

RECEIVED

JUN 19 2000

WATER RIGHTS
SALT LAKE

GAYLE F. McKEACHNIE - 2200
CLARK B ALLRED - 0055
McKEACHNIE, ALLRED, McCLELLAN & TROTTER, P.C.
Attorneys for Petitioners
72 North 300 East (123-14)
Roosevelt, Utah 84066
Telephone (435)722-3928

IN THE EIGHTH JUDICIAL DISTRICT COURT OF 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

ORDER APPROVING THE 1999
COMMISSIONER'S REPORT, 2000
BUDGET AND APPOINTING THE 2000
RIVER COMMISSIONER FOR THE
UINTA AND WHITEROCKS RIVERS

Docket No. 3070
Judge John R. Anderson

This matter came before the Court on the PETITION TO APPROVE
1999 COMMISSIONER'S REPORT, 2000 BUDGET AND SCHEDULE OF
ASSESSMENTS, 2000 SCHEDULE OF DISTRIBUTION AND REQUEST TO APPOINT
THE 2000 RIVER COMMISSIONER FOR THE UINTA AND WHITEROCKS RIVERS,
filed by Lynn Hansen, Chairman of the Committee for the Uinta and
Whiterocks Rivers, pursuant to Utah Code Ann. §73-5-1 et. seq.,
petitioning the Court to approve the committee's 1999 report, 2000
budget, appoint a River Commissioner for 2000, authorize it to
appoint an interim River Commissioner and approve its 2000 Schedule
of Distribution of Waters of Uinta and Whiterocks. David Murray of

White Rocks Irrigation Company appeared and indicated that the Daniels Ditch and the Tabby White ditches were listed under the Uintah River and he thought they should be under the Whiterocks River. He also indicated an objection to the conveyance loss shown on page 41 of the report stating that there is an agreement that the loss is 10% rather than the amount indicated. The Court having considered the matter, notice having been given to affected parties, and the Court being fully informed in this matter, enters this order.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the 1999 report of the administration of the waters of the Uinta and Whiterocks Rivers is approved, as submitted and filed herewith.

2. That the 2000 budget, with schedule of assessments, is approved, as submitted and attached hereto as "Exhibit A".

3. That Shane Hamblin is appointed to serve as River Commissioner of the Uinta and Whiterocks Rivers, for a period of one (1) year.

4. That the Committee for the Uinta and Whiterocks Rivers is authorized to appoint a temporary replacement should the River Commissioner be unable to complete the one (1) year term.

5. That the proposed 2000 Schedule of Distribution of Waters of the Uintah and Whiterocks Rivers is approved, as submitted and attached hereto as "Exhibit B".

6. That the following provisions set forth in the 1999 Interim Order be reaffirmed and made effective for the year 2000:

a. That the River Commissioner be directed to distribute the water of the streams and reservoirs involved in accordance with this Court's Interim Order and to do all things necessary for the proper and correct measurement, diversion and distribution of said waters, in accordance with the Decrees of the Federal District Court and state laws.

b. That the River Commissioner is directed to confer with the committee in developing a schedule for distribution of water, specifically, the manner in which the waters of the Uinta and Whiterocks Rivers, and their tributaries, should be distributed, after consultation with the State Engineer, and shall submit an annual Interim Distribution Order to this Court for its consideration.

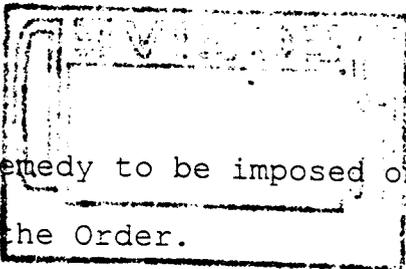
c. That the River Commissioner is directed to deliver and distribute the waters of such non-Federal water rights in the Uinta and Whiterocks Rivers, in accordance with the proposed Schedule of Distribution, attached hereto as "Exhibit B".

d. That the waters for the Federal and non-Federal water rights be distributed in accordance with the terms and limitations of the 1923 Federal Court Decrees in cases numbered 4437 and 4418.

e. That the River Commissioner is instructed to work with the committee to prepare a recommended budget for next year. Said recommended budget is to contain assessments to be made, monies to be received, along with a report of expenditures.

f. That the River Commissioner is authorized to manage the budget, to implement the ordered assessments and collection of assessed amounts from the non-Federal water user organizations or water users, and request assessment and collection from the Bureau of Indian Affairs on the Uintah Indian Irrigation Project, in accordance with the approved budget and schedule of assessments.

g. That any person or entity, that is a water user in the subject rivers, or otherwise affected by the actions of the River Commissioner, may petition and appear before this Court (about the assessment amounts, the manner in which the water is distributed and/or any other claim relating to the distribution of water). In the event there is a violation of the Court's Order or any part of this Petition or, in the opinion of the River Commissioner, the occurrence of the unauthorized use of water, the River Commissioner is directed to recommend to this Court a solution to the problem,



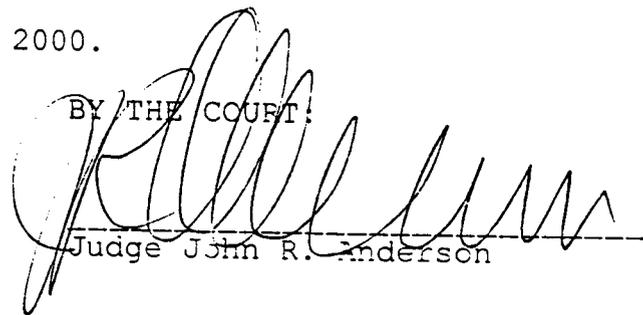
including any remedy to be imposed on the unauthorized water user or violator of the Order.

h. That if a non-Federal water user fails to pay any assessments levied, when due, that water users further use of water be prohibited.

7. That the committee take into consideration Mr. Murray's objections in preparing next years report.

DATED this ^{15th} 1st day of May, 2000.

BY THE COURT:



Judge John R. Anderson