COMPACT

This Compact is entered into this _____ day of _____, 1957, by and between the State of Colorado and the State of Utah, acting by and through their officers thereunto duly authorised, and is concurred in by the water users in Colorado directly affected hereby, and the following recitals are made to show the inducements for this Compact:

1. That there is presently pending in the District Court of the Third Judicial District in and for Daggett County, State of Utah, a proceeding for the general determination and adjudication of all rights to the use of water from the Green River and all its tributaries in Utah above the confluence of and including Pot Creek. That said proceeding was instituted under and is being conducted in accordance with the provisions of Chapter 4 of Title 73, Utah Code Annotated, 1953, and as amended.

2. That the above mentioned Pot Creek rises in the high Uintah Mountains in the eastern portions of Daggett and Uintah Counties in Utah and flows in a generally easterly direction and into Colorado before it flows into the Green River. That there are diversions and use of water from Pot Creek in both Utah and Colorado.

3. That the lands in Colorado upon which water from Pot Creek is used are remote from other areas in Colorado and are inaccessible directly from Colorado and can be reached only by travel into Utah and thence to the lands in question and a map of the area is hereto attached for such purposes are required by this Compact.

4. That it is not practical or feasible to appoint a water commissioner to distribute solely the water diverted from Pot Creek in Colorado; that this impracticality and infeasibility is not only a financial one but a physical one, bearing in mind that distribution of water is always impracticable unless all of the water in the source to be administered is subject to that distribution under one administration. The State of Colorado recognizes a duty to distribute water for these users but also recognizes that fulfillment of this duty in any practical way is most difficult and expensive.

5. The States of Colorado and Utah both recognise the definition of an adjudication that it must include all of the rights on the sources of water sought to be adjudicated so that distribution can be had without guess work and estimation, and the water users involved concur that the present adjudication proceeding should include their respective rights, both for purposes of adjudication and for purposes of distribution.

From the foregoing recitals, the parties hereto agree and conclude and compact as follows:

1. That the State of Utah shall continue with and shall conclude the present pending Green River Adjudication with all convenient dispatch and the State of Colorado agrees and compacts that all rights to the use of water in Colorado that lie within the drainage area of said adjudication may be, with the consent of the user thereof, included within the said proceeding both for the purposes of adjudication and for the purposes of distribution.

2. That the users of water in Colorado from sources within the aforesaid adjudication, as evidenced by their signatures attached hereto, hereby concur in the action of the State of Colorado taken in the preceding paragraph, hereby enter their appearance in the aforesaid adjudication proceeding and agree to be bound thereby in the same manner and to the same effect and with the same rights and obligations as if they had originally been involved in said proceeding as citizens and residents of the State of Utah.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.