

Harmony Park Area

(S36, T1S, R1W SLB&M)

Proposed Determination of Water Rights and Adjudication Process

Final Public Meeting - July 31, 2012

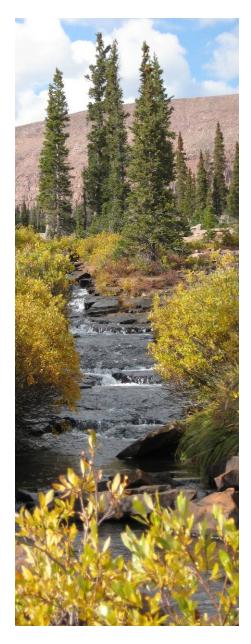
Utah Division of Water Rights

Blake W. Bingham, P.E.

Adjudication Program Manager

www.waterrights.utah.gov

The Proposed Determination Process



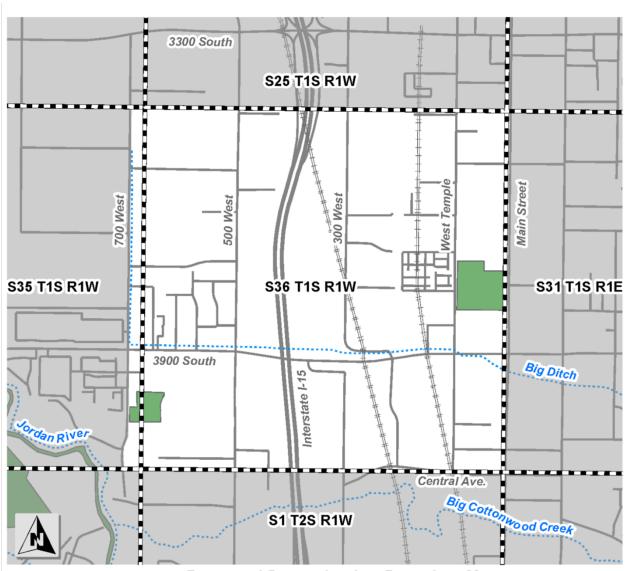
The Proposed Determination

· Official recommendation of the State Engineer to the District Court

The Process

- Public Meeting: Hold a public meeting to inform water users.
- *Research:* Identify, research, and field-review water rights within the proposed determination area.
- Hydrographic Survey: Conduct a hydrographic survey to identify existing points of diversion, places and extent of use.
- <u>Claim Preparation</u>: Help water users prepare and submit Water User Claims.
- <u>Publish Proposed Determination</u>: Compile Water User Claims, publish, and distribute Proposed Determination.
- <u>File with Court:</u> The Proposed Determination is filed with the District Court.
- <u>Resolve Objections:</u> Resolve objections filed by water users to the proposed determination if possible.
- <u>Court Decree:</u> The District Court hears any remaining disputes and issues a decree on the water rights within the proposed determination area.

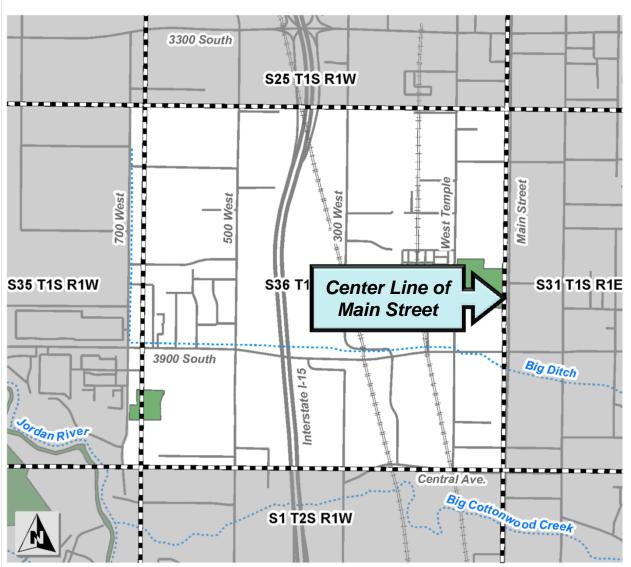




Proposed Determination Boundary Map

- Approximately 1 square-mile (Section 36, T1S, R1W SLB&M)
- Includes portions of South Salt Lake, Murray and unincorporated Salt Lake County.
- Mostly commercial/light industrial with pockets of mixed residential housing.

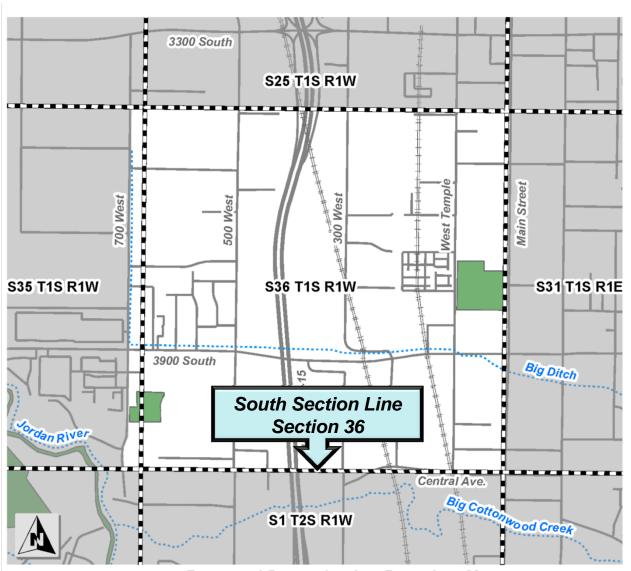




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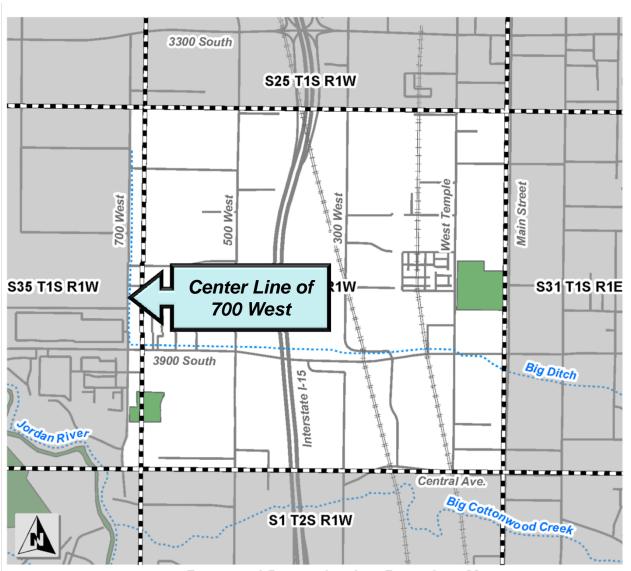
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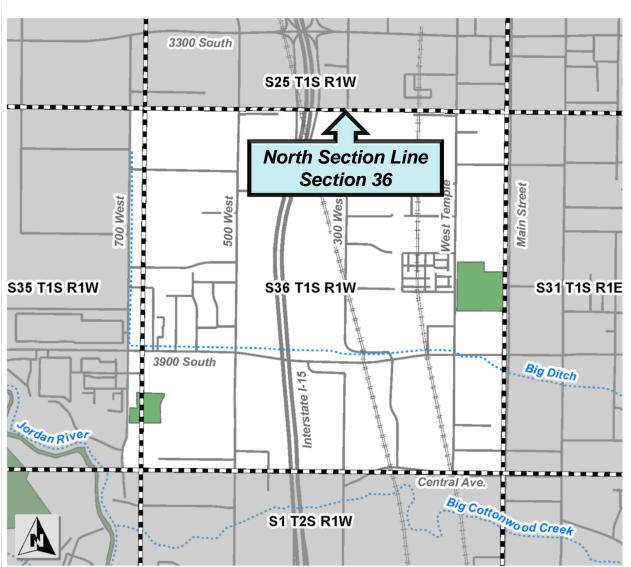
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Harmony Park Proposed Determination Adjudication Statistics

- Water Rights Included in the Proposed Determination: 203
 - Certificated: 35
 - No Proof Required: 79
 - Decreed: O
 - Elections: 0
 - Diligence/Underground Water Claim: 89
- All 203 water rights had underground sources (i.e. wells)
- Out of 203 water rights, 179 were recommended to be disallowed based on evidence of non-use.
- Two commercial water users represented almost 98% of the total water use in the Proposed Determination area.

