

91-5076

# APPLICATION FOR PERMANENT CHANGE OF WATER

## STATE OF UTAH

Rec. by \_\_\_\_\_  
Fee Paid \$ \_\_\_\_\_  
Receipt # \_\_\_\_\_  
Microfilm# \_\_\_\_\_  
Roll # \_\_\_\_\_

For the purpose of obtaining permission to make a permanent change of water in the State of Utah, 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.

CHANGE APPLICATION NUMBER: a27736  
(MKILLIAN)

WATER RIGHT NUMBER: 91-5076

\*\*\*\*\*  
This Change Application proposes to change the POINT(S) OF DIVERSION, PLACE OF USE, and NATURE OF USE.  
\*\*\*\*\*

### 1. OWNERSHIP INFORMATION.

A. NAME: Price River Water User's Association  
ADDRESS: 90 North 100 East #1 (PO Box 795), Price, UT 84501-0795

NAME: Aspen Cove at Scofield Homeowner's Association  
ADDRESS: 862 North 1140 West, Mapleton, UT 84664

B. PRIORITY OF CHANGE: April 17, 2003 FILING DATE: April 9, 2003

C. EVIDENCED BY:  
91-5076 which is a portion of 91-2 (A1035) Price River Water User's Association  
Stock Certificate No. 2943

\*-----\*  
\* DESCRIPTION OF CURRENT WATER RIGHT: \*  
\*-----\*

### 2. SOURCE INFORMATION.

A. QUANTITY OF WATER: 10.0 acre-feet

B. SOURCE: Price River COUNTY: Carbon

#### C. POINT(S) OF DIVERSION.

POINT OF DIVERSION -- SURFACE:  
(1) N 810 feet W 990 feet from SE corner, Section 10, T 12S, R 7E, SLBM

POINTS OF REDIVERSION:  
(1) N 900 feet E 100 feet from SW corner, Section 03, T 12S, R 7E, SLBM  
SOURCE: Ex.430, Theresa A. Phelps-well  
(2) N 1,420 feet W 480 feet from SE corner, Section 04, T 12S, R 7E, SLBM  
SOURCE: Ex.175, Rudy Scartezina-well  
(3) N 1,285 feet W 345 feet from SE corner, Section 04, T 12S, R 7E, SLBM  
SOURCE: Ex.336, Frank Marrelli-well  
(4) S 1,400 feet W 20 feet from E 1/4 corner, Section 04, T 12S, R 7E, SLBM  
SOURCE: Ex.397, Robt. or Francis Mallard-Well

