

SKEEN AND SKEEN
 Attorneys for Plaintiffs
 536 East 4th South
 Salt Lake City, Utah 84102
 Telephone: 363-8037

Stipulation 8-4-71
Order 8-11-71

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT, IN AND FOR
 DUCHESNE COUNTY, STATE OF UTAH

WANLESS SHIELDS, et al,
 Plaintiffs,

-vs-

HUBERT C. LAMBERT, State
 Engineer of the State of Utah,
 Defendant.

CENTRAL UTAH WATER CONSERVANCY
 DISTRICT,

Intervenor.

STIPULATION FOR ENTRY
OF DECREE

Civil No. 4003

IT IS STIPULATED by and between the parties hereto that a decree may be made and entered in this cause directing the State Engineer of the State of Utah to approve applications set out below as amended, to provide water to the following named persons for irrigation of the indicated acreage of land described in the space set opposite the name of each such person and from the source of supply described:

Name	App. No.	Acreage	Source	Description
Phillip Moon	29161	42	Pump	S $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32 T3S, R4W; N $\frac{1}{2}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T4S, R4W.
Reed Clayburn	29163	105	Pump from Duchesne Feeder Canal lateral	SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T3S, R3W; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T4S, R3W.
Joe Clayburn	29164	69	Pump from Duchesne Feeder Canal lateral	SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T4S, R3W; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T3S, R3W.

Name	App. No.	Acreage	Source	Description
Kenneth Clayburn	29165	64.9	Pump from Duchesne Feeder Canal lateral	SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2; NW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 1, T4S, R3W.

IT IS FURTHER STIPULATED that the water right evidenced by application No. 18043, filed by the United States of America for the Central Utah Reclamation Project shall be expressly made subordinate to the water rights evidenced by the foregoing applications. Also, Application No. 9104 shall be so subordinated.

IT IS FURTHER STIPULATED that the priority date of all water rights listed above shall be November 19, 1964 at 11:00 a.m.

IT IS FURTHER STIPULATED that the maximum rate of flow to be diverted by the applicants above named shall be as shown on the tabulation marked Exhibit "A" and attached hereto and that each applicant listed may at his option divert his water at the rate set out in the column number four for the time shown in column number five or may, in the alternative, divert continuously at the rate indicated so long as water is available to serve the applicant's priority; however, the total diversion is limited to 4 acre feet per acre.

IT IS FURTHER STIPULATED that no application shall be filed by the persons above named, their successors or assigns for the change of place of use of water under said applications Nos. 29161, 29163, 29164 and 29165 from the lands described above to other lands and that the State Engineer will not in any manner approve or authorize any such change of place of use either temporarily or permanently unless the priority of the right sought to be changed is subordinated to application Nos. 18043, 36638 and 36639.

IT IS FURTHER STIPULATED that the complaint in the above cause as it affects applications Nos. 29160 in the name of Wanless Shields and application No. 29162 in the name of Frank Murphy may be dismissed with prejudice.

Dated this 4th day of August, 1971, ~~1970~~

SKEEN AND SKEEN

APPROVED:

United States Bureau of Reclamation

By: John W Mueller
Regional Director

ACTING

By:

E. Skeen
Attorneys for Plaintiffs
536 East 4th South
Salt Lake City, Utah 84102

William W. Miller
Attorney for Defendant
State Capitol Building
Salt Lake City, Utah 84114

Edward W. Clegg
Attorney for Intervenor
351 South State
Salt Lake City, Utah 84111

ORDER

On stipulation of the parties, and good cause appearing therefor, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the State Engineer of the State of Utah should be, and he is hereby ORDERED to approve the applications, as amended in the manner set out in the above stipulation, to provide water to the persons as named in the above stipulation, subject to and in accordance with the terms of the said stipulation.

Dated this 11th day of August, 1971.

BY THE COURT:

Maurice Harding
Judge

Recorded # 15
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FILED
IN THE DISTRICT COURT
DUCHESE COUNTY, STATE OF UTAH
NOV 15 1971
Janet Cowan
CLERK
Christine
DEPUTY