

Midway City Council  
16 November 2021  
Regular Meeting

The Village Development /  
Holmes Western Deer Springs,  
LLC  
Water Right

# Memo



Midway

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Date: November 16, 2021  
To: Midway City Council  
From: Michael Henke  
Re: Midway Heritage Development, LLC petition to transfer water rights

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Dan Luster, agent for Midway Heritage Development LLC, is petitioning the City to allow him to transfer two separate water rights to the City's Alpenhof wells. Mr. Luster would like to transfer the water rights that will help complete the culinary water requirements for his proposed development called The Village located at approximately 550 E. Main. The first water right is owned by Mark and Jorgene Wilson and is 33 acre feet. The second water right is owned by Holmes Western Deer Springs, LLC and contains 32.07 acre feet. Both rights are from the Provo River. The Water Board reviewed this proposal and made the following recommendations to the City Council:

Motion: Midway Irrigation Member Grant Kohler made the motion to recommend to City Council the approval of the Wilson Water Right Change Application to accept the 11 acres of irrigated land, with 33 acre feet of water which is already in the River Ditch, and it continue into our system to recharge the aquafer and diverted into the Alpenhof and Alpenhof Weber Well. City Councilman Steven Dougherty 2<sup>nd</sup> the motion.

Mayor/Chair Celeste Johnson asked if there were further questions regarding this item? There was not.

Motion was carried unanimously.

Motion: Midway Irrigation Member Grant Kohler made the motion to recommend to City Council the approval of the Holmes Western Deer Springs Change Application to accept the 10.69 acres of irrigated land, with 32.07 acre feet of water and be diverted into the Alpenhof and Alpenhof Weber Well contingent upon the change application to transfer the diversion of the water to the River Ditch . City Councilman Steven Dougherty 2<sup>nd</sup> the motion.

Mayor/Chair Celeste Johnson asked if there were further questions regarding this item? There was not.

Motion was carried unanimously.

Please contact me if you have any questions.

435-654-3223 ext. 105

[mhenke@midwaycityut.org](mailto:mhenke@midwaycityut.org)



May 3, 2021

Corbin Gordon  
Midway City  
Via email [cgordon@gordonlawgroup Utah.com](mailto:cgordon@gordonlawgroup Utah.com)

Re: Water Rights for Dan Luster's development in Midway City

Dear Mr. Gordon:

Attached are copies of two change applications along with print-outs from the State Engineer's records of the water rights associated with each change application.

**For Item C** in the Foreign Water form, dealing with title to the underlying water rights, when the change applications are approved, title will transfer directly from the current owner of the water rights to Midway City. If you need copies of the contracts for purchase of these right by Mr. Luster, let me know and I will obtain those for you, although, we anticipate that title will transfer directly to Midway City and not through Mr. Luster.

**For Item D** – historic places of use and points of diversion for these rights. – On the Change Application now owned by Mark and Jorgene Wilson Family LLC, this water has been diverted from the Phil Smith Ditch which is located near the Wilson farm and at the Upper Midway Dam, which is where Midway River Ditch. The place of use is in the S1/2 of Section 24, T3S, R4E,SLB&M, which is on property owned by Mark Wilson. For this change application he will be drying up 11 acres of land.

For the Change Application owned by Holmes Western Deer Springs, LLC, currently there is a change application that has been approved to move this water to be supplied from JSSD. Upon approval of this new change

733 N King Street / Suite 502 / Layton, UT 84041  
c: 801.698.9920 / c: 801.589.4766

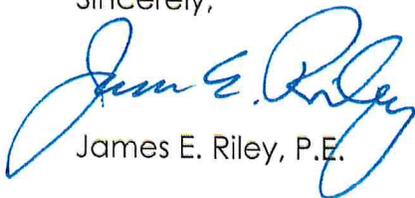
application the Change Application for JSSD will be withdrawn. This water was historically used on land that is owned by Robert Benson, but Mr. Benson decided to not purchase these rights and moved other water rights on his property to cover his uses.