- (5) N 1,338 feet E 655 feet from SW corner, Section 17, T 12S, R 7E, SLBM  
SOURCE: Ex.178, Catherine Rudman-spring
- (6) N 860 feet E 430 feet from S¼ corner, Section 19, T 12S, R 7E, SLBM  
SOURCE: Ex.375, G. Pete Frandsen-spring
- (7) N 30 feet E 465 feet from S¼ corner, Section 32, T 12S, R 7E, SLBM  
SOURCE: Ex.164, Louis Gorishek-well
- (8) N 430 feet W 410 feet from S¼ corner, Section 26, T 12S, R 9E, SLBM  
SOURCE: Price City Filtering Plant
- (9) S 90 feet E 730 feet from N¼ corner, Section 35, T 12S, R 9E, SLBM  
SOURCE: Power Plant & Coal Company
- (10) S 970 feet E 60 feet from W¼ corner, Section 05, T 13S, R 7E, SLBM  
SOURCE: Ex.452, Robert Radokovich-well
- (11) S 480 feet E 1,440 feet from W¼ corner, Section 12, T 13S, R 9E, SLBM  
SOURCE: Bryner-Ploutz Ditch
- (12) N 900 feet E 980 feet from SW corner, Section 12, T 13S, R 9E, SLBM  
SOURCE: Bryner-Hansen Ditch
- (13) S 560 feet W 840 feet from N¼ corner, Section 13, T 13S, R 9E, SLBM  
SOURCE: Spring Glen Canal
- (14) S 0 feet W 730 feet from NE corner, Section 24, T 13S, R 9E, SLBM  
SOURCE: O'Berto Ditch
- (15) N 1,310 feet E 1,000 feet from S¼ corner, Section 24, T 13S, R 9E, SLBM  
SOURCE: Gay Ditch
- (16) S 1,190 feet W 1,490 feet from E¼ corner, Section 24, T 13S, R 9E, SLBM  
SOURCE: Stowell Ditch
- (17) N 580 feet W 240 feet from S¼ corner, Section 36, T 13S, R 9E, SLBM  
SOURCE: Country Club-Cook Ditch
- (18) N 560 feet W 240 feet from S¼ corner, Section 36, T 13S, R 9E, SLBM  
SOURCE: Price-Wellington Canal
- (19) S 560 feet E 680 feet from N¼ corner, Section 01, T 14S, R 9E, SLBM  
SOURCE: Carbon Canal
- (20) N 1,410 feet W 535 feet from S¼ corner, Section 08, T 15S, R 11E, SLBM  
SOURCE: Coal Washing Plant
- (21) N 2,261 feet W 218 feet from SE corner, Section 16, T 15S, R 11E, SLBM  
SOURCE: Coal Washing Plant
- (22) S 1,925 feet W 811 feet from NE corner, Section 16, T 15S, R 11E, SLBM  
SOURCE: Coal Washing Plant
- (23) S 470 feet W 310 feet from E¼ corner, Section 16, T 15S, R 11E, SLBM  
SOURCE: Farnham Ditch

3. STORAGE. Water is diverted for storage into:

(1) Scofield Reservoir, from Jan 1 to Dec 31.

CAPACITY: 73,600.000 ac-ft. INUNDATING: 2,000.00 acs. DAM HEIGHT: 125 ft.

Area inundated includes all or part of the following legal subdivisions:

BASE	TOWN	RANG	SEC	NORTH-WEST¼				NORTH-EAST¼				SOUTH-WEST¼				SOUTH-EAST¼						
				NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE			
SL	11S	7E	35	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
SL	12S	7E	03	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
			04	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
			08	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
			09	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
			10	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
			15	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X

16	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
17	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
18	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
20	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
21	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
28	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
29	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X

4. WATER USE INFORMATION.

IRRIGATION:	from Apr 1 to Oct 31.	IRRIGATING:	18,636.4250 acres.
STOCKWATERING:	from Jan 1 to Dec 31.	EQUIVALENT LIVESTOCK UNITS:	108.
DOMESTIC:	from Jan 1 to Dec 31.	FAMILIES:	1,404.
MUNICIPAL:	from Jan 1 to Dec 31.	Helper City.	
MUNICIPAL:	from Jan 1 to Dec 31.	Price City.	
POWER:	from Jan 1 to Dec 31.	POWER PLANT TYPE:	Steam Generation.
		POWER PLANT NAME:	Carbon Plant.
		RATED CAPACITY:	171 MW.
COMMERCIAL:	from Jan 1 to Dec 31.	Commercial:	Operation of boat ramp
FISH CULTURE:	from Jan 1 to Dec 31.	Fish Culture in Scofield Reservoir.	
INDUSTRIAL:	from Jan 1 to Dec 31.	Coal washing plant.	
RECREATION:	from Jan 1 to Dec 31.	Recreation in Scofield Reservoir.	

