State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

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WATER RIGHTS
SALT LAKE

September 13, 1988

Red Cedar Ranch
c/o Glen Allred
Star Route, Box 400
Wendover, UT 84083

George Douglass
Callao Star Route, Box 380
Wendover, UT 84083

Dear Sirs: RE: Granite Creek

I can find on file with the State Engineer the following water rights on Granite Creek:

| Water Right | Owner | Status | Flow (cfs) | Uses & Time Period | Priority |
|---|---|---|---|---|---|
| 18-552 | BLM | DILIG. | 4.6014 | 3608 Stock, 2 families 1/1-12/31. Fishery, 1/1-12/31 | 1903 |
| 18-32 | Thousand Pk. | CERT. | 18.0 cfs. OR 2182.8 a.f. Combined with Red Cedar | 727.6 ac. 4/1-10/31 3 familes,3000 Stock 1/1-12/31 Storage 186 a.f. 4/1-10/31 | 1915 |
| 18-149 | Falkenburg Mines | CERT. | 0.11 | Mining Ore 1/1-12/31 Domestic, 9 persons, 1/1-12/31 | 1953 |
| 18-432 | Geo. Douglass | APPROVED | 3.833 OR 469.22 a.f. | 156.805 acres 4/1-10/31 | 1980 |
| 18-577 | Geo. Douglass | APPROVED | 0.167 OR 12.78 a.f. | 3.195 acres 4/1-10/31 | 1980 |
| 18-464 | BMB | APPROVED | 8.0 | Power 1/1-12/31 | 1981 |
| 18-510 | Geo. Douglass | APPROVED | 4.0 Same water as | Power 4/1-10/31 | 1984 |

18-432 & 18-577

| | | | | | |
|---|---|---|---|---|---|
| 18-559 | Oak | APPROVED | 18.0<br>Same water as 18-32 | 1200 acres 4/1-10/31 | 1/23/1986 |
| 18-577<br>a14128 | Geo. Douglass | APPROVED | 0.167<br>OR<br>12.78 ac.ft. | 3.0 acres 4/1-10/31<br>46 stock 1/1-12/31<br>2 families 1/1-12/31 | 12/17/1986 |
| 18-578 | Oak | APPROVED | 13.0<br>Total for<br>Granite &<br>Red Cedar | Power 11/1-3/31<br>200.0 acres 11/1-3/31<br>2602 stock 11/1-3/31<br>Storage 19 a.f. 11/1-3/31 | 12/19/1986 |
| 18-32<br>a14271 | Thousand Peaks | APPROVED | 18.0 | 727.6 acres 4/1-10/31<br>3 families, 3000 stock,<br>1/1-12/31 12/31<br>Storage 1/1-12/31<br>Power 4/1-10/31<br>Other Storage 367 a.f.<br>4/1-10/31 | 1987 |

Ignoring the Diligence Claim of the BLM (18-552) and the Falkenburg Mines filing (18-149) and assuming a calendar year basis a priority schedule is as follows:

January 1 to March 31

| Priority | Water Right | Flow (cfs) | Uses |
|---|---|---|---|
| 1 | 18-32 | 18.0 | Domestic & Stockwatering |
| 2 | 18-464 | 8.0 | Power |
| 3 | 18-577<br>a14128 | 0.167 | Domestic & Stockwatering |
| 4 | 18-578 | 13.0<br>Includes Red Cedar | Irrigation, Domestic,<br>Power and storage |
| 5 | 18-32<br>a14271 | 18.0 | Domestic & Stockwatering |

April 1 to October 31

| Priority | Water Right | Flow | Uses |
|---|---|---|---|
| 1 | 18-32 | 18.0 cfs. OR<br>2182.8 a.f.<br>Only can divert<br>2182.8 a.f. from Both<br>Red Cedar & Granite, | Irrigation, domestic,<br>Storage |

| | | | |
|---|---|---|---|
| | | Combined. | |
| 2 | 18-432 | 3.833 cfs. OR<br>469.22 a.f. | Irrigation |
| 3 | 18-464 | 8.0 cfs.<br>Same water as 18-32 | Power |
| 4 | 18-510 | 4.0 cfs.<br>Same water as 18-432 | Power |
| 5 | 18-559 | 18.0 cfs.<br>Same water as 18-32,<br>Increased acreage Only | Irrigation |
| 6 | 18-577<br>a14128 | 0.167 cfs. OR<br>12.78 a.f. | Irrigation, Stock, Domestic |
| 7 | 18-32<br>a14271 | 18.0 cfs. OR<br>2182.8 a.f. | Irrigation, Stock, Domestic<br>Power & Storage |

November 1 to December 31

| Priority | Water Right | Flow | Uses |
|---|---|---|---|
| 1 | 18-32 | 18.0 cfs.<br>Can divert only if<br>the 2182.8 a.f. is not<br>used up. | Domestic & Stockwatering |
| 2 | 18-464 | 8.0 cfs. | Power |
| 3 | 18-577<br>a14128 | 0.167 cfs. | Domestic & Stockwatering |
| 4 | 18-578 | 13.0 cfs.<br>Granite & Red<br>Cedar Flow | Irrigation, Domestic,<br>Stockwatering, Power<br>& Storage |
| 5 | 18-32<br>a14271 | 18.0 cfs. OR<br>2182.8 a.f. | Domestic & Stockwatering |

January 1 to March 31

The first right is 18-32 for domestic and stockwatering, however, all water diverted will go toward the 2182.8 acre-feet of water allowed under this application - no water is to be used for storage. The next right would be the power filing for BMB. The following right would be the change application for domestic and stockwatering of George Douglass. The 13.0 second-feet filing for the tailwater of BMB is next. If no water is diverted

for power generation by BMB under 18-464 or 18-553 (Red Cedar water), no water will be available at the point of diversion for this appropriation. The final one would be the change application on 18-32. During this time period it only realistically serves to quantify the domestic and stock.

April 1 to October 31

The best right is 18-32 for 2182.8 acre-feet of water. During this time period, 18-464 is using the same water as 18-32. The next right would be 18-432 for irrigation with 18-510 adding power generation. Only when 18-432 is being fully served can 18-559 (Oak Corporation's filing for increased acreage) get any water. The change for Douglass for domestic and stock would come next, then the change for Oak adding power and additional storage.

November 1 to December 31

This would essentially be the same as January 1 to March 31 with the exception that if 18-32 has diverted the 2182.8 acre-feet of water then it would be out of the picture.

Please note that all diversions by law must have an operable headgate and measuring device.

It would be to the benefit of all concerned to finish the pipe construction of Red Cedar water as soon as possible.

I would like to meet with both of you to discuss this priority schedule and means by which it will be administered in the future. I would like to tenatively schedule October 6, 1988, for such a meeting. I would suggest that it should be held on-sight at Granite Creek so that any questions could be resolved at that time. Please let me know if that date would be good for you.

Thank you for your cooperation and assistance regarding this matter.

Sincerely,

James E. Riley, P.E.
Area Engineer

JER/ll

cc: Steve Clyde
Lee Kapaloski