**For Item E – 1 through 7**, Both of these Change Applications are based on 1<sup>st</sup> Class water rights that historically have been used for irrigation purposes from the Provo River. The time of year that this water is available is the irrigation season. The quality of Provo River water is excellent. Return flow can be made from the historical source if needed. It is anticipated by this change application that Midway City's existing Alpenhof – Weber Well will be utilized for this change application. It is not anticipated that there will be any impact on any of the City's existing sources or delivery mechanisms but if there is, the water from the Provo River that was historically diverted can be utilized to mitigate for any impact.

**For Item F**, since the proposal is to utilize Midway City's Alpenhof- Weber Well for year-round use, it is anticipated that year-round use will be granted by the approval of the Change Applications to be filed for municipal use of water.

All other facilities and appurtenance issues and fees will be addressed by Mr. Luster in a very timely basis. Let me know if you need additional information.

Sincerely,



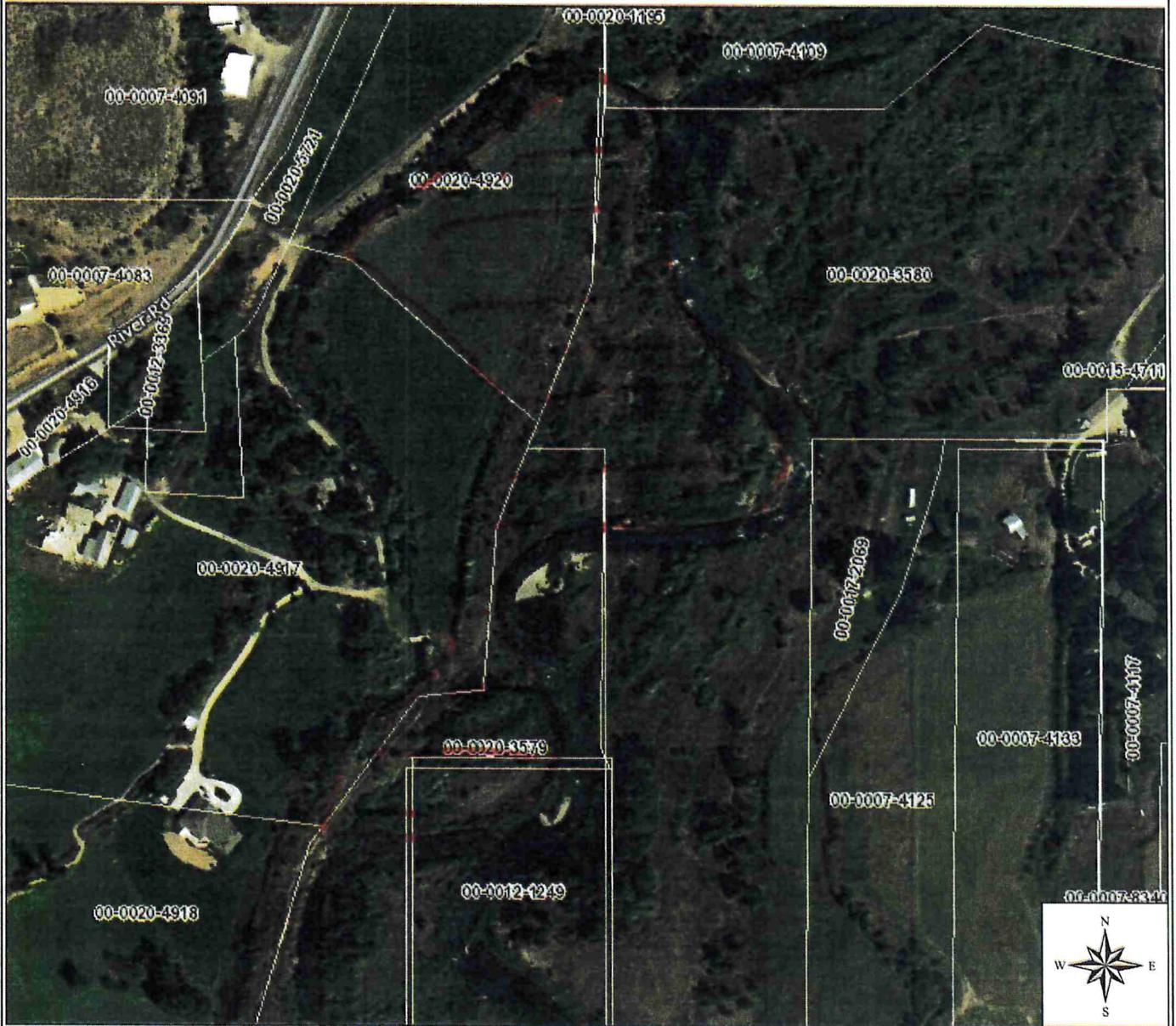
James E. Riley, P.E.