5. PLACE OF USE. (Which includes all or part of the following legal subdivisions:)

BASE TOWN RANG SEC	NORTH-WEST¼				NORTH-EAST¼				SOUTH-WEST¼				SOUTH-EAST¼						
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE			
SL	Entire TOWNSHIP																		
SL 13S 9E 12				***					***	X		X	X	***					
13	X	X	X	X	***					***	X	X	X	X	***	X	X	X	X
24		X			***	X	X	X	X	***			X	***	X	X	X	X	
25		X			***	X		X	X	***				***	X	X	X	X	
36					***	X	X	X	X	***		X		***	X	X	X	X	
SL 13S 10E 18					***					***		X		***					
19	X	X	X		***	X				***				***					
30		X	X	X	***			X		***	X		X	X	***	X	X	X	X
31	X	X	X	X	***	X	X	X	X	***	X	X			***	X	X		
32	X		X		***					***				***					
SL 14S 9E 01		X			***	X		X		***				***	X	X	X	X	
12					***		X			***				***					
SL 14S 10E 05					***					***	X		X	***					
06		X	X	X	***					***	X	X	X	X	***	X	X	X	X
07	X	X	X	X	***	X	X	X	X	***		X	X	X	***	X	X	X	X
08			X		***					***	X		X	X	***			X	

SL 14S 11E

SL 15S 10E

SL 15S 11E

15				***				***	X	X	X	X	***			X
16				***				***	X	X	X	X	***	X		X
17	X	X	X	***	X		X	***	X	X	X	X	***	X	X	X
18	X	X	X	***	X	X	X	***	X	X		X	***	X	X	X
19				***	X			***					***		X	
20		X	X	***	X	X	X	***	X	X	X	X	***	X	X	X
21	X	X	X	***	X	X	X	***	X	X	X	X	***	X	X	X
22	X	X	X	***	X	X	X	***	X	X	X	X	***	X	X	X
23			X	***				***	X	X	X	X	***			
25	X		X	***				***	X		X		***	X	X	X
26			X	***		X	X	***	X		X	X	***		X	X
27	X	X	X	***	X	X	X	***	X	X		X	***	X	X	X
28		X	X	***	X	X	X	***	X	X	X	X	***	X	X	X
29	X	X	X	***	X	X	X	***	X	X	X	X	***	X	X	X
30				***	X	X	X	***					***	X	X	
32	X	X	X	***	X	X	X	***	X	X	X	X	***	X	X	X
33	X	X	X	***	X		X	***	X	X	X	X	***	X	X	X
34		X		***	X	X	X	***	X	X	X		***	X	X	
35	X		X	***	X	X	X	***	X	X	X	X	***	X	X	X
36				***	X	X	X	***					***		X	X
27	X		X	***				***	X		X	X	***			
28	X		X	***		X		***	X		X		***		X	
29			X	***	X	X	X	***					***		X	X
30				***				***	X	X	X	X	***			
31	X	X	X	***				***	X	X	X	X	***			X
33	X	X	X	***	X	X	X	***		X			***	X	X	X
34	X	X	X	***				***	X	X	X	X	***			
01	X		X	***		X	X	***	X	X	X	X	***	X	X	X
02		X	X	***	X	X	X	***		X			***	X	X	X
03			X	***		X	X	***		X			***	X		
04	X	X	X	***	X	X	X	***					***	X		
05		X	X	***	X			***					***			
09				***				***				X	***			X
10				***			X	***	X	X	X	X	***	X		X
11		X	X	***	X	X	X	***	X	X		X	***	X	X	X
12	X	X	X	***	X	X	X	***	X	X			***	X	X	
14			X	***			X	***	X	X	X	X	***		X	X
15	X	X	X	***	X	X	X	***	X	X	X	X	***	X	X	X
16	X	X	X	***	X	X	X	***	X	X	X	X	***	X	X	X
17				***		X	X	***		X			***	X	X	X
21	X	X		***	X	X	X	***					***	X	X	
22	X	X	X	***	X	X		***	X		X		***			
23	X	X	X	***	X	X	X	***		X		X	***	X	X	X
24	X		X	***	X	X	X	***	X	X	X	X	***	X	X	X
25	X	X		***	X	X		***					***			
26	X	X	X	***				***	X	X	X	X	***	X		X
27		X		***	X	X	X	***		X			***	X	X	X
34	X	X	X	***	X		X	***	X	X	X	X	***	X	X	X
35	X	X	X	***	X	X	X	***	X	X	X	X	***	X	X	X
36			X	***				***	X	X	X	X	***	X		X
02	X		X	***				***	X		X		***			
03	X	X	X	***		X	X	***	X	X	X	X	***	X	X	X
04			X	***	X	X	X	***		X	X	X	***	X	X	X
05	X	X	X	***		X		***	X	X	X	X	***	X	X	X