Domestic Use	5.4 AF
Irrigation Use	17.9 AF
Stock watering	0.042 AF
Other (commercial)	1,076.4 AF

Total Diversion 1,099.7 AF



Harmony Park Proposed Determination Timeline

• Initiated	July 2011
Public Meeting	October 18, 2011
• Field Work	Sep. 2011 – Mar. 2012
Hydrographic Survey Maps	Mar. – Apr. 2012
Water User's Claim Preparation	Sep. 2011 – Feb. 2012
Water User's Claim Review	Jan. – May 2012
• Final Review	June 2012
Publication Date	June 19, 2012
Public Meeting	July 31, 2012

WATER RIGHTS

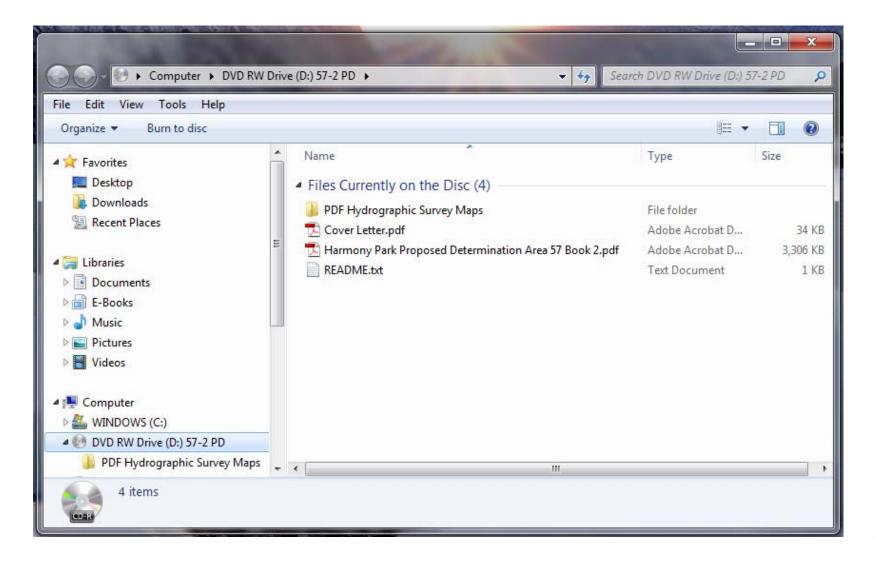
Harmony Park Proposed Determination Publication / CD

- Recipients of the Proposed Determination (CD)
 - Water user's listed in the Proposed Determination
 - Individuals who asserted a claim to the use of water
 - Owners of parcels whereon historic water use was located
- Proposed Determination is the State Engineer's recommendation to the court.
 - Defines status and quantification
 - Filed with the District Court along with original Water User's
 Claims and other supporting documentation.

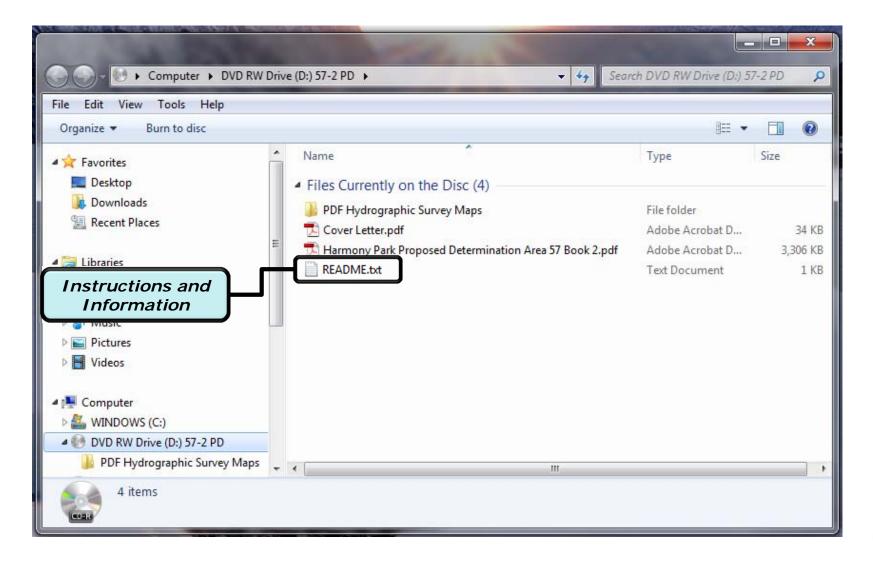
Harmony Park Proposed Determination Publication / CD

- Publication Date: June 19, 2012
- Service Date: July 10, 2012
- CD Publication
 - Accessible on PC or MAC
 - PDF Files (Adobe Acrobat can be downloaded free of charge from www.get.adobe.com/reader)
 - CD includes:
 - Instructions in TXT format
 - Cover Letter
 - Proposed Determination
 - Hydrographic Survey Maps