# Water Rights Map



Remond property

# Water Rights Map



Wilson property -



670 EAST

IRRIGATED  
OPEN SPACE  
1.74 ACRES

NON IRRIGATED  
OPEN SPACE  
3.00 ACRES

IRRIGATED  
OPEN SPACE  
3.63 ACRES

IRRIGATED  
OPEN SPACE  
0.32 ACRES

MAIN STREET/ S.R. 113

# APPLICATION FOR PERMANENT CHANGE OF WATER

## STATE OF UTAH

Rec. by \_\_\_\_\_

Fee Amt. \$200.00

Receipt # \_\_\_\_\_

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 Section 73-3-3 Utah Code Annotated, as amended.

CHANGE APPLICATION NUMBER:

WATER RIGHT NUMBER: 55-13326

(c93272WKNIGHT)

\*\*\*\*\*

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

\*\*\*\*\*

### 1. OWNERSHIP INFORMATION.

A. NAME: Mark and Jorgene Wilson Family LLC  
ADDRESS: 2595 North River Road  
Midway, Utah 84049-7307

NAME: Midway City Corporation  
ADDRESS: PO Box 277  
Midway UT 84049

INTEREST: 0%  
REMARKS: Interested Party

B. PRIORITY OF CHANGE:

FILING DATE:

C. EVIDENCED BY: 55-13326 (DEC), 55-13330 (DEC)

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

### 2. SOURCE INFORMATION.

A. QUANTITY OF WATER: 33.0 acre-feet

B. SOURCE: Provo River at Upper Midway Dam

COUNTY: Wasatch

C. POINT(S) OF DIVERSION.

POINTS OF DIVERSION -- SURFACE:

- (1) N 736 feet W 1,299 feet from E $\frac{1}{4}$  corner, Section 24, T 3S, R 4E, SLBM  
DIVERT WORKS: Phil Smith Ditch  
SOURCE: Provo River
- (2) N 1,000 feet E 150 feet from SW corner, Section 18, T 3S, R 5E, SLBM  
DIVERT WORKS: Upper Midway Dam  
SOURCE: Provo River

## 3. WATER USE INFORMATION.

IRRIGATION: from Apr 1 to Oct 31. Acres: 11.0000 Supplemental Acres: 76.5000.

## 4. PLACE OF USE.

(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	3S	4E 24				***				***	X	X	X	X	***	X	X	X	X

THE FOLLOWING CHANGES ARE PROPOSED:

## 5. SOURCE INFORMATION.

A. QUANTITY OF WATER: 33.0 acre-feet

B. SOURCE: Underground Water Well (existing) COUNTY: Wasatch

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

POINT OF DIVERSION -- UNDERGROUND:

(1) S 1,710 feet E 471 feet from N $\frac{1}{4}$  corner, Section 33, T 3S, R 4E, SLBM

WELL DIAMETER: 10 inches

WELL DEPTH: 440 feet

COMMENT: Alpenhof - Weber Well

D. COMMON DESCRIPTION: Midway City

6. WATER USE INFORMATION. Changed as Follows:

MUNICIPAL: from Jan 1 to Dec 31. Midway.

7. PLACE OF USE. Changed as Follows:

The Service Area of Midway

## 8. 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 including maps and other documents attached, at the time of filing, rests with the applicant(s).

