

STATE OF UTAH
 NATURAL RESOURCES & ENERGY
 Water Rights

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Scott M. Matheson, Governor
 Temple A. Reynolds, Executive Director
 Dee C. Hansen, State Engineer

154 North Main Street • P.O. Box 506 • Cedar City, UT 84720 • 801-586-4231

WATER RIGHTS

November 16, 1982

Mr. Ken Chamberlain
 Attorney at Law
 76 South Main
 Richfield, UT 84701

Re: Kent's Lake Reservoir Company

Dear Ken:

Pursuant to our conversation we have researched our records concerning the basic water rights of the Kent's Lake Reservoir Company and those canal companies permitted to store Class B and high water in Three Creeks Reservoir. The attached summary of water rights gives you a brief breakdown of the rights as interpreted by this office. Note that there are no Class A or primary rights stored either in Kent's Lake or Three Creeks Reservoir and that some of the rights require a judgement call on the distribution and delivery of water.

A copy of the share certificates has also been attached and I apologize for the poor quality of the copy. They are clear enough to determine which company they are drawn on and the number of shares represented. Also, I have attempted to tabulate flow figures on the Beaver River and associated canals. The records in this office are incomplete and this summary is simply a sampling of the records but perhaps enough to give you an idea on the acre feet delivered to each company. The flow records will have to be correlated with the storage records of the reservoir company in order to breakdown the base flow from the stored flow. I do not have any storage records for the Kent's Lake Reservoir Company.

As noted on the stock certificates, we have based the exchanges on amounts given to us by the applicant and/or the reservoir company. We have not attempted to change the class of right nor do we have the power to accomplish that type of action. I'm sure that there is a misunderstanding on the total number of acre feet allocated to Kent's Lake Reservoir Co. and this point must be clarified before final action can be taken on the pending Exchange No. 2088. We would be happy to sit down with the company and counsel in an effort to arrive at an acre foot - water share assignment for the exchanges in question. We would also be open to any suggestions for the distribution of water under the subject exchanges.

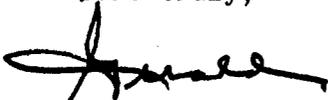
Deputy State Engineer/Earl M. Staker Area Engineer/Gerald W. Stoker

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Ken Chamberlain
November 16, 1982

If any of the information in this letter or the attachments raise any questions with you, we would be anxious to discuss this matter in further detail.

Yours truly,

A handwritten signature in black ink, appearing to read "Gerald W. Stoker". The signature is fluid and cursive, with a large initial "G" and a long, sweeping underline.

Gerald W. Stoker PE
Area Engineer

Enclosures

SAMPLING OF BEAVER RIVER & KENT'S LAKE CANAL COMPANIES FLOW RECORDS

<u>Year</u>	<u>2nd South Bench Co.</u>	<u>Mammoth Canal</u>	<u>2nd NE Bench Co.</u>	<u>Willis Canal</u>	<u>Beaver River</u>
1960	209 AF	549 AF	516 AF	558 AF	15266
1965	1405	3090	2617	2230	33810
1966	392	559	631	465	16240
1967	1032	2704	2337	1705	28134
1968	1488	3819	3302	2242	34120
1969	2345	3076	3383	2327	41316
1970	1170	2730	2392	1689	23274
1971	889	1663	1451	1101	21552
1975	914	1736	1734	1265	20054
1978	930	3262	2506	1853	33266

Class of Right - A 1870 Priority
B 1890 Priority
C 1903 Priority
High Water, priority later than 1903.

SUMMARY OF WATER RIGHTS, Kent's Lake & Three Creeks Reservoir Storage

- [77-4] Beaver City Corporation
1890 priority, Class B, stored April 1 - June 30
used April 1 - October 31
Limited to 200.0 acre feet of storage in Kent's Lake
- [77-407] Kent's Lake Reservoir Company
1890 priority, Class B, stored April 1 - June 30
used April 1 - October 31
Limited to 630.0 acre feet of storage in Kent's Lake
- [77-37] Kent's Lake Reservoir Company
3/8/40 priority, High water right. stored January 1 -
December 31 under court order with Rocky Ford Reservoir
Co. When storage at Rocky Ford reaches 20,000 acre feet
Kent's Lake Res. Co. may store in Three Creeks Res. 15%
of available flow allowing 85% of flow to Rocky Ford.
Limited to 1193.0 acre feet of storage in Three Creeks
Reservoir.
- [77-177] Kent's Lake Reservoir Company
1890 priority, Class B, stored April 1 - June 30
used April 1 - October 31
Limited to 830 acre feet of storage in Three Creeks
Reservoir.
- [77-181] Second South Bench Reservoir & Irrigation Company
1890 priority, Class B, stored April 1 - June 30
used April 1 - October 31
Limited to 226.16 acre feet of storage in Three Creeks
Reservoir.
- [77-182] Mammoth Canal & Irrigation Company
1890 priority, Class B, stored April 1 - October 31
used April 1 - October 31
Limited to 329.24 acre feet of storage in Three Creeks
Reservoir.
- [77-183] Second North East Bench Canal & Irrigation Company
1890 priority, Class B, stored April 1 - October 31
used April 1 - October 31
Limited to 367.51 acre feet of storage in Three Creeks
Reservoir.
- [77-184] Willis Canal & Irrigation Company
1890 priority, Class B, stored April 1 - October 31
used April 1 - October 31
Limited to 228.71 acre feet of storage in Three Creeks
Reservoir.
- [77-185] Willis Canal & Irrigation Company
1890 priority, Class B, stored April 1 - October 31
used April 1 - October 31
Limited to 31.38 acre feet of storage in Three Creeks
Reservoir.
- [77-408] Second South Bench Reservoir & Irrigation Company
1890 priority, Class B, stored April 1 - June 30
used April 1 - October 31
Limited to 325.0 acre feet of storage in Twin Lakes
Reservoir [aka Mud Lakes]. Change application filed
to transfer storage into Three Creek Reservoir.