SL 16S 10E

SL 16S 11E

06	X	X	X	X	***		X		X	***	X	X	X	X	***		X	X	X
07	X	X	X	X	***	X	X	X	X	***	X	X			***	X	X		
08	X	X	X	X	***	X	X	X	X	***	X	X			***	X	X		X
09	X	X	X		***	X	X	X	X	***	X		X	X	***	X	X		X
10	X	X	X		***	X	X			***	X		X		***				
16	X	X		X	***			X	X	***					***	X	X		
18		X		X	***					***		X		X	***	X		X	X
19					***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
20	X		X	X	***					***	X	X	X	X	***	X	X	X	X
21					***					***	X		X		***				
22					***				X	***					***	X	X		X
23					***					***	X		X		***				
26	X	X	X	X	***			X		***		X			***	X		X	X
28	X				***					***					***				
29	X	X		X	***	X	X	X		***		X	X	X	***	X		X	
30	X	X	X	X	***	X	X			***					***				
31					***		X		X	***				X	X	***	X	X	X
32	X	X		X	***					***	X				***				
35					***	X	X		X	***			X	X	***	X	X	X	X
01	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
02	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
03					***	X	X	X	X	***		X		X	***	X	X	X	X
11					***					***					***		X		X
12	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
13	X				***					***			X		***				
14	X	X	X	X	***		X	X		***	X	X	X	X	***	X	X	X	X
15					***		X		X	***					***				
23		X			***	X	X			***					***				
24	X	X			***					***					***				
01				X	***			X		***		X			***	X			
02	X	X	X	X	***	X	X	X		***	X	X	X	X	***				
05	X	X	X	X	***					***					***				
06	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
07	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***	X	X	X	X
08	X		X		***					***					***				
09					***				X	***					***				
10	X	X	X	X	***	X	X	X	X	***	X	X	X	X	***				
11	X		X		***					***					***				
16					***					***	X	X	X	X	***	X		X	
17					***					***	X	X	X		***	X		X	X
20					***	X	X		X	***					***				
21	X	X	X	X	***					***					***				

6. EXPLANATORY.

HERETOFORE PLACE OF USE: Delivery through the Carbon Canal.

\*-----\*  
 \* THE FOLLOWING CHANGES ARE PROPOSED: \*  
 \*-----\*

7. SOURCE INFORMATION.

A. QUANTITY OF WATER: 10.0 acre-feet

B. SOURCE: Underground Water Wells (5) (Existing)

COUNTY: Carbon

C. POINT(S) OF DIVERSION. Changed as Follows:

POINTS OF DIVERSION -- UNDERGROUND:

- (1) N 70 feet E 2,360 feet from W $\frac{1}{4}$  corner, Section 04, T 12S, R 7E, SLBM  
 WELL DIAMETER: 6 inches WELL DEPTH: 150 feet
- (2) S 1,810 feet E 900 feet from W $\frac{1}{4}$  corner, Section 04, T 12S, R 7E, SLBM  
 WELL DIAMETER: 6 inches WELL DEPTH: 150 to 300 feet
- (3) N 1,650 feet E 1,190 feet from W $\frac{1}{4}$  corner, Section 04, T 12S, R 7E, SLBM  
 WELL DIAMETER: 6 inches WELL DEPTH: 150 to 300 feet
- (4) N 765 feet E 2,280 feet from W $\frac{1}{4}$  corner, Section 04, T 12S, R 7E, SLBM  
 WELL DIAMETER: 6 inches WELL DEPTH: 150 to 300 feet
- (5) S 1,520 feet E 200 feet from N $\frac{1}{4}$  corner, Section 05, T 12S, R 7E, SLBM  
 WELL DIAMETER: 6 inches WELL DEPTH: 150 to 300 feet

D. COMMON DESCRIPTION: 2.5 miles NW of Scofield Dam

8. WATER USE INFORMATION. Changed as Follows:

IRRIGATION: from Apr 1 to Oct 31.

