

4/25/1957

IN THE FIRST JUDICIAL DISTRICT COURT, IN AND FOR CACHE COUNTY

STATE OF UTAH

IN THE MATTER OF THE GENERAL
DETERMINATION OF ALL THE RIGHTS
TO THE USE OF WATER, BOTH SUR-
FACE AND UNDERGROUND, WITHIN
THE DRAINAGE AREA OF THE BEAR
RIVER AND ALL ITS TRIBUTARIES
IN UTAH.

(Second)

ORDER OF ADJUDICATION

The petition of Joseph M. Tracy, State Engineer of the State of Utah, having been duly filed herein and it appearing therefrom and from all the facts and circumstances that an investigation and adjudication of all water rights within the above described drainage area is necessary and proper and fully justified and will prevent the possibility of a multiplicity of suits; now, therefore, upon motion of the Attorney General of the State of Utah, by Robert B. Porter, Assistant Attorney General, as counsel for the State Engineer, it is

1- ORDERED that a general determination of all the rights to the use of water, both surface and underground, within the drainage area of the Bear River and all its tributaries in Utah be made and submitted; and the State Engineer of the State of Utah is hereby authorized and directed to proceed therewith with all due dispatch in accordance with Chapter 4 of Title 73, Utah Code Annotated, 1953; and it is further

2- ORDERED that the State Engineer, in making said general determination as aforesaid, shall use as a basis, wherever applicable, the decree of this Court dated February 21, 1922, in the case of Utah Power & Light Company vs. Richmond Irrigation Company et al. and the Proposed Determinations of Water Rights heretofore submitted by the State Engineer as to the Little Bear River and as to the Bear River in Rich County; and the said Decree of February 21, 1922, is hereby recognized and confirmed as to all rights therein except those which have been abandoned and those which have been lost by statutory non-use; and

it is further

3- ORDERED that all rights belonging to irrigation companies and other properly organized entities be set forth in their respective names, and that no costs of this proceeding shall be assessed against the water users, it being fully recognized that Section 73-4-20, Utah Code Annotated, 1953, has been so amended.

4- This Court reserves jurisdiction to make such temporary and interlocutory orders herein as may be appropriate and to modify any and all existing interlocutory decrees or any portion thereof should the law and the facts so require.

25 April 1957

LEWIS JONES
District Judge