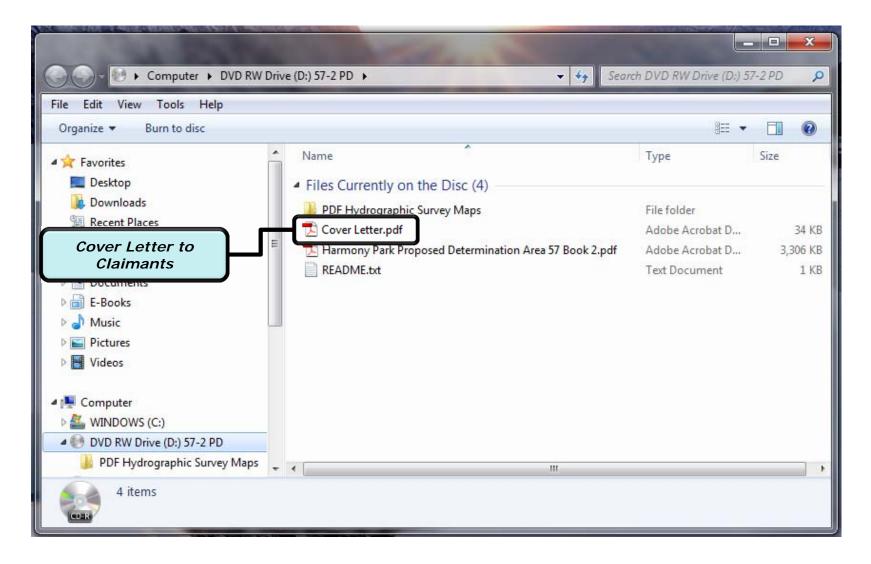




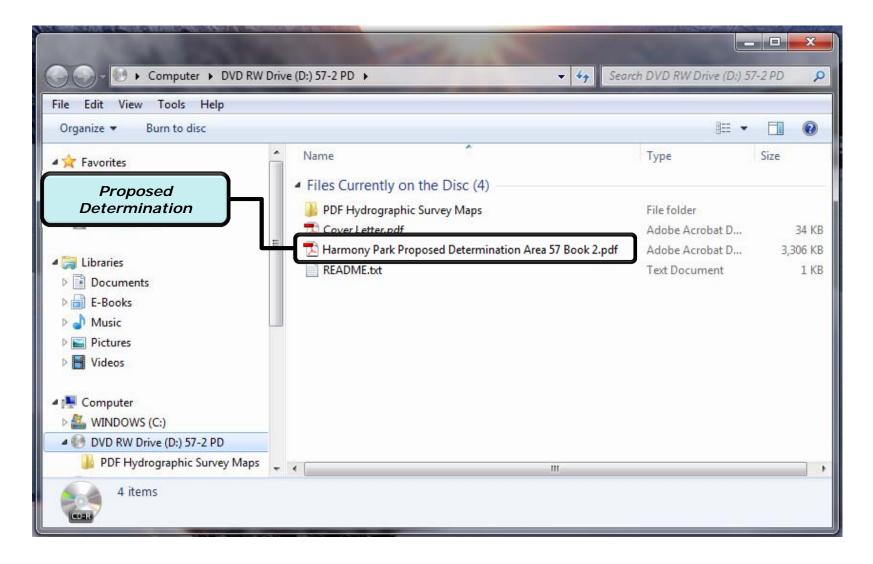




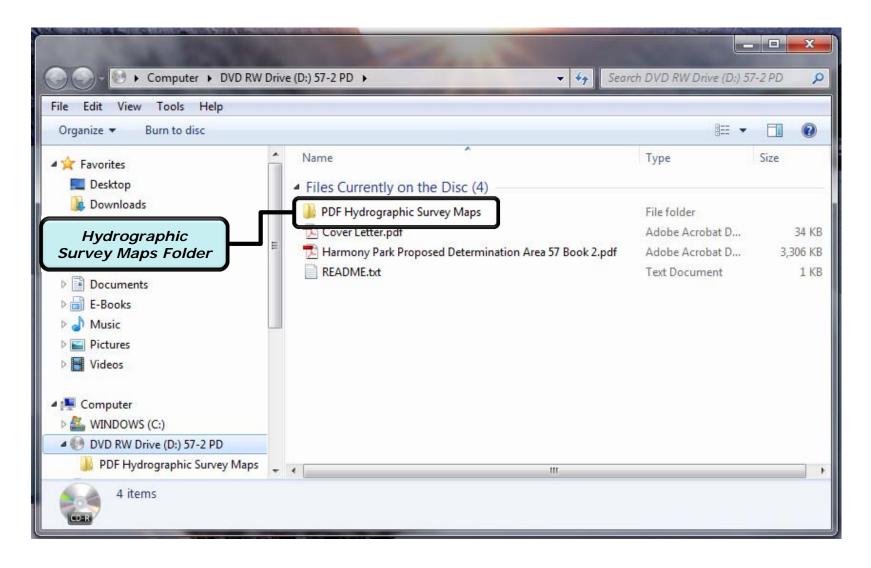






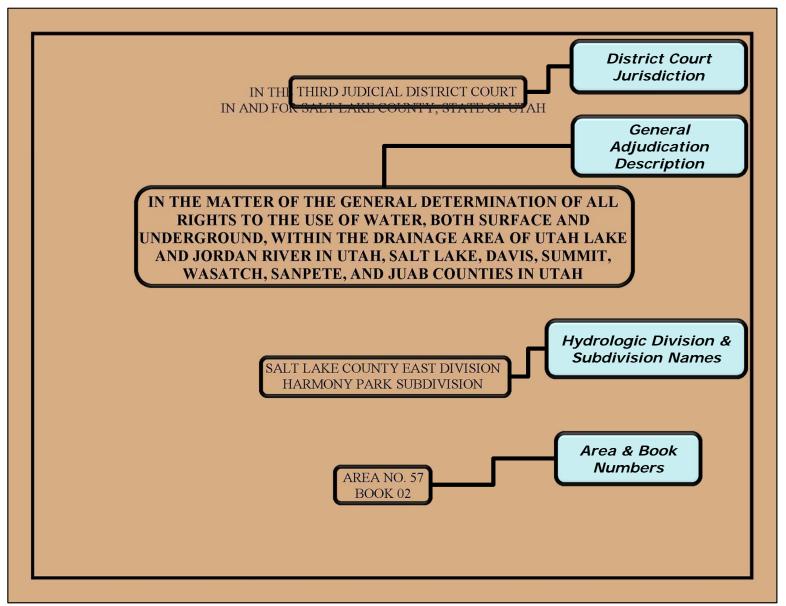








Harmony Park Proposed Determination Cover Sheet





Harmony Park Proposed Determination Notice & Service Date

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

IN THE MATTER OF THE GENERAL DETERMINATION OF ALL RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, WITHIN THE DRAINAGE AREA OF UTAH LAKE AND JORDAN RIVER IN UTAH, SALT LAKE, DAVIS, SUMMIT, WASATCH, SANPETE AND JUAB COUNTIES IN UTAH

Civil Case Number

SALT LAKE COUNTY EAST DIVISION, HARMONY PARK SUBDIVISION (57-2)

Salt Lake County Civil No. 360057298

NOTICE TO WATER USERS WITHIN THE ABOVE-DESCRIBED DRAINAGE AREA:

Instructions on filing an objection

the Court dated April 22, 2012, this is your copy of the Proposed Determination of Water Rights in the Salt Lake County East vision, Area No. 57, Book 2, of the Utah Lake and Jordan River General Adjudication. The Division of Water Rights has in this matter pending before the Court. The Proposed Determination is the State endation to the Court of how all rights in the Harmony Park Subdivision shall be determined. A copy of the Proposed Determination will be on the with the Clerk of the Third District Court in Salt Lake City, Utah. Additional CDs or printed copies are available, upon payment of the cost of printing, from the Division of Water Rights at 1594 West North Temple, Suite 220, Salt Lake City, Utah 84114-6300, telephone 801-538-7240.

You are hereby notified that under Section 73-4-11 of the Utah Code, any person claiming a water right in the Harmony Park Subdivision who is dissatisfied with the Proposed Determination may object, but only in accordance with the following requirements: The claimant must file the objection in writing in the Third Judicial District Court, Salt Lake City Department, 450 South State, P.O. Box 1860, Salt Lake City Utah 84114, within ninety (90) days after being served with a copy of the Proposed Determination. Service is effective on the date the Proposed Determination is mailed or hand delivered to the claimant. The claimant should also file a copy of the objection with the Division of Water Rights at the address shown below.

This copy of the Proposed Determination was served on you, either in person or by mail, on this 10th day of July, 2012.

L. Ward Wagstaff Michael M. Quealy Assistant Attorneys General MARK L. SHURTLEFF Utah Attorney General Attorneys for the State Engineer Kent L. Jones, P.E. State Engineer DIVISION OF WATER RIGHTS 1594 West North Temple, Suite 220 P.O. Box 146300 Salt Lake City, UT 84114-6300 www.waterrights.utah.gov

Service Date



IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

IN THE MATTER OF THE GENERAL DETERMINATION
OF ALL RIGHTS TO THE USE OF WATER,
BOTH SURFACE AND UNDERGROUND, WITHIN THE
DRAINAGE AREA OF UTAH LAKE AND JORDAN RIVER
IN UTAH, SALT LAKE, DAVIS, SUMMIT, WASATCH,
SANPETE, AND JUAB COUNTIES IN UTAH

PROPOSED DETERMINATION OF WATER RIGHTS IN THE UTAH LAKE - JORDAN RIVER GENERAL ADJUDICATION SALT LAKE COUNTY EAST DIVISION HARMONY PARK SUBDIVISION AREA NO. 57, BOOK 2

Salt Lake County Civil No. 360057298

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

- 1. Geographical Area Covered. This General Adjudication, known as the Utah Lake and Jordan River General Adjudication, includes all water sources, both surface and underground, within the Utah Lake and Jordan River drainage area in Utah, Salt Lake, Davis, Summit, Wasatch, Sanpete, and Juab Counties. This Proposed Determination includes water rights in the Harmony Park Subdivision of the Salt Lake County East Division of the Utah Lake and Jordan River General Adjudication. The Harmony Park Subdivision is the enlarged area on the map shown hereinafter. The Utah Division of Water Rights has designated the Proposed Determination for this area as Area No. 57, Book 2.
- 2. Commencement. On September 1, 1944, the Court ordered the State Engineer to make a determination and

adjudication of all rights to the use of water of Utah Lake and Jordan River and their tributaries in Utah and Salt Lake Counties. On June 21, 1972, the Court issued an order clarifying that the adjudication area includes all the rights to the use of water, both surface and underground within the drainage area of Utah Lake and Jordan River and their tributaries in Utah, Salt Lake, Davis, Summit, Wasatch, Sanpete, and Juab Counties. The June 21, 1972 order also ordered that the title of this action be amended to read, "In the Matter of the General Determination of the Rights to the Use of All the Water, Both Surface and Underground, Within the Drainage Area of Utah Lake and Jordan River in Utah, Salt Lake, Davis, Summit, Wasatch, Sanpete, and Juab Counties in Utah."

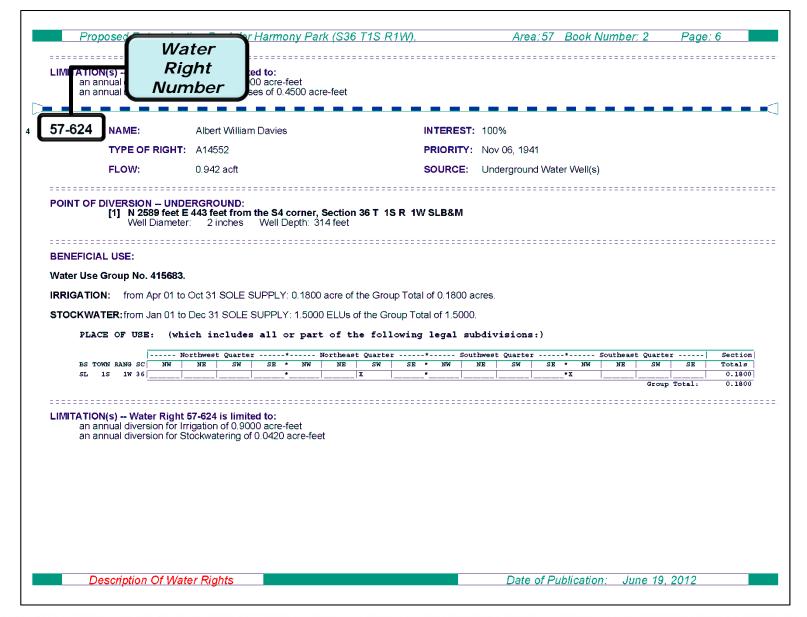
3. State Engineer's Activity. The State Engineer has followed the requirements of Title 73, Chapter 4 of the Utah Code. He has given the required notices, served and published summons, completed hydrographic surveys, and taken claims



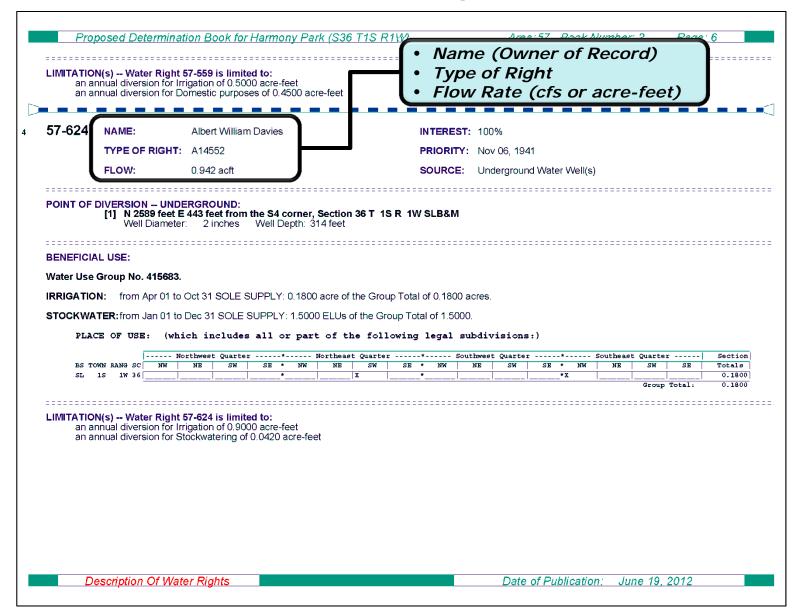
Harmony Park Proposed Determination Priority Schedule

