

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT  
OF THE STATE OF UTAH IN AND FOR CARBON COUNTY

**SECOND ADDENDUM TO THE PROPOSED DETERMINATION OF WATER RIGHTS**

**PRICE RIVER AND LOWER GREEN RIVER DRAINAGE**

IN THE MATTER OF THE GENERAL DETERMINATION  
OF THE RIGHTS TO USE OF WATER, BOTH SURFACE  
AND UNDERGROUND, WITHIN THE DRAINAGE AREA OF THE  
PRICE RIVER AND OF THE DRAINAGE AREA OF THE GREEN RIVER  
FROM THE CONFLUENCE OF THE PRICE AND GREEN RIVERS TO THE  
CONFLUENCE OF THE GREEN AND COLORADO RIVERS EXCLUDING  
THE DRAINAGE AREA OF THE SAN RAFAEL RIVER IN UTAH

AREA 91  
BOOK 5  
(RANGE CREEK)

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT  
IN AND FOR CARBON COUNTY, STATE OF UTAH

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IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHTS TO USE OF  
WATER, BOTH SURFACE AND UNDERGROUND, WITHIN THE DRAINAGE AREA OF  
THE PRICE RIVER AND OF THE DRAINAGE AREA OF THE GREEN RIVER FROM THE CONFLUENCE  
OF THE PRICE AND GREEN RIVERS TO THE CONFLUENCE OF THE GREEN AND COLORADO RIVERS  
EXCLUDING THE DRAINAGE AREA OF THE SAN RAFAEL RIVER IN UTAH

PRICE RIVER DRAINAGE (AREA 91-BOOK 5) RANGE CREEK  
Civil No. 690708598

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NOTICE TO WATER USERS WITHIN THE RANGE CREEK DRAINAGE AREA:

This is your copy of the Second Addendum to the Proposed Determination of Water Rights in Area 91, Book 5, of the Price River Drainage, limited to Range Creek only. The Proposed Determination, as modified by this Second Addendum, is the State Engineer's revised report and recommendation to the Court. This Second Addendum modifies a prior First Addendum dated April 4, 2003, as to the duty of water rights on Range Creek.

A copy of the Proposed Determination, the First Addendum and this Second Addendum will be on file with the Clerk of the Seventh District Court in Price, Utah. Additional copies may be obtained from the Division of Water Rights at 1594 West North Temple, Suite 220, Salt Lake City, Utah 84116, by paying the cost of printing.

You are hereby notified that under section 73-4-11, Utah Code Annotated, any claimant dissatisfied with the Second Addendum to the Proposed Determination may object, but only as follows: The claimant must file with the Clerk of the Seventh District Court in Price, a written objection. The objection must be filed within ninety (90) days after the claimant is served with the Second Addendum to the Proposed Determination, and must reference Civil No. 690708598 (91-Book 5). The date of service is either the date the Second Addendum was mailed to the claimant's address of record at the Office of the State Engineer, or the date the claimant picked up a copy of the Second Addendum in person (in lieu of mailing). If a claimant receives copies by mail and in person, the earlier date of service begins the ninety day objection period. A copy of the objection should also be sent to the Division of Water Rights at the mailing address shown below. The objection may address only the irrigation duty as described in the Second Addendum. Objections may not address issues that could have been raised as to the unmodified Proposed Determination.

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IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT  
IN AND FOR CARBON COUNTY, STATE OF UTAH

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IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHTS TO USE OF WATER, BOTH SURFACE AND UNDERGROUND, WITHIN THE DRAINAGE AREA OF THE PRICE RIVER AND OF THE DRAINAGE AREA OF THE GREEN RIVER FROM THE CONFLUENCE OF THE PRICE AND GREEN RIVERS TO THE CONFLUENCE OF THE GREEN AND COLORADO RIVERS EXCLUDING THE DRAINAGE AREA OF THE SAN RAFAEL RIVER IN UTAH

PROPOSED DETERMINATION OF WATER RIGHTS IN THE PRICE RIVER AND LOWER GREEN RIVER DRAINAGE

AREA 91, BOOK 5  
LIMITED TO RANGE CREEK

Civil No. 690708598

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Kent L. Jones, State Engineer of the State of Utah, respectfully submits this report to the Court.

1. Geographic Area Covered. This General Adjudication includes all water sources, both surface and underground, within the Drainage Area of the Price River and the drainage area of the Green River from the confluence of the Price and Green Rivers to the confluence of the Green and Colorado Rivers excluding the drainage area of the San Rafael River in Utah. In April of 2003, the State Engineer submitted a First Addendum dealing with the duty of the water for the Price River Drainage. The First Addendum listed an irrigation duty of three (3) acre feet per acre for all irrigated lands in the Range Creek Drainage. This Second Addendum increases the duty of irrigated water for certain portions of the Range Creek Drainage as described herein and as shown on the map attached hereto.

2. Duty of Irrigation Water. In response to certain objections to the First Addendum regarding duty, the State Engineer has re-evaluated the duty for the Range Creek Drainage. The map published herein presents the boundaries and newly determined duties for the Range Creek Drainage. More detailed maps are available for review in the Price and Salt Lake City offices of the State Engineer. The calculation of duty contemplates many factors, including evapotranspiration, average precipitation, and application and conveyance losses.

Because a water right is limited by the extent of its beneficial use, an irrigation right is limited by the acreage actually irrigated. The amount of water which may be diverted to irrigate the crops to maturity in a specific area is known as the duty. The duty per calendar year is measured at the point of diversion from the natural water source. The duty shown is based on efficiencies associated with flood irrigation practices. As irrigation practices change to improve efficiency, it is anticipated less water will be diverted.

The State Engineer has determined that in the Range Creek drainage area, the application each year of more than the individually or generally established duty of water per acre is unnecessary and would not be a beneficial use of the excess water.

Based on the latest studies and upon further consideration of the above listed criteria, the State Engineer has determined that the irrigation duties for water rights in the Range Creek Drainage (Canyon Bottom) should be as follows:

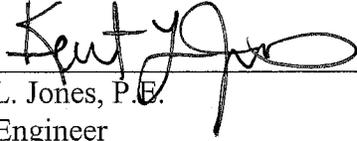
A) All lands in the Canyon Bottom from the confluence of Range Creek and the Green River upstream to that geologic formation commonly known as "Locomotive Rock" located in the SE 1/4 of the SW 1/4 of Section 3, T16S R15E SLBM shall have an irrigation duty of five (5) acre feet per acre.

B) All lands in the Canyon Bottom upstream from "Locomotive Rock" to a point where Range Creek crosses the SE 1/4 of the SE 1/4 of Section 36, T14S R14E SLBM shall have an irrigation duty of four (4) acre feet per acre.

C) All lands upstream from the upmost point set forth in subparagraph B above shall have a duty of three (3) feet per acre.

These areas are shown on the maps attached hereto.

3. This Proposed Determination of Water Rights was approved for publication on the 24<sup>th</sup> day of August, 2010.

  
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Kent L. Jones, P.E.  
State Engineer

# REVISED RANGE CREEK DUTY

