOUTH-EAST <sup>1/4</sup>			
	NW	NE	SW	SE												
SL 3S 1E 12			X													

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6. EXTENSION REQUEST: **The Period of NONUSE Requested is SEVEN (7) years from the Approval Date of this NONUSE Application.**

7. NONUSE JUSTIFICATION:

State Statute offers the following justifications that are considered reasonable for NONUSE of a water right:

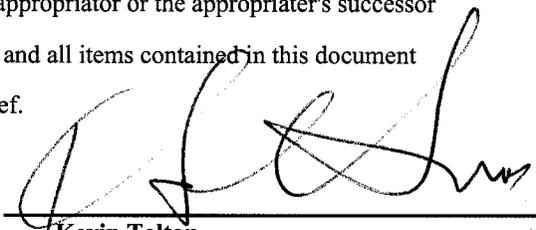
- A. Demonstrable financial hardship or economic depression;
- B. the initiation of water conservation or efficiency practices, or the operation of a groundwater recharge/recovery program approved by the State Engineer;
- C. operation of legal proceedings;
- D. the holding of a water right or stock in a mutual water company without use by any water supply entity to meet the reasonable future requirements of the public;
- E. situations where, in the opinion of the State Engineer, the nonuse would assist in implementing an existing, approved water management plan;
- F. the loss of capacity caused by deterioration of the water supply or delivery equipment if the applicant submits, with the application, a specific plan to resume full use of the water right by replacing, restoring, or improving the equipment; or
- G. any other reasonable cause.

*With the above in mind, please state the reasons for your NONUSE of water with regards to this water right. (Use additional pages of the same size, if necessary.)*

The use of WR 57-7800 HAS BEEN DETERRED  
By the operation of legal proceedings including  
A QUIET TITLE ACTION.

8. SIGNATURE OF OWNER(S):

The undersigned acknowledges that the undersigned is the appropriator or the appropriator's successor in interest to the water right described herein; and that each and all items contained in this document are true to the best of the undersigned's knowledge and belief.

  
Kevin Tolton

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