PRIORITY	FLOW	WR#	NAME	POINT OF DIVERSION
Un	derground Water Well(s)			
1895	2.69 acft	57-10085	Thomas American Stone	Sec 36, T 1S, R 1W, SLB&M
1900	0.8 acft	57-5071	E. A. Therkalsen	Sec 36, T 1S, R 1W, SLB&M
Apr 24, 1906	0.45 acft	57-4545	Louisa Reich	Sec 36, T 1S, R 1W, SLB&M
1915	5 acft	57-3856	Doris C. Schmidt Family Trust	Sec 36, T 1S, R 1W, SLB&M
1916	0.3 acft	57-4351	Elmer Winberg	Sec 36, T 1S, R 1W, SLB&M
1916	0.84 acft	57-10084	Thomas American Stone	Sec 36, T 1S, R 1W, SLB&M
1920	0.175 acft	57-5304	Edward J. Solomon	Sec 36, T 1S, R 1W, SLB&M
1924	0.45 acft	57-5381	Myrtle Watson Mrs.	Sec 36, T 1S, R 1W, SLB&M
1930	0.54 acft	57-4994	Victor Eastman	Sec 36, T 1S, R 1W, SLB&M
May 28, 1936	2.35 acft	57-153	Nettie and William B. Adair	Sec 36, T 1S, R 1W, SLB&M
Jun 27, 1940	1.7 acft	57-333	Francis N. Tuttle	Sec 36, T 1S, R 1W, SLB&M
Oct 25, 1940	1.329 acft	57-10420	WEI Properties, LLC	Sec 36, T 1S, R 1W, SLB&M
May 15, 1941	0.95 acft	57-559	Abram Chorn	Sec 36, T 1S, R 1W, SLB&M
Nov 06, 1941	0.942 acft	57-624	Albert William Davies	Sec 36, T 1S, R 1W, SLB&M
Feb 24, 1942	0.85 acft	57-635	WEI Properties, LLC	Sec 36, T 1S, R 1W, SLB&M
Aug 11, 1947	0.6 acft	57-1356	Glen H. Curtis	Sec 36, T 1S, R 1W, SLB&M
May 31, 1950	0.65 acft	57-1789	Jerold L. Bailey	Sec 36, T 1S, R 1W, SLB&M
Jul 10, 1952	0.19 acft	57-2158	J. Kenneth Latimer	Sec 36, T 1S, R 1W, SLB&M
Feb 15, 1955	0.5 acft	57-1501	Leslie Jack Lamper	Sec 36, T 1S, R 1W, SLB&M
Jun 30, 1955	0.95 acft	57-2588	Vern Pettit	Sec 36, T 1S, R 1W, SLB&M
Apr 04, 1956	0.865 acft	57-2683	Mildred M. Thuet	Sec 36, T 1S, R 1W, SLB&M
Aug 31, 1956	34.48 acft	57-2735	Seaboard Foods, LLC	Sec 36, T 1S, R 1W, SLB&M
			Seaboard Foods, LLC dba Daily's Premium Meats	
Oct 08, 1956	1.5 acft	57-2747	Newel Pettit	Sec 36, T 1S, R 1W, SLB&M
Sep 17, 1959	0.45 acft	57-3036	Centerfield Water and Improvement Company	Sec 36, T 1S, R 1W, SLB&M
Dec 01, 1973	286.09 acft	57-3249	Seaboard Foods, LLC	Sec 36, T 1S, R 1W, SLB&M
			Seaboard Foods, LLC dba Daily's Premium Meats	
Dec 01, 1973	384.83 acft	57-8589	Seaboard Foods, LLC dba Daily's Premium Meats	Sec 36, T 1S, R 1W, SLB&M
Jan 20, 1978	0.51 cfs OR 369.2297 acft	57-8364	Geneva Rock Products Inc.	Sec 36, T 1S, R 1W, SLB&M
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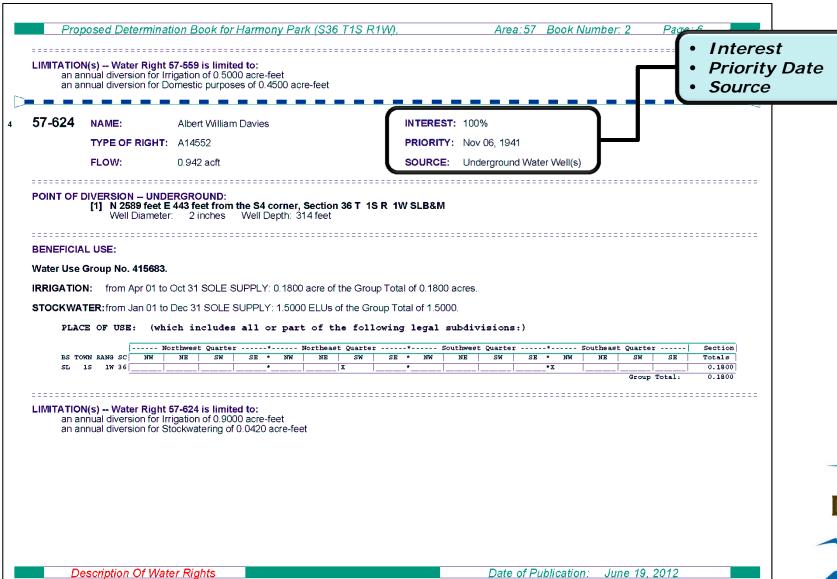




