

ANALYSIS  
STIPULATION FOR SETTLEMENT - CIVIL NO. 5723

Sand Wash Irrig. Co.

vs.

Dry Gulch Irrig. Co. & Moon Lake Water Users Assoc.

1. Sand Wash I.C. right to water (Cert. 2039) shall be limited to 6.0 cfs diverted only between 5/1 and 10/12, inclusive, not to exceed a total of 1964.00 af during any one year.

2. Water shall be diverted in Sand Wash I.C. north and south ditches in proportion to number of shares in each. Quantity to be diverted in to each ditch to be fixed at the beginning of each period of use.

3. Dry Gulch and Moon Lake entitled to use all the remaining waters of Sand Wash by direct flow or storage according to their rights.

4. Dry Gulch and Moon Lake shall pass through or release from storage sufficient water to make available at Sand Wash I.C. headgates the quantity of water provided for in 1. above.

5. Dry Gulch and Moon Lake not required to measure or account for inflows to Big Sand Wash Res.

6. Provisions of stipulation binding on parties and successors. If Big Sand Wash Res. or its successor is not operated and maintained, the terms of the stipulation no longer apply.

7. Parties jointly request the S.E. appoint a commissioner to distribute water through that segment of Sand Wash between Big Sand Wash Res. and the Sand Wash I.C. headgates AND require all water users in that segment to install lockable headgates. Expenses to be borne 2/3 by Dry Gulch I.C. and 1/3 by Sand Wash I.C. Dry Gulch (at its own expense) shall police the diversions of water by its stockholders in said segment when they are entitled to divert water and insure that such water is diverted at the proper times and in proper amounts.

8. The Dry Gulch I.C. Class "D" ditch-rider shall regulate the diversions of water into Sand Wash I.C. north and south ditch in accordance with stipulation and subject to 7. above. On or before May 1, Big Sand Wash I.C. will advise Dry Gulch and Moon Lake in writing of the proportionate amount of shares to be diverted into each ditch.

9. Big Sand Wash will help pay for improvements to their headgates and measuring devices.

10. Big Sand Wash will join Assoc. Water Users of Uintah and Lake Fork Rivers.