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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

EARL H. VAN TASSELL, 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. 4007

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 names persons for irrigation of the indicated acreage of land described in the space set opposite the name of each person and from the source of supply described:

Name	App. No.	Acreage	Source	Description
Ferron Gines	28536	11	Farm Creek Canal	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, T2S, R7W.
George A. Giles	28536	38	Farm Creek Canal	NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 4; NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 3, T2S, R7W.
Alfred Giles	28537	20	Pump from Tabiona Canal	NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 31, T1S, R7W.

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 ac

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. 28536 and 28537 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 No. 28538 in the name of William Wadley and application No. 28539 in the name of Elvin Lewis may be dismissed with prejudice.

Dated this 4 day of August, 1971 ~~XXXXXX~~

APPROVED:

United States Bureau of Reclamation

By: John W. Mueller  
Acting Regional Director

SKEEN AND SKEEN

By: E. Skeen  
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Robert W. Jensen  
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Edward J. Lee  
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351 South State Street  
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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 11<sup>th</sup> day of August, 1971.

BY THE COURT:

Maurice Harding  
Judge

34747

FILED  
IN THE DISTRICT COURT  
DUCHESE COUNTY, STATE OF UTAH  
NOV 15 1971  
Janet Cowan  
CLERK  
Ann Gilbert  
DEPUTY

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