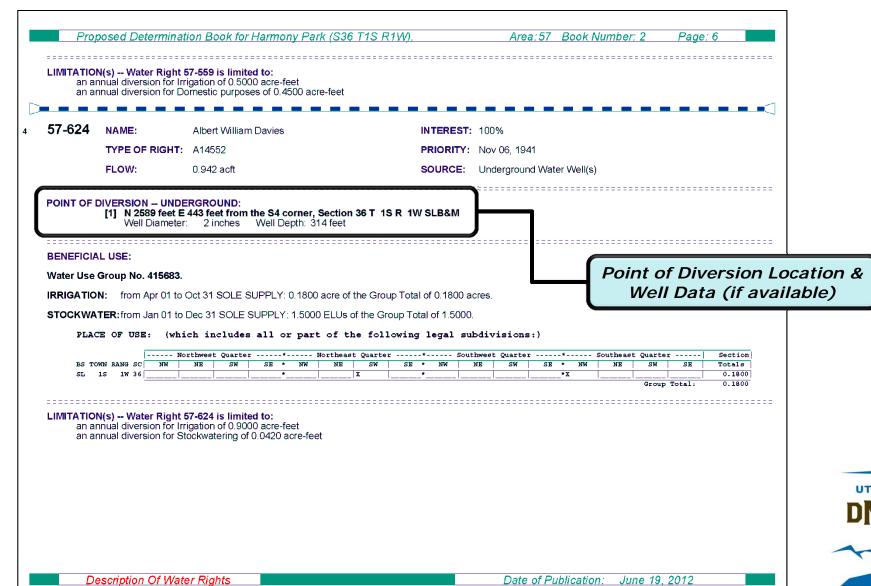




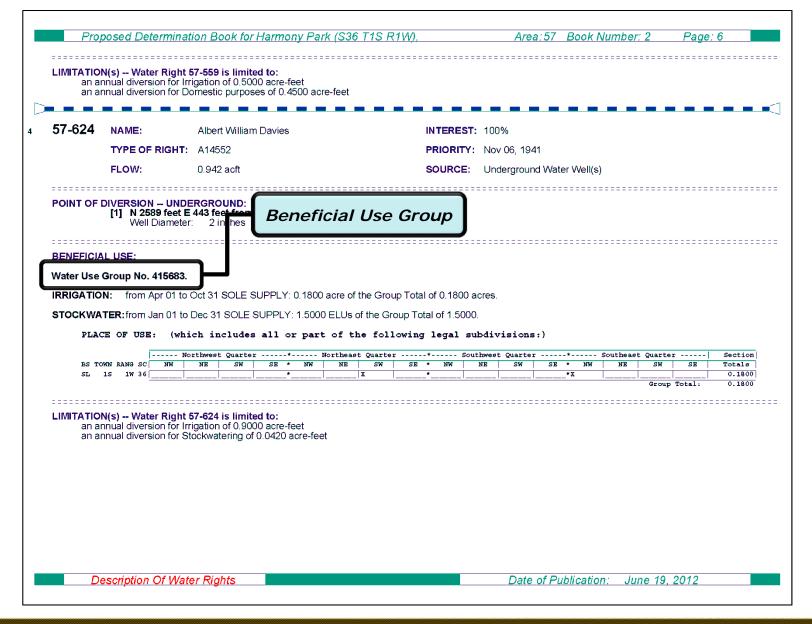




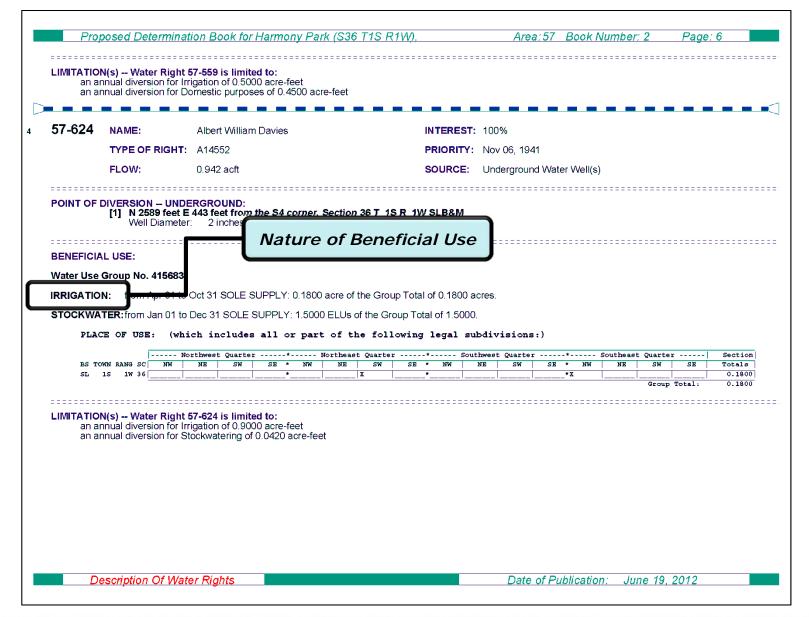




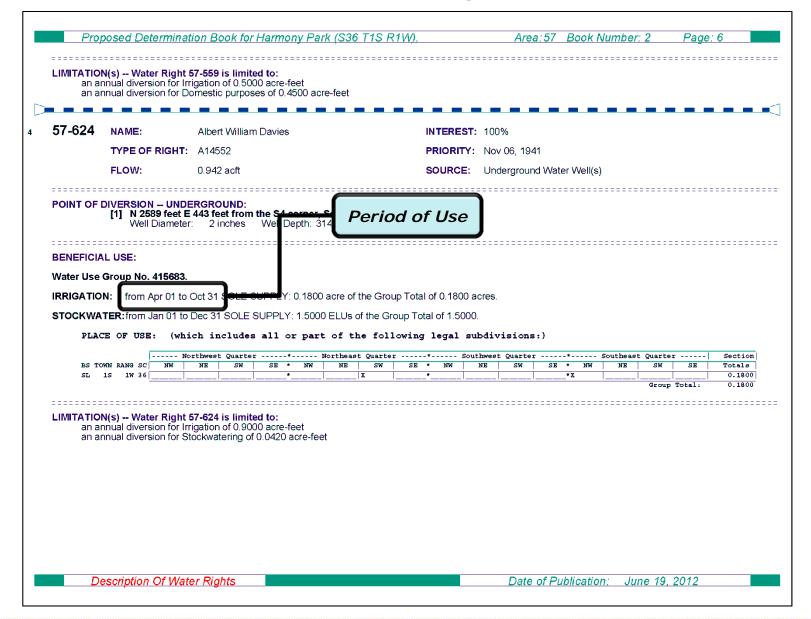
WATER RIGHTS



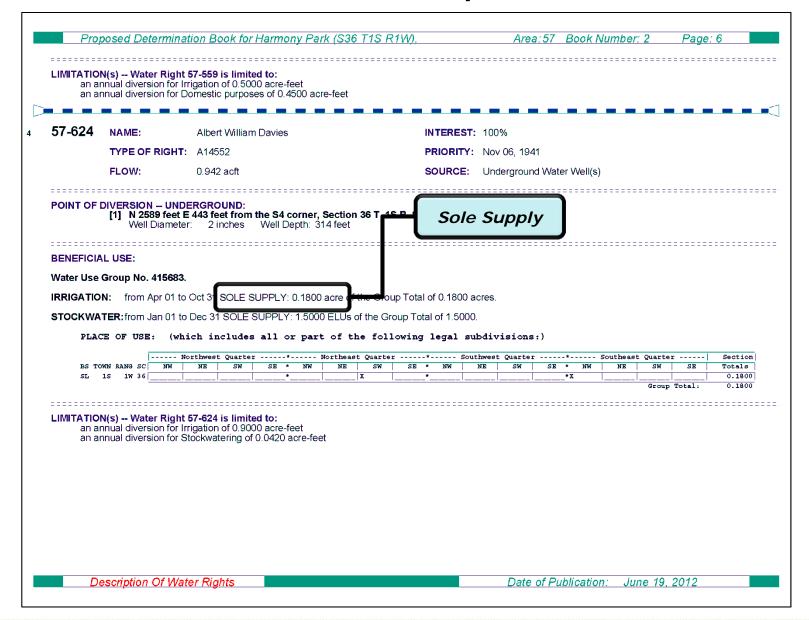




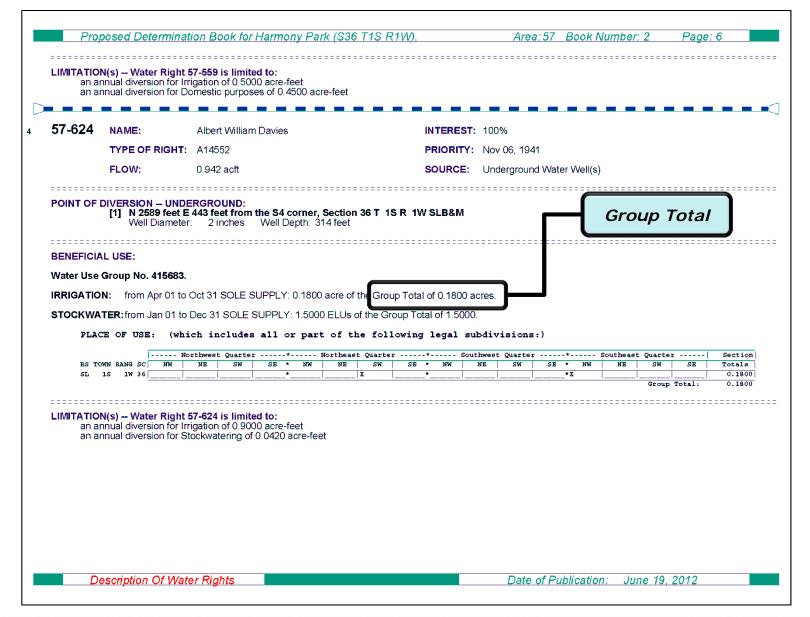




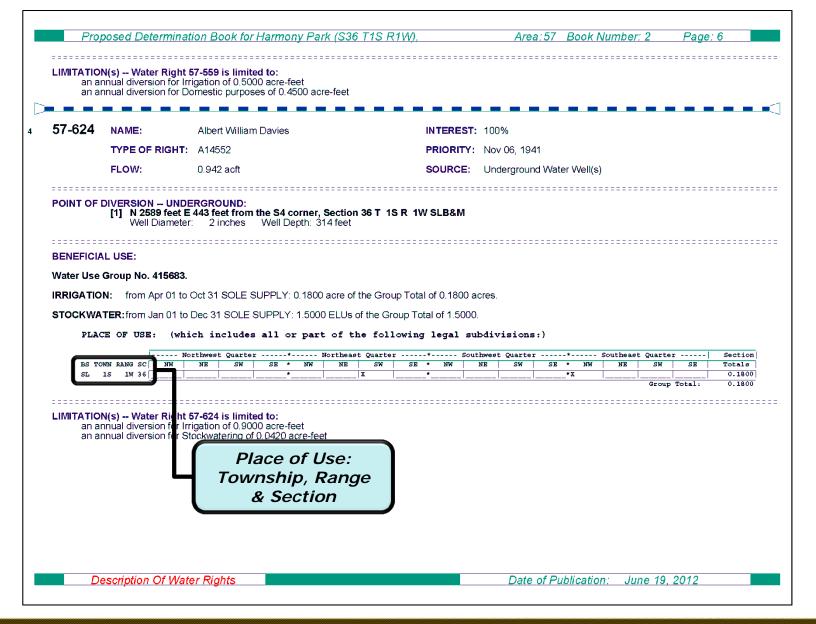




