



# Utah County Commission

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May 7, 2007

Mr. Michael R. Styler, Executive Director  
Utah Department of Natural Resources  
P.O. Box 145610  
1594 W. North Temple, Suite 5610  
Salt Lake City, UT 84114-5610

Dear Mike:

This letter is written to acknowledge and yet express concern for the rapid growth which is and will continue to occur throughout the coming years. Water is a critical part of this growth and must be managed properly, as it is a limited resource.

We were recently made aware that while many of the water areas in the State have been reviewed and adjudicated, Salt Lake area 57 has not been completed. There are two court orders pertaining to area 57 civil case #57298 (dated September 1, 1944 and June 21, 1972, copies attached). This area is critical to the Wasatch Front area and should be completed sooner rather than later to determine water resource availability for development in this important part of the State of Utah.


Your attention to this matter is requested and appreciated. Please contact us with any questions or comments.

Cordially,

UTAH COUNTY COMMISSION

  
Steve White, Chairman

  
Larry A. Ellertson, Commissioner

  
Gary J. Anderson, Commissioner

attachment

cc: Jon R. Huntsman, Jr., Governor  
Gary R. Herbert, Lt. Governor  
Jerry D. Olds, State Engineer

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

1944

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SALT LAKE CITY, a municipal corporation of the State of Utah, et al,	:	
	:	<u>CASE NO. 57298 - CIVIL</u>
Plaintiffs,	:	<u>ORDER DIRECTING THAT CAUSE PROCEED</u>
-vs-	:	<u>AS PROVIDED BY CHAPTER 4, TITLE 100</u>
TAMAR ANDERSON, et al,	:	<u>UTAH CODE ANNOTATED, 1943</u>
Defendants.	:	

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Spanish Fork West Field Irrigation Company, and others, filed petitions in the above entitled cause wherein and whereby they prayed that this court make and enter an order directing that all proceedings hereafter had in the above entitled cause be had in conformity with the procedure prescribed by Chapter 4, Title 100, R.S.U. 1933, and the amendments thereto. Objections were filed to the granting of said petitions. A hearing was had and evidence offered and received upon such petitions and the objections to the granting of the same. After hearing the evidence and duly considering the same, and the arguments of counsel with respect thereto this court denied all of such petitions. Thereafter an appeal was taken from the order denying such petitions to the Supreme Court of the State of Utah. That briefs were filed by the parties in the Supreme Court of the State of Utah, and oral argument there had.

That thereafter the Supreme Court of the State of Utah rendered its opinion wherein it directed that "The case is remanded to the District Court to proceed in the manner provided by Chapter 4, Title 100 R.S.U., 1933, and amendments thereto, as a statutory general adjudication."

NOW, THEREFORE, in compliance with the mandate of the Supreme Court of the State of Utah:

IT IS ORDERED, ADJUDGED and DECREED that the above

entitled cause shall hereafter proceed in all particulars in conformity with the provisions of Chapter 4, Title 100, Utah Code Annotated, 1943, and the amendments thereto and the clerk of this court and the State Engineer of the State of Utah are directed to perform the duties imposed upon them by, and to comply with, the provisions of, Chapter 4, Title 100, Utah Code Annotated, 1943, and the amendments thereto, to the end that there may be a determination and adjudication of all of the rights to the use of the waters of Utah Lake in Utah County, Utah, and of the Jordan River in Utah and Salt Lake Counties, Utah, and their tributaries.

Dated this 1st day of September, 1944.

BY THE COURT:

C. E. HENDERSON  
JUDGE

Attest: Alvin Keddington, Clerk  
By J. Reed Stewart, Deputy Clerk  
(SEAL)

Endorsed No. 57298 Filed in the Clerk's Office Salt Lake County, Utah SEPT. 1, 1944 Alvin Keddington, Clerk 3rd Dist. Court, By J. Reed Stewart, Deputy Clerk.

Received a copy of the foregoing proposed order this 31st day of August, 1944.

P. T. Farnsworth, Jr.  
Attorney for Plaintiffs.



STATE OF UTAH  
COUNTY OF SALT LAKE

ss.

I, Alvin Keddington, Clerk in and for the County of Salt Lake and Ex-Officio Clerk of the District Court of the Third Judicial District in and for Salt Lake County, State of Utah, do hereby certify that the foregoing is a full, true and correct copy of the original CIVIL ORDER DIRECTING THAT CAUSE PROCEED AS PROVIDED BY CHAPTER 4, TITLE 100 UTAH CODE ANNOTATED, 1943.

Salt Lake City, etc.,

vs.

No. 57298

Tamar Anderson, et al

as appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand  
and affixed my official seal, this 5th  
day of September, A. D. 1944  
ALVIN KEDDINGTON Clerk  
By [Signature] Deputy Clerk