*Mark Wilson*

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Mark and Jorgene Wilson Family LLC

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Midway City Corporation

*✓*

# Water Right Details for 55-13326

Utah Division of Water Rights

5/3/2021 2:27 PM

(WARNING: Water Rights makes NO claims as to the accuracy of this data.)

Water Right: 55-13326

Application/Claim:

Certificate:

## Owners:

Name: Mark and Jorgene Wilson Family LLC  
Address: 2595 North River Road  
Midway, Utah 84049-7307

Interest:

Remarks:

## General:

Type of Right: Decree Source of Info.: Decree Status:

Quantity of Water: 30 ACFT

Source: Provo River at Upper Midway Dam

County: Wasatch

Common Description:

Proposed Det. Book: 55-13

Map:

Pub. Date:

Land Owned by Appl.:

County Tax Id#:

Distribution System:

## Dates:

Filing:

Filed:

Priority:

Decree/Class:

Advertising:

Publication Began:

Publication End:

Newspaper:

Protest End Date:

Protested:

Hearing Held:

Approval:

State Eng. Action:

Action Date:

Recon. Req. Date:

Recon. Req Action:

Certification:

Proof Due Date:

Extension Filed Date:

Election or Proof:

Election/Proof Date:

Certificate Date:

Lapsed, Etc. Date:

Lapsed Letter

Wells:

Prov. Well Date:

Most Recent Well Renovate/Replace Date:

## Points of Diversion:

Points of Diversion - Surface:

Stream Alteration Required:

(1) N 1000 ft. E 150 ft. from SW corner, Sec 18 T 3S R 5E SLBM

Diverting Works: Upper Midway Dam

Source: Provo River

Elevation:

UTM: 463304.688, 4489333.656

## Proposed Water Uses:

Proposed Water Uses - Group Number: 401337

Water Rights Appurtenant to the following use(s):  
 55-11149(DEC), 55-12336(DEC), 55-12448(DEC), 55-13326(DEC),

Water Use Types:

**Irrigation-Beneficial Use Amount:** 10 acres      **Group Total:** 54      **Period of Use:** 04/01 to 10/31

**Use Totals:**

Irrigation sole-supply total: 10 acres      for a group total of: 54 acres

**Segregation History:**

This Right was Segregated from: 55-11149, with Appl.#., Approval Date: / / under which Proof is to be submitted.

as originally filed:	Flow in CFS	AND/OR/BLANK	Quantity in Acre-Feet	Water Uses						
				Irrigated Acreage	Stock (ELUs)	Domestic (EDUs)	Acre-Feet			
							Municipal	Mining	Power	Other
			30.0	10.0						

This Right as currently calculated:	Flow in CFS		Quantity in Acre-Feet	Water Uses						
				Irrigate Acreage	Stock (ELUs)	Domestic (EDUs)	Acre-Feet			
							Municipal	Mining	Power	Other
			30.0	10.0						



Water Rights Appurtenant to the following use(s):  
 55-11394(DEC), 55-11395(DEC), 55-13330(DEC),

Water Use Types:

**Irrigation-Beneficial** Use Amount: 1 acres      Group Total: 22.5      Period of Use: 04/01 to 10/31

Place Of Use:	North West				North East				South West				South East				Section Totals
	NW	NE	SW	SE													
Sec 24 T 3S R 4E SLBM									X	X	X	X	X	X	X	X	
Group Acreage Total :																	

**Use Totals:**

Irrigation sole-supply total: 1 acres      for a group total of: 22.5 acres

**Segregation History:**

This Right was Segregated from: 55-11394, with Appl.#., Approval Date: / / under which Proof is to be submitted.

as originally filed:	Flow in CFS	AND/OR/BLANK	Quantity in Acre-Feet	Water Uses							
				Irrigated Acreage	Stock (ELUs)	Domestic (EDUs)	Acre-Feet				
							Municipal	Mining	Power	Other	
	0.0166		3.0	1.0							

This Right as currently calculated:	Flow in CFS	Quantity in Acre-Feet	Water Uses							
			Irrigate Acreage	Stock (ELUs)	Domestic (EDUs)	Acre-Feet				
						Municipal	Mining	Power	Other	
	0.0166	3.0	1.0							

# APPLICATION FOR PERMANENT CHANGE OF WATER

## STATE OF UTAH

Receipt by: \_\_\_\_\_

Fee Rec.: \_\_\_\_\_

Receipt # \_\_\_\_\_

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 Section 73-3-3 Utah Code Annotated, as amended.