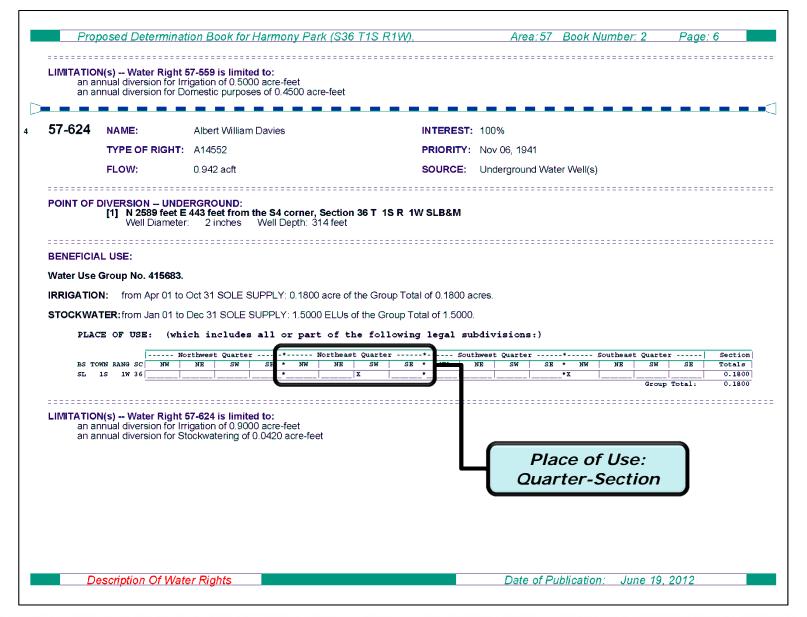




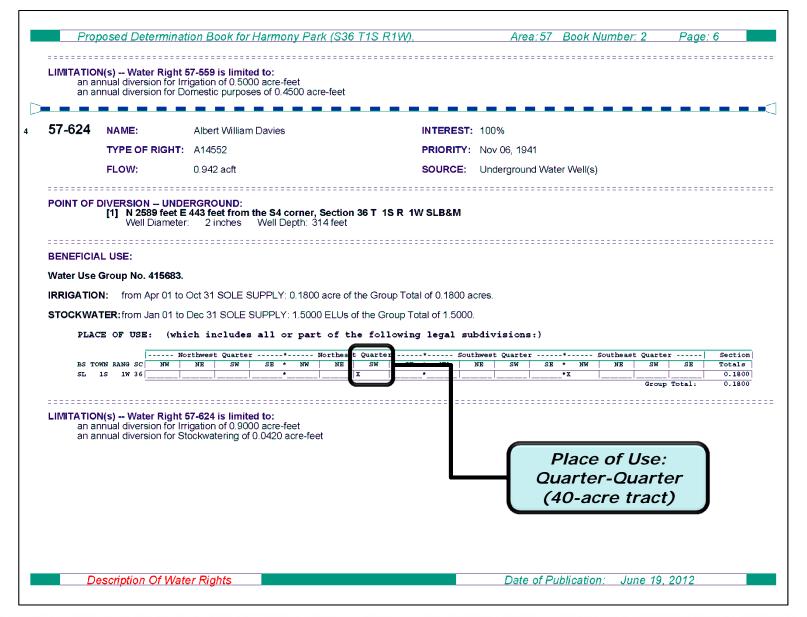




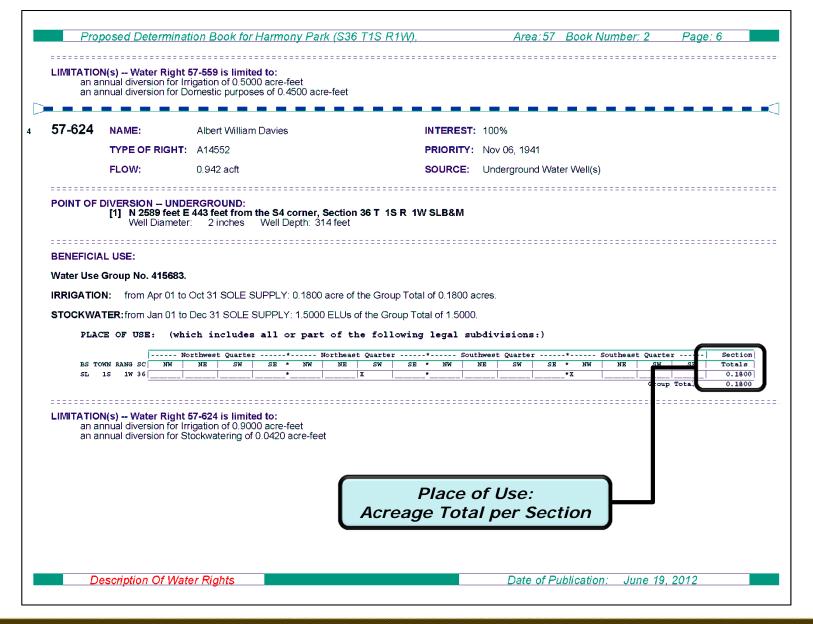




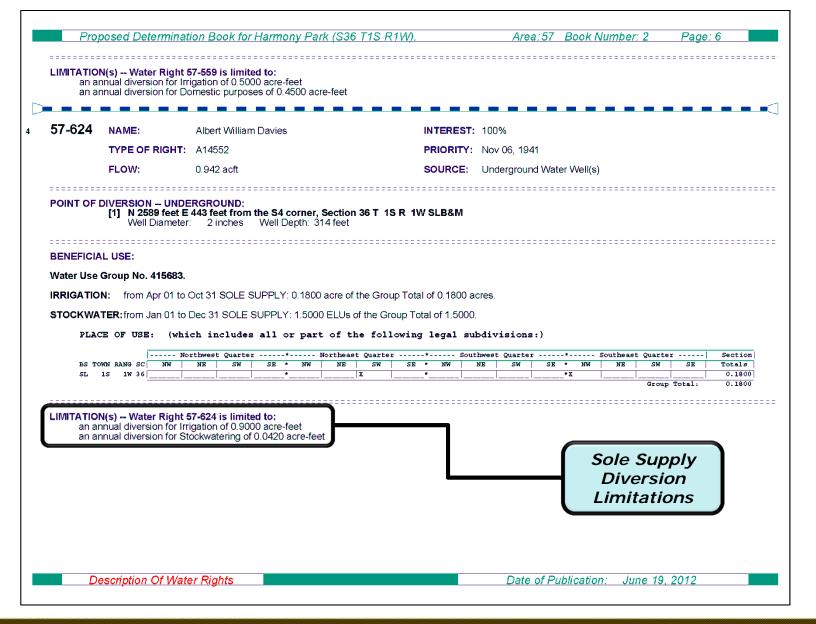










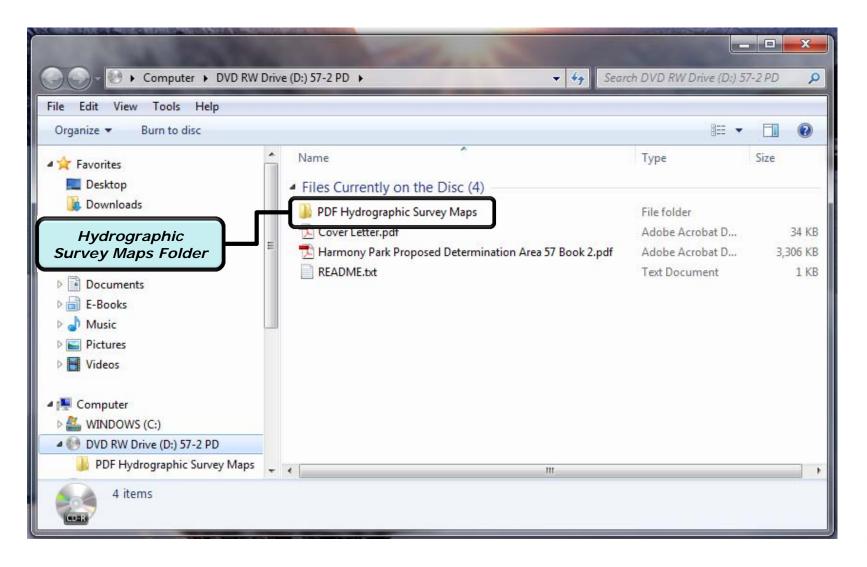




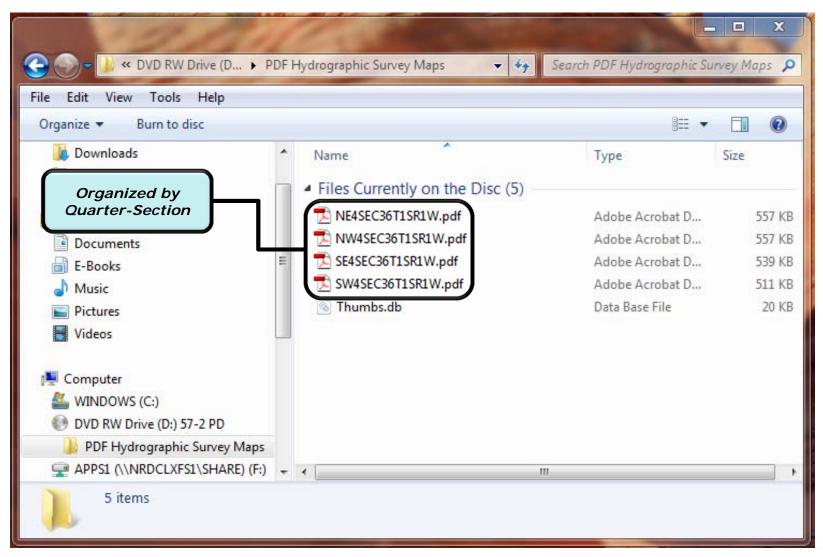
Harmony Park Proposed Determination Disallowed Claims

