



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

FEB 25 2010

ORDER OF THE STATE ENGINEER
For Application to Appropriate Water Number 13-3860 (A77060)

Application to Appropriate Water Number 13-3860 (A77060) in the name of Trace Minerals Research LC, was filed on April 25, 2007, to appropriate 1.3 acre-feet (af) of water from a surface source located at the NE Corner of Section 16, T11N, R11W, SLB&M. The water is to be used for the recovery of mineral brine from the Great Salt Lake in all or portion(s) of Section 15, T11N, R11W, SLB&M.

Notice of the application was published in The Leader on August 29 and September 5, 2007. No protests were received.

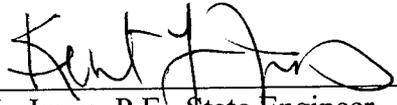
Utah Code 73-3-8(3)(a) states, "Before the approval of any application for the appropriation of water from navigable lakes or streams of the state that contemplates the recovery of salts and other minerals therefrom by precipitation or otherwise, the applicant shall file with the state engineer a copy of a contract for the payment of royalties to the state"(73-3-8(3)(a) Utah Code Annotated, 1953).

The applicant was sent two requests for the required copy of a contract for the payment of royalties. The State Engineer has not received a response. It is the opinion of the State Engineer that the applicant has not complied with the provisions of Section 73-3-8(3)(a).

It is, therefore, **ORDERED** and Application to Appropriate Water Number 13-3860 (A77060) is hereby **REJECTED**.

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 25 day of February 2010.


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

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Mailed a copy of the foregoing Order this 25 day of February, 2010 to:

Trace Minerals Research LC
c/o Craig J. Miles
P.O. Box 429
Roy, UT 84067

BY: Kelley K. Horne
Kelly K. Horne, Applications/Records Secretary