IRRIGATING: 2.4000 acres.

STOCKWATERING: from Apr 1 to Oct 31.

EQUIVALENT LIVESTOCK UNITS: 10.

DOMESTIC: from Jan 1 to Dec 31.

FAMILIES: 10.

9. PLACE OF USE. Changed as Follows:

(Which includes all or part of the following legal subdivisions:)

BASE TOWN RANG SEC	NORTH-WEST $\frac{1}{4}$				NORTH-EAST $\frac{1}{4}$				SOUTH-WEST $\frac{1}{4}$				SOUTH-EAST $\frac{1}{4}$				
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	
SL 12S 7E 05				***					***				***	X	X	X	X

## 10. EXPLANATORY.

Aspen Cove at Scofield Unit V Lots 110-119.

Heretofore:

Diversion: 2.5 acs x 4 af/ac/yr = 10 af/yr

Depletion: ~~2.52~~ af/ac/yr x ~~2.5~~ acs = 6.3 af/yr

Hereafter:

Diversion: 10 fam x 0.25 af/fam/yr = 2.50 af/yr

Depletion: 2.50 af/yr x 0.20 = 0.50 af/yr

Diversion: Stock 10 head = 0.16 af/yr

Depletion: 0.16 af/yr

Diversion: 2.45 acs x 3 af/ac = 7.35 af/yr

Depletion: ~~2.45~~ acs x 0.91 af/yr = 2.23 af/yr

Total Depletion: ~~2.89~~ af/yr <sup>3.82</sup> <sub>3.1605</sub>

Consumptive use data was taken from Research Report #145 Consumptive Use of Irrigated Crops in Utah. Heretofore from the Castle Dale Station page 158. Hereafter from the Scofield Station page 324.

## 11. SIGNATURE OF APPLICANT(S).

The undersigned hereby acknowledges that even though he/she/they may have been assisted in the preparation of the above-numbered application, through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of the information contained herein, at the time of filing, rests with the applicant(s).

*Mark L. Nelson*

Aspen Cove at Scofield Homeowner's Association

*Lyle B. Bryner*

Price River Water User's Association

NON-TRANSFERABLE

ORIG. DEL. CO. CARBON CANAL

STATEMENT WATER FOR ACCOUNT

INCORPORATED UNDER THE LAWS OF

State of Utah

Shares

10.00

No 7943

PRICE RIVER WATER USERS ASSOCIATION  
(A NON-PROFIT MUTUAL IRRIGATION CORPORATION)

PRICE, UTAH

This Certifies that

ASPEN COVE AT SCOTFIELD HOMEOWNER'S ASSN. is the owner of  
Shares of the Capital Stock of

TEN & 00/100 (10.00)

PRICE RIVER WATER USERS ASSOCIATION

*Transferred only on the back of the Corporation by the holder  
herein in power only. Attorney upon surrender of this Certificate  
properly endorsed*

In Witness Whereof

*Myself as Secretary of the Corporation has caused the Certificate to be  
signed by the duly authorized officers and the Seal of the Corporation  
to be hereunto affixed this 3rd day of April 1903*