\*WATER RIGHT NO. \_\_\_\_\_ - \_\_\_\_\_  
Changes are proposed in (check those applicable)

\*APPLICATION NO. a \_\_\_\_\_

point of diversion     place of use     nature of use     period of use     split season     storage

### 1. OWNER INFORMATION

County Tax ID \_\_\_\_\_

Name(s): See Attached Interest: \_\_\_\_\_ %  
Address: See Attached  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Phone Number \_\_\_\_\_

2. \*PRIORITY OF CHANGE: \_\_\_\_\_ \*FILING DATE: \_\_\_\_\_  
\*Is this change amendatory? (Yes/No): \_\_\_\_\_

3. RIGHT EVIDENCED BY: 55-13017, 55-13018, 55-13019 and 55-13020  
Prior Approved Change Applications for this right: \_\_\_\_\_

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

4. QUANTITY OF WATER: 0.1505 cfs and/or 32.07 ac-ft.

5. SOURCE: Provo River

6. COUNTY: Wasatch

7. POINT(S) OF DIVERSION: N 736 feet W 1299 feet from E4 Cor. Sec 24, T3S, R4E, SLBM

Description of Diverting Works: \_\_\_\_\_

### 8. POINT(S) OF REDIVERSION

The water will be rediverted from \_\_\_\_\_ at a point: \_\_\_\_\_

Description of Diverting Works: \_\_\_\_\_

### 9. POINT(S) OF RETURN

The water will be returned to the natural stream/source at a point(s): \_\_\_\_\_

\*These items are to be completed by the Division of Water Rights

10. NATURE AND PERIOD OF USE

Irrigation: From 04/01 to 10/31
Stockwatering: From to
Domestic: From to
Municipal: From to
Mining: From to
Power: From to
Other: From to

11. PURPOSE AND EXTENT OF USE

Irrigation: 10.69 acres. Sole supply of 10.69 acres.
Stockwatering (number and kind):
Domestic: Families and/or Persons.
Municipal (name):
Mining: Mining District in the Mine.
Ores mined:
Power Plant name: Type: Capacity:
Other (describe):

12. PLACE OF USE

Legal description of place of use by 40 acre tract(s):
SW1/4 of Section 24, T3S, R4E, SLBM

13. STORAGE

Reservoir Name: Storage Period: from to
Capacity: ac-ft. Inundated Area: acres.
Height of dam: feet.
Legal description of inundated area by 40 tract(s):

\*\*\*\*\*THE FOLLOWING CHANGES ARE PROPOSED\*\*\*\*\*

14. QUANTITY OF WATER: cfs and/or 32.07 ac-ft.

15. SOURCE: Well
Balance of the water will be abandoned: , or will be used as heretofore:

16. COUNTY: Wasatch

17. POINT(S) OF DIVERSION: S 1710 feet E 471 feet N4 cor, Sec 33, T3S, R4E, SLBM - WIN 437261 - 10" to 1010 feet

Description of Diverting Works: Alpenhof Weber Well
COMMON DESCRIPTION: Midway

18. POINT(S) OF REDIVERSION
The water will be rediverted from at a point:

Description of Diverting Works:

19. POINT(S) OF RETURN

The water will be returned to the natural stream/source at a point(s):

20. NATURE AND PERIOD OF USE

Irrigation:	From _____ to _____
Stockwatering:	From _____ to _____
Domestic:	From _____ to _____
Municipal:	From 01/01 to 12/31
Mining:	From _____ to _____
Power:	From _____ to _____
Other:	From _____ to _____

