

E. J. SKEEN
Attorney for Petitioner
536 East Fourth South
Salt Lake City, Utah 84102
Telephone: 363-8037

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 RIGHTS OF
THE USE OF THE WATER OF THE
DUCHESNE RIVER.

ORDER TO SHOW CAUSE

No.

Not Official Copy

The petition of Uinta Basin Irrigation Company, a corporation, Rocky Point Ditch Company, a corporation, Big Springs Power Company, a corporation, Pioneer Canal Company, a corporation, Rhoades Canal Company, a corporation, Farm Creek Irrigation Company, a corporation, New Tabby Irrigation Company, Inc., a corporation, Broadhead Ditch Company, Hicken Ditch Company, Jones Ditch Company, Turnbull Ditch Company, Melvin J. Abbott, Ed Carman and Orren Greenwood, having been filed in this cause, praying for the issuance of an Order to Show Cause requiring Hubert C. Lambert, State Engineer and Loryn Ross, Water Commissioner, to appear and show why they should not forthwith order the distribution of the water of the Duchesne River in accordance with past practices, existing water rights and the statutes of the State of Utah, and praying further for the issuance for a temporary order requiring the State Engineer and Water Commissioner to distribute water in accordance with past practices and recorded water rights until the petition is heard and a final order is made, and good cause appearing, therefor,

IT IS ORDERED that Hubert C. Lambert, State Engineer and Loryn Ross, Water Commissioner for the Duchesne River be in and appear before this court on the _____ day of _____ 1971, at _____ o'clock m. at the County Court House, Duchesne, Utah, and show cause if any they have why they should not order the distribution of water of the Duchesne River in accordance

with the records of the State Engineer and ^{applicable} ~~the laws of the~~ State of Utah, and not otherwise, and in the meantime and until hearing of said petition,

IT IS ORDERED that the State Engineer direct the distribution of the Duchesne River in accordance with the ^{flow} existing water rights of record in the State Engineer's office and in accordance with any applicable court decree, ^{and applicable} and Loryn Ross, Water Commissioner is hereby ordered to so deliver the water of the Duchesne River to water users entitled thereto.

IT IS FURTHER ORDERED that in accordance with law in time of shortage, water shall be delivered in accordance with the priorities of the respective water rights with delivery of water sufficient to fill the entitlement of prior users before cutting the later priority rights. ^{This is without prejudice to existing rights and the question of duty of water is reserved}

Dated this day of August, 1971.

JUDGE

1. 3 ac ft certificates limited to flow only that flow on certificate
2. Priority cutoff if river don't supply all rights
3. Indians on flow basis, should be reduced to ensure 4 ac ft of agreeable with indians