*Ann B. Owen*  
Secretary

*Hyland G. Lyman*  
President

SHARES

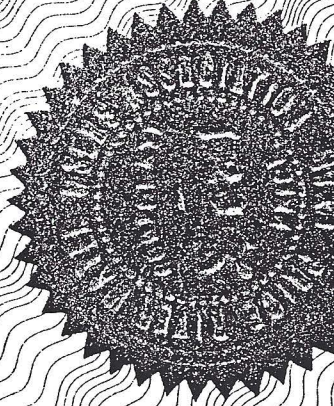
NON-PAR

EACH

RECEIVED

APR 11 1903

WATER RIGHTS





BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

RECEIVED

SEP 26 2003

WATER RIGHTS  
PRICE

IN THE MATTER OF CHANGE )  
 )  
APPLICATION NO. 91-5076 (a27736) )

MEMORANDUM DECISION

Change Application Number 91-5076 (a27736), in the names of Aspen Cove at Scofield Homeowner's Association, and Price River Water User's Association, was filed on April 9, 2003, to change the point of diversion, place and nature of use of 10.0 acre-feet of water represented by Stock Certificate No. 7943 in the Price River Water User's Association. Heretofore, the water has been diverted from the Price River at the Scofield Dam at a point located North 810 feet and West 990 feet from the SE Corner of Section 10, T12S, R7E, SLB&M. The water is to be used for irrigation of 2.5 acres from April 1 to October 31 within the distribution system of the Carbon Canal.

Hereafter, it is proposed to divert 10.0 acre-feet of water from five existing underground water wells located at the following points: 1) North 70 feet and East 2360 feet, a 6-inch well, 150 feet deep; 2) South 1810 feet and East 900 feet, a 6-inch well, 150 feet to 300 feet deep; 3) North 1650 feet and East 1190 feet, a 6-inch well, 150 feet to 300 feet deep; 4) North 765 feet and East 2280 feet, a 6-inch well, 150-300 feet deep; all from the W $\frac{1}{4}$  Corner of Section 4; 5) South 1520 feet and East 200 feet from the N $\frac{1}{4}$  Corner of Section 5, a 6-inch well, 150 feet to 300 feet deep; all T12S, R7E, SLB&M. The water is to be used for irrigation of 2.45 acres from April 1 to October 31, stockwatering of ten cattle or equivalent from April 1 to October 31, and domestic purposes of ten part-time families in Phase 5 of Aspen Cove at Scofield, Mountain View Estates located in the SE $\frac{1}{4}$  Section 5, T12S, R7E, SLB&M. The application was advertised in The Sun Advocate on May 8, and 15, 2003, and was protested by Mr. Robert Radakovich. He has subsequently withdrawn the protest as of August 4, 2003.

It is the opinion of the State Engineer that this application can be approved without jeopardizing others rights if certain conditions are adhered to.

It is, therefore, **ORDERED** and Change Application Number 91-5076 (a27736) is hereby **APPROVED** subject to prior rights and in accordance with the current appropriation policy for the Colorado River Drainage, adopted March 7, 1990, and according to the following conditions:

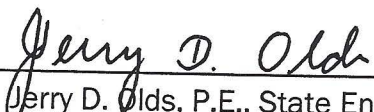
- 1) No more water may be diverted during the use period than is represented by the stock in the Price River Water User's Association, or the equivalent that is approved by the Association in times of shortage.
- 2) Installation of totalizing water meters at the expense of the Aspen Cove at Scofield Homeowner's Association will be required before any water is diverted from each of the wells. Water meters shall be available to the Price River Commissioner for examination at all reasonable times.

MEMORANDUM DECISION  
CHANGE APPLICATION NUMBER  
91-5076 (a27736)  
PAGE 2-

- 3) The water being changed shall be regulated by the Price River Commissioner at the expense of the Aspen Cove at Scofield Homeowner's Association.
- 4) Continued ownership of the stock certificate, which is the basis for the change application, shall be required in order to maintain this application.
- 5) No change of point of diversion or place of use of that water covered by this change application shall be made without first obtaining the approval of the State Engineer.
- 6) The annual diversion and depletion allowed under this right is limited to 10.00 acre-feet and 2.89 acre-feet of water respectively.
- 7) This water right must be totally developed and placed to beneficial use on or before the noted proof due date which is at least five years from the date of approval. Extensions of time on this application beyond this time period will only be considered under unusual conditions. The depletion figure is based, in part, on data from Research Report 145, "Consumptive Use of Irrigated Crops in Utah", by Dr. Robert W. Hill using the Scofield Dam station.

