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IN THE SIXTH JUDICIAL DISTRICT COURT FOR WAYNE COUNTY,  
STATE OF UTAH

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In the Matter of the General  
Determination of the Right to the Use of  
Water, Both Surface and Underground,  
for the Drainage of the Colorado River in  
Utah and Exclusive of the Green River  
and Virgin River.

Petition for Interlocutory Determination

Escalante Subdivision

Civil No. 435

Judge: \_\_\_\_\_

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The Petitioner, New Escalante Irrigation Company, hereby moves this Court, pursuant to Utah Code Ann. § 73-4-24, to hear and determine a dispute involving its rights to certain waters, which dispute has recently arisen and involves less than all of the parties to the above-entitled proceeding.

New Escalante is an interested party to the above-entitled general adjudication, which is still pending before this Court. New Escalante supplies water for the irrigation of land and is the holder of water rights within the Escalante River drainage. A Proposed Determination for the Escalante Subdivision of this general adjudication was

filed with this Court on July 1, 1969, and a Pre-Trial Order was issued on July 27, 1977, but a final decree has never been issued.

WHEREFORE, New Escalante Irrigation Company prays this Court to make a determination as to its rights to certain waters and to enter an interlocutory decree in the Escalante Adjudication setting forth the same.

New Escalante has given notice of this petition to those known to dispute its rights to the waters in question and requests the Court to set an initial hearing and direct that notice of the claim and of the initial hearing be published as provided in Utah Code Ann. § 73-4-24.

Dated this 22<sup>nd</sup> day of August, 2001.

CLYDE SNOW SESSIONS & SWENSON



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STEVEN E. CLYDE  
EDWIN C. BARNES  
JAMES P. ALDER  
Attorneys for Petitioner

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing Petitioner for Interlocutory Determination Escalante Subdivision to be mailed, postage prepaid, to the following this 22nd day of August 2001:

Ken Chamberlain, Esq.  
Chamberlain & Associates  
225 North 100 East  
P.O. Box 100  
Richfield, Utah 84701



A handwritten signature in cursive script, appearing to read "Ken Chamberlain", is written over a horizontal line.