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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
IN AND FOR DUCHESNE COUNTY, STATE OF UTAH

IN THE MATTER OF THE GENERAL)
DETERMINATION OF ALL THE)
RIGHTS TO THE USE OF WATER,)
BOTH SURFACE AND UNDERGROUND,)
WITHIN THE DRAINAGE AREA OF)
THE UINTAH BASIN IN UTAH.)

MOTION OF STATE ENGINEER
Civil No. 3070

During the 1974 and 1975 irrigation seasons, water from the Duchesne River System was distributed pursuant to an Order from the Court. Said Order provided that when it became necessary to place the Duchesne River on a duty schedule, water would be distributed to the users at a rate of one c.f.s. of water for every seventy acres of irrigated land. This distribution program was without prejudice to the claims of the parties in any subsequent proceedings in this action, and was considered to be an interim distribution practice while the State Engineer and the parties gathered additional data concerning the duty of water.

In this regard, the State Engineer conducted an investigation of return flow from the water applied to certain land on the Duchesne River System during the 1974 irrigation season, but because of the magnitude of the investigation and the budget and staff limitations of his office, the State Engineer was unable to fully complete the project. However, the information that was obtained from the 1974 investigation was tabulated and transmitted to the parties and the study continued during 1975.

The State Engineer is now compiling the results of the 1975 investigation into a report and will transmit said report to the parties for their information and review in the very near future. It is the recommendation of the State Engineer that the parties be given sufficient time to review and analyze his report once

it is submitted to them, and that the Court then fix a time for a further hearing on this matter. However, until a decision can be reached upon the merits in this matter, it is the recommendation of the State Engineer that the water of the Duchesne River System be distributed on the same basis as has been done for the 1974 and 1975 irrigation seasons.

The State Engineer has recommended to the users that the water on this System be distributed on the same basis as the last two years for the 1976 irrigation season, and, having received no objection from the parties, the State Engineer respectfully moves the Court to execute the attached Distribution Order to govern the distribution of water on the Duchesne River System for the 1976 irrigation season.

Dated this 9th day of July, 1976.

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