

SKEEN AND SKEEN
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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

MARVIN R. MICHIE, 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. 4006

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
Marvin R. Michie	28530	60	Pump from Farm Creek Canal	S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 19, T1S, R7W.
Ralph Giles	28534	11	Pump from Farm Creek Canal	E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T1S, R7W.
Wayne Jones	28534	60	Pump from Farm Creek Canal	NW $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29; N $\frac{1}{2}$ SE $\frac{1}{4}$; Sec. 29, T1S, R7W.
Ferron Gines	28535	11	Farm Creek Canal	SW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T1S, R7W.
June Roberts	28597	25	Pump from Farm Creek Canal	NW $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T1S, R3W.

<u>Name</u>	<u>App. No.</u>	<u>Acreage</u>	<u>Source</u>	<u>Description</u>
Clifford Roberts	28597	25	Pump from Farm Creek Canal	NW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T1S, R8W.

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. 28530, 28534, 28535 and 28597 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 application No. 28531 in the name of Elwood Carter and application No. 30305 in the name of Leo S. Defa may be dismissed with prejudice.

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

SKEEN AND SKEEN

By: *E. J. Skeen*
Attorneys for Plaintiffs
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Salt Lake City, Utah 84102

APPROVED:

United States Bureau of
Reclamation

By: John W Mueller
Regional Director

Acting

[Signature]
Attorney for Defendant
State Capitol Building
Salt Lake City, Utah 84114

[Signature]
Attorney for Intervenor
351 South State Street
Salt Lake City, Utah 84111

ORDER

On stipulation of the parties, and good cause appearing there-
for, 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
DUCHESNE COUNTY, STATE OF UTAH
NOV 15 1971
[Signature]
CLERK
DEPUTY