Form 97 10M 2-62

Application No. 35508

APPLICATION TO APPROPRIATE WATER
STATE OF UTAH

NOTE:—The information given in the following blanks should be free from explanatory matter, but when necessary, a complete supplementary statement should be made on the following page under the heading "Explanatory."

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, for uses indicated by (X) in the proper box or boxes, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of the Laws of Utah.

1. Irrigation [X] Domestic [ ] Stockwatering [ ] Municipal [ ] Power [ ] Mining [ ] Other Uses [ ]
2. The name of the applicant is Dry Gulch Irrigation Company
3. The Post Office address of the applicant is Roosevelt, Utah
4. The quantity of water to be appropriated is 5 second-feet or 1,200 acre-feet
5. The water is to be used for Irrigation (Major Purpose) from April 1 (Month) (Day) to November 1 (Month) (Day)

   other use period None (Minor Purpose) from (Month) (Day) to (Month) (Day)

   and stored each year (if stored) from January 1 (Month) (Day) to December 31 (Month) (Day)
6. The drainage area to which the direct source of supply belongs is Green River (Leave Blank)
7. The direct source of supply is* Uintah River (Name of stream or other source)

   which is tributary to Duchesne River, tributary to Green River

*Note.—Where water is to be diverted from a well, a tunnel, or drain, the source should be designated as "Underground Water" in the first space and the remaining spaces should be left blank. If the source is a stream, a spring, a spring area, or a drain, so indicate in the first space, giving its name, if named, and in the remaining spaces, designate the stream channels to which it is tributary, even though the water may sink, evaporate, or be diverted before reaching said channels. If water from a spring flows in a natural surface channel before being diverted, the direct source should be designated as a stream and not a spring.

8. The point of diversion from the source is in Uintah County, situated at a point* South 76° 45' East 816 feet from the North West Corner of Section 25, Township One North, Range one West, Uintah Special Meridian.

*Note.—The point of diversion must be located definitely by course and distance or by giving the distances north or south, and east or west with reference to a United States land survey corner or United States mineral monument, if within a distance of six miles of either, or if at a greater distance, to some prominent and permanent natural object. No application will be received for filing in which the point of diversion is not defined definitely.

9. The diverting and carrying works will consist of Diversion dam and gate and 20,925 feet of canal and approximately 6 miles of a water course, most of which is natural.
10. If water is to be stored, give capacity of reservoir in acre-feet 1,440 height of dam 56 area inundated in acres 104 legal subdivision of area inundated is all within SW¼ SE¼, NW¼, N½ SW¼ and SE¼ Section 36, Township One South, Range one West, Uintah Special Meridian.
11. If application is for irrigation purposes, the legal subdivisions of the area irrigated are as follows: Sections 34 and 35 Township One South, Range one West, Sections 2, 3, 11, 12, 13, 14, 24, 25 and 26, Township Two South, Range one West and Sections 6, 7, 18 and 19, Township Two South, Range One East, Uintah Special Meridian.

    Total 2,360 Acres
12. Is the land owned by the applicant? Yes ..... No X If "No," explain on page 2.
13. Is this water to be used supplementally with other water rights? Yes X No .....

    If "yes," identify other water rights on page 2.
14. If application is for power purposes, describe type of plant, size and rated capacity.
15. If application is for mining, the water will be used in ..... Mining District at the ..... mine, where the following ores are mined
16. If application is for stockwatering purposes, number and kind of stock watered
17. If application is for domestic purposes, number of persons ....., or families
18. If application is for municipal purposes, name of municipality
19. If application is for other uses, include general description of proposed uses
20. Give place of use by legal subdivision of the United States Land Survey for all uses described in paragraphs 14 to 19, incl.
21. The use of water as set forth in this application will consume 5 second-feet of water and 0 second feet will be returned to the natural stream or source at a point described as follows:

EXPLANATORY

The following additional facts are set forth in order to define more clearly the full purpose of the proposed application:

This application contemplates the diversion of 5 cubic feet per second of water from the Uintah River into the Uintah No. 1 Canal, which is constructed, and its conveyance therein a distance of 20,925 feet to where it will be diverted into the Montez Creek Reservoir supply lateral, which is in main, the natural water course of the Montez Creek. However, some parts of this channel have been constructed. This supply lateral commences in Section 4 and follows an Southeasterly course through Sections 9, 16, 22, 27, 26 and 35, entering the inundated area of the reservoir in Section 36, Township One South, Range one West, Uintah Special Meridian, and the distance covered is approximately 6 miles. The water will be stored in the Montez Creek Reservoir (which is constructed) the year through when ever it is available. The impounded water will be released from the reservoir during the period, not to commence before April 1 and end not later than October 31 for irrigation purposes. The water will be used to supplement water which has been diverted from the Uintah River in connection with natural flow under Applications numbers 623, 627 and 727.

