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State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

MICHAEL R. STYLER KENT L. JONES
Executive Director *State Engineer/Division Director*

June 13, 2012

Kay Frances C. Durfey
PO BOX 116
Bicknell, UT 84715

Dear Mrs. Durfey:

On February 1, 2012, you attended the Lower Fremont Distribution Meeting in Loa. One of the items discussed at the meeting was the water rights on Pleasant Creek. I indicated at that time that I would research the water rights and provide you with a priority schedule. The table below shows the water rights on Pleasant Creek, excluding stock watering rights.

PRIORITY	OWNERS	FLOW	DIVERSION DATES	WATER RIGHTS
1882	Notom Users	6.3 cfs ¹	Apr 1 – Oct 31	95-9, 11, 12, 14, 17, 18, 29, 189, 190, 191
	USA Park Service; Lurton J. Knee	0.925 cfs	Apr 1 – Oct 31	95-1
1913	Tercero Corporation	16.09 cfs	May 10 – Oct 31	95-83
1961	Tercero Corporation	2,775 ac-ft	Jan 1 – Dec 31	95-444
	Utah Division of Wildlife Resources	388.39 ac-ft	Jan 1 – Dec 31	95-445

The priority schedule shows that the Notom Users and the Park Service with 1882 priority dates have a primary call on the first 7.225 cfs of water from Pleasant Creek. Any shortage must be shared proportionately amongst the various 1882 rights. The next water right is Tercero Corporation's 1913 direct flow right of 16.09 cfs. The last water rights belong to Tercero Corporation and Utah Division of Wildlife Resources for storage in Lower Bown's Reservoir.

Under this priority schedule all water in excess of 7.225 cfs may be diverted to Lower Bown's Reservoir or directly to the Sandy Ranch until the reservoir is full. The legal limits on the direct flow water rights are as shown in the table. Any water above the amounts in the table (provided that the reservoir is full) is high water and not subject to regulation by the River Commissioner.

¹ Up to 1.0 cfs of additional water is available to the Notom Users from Oak Creek under Water Rights 95-15, 16, 97, 98 when the 6.3 cfs is not available from Pleasant Creek. Also, 95-5268 has been segregated from the total flow for domestic use from a private well.

If you have any questions please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jared Manning", with a long horizontal flourish extending to the right.

Jared Manning, P.E.
Assistant State Engineer

CC:

Becky Taft
PO BOX 154
Bicknell, UT 84715

Lower Fremont River Distribution File