21. PURPOSE AND EXTENT OF USE

Irrigation: \_\_\_\_\_ acres. Sole supply of \_\_\_\_\_ acres.  
 Stockwatering (number and kind): \_\_\_\_\_  
 Domestic: \_\_\_\_\_ Families and/or \_\_\_\_\_ Persons.  
 Municipal (name): Midway City  
 Mining: \_\_\_\_\_ Mining District at the \_\_\_\_\_ Mine.  
 Ores mined: \_\_\_\_\_  
 Power: Plant name: \_\_\_\_\_ Type: \_\_\_\_\_ Capacity: \_\_\_\_\_  
 Other (describe): \_\_\_\_\_

22. PLACE OF USE

Legal description of place of use by 40 acre tract(s): The Service Area of Midway  
 \_\_\_\_\_  
 \_\_\_\_\_

23. STORAGE

Reservoir Name: \_\_\_\_\_ Storage Period: from \_\_\_\_\_ to \_\_\_\_\_  
 Capacity: \_\_\_\_\_ ac-ft. Inundated Area: \_\_\_\_\_ acres.  
 Height of dam: \_\_\_\_\_ feet.  
 Legal description of inundated area by 40 tract(s): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

24. EXPLANATORY

The following is set forth to define more clearly the full purpose of this application. Include any supplemental water rights used for the same purpose. (Use additional pages of the same size if necessary).  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\*\*\*\*\*

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, including maps and other documents attached, at the time of filing, rests with the applicant(s).

\_\_\_\_\_  
 Holmes Western Deer Springs, LLC

\_\_\_\_\_  
 Midway City Corporation

## Attachment to Change Application

### 1. Owner Information

Holmes Western Deer Springs, LLC  
126 West Segoe Lily Drive, Suite 250  
Sandy UT 84070

Midway City Corporation (public water supplier)  
75 North 100 West  
Midway UT 84049  
(Interested Party)

# Water Right Details for 55-13017

Utah Division of Water Rights

5/3/2021 2:25 PM

(WARNING: Water Rights makes NO claims as to the accuracy of this data.)

Water Right: 55-13017

Application/Claim:

Certificate:

## Changes:

a45801 (Filed: 05/20/2020) Approved

## Owners:

Name: Holmes Western Deer Springs, LLC  
Address: 126 West Segoe Lily Drive, Suite 250  
Sandy UT 84070

Interest:

Remarks:

## General:

Type of Right: Decree Source of Info.: Ownership Segregation Status:

Quantity of Water: 2.22 ACFT

Source: Provo River  
County: Wasatch

Common Description:

Proposed Det. Book: 55- Map: Pub. Date:

Land Owned by Appl.: County Tax Id#:

Distribution System:

## Dates:

Filing:

Filed: Decree/Class: 1921 Provo River Decree (55 Area) 1st Class  
Priority:

Advertising:

Publication Began: Publication End: Newspaper:  
Protest End Date: Protested: Not Protested Hearing Held:

Approval:

State Eng. Action: Action Date:  
Recon. Req. Date: Recon. Req Action:

Certification:

Proof Due Date: Extension Filed Date:  
Election or Proof: Election/Proof Date:  
Certificate Date: Lapsed, Etc. Date: Lapsed Letter

Wells:

Prov. Well Date: Most Recent Well Renovate/Replace Date:

**Points of Diversion:**

Points of Diversion - Surface:

Stream Alteration Required:

(1) N 736 ft. W 1299 ft. from E4 corner, Sec 24 T 3S R 4E SLBM

Diverting Works: Phil Smith Ditch

Elevation:

Source: Provo River

UTM: 462861.898, 4488441.814

**Proposed Water Uses:**

Proposed Water Uses - Group Number: 401477

Water Rights Appurtenant to the following use(s):

55-11392(DEC), 55-11393(DEC), 55-13017(DEC), 55-13020(DEC), 55-13021(DEC),  
55-13022(DEC),

Water Use Types:

Irrigation-Beneficial Use Amount: 0.74 acres Group Total: 4.7384

Period of Use: 04/01 to 10/31

Place Of Use:	North West				North East				South West				South East				Section Totals
	NW	NE	SW	SE													
Sec 24 T 3S R 4E SLBM									X	X	X	X					
Group Acreage Total :																	

**Use Totals:**

Irrigation sole-supply total: 0.74 acres

for a group total of: 4.7384 acres

**Segregation History:**

This Right was Segregated from: 55-11392, with Appl.#., Approval Date: / / under which Proof is to be submitted.

as originally filed:	Flow in CFS	AND/OR/ BLANK	Quantity in Acre-Feet	Water Uses						
				Irrigated Acreage	Stock (ELUs)	Domestic (EDUs)	Acre-Feet			
							Municipal	Mining	Power	Other
			2.22	0.74						
This Right as currently calculated:	Flow in CFS		Quantity in Acre-Feet	Water Uses						
				Irrigate Acreage	Stock (ELUs)	Domestic (EDUs)	Acre-Feet			
							Municipal	Mining	Power	Other
			2.22	0.74						

# Water Right Details for 55-13018

Utah Division of Water Rights

5/3/2021 2:25 PM

(WARNING: Water Rights makes NO claims as to the accuracy of this data.)

Water Right: 55-13018

Application/Claim:

Certificate:

## Changes:

a45801 (Filed: 05/20/2020) Approved

## Owners:

Name: Holmes Western Deer Springs, LLC  
Address: 126 West Segoe Lily Drive, Suite 250  
Sandy UT 84070

Interest:

Remarks:

## General:

Type of Right: Decree Source of Info.: Ownership Segregation Status:

Quantity of Water: 29.85 ACFT

Source: Provo River  
County: Wasatch

Common Description:

Proposed Det. Book: 55- Map: Pub. Date:

Land Owned by Appl.: County Tax Id#:

Distribution System:

## Dates:

Filing:

Filed:

Priority: Decree/Class: 1921 Provo River Decree (55 Area) 1st Class

Advertising:

Publication Began: Publication End: Newspaper:  
Protest End Date: Protested: Not Protested Hearing Held:

Approval:

State Eng. Action: Action Date:  
Recon. Req. Date: Recon. Req. Action:

Certification:

Proof Due Date: Extension Filed Date:  
Election or Proof: Election/Proof Date:  
Certificate Date: Lapsed, Etc. Date: Lapsed Letter

Wells:

Prov. Well Date: Most Recent Well Renovate/Replace Date:

**Points of Diversion:**

Points of Diversion - Surface:

Stream Alteration Required: No

(1) N 736 ft. W 1299 ft. from E4 corner, Sec 24 T 3S R 4E SLBM

Diverting Works: Phil Smith Slough

Source: Provo River

Elevation:

UTM: 462861.898, 4488441.814

**Proposed Water Uses:**

Proposed Water Uses - Group Number: 401481

Water Rights Appurtenant to the following use(s):

55-11396(DEC), 55-11397(DEC), 55-12602(RNUM), 55-12603(RNUM), 55-13018(DEC), 55-13019(DEC),

Water Use Types:

Irrigation-Beneficial Use Amount: 9.95 acres    Group Total: 10.67    Period of Use: 04/01 to 10/31

Place Of Use:	North West				North East				South West				South East				Section Totals
	NW	NE	SW	SE													
Sec 24 T 3S R 4E SLBM									X	X	X	X					
Group Acreage Total :																	

**Use Totals:**

Irrigation sole-supply total: 9.95 acres    for a group total of: 10.67 acres

**Segregation History:**

This Right was Segregated from: 55-11396, with Appl.#., Approval Date: / / under which Proof is to be submitted.

as originally filed:	Flow in CFS	AND/OR/BLANK	Quantity in Acre-Feet	Water Uses							
				Irrigated Acreage	Stock (ELUs)	Domestic (EDUs)	Acre-Feet				
							Municipal	Mining	Power	Other	
			29.85	9.95							

This Right as currently calculated:	Flow in CFS		Quantity in Acre-Feet	Water Uses							
				Irrigate Acreage	Stock (ELUs)	Domestic (EDUs)	Acre-Feet				
							Municipal	Mining	Power	Other	
			29.85	9.95							

# Water Right Details for 55-13019

Utah Division of Water Rights

5/3/2021 2:26 PM

(WARNING: Water Rights makes NO claims as to the accuracy of this data.)