The land which the water is to be applied for irrigation purposes is owned by stockholders who own shares of stock in the Dry Gulch Irrigation Company.

The Montez Creek Reservoir has a capacity of 1,440 acre feet at full stage. Storage Application No. 8330 for 1,000 acre feet, appropriated from the Uintah River is short 440 acre feet of providing capacity storage, so the 440 acre feet is to impound during the off irrigation season (November 1 to April 1 in the next year) from waters appropriated by this Application. Most years, all of the impounded water (1,440 acre feet) is released and used for irrigation prior to the high water period. During the high water period, water is again impounded and the average year the reservoir is again filled to capacity. This application is intended to provide authority for the storage of 5 cubic foot per second during the high water period which is the maximum flow that can be applied for because of the with-drawal Act of the Governor of the State of Utah, of which this stream is a tributary.

(Use page 4 if additional explanatory is needed.)

The quantity of water sought to be appropriated is limited to that which can be beneficially used for the purpose herein described.

DRY GULCH IRRIGATION CO.

Kim Chagney, Secretary
Signature of Applicant*

*If applicant is a corporation or other organization, signature must be the name of such corporation or organization by its proper officer, or in the name of the partnership by one of the partners, and the names of the other partners shall be listed. If a corporation or partnership, the affidavit below need not be filled in. If there is more than one applicant, a power of attorney, authorizing one to act for all, should accompany the Application.

DECLARATION OF CITIZENSHIP

STATE OF UTAH,
County of..... } ss

On the ..... day of....., 19....., personally appeared before me, a notary public for the State of Utah, the above applicant who, on oath, declared that he is a citizen of the United States, or has declared his intention to become such a citizen.

My commission expires:

(SEAL)

Notary Public

FEES FOR APPLICATIONS TO APPROPRIATE WATER IN UTAH

RECEIVED 1963 MAR 5 STATE ENGINEER'S OFFICE

Flow rate — c.f.s.	Cost	
0.0 to 0.1	$ 10.00	
over 0.1 to 0.5	20.00	
over 0.5 to 1.0	30.00	
over 1.0 to 15.0	30.00	plus $5 for each cfs above the first cubic foot per second.
over 15.0	100.00	

Storage — acre-feet		
0 to 20	15.00	
over 20 to 500	30.00	
over 500 to 7500	30.00	plus $5 for each 500 a.f. above the first 500 acre feet.
over 7500	100.00	

(This section is not to be filled in by applicant)

STATE ENGINEER'S ENDORSEMENTS

8:00 a.m.

1. Mar. 5, 1963 Application received by mail / ~~over counter~~ in State Engineer's office by Eva
2. ..... Priority of Application brought down to, on account of .....
3. Mar. 5, 1963 Application fee, $50.00, received by Eva Rec. No. 073350
4. Aug. 13, 1963 Application copied in book No. 50, page 521, and indexed by Tom R.S.
5. Aug. 9, 1963 Application platted by
6. Sept. 23, 1963 Application examined by J. Perkins
7. ..... Application returned, ... or corrected by office .....
8. ..... Corrected Application resubmitted over counter / by mail to State Engineer's office.
9. Sept. 24, 1963 Application approved for advertisement by JAB
10. Oct. 11, 1963 Notice to water users prepared by
11. Oct. 24, 1963 Publication began; was completed Nov. 7, 1963
    Notice published in Vernal Express, Vernal, Utah
12. Oct. 21, 1963 Proof slips checked by
13. ..... Application protested by .....
14. Nov. 19, 1963 Publisher paid by M.E.V. No. 2-1589
15. ..... Hearing held by .....
16. ..... Field examination by .....
17. June 17, 1964 Application designated for approval / ~~rejection~~
18. June 25, 1964 Application copied or photostated by dh proofread by .....
19. June 25, 1964 Application approved / ~~rejected~~
20. **Conditions:**

    This Application is approved, subject to prior rights, as follows:

    a. Actual construction work shall be diligently prosecuted to completion.

    b. Proof of Appropriation shall be submitted to the State Engineer's office by June 30, 1966

    c. Application approved on condition that in accordance with Section 73-5-5, UCA, 1953, duplicate plans, drawings and specifications for the impounding dam shall be submitted to the State Engineer for his approval 30 days before construction thereof begins.

    Wayne D. Criddle, State Engineer.
21. ..... Time for making Proof of Appropriation extended to Wayne D. Criddle
22. [illegible] Proof of Appropriation submitted.
23. ..... Certificate of Appropriation, No. ....., issued

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