Propo WATER RIO NUMBE	GHT	or Harmony Park (S36 T1S R1W), Area: 57 Book Number: 2 Page: 26 POINT(S) OF DIVERSION SOURCE
57-120	Vernie A. Garner	Underground Water Well(s)
		[1] S 9 feet W 1205 feet from the E4 corner, Section 36 T 1S R 1W SLB&M
57-147	Peter Falkner	Underground Water Well(s)
57.450	NULL ON VIETE OF THE	[1] S 1925 feet W 829 feet from the NE corner, Section 36 T 1S R 1W SLB&M
57-152	Nick & Vida Custick	Underground Water Well(s) [1] S 166 feet W 110 feet from the NE corner, Section 36 T 1S R 1W SLB&M
57-216 Anton Bloom	Anton Bloom	Underground Water Well(s)
	Anton Bloom	[1] S 2329 feet E 197 feet from the N4 corner, Section 36 T 1S R 1W SLB&M
57-219	George B. Curley	Underground Water Well(s)
		[1] S 1450 feet W 10 feet from the E4 corner, Section 36 T 1S R 1W SLB&M
57-226	W. A. Kingsley	Underground Water Well(s)
		[1] N 463 feet W 867 feet from the SE corner, Section 36 T 1S R 1W SLB&M
57-279	Weldon F. Anderson	Underground Water Well(s)
	7 2000	[1] N 66 feet W 1461 feet from the E4 corner, Section 36 T 1S R 1W SLB&M
57-284	A. M. Guest	Underground Water Well(s)
E7 240	John D. Dannie	[1] S 284 feet W 38 feet from the NE corner, Section 36 T 1S R 1W SLB&M
57-318	John R. Dennis	Underground Water Well(s) [1] S 80 feet W 1470 feet from the E4 corner, Section 36 T 1S R 1W SLB&M
57-332	Drexel Birch	Underground Water Well(s)
0, 002		[1] N 1170 feet W 847 feet from the E4 corner, Section 36 T 1S R 1W SLB&M
57-352	Walter Mullins	Underground Water Well(s)
		[1] N 1205 feet W 90 feet from the SE corner, Section 36 T 1S R 1W SLB&M
57-375	Axel F. Youngberg	Underground Water Well(s)
		[1] N 1863 feet W 622 feet from the SE corner, Section 36 T 1S R 1W SLB&M
57-390	Roland A. Walters	Underground Water Well(s)
	020-111-20	[1] N 52 feet E 1375 feet from the SW corner, Section 36 T 1S R 1W SLB&M
57-458	Paul L. Conover	Underground Water Well(s)
57-496	Charles L. Park	[1] S 1466 feet W 556 feet from the NE corner, Section 36 T 1S R 1W SLB&M
37-490	Citaties L. Park	Underground Water Well(s) [1] N 1125 feet W 90 feet from the SE corner, Section 36 T 1S R 1W SLB&M
		p. 1. 1.22 lest 1. 35 lest nomine de comer, dection de 1. 1611 111 depair
Disa	allowed List	Date of Publication: June 19, 2012

