

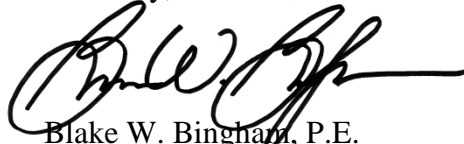
Enclosed is a statutory summons required by Utah Code § 73-4-4 and an order from the Court allowing service of this summons by regular mail. This summons brings recipients under the jurisdiction of the Third Judicial District in and for Salt Lake County, Utah, and makes you a party to the general adjudication action; however, it is unlike a summons you may receive in the course of traditional litigation where immediate response is mandatory. In this case, you will need to respond at a future date—of which you will be notified—if you want to claim a water right. Otherwise, simply not participating expresses your lack of interest in making any claim(s) to a water right. Later in the process, you will receive instructions on how and when to file your claim(s).

The State Engineer will be holding a **public meeting on January 12th, 2016 in room 1050 of the Department of Natural Resources building located at 1594 W North Temple, Salt Lake City, Utah from 6:00 p.m. to 7:00 p.m.** to meet with water users and discuss the adjudication process. Subsequent to the public meeting, the State Engineer will conduct a hydrographic survey of the Nibley Park Subdivision. Following the survey, the State Engineer will send notice to you and others in the area to submit claims to any water rights. Instructions on how and when to file claim(s) will be included with the notice at that time.

If you have no claim to a valid water right, you are not obligated to take further action and may disregard the notice.

Additional information about the water rights adjudication process can be found on the Division of Water Rights' website: <http://www.waterrights.utah.gov/adjdinfo>. However, if you have unanswered questions regarding the adjudication process or your water rights within this area; please contact the Division of Water Rights at (801) 538-7240.

Sincerely,

A handwritten signature in black ink, appearing to read "Blake W. Bingham", with a long horizontal flourish extending to the right.

Blake W. Bingham, P.E.
Adjudication Program Manager

Enclosures

1. Summons
2. Court Order

The Order of the Court is stated below:

Dated: December 02, 2015
11:30:08 AM

/s/ LAURA SCOTT
District Court Judge



SARAH M. SHECHTER, No. 15357
MICHAEL M. QUEALY, No. 2667
BENJAMIN J. JENSEN, No. 14216
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Attorneys for the Utah State Engineer

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

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

**SALT LAKE COUNTY EAST DIVISION,
NIBLEY PARK SUBDIVISION
AREA 57, BOOK 5**

SUMMONS

Judge Laura Scott

Civil No. 360057298 (57-5)

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR THE COUNTY OF SALT LAKE, STATE OF UTAH, IN THE MATTER OF THE GENERAL ADJUDICATION OF WATER RIGHTS, SALT LAKE COUNTY EAST DIVISION, NIBLEY PARK SUBDIVISION.

SUMMONS

The State of Utah to the said defendant:

You are hereby summoned to appear and defend the above entitled action, which is brought for the purpose of making a general determination of the water rights of the described water source. Upon the service of this summons upon you, you will thereafter be subject to the jurisdiction of the entitled court and it shall be your duty to follow further proceedings in the above entitled action and to protect your rights therein. When the state engineer has completed the survey, you will be given a further written notice, either in person or by mail, sent to your last-known address, that you must file a water users claim in this action setting forth the nature of your claim, and said notice will specify the date upon which your water users claim is due. Thereafter, you must file said claim within the time set and your failure so to do will constitute a default in the premises and a judgment may be entered against you declaring and adjudging that you have no right in or to the waters of described water source.

Dated this 1st day of December, 2015.

SEAN D. REYES
UTAH ATTORNEY GENERAL

/s/ Sarah M. Shechter
SARAH M. SHECHTER
MICHAEL M. QUEALY
BENJAMIN J. JENSEN
Assistant Attorneys General
Attorneys for the Utah State Engineer
1594 West North Temple, Suite 300
Salt Lake City, Utah 84116



ORDER PREPARED BY:

SARAH M. SHECHTER, No. 15357
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**IN THE THIRD JUDICIAL DISTRICT COURT
SALT LAKE COUNTY, STATE OF UTAH**

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

**SALT LAKE COUNTY EAST DIVISION,
NIBLEY PARK SUBDIVISION
AREA 57, BOOK 5**

**ORDER GRANTING THE STATE
ENGINEER'S EX PARTE MOTION FOR
ALTERNATIVE SERVICE OF
SUMMONS BY REGULAR MAIL AND
PUBLICATION**

Judge Laura Scott

Civil No. 360057298 (57-5)

This matter came before the Court on the Ex Parte Motion for Alternative Service of
Summons by Regular Mail and Publication in the Nibley Park Subdivision, Area 57, Book 5, in

the Salt Lake County East Division of the Utah Lake and Jordan River General Adjudication,
filed by the State Engineer.

Having reviewed and considered the Motion and the Memorandum in Support, the Court
GRANTS the Motion and ORDERS as follows:

1. Alternative service of the general summons by regular mail without a document indicating receipt is reasonably calculated under the circumstances to apprise claimants of record of the Nibley Park Subdivision, Area 57, Book 5, in the Salt Lake County East Division of the Utah Lake and Jordan River General Adjudication.
2. Service of the general summons by publication is appropriate because the State Engineer has filed a verified affidavit stating that the State Engineer's office has searched its records for claimants in the Nibley Park Subdivision of the Salt Lake County East Division of the Utah Lake and Jordan River General Adjudication.
3. The State Engineer shall be responsible for publishing the initial summons for five (5) consecutive weeks in *The Deseret News* pursuant to Utah Code § 73-4-4.
4. Pursuant to Utah Code § 73-4-4, the language of the initial summons shall be sent and published substantially in the following form:

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND
FOR THE COUNTY OF SALT LAKE, STATE OF UTAH, IN THE MATTER
OF THE GENERAL ADJUDICATION OF WATER RIGHTS, SALT LAKE
COUNTY EAST DIVISION, NIBLEY PARK SUBDIVISION.

SUMMONS

The State of Utah to the said defendant:

You are hereby summoned to appear and defend the above entitled action which is brought for the purpose of making a general determination of the water rights of the described water source. Upon the service of this summons upon you, you will thereafter be subject to the jurisdiction of the entitled court and it shall be your duty to follow further proceedings in the above entitled action and to protect your rights therein. When the state engineer has completed the survey you will be given a further written notice, either in person or by mail, sent to your last-known address, that you must file a water users claim in this action setting forth the nature of your claim, and said notice will specify the date upon which your water users claim is due and thereafter you must file said claim within the time set and your failure so to do will constitute a default in the premises and a judgment may be entered against you declaring and adjudging that you have no right in or to the waters of described water source.

*******END OF ORDER*******

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