This Decision is subject to the provisions of Rule R655-6-17 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code Annotated, 1953, which provide for filing either a Request for Reconsideration with the State Engineer or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20 days of the date of this Decision. However, a Request for Reconsideration is not a prerequisite to filing a court appeal. A court appeal must be filed within 30 days after the date of this Decision, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Dated this 24<sup>th</sup> day of September, 2003.

  
\_\_\_\_\_  
Jerry D. Olds, P.E., State Engineer

JDO:MPP:kkh

**MEMORANDUM DECISION**  
**CHANGE APPLICATION NUMBER**  
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Mailed a copy of the foregoing Memorandum Decision this 24<sup>th</sup> day of September, 2003, to:

Aspen Cove at Scofield Homeowner`s Association  
862 North 1140 West  
Mapleton, UT 84664

Price River Water User`s Association  
90 North 100 East #1  
Price, UT 84501-0795

Price River Distribution System  
Robert Davis Commissioner  
P O Box 108  
245 West 500 South  
Price, UT 84501

BY: Kelly K. Horne  
Kelly K. Horne, Secretary



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# UTAH DIVISION OF WATER RIGHTS

**CHENTRY CHANGE MASTER Change Number: a27736**

save modifications CHENTRY Screens

Is this Right in ACTIVE LITIGATION?: No

STATUS: Approved

Base Wnum: 91-5076 look at base wnum

Right Evidenced By: 91-5076 which is a portion of 91-2 (A1035) Price River Water User's Association  
Certificate Number: Amendatory?: No  
Stock Certificate No. 2943

\*\*\* HERETOFORE \*\*\*

Flow: CFS: 0.00000 AND/OR Acre Feet: 10.00000  
Direct Source: Price River  
County: Carbon

\*\*\* HEREAFTER \*\*\*

THIS APPLICATION WILL CHANGE --

Point of Div: Changed Place of Use: Changed  
Nature of Use: Changed Reservoir Storage: Changed

Flow: CFS: 0.00000 AND/OR Acre Feet: 10.00000  
Direct Source: Underground Water Wells (5) (Existing)  
County: Carbon  
Common Description: 2.5 miles NW of Scofield Dam

**Filing Date:** Apr 09, 2003 **Taken By:** MKILLIAN **Priority Date:** Apr 17 2003

**Approved for Adv:** Apr 18, 2003 **By:** MPAGE **Newspaper:** 36-Sun Advocate  
**Pub Began:** May 08, 2003 **Pub Ended:** May 15, 2003  
**Protest End:** Jun 04, 2003 **Protested?:**  **Hearing Held:**   
**Proof of Pub:** May 22, 2003 **By:** DDREDGE

**Desig for A/R/D:** Aug 05 2003 **Action:**  Approved   
**Approp Engineer:** KJONES  **Memo Dec:**  Yes   
**Approved/Rejected:** Sep 24, 2003 **Action:**  Approved   
**Extension Filed:**  **Elec/Proof:**  **Proof Due:** Sep 30, 2008  
**Field Checked:**  **Rough Draft:**  **Filed:**  **Cert/WUC Issued:**   
**LAP, WD, EXP, etc.:**  **Request for Reconsideration:**  **Reconsidering:**   
**Provisional Well:**  **Well Renovation Approved:**

**Related Distribution System Number:**

**Draft Decision Notes: (There are 0 Notes.)**

**Date Verified:** Jun 13 2003 **By:** MKILLIAN **Date Last Modified:** Aug 05, 2003 -- 4:28 pm **BY:** MPAGE

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