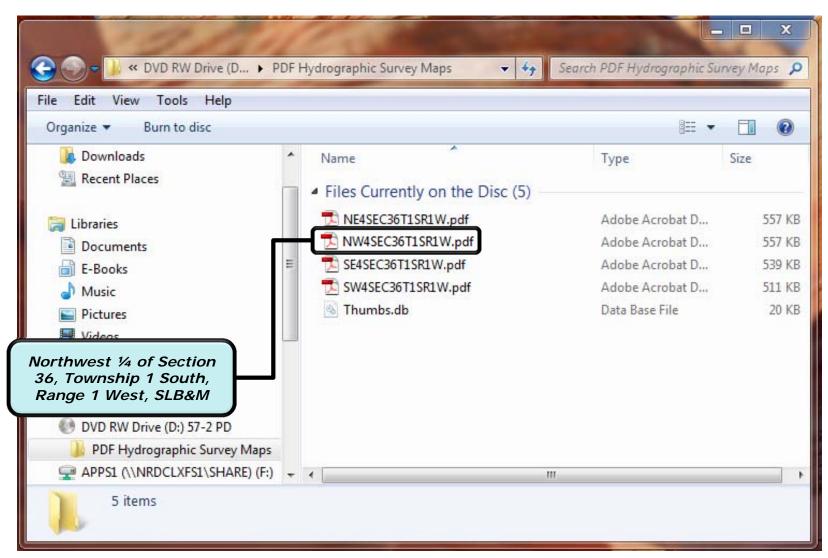




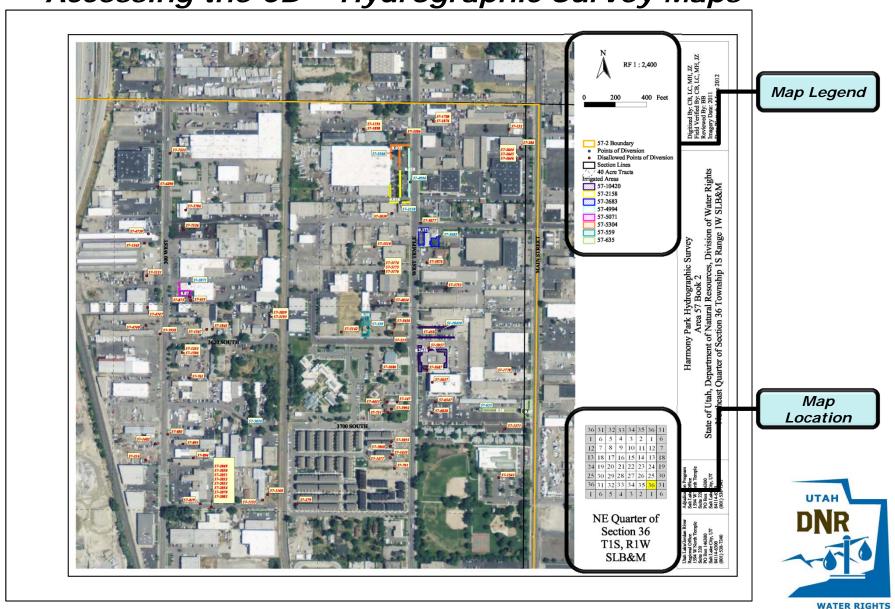


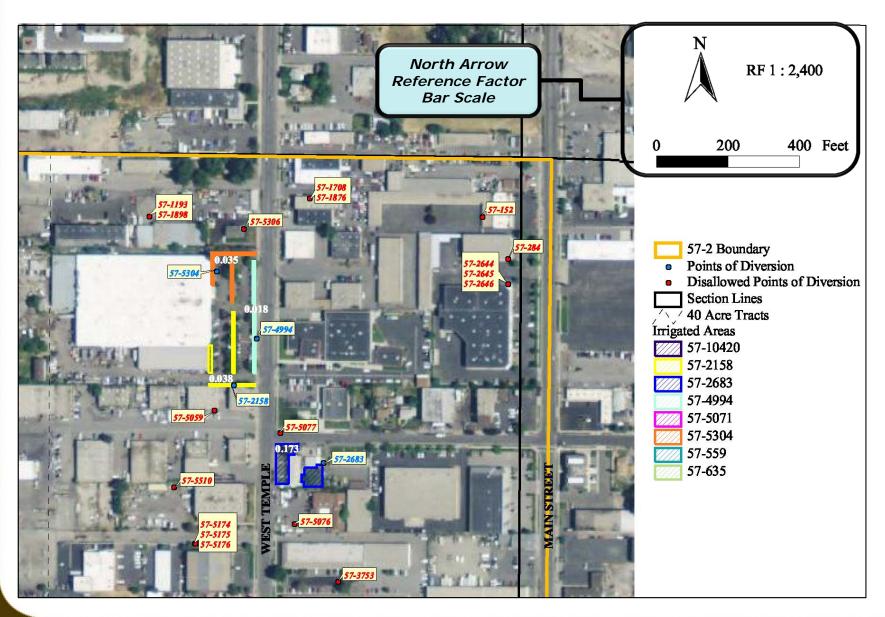




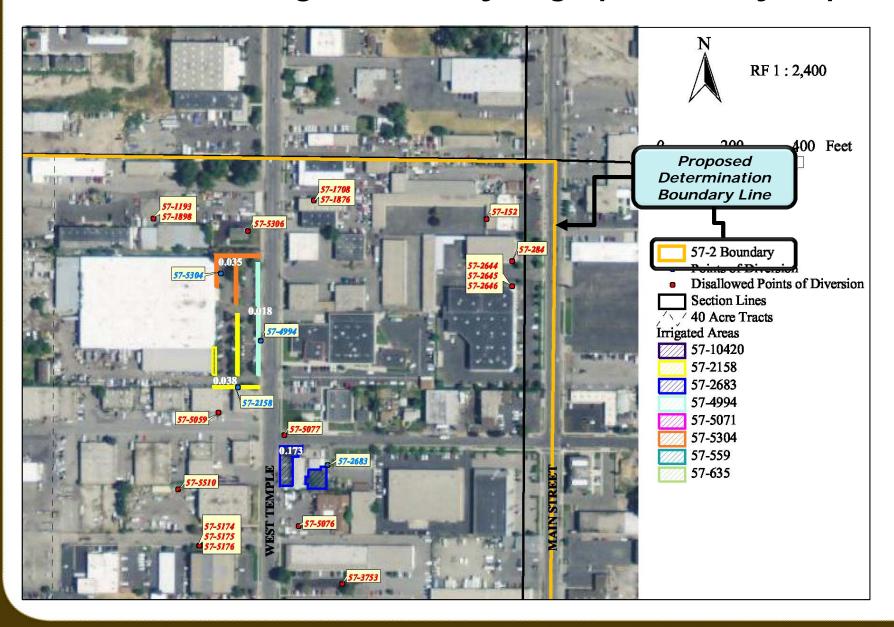




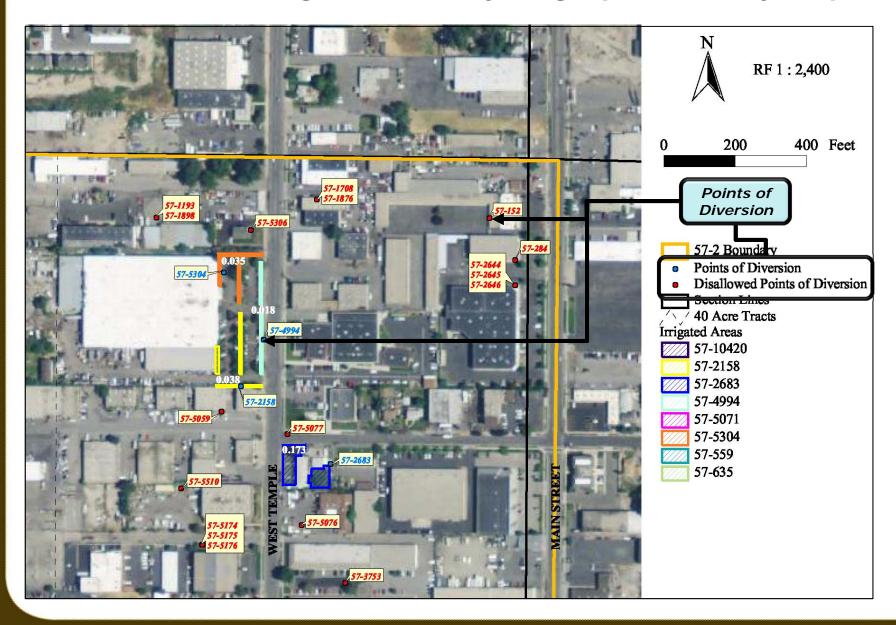




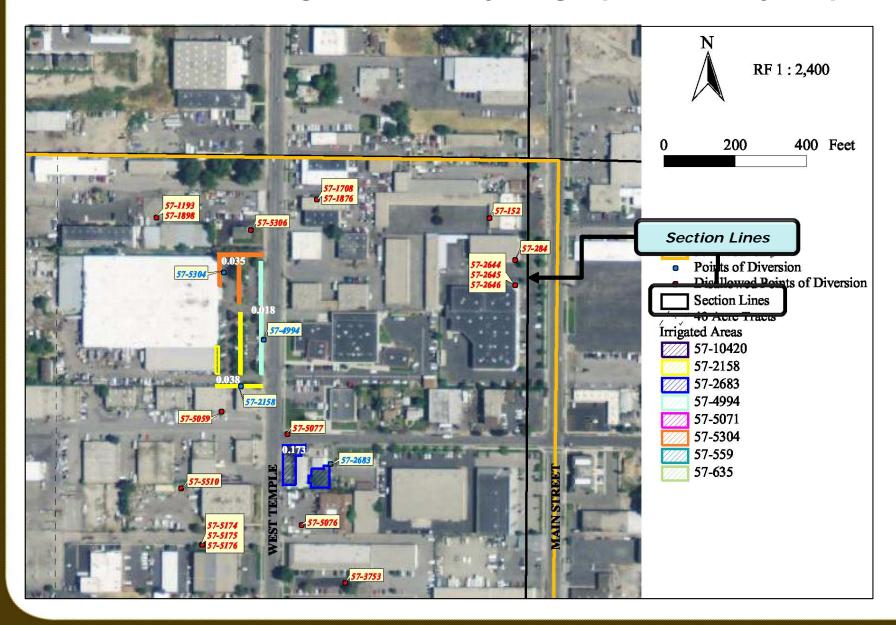




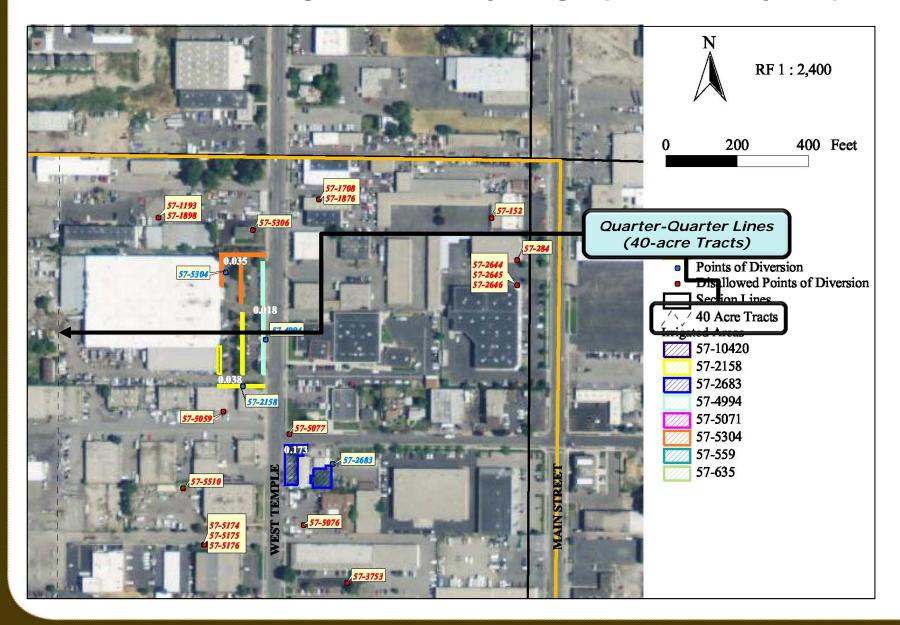




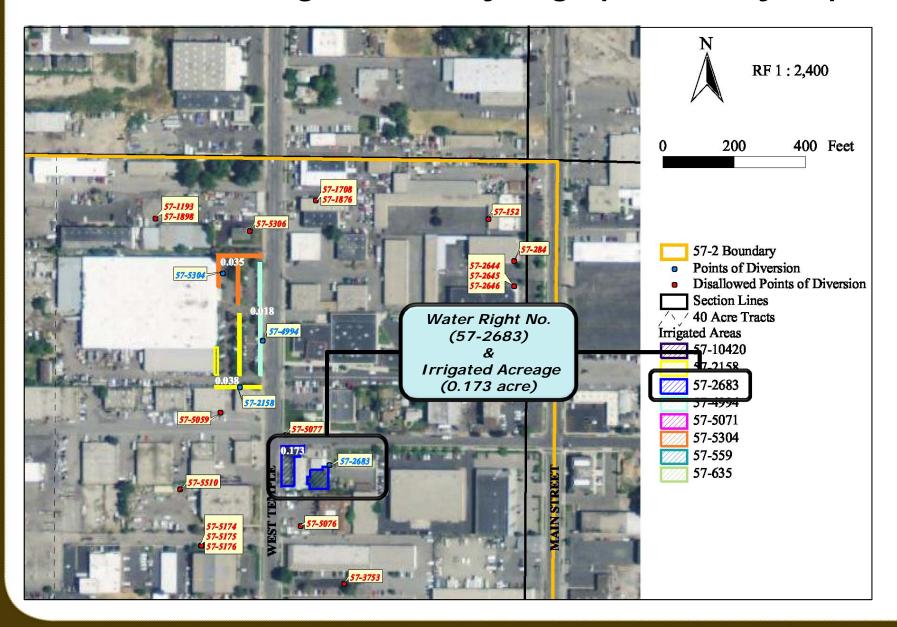














Who can I contact to discuss the Adjudication Process?

Blake Bingham, P.E.

Adjudication Program Manager

Phone: 801-538-7345

E-mail: <u>blakebingham@utah.gov</u>

Lindsey Carrigan, E.I.T.

Adjudication Engineer

Phone: 385-226-7805

E-mail: <u>lindseycarrigan@utah.gov</u>

Mike Handy, P.G.

Adjudication Technician

Phone: 801-538-7463

E-mail: mikehandy@utah.gov

Carissa Brandt

Adjudication Technician

Phone: 801-664-8452

E-mail: <u>carissabrandt@utah.gov</u>

Josh Zimmerman

Adjudication Technician

Phone: 801-946-7168

E-mail: joshzimmerman@utah.gov

Utah Division of Water Rights

1594 West North Temple Suite 220, PO Box 146300 Salt Lake City, UT 84114-6300

www.waterrights.utah.gov



Questions?