Water Right: 55-13019

Application/Claim:

Certificate:

## Changes:

a45801 (Filed: 05/20/2020) Approved

## Owners:

Name: Holmes Western Deer Springs, LLC  
Address: 126 West Sego Lily Drive, Suite 250  
Sandy UT 84070

Interest:

Remarks:

## General:

Type of Right: Decree Source of Info.: Decree Status:

Quantity of Water: 0.14 CFS

Source: Provo River

County: Wasatch

Common Description:

Proposed Det. Book: 55-

Map:

Pub. Date:

Land Owned by Appl.:

County Tax Id#:

Distribution System:

## Dates:

Filing:

Filed:

Priority:

Decree/Class: 1921 Provo River Decree (55 Area) 17th Class

Advertising:

Publication Began:

Publication End:

Newspaper:

Protest End Date:

Protested: Not Protested

Hearing Held:

Approval:

State Eng. Action:

Action Date:

Recon. Req. Date:

Recon. Req Action:

Certification:

Proof Due Date:

Extension Filed Date:

Election or Proof:

Election/Proof Date:

Certificate Date:

Lapsed, Etc. Date:

Lapsed Letter

Wells:

Prov. Well Date:

Most Recent Well Renovate/Replace Date:

**Points of Diversion:**

Points of Diversion - Surface:

**Stream Alteration Required:**

(1) N 736 ft. W 1299 ft. from E4 corner, Sec 24 T 3S R 4E SLBM

Diverting Works: Phil Smith Slough

Elevation:

Source: Provo River

UTM: 462861.898, 4488441.814

**Proposed Water Uses:**

Proposed Water Uses - Group Number: 401481

Water Rights Appurtenant to the following use(s):

55-11396(DEC), 55-11397(DEC), 55-12602(RNUM), 55-12603(RNUM), 55-13018(DEC), 55-13019(DEC),

Water Use Types:

Irrigation-Beneficial Use Amount: 0 acres

Group Total: 10.67

Period of Use: 04/01 to 10/31

Place Of Use:	North West				North East				South West				South East				Section Totals
	NW	NE	SW	SE													
Sec 24 T 3S R 4E SLBM									X	X	X	X					
Group Acreage Total :																	

**Use Totals:**

Irrigation sole-supply total: 0 acres

for a group total of: 10.67 acres

**Segregation History:**

This Right was Segregated from: 55-11397, with Appl.#., Approval Date: / / under which Proof is to be submitted.

as originally filed:	Flow in CFS	AND/OR/BLANK	Quantity in Acre-Feet	Water Uses									
				Irrigated Acreage	Stock (ELUs)	Domestic (EDUs)	Acre-Feet						
							Municipal	Mining	Power	Other			
	0.14												

This Right as currently calculated:	Flow in CFS		Quantity in Acre-Feet	Water Uses								
				Irrigate Acreage	Stock (ELUs)	Domestic (EDUs)	Acre-Feet					
							Municipal	Mining	Power	Other		
	0.14											

# Water Right Details for 55-13020

Utah Division of Water Rights

5/3/2021 2:26 PM

(WARNING: Water Rights makes NO claims as to the accuracy of this data.)

Water Right: 55-13020

Application/Claim:

Certificate:

## Changes:

a45801 (Filed: 05/20/2020) Approved

## Owners:

Name: Holmes Western Deer Springs, LLC  
Address: 126 West Sege Lily Drive, Suite 250  
Sandy UT 84070

Interest:

Remarks:

## General:

Type of Right: Decree Source of Info.: Decree Status:  
Quantity of Water: 0.0105 CFS

Source: Provo River  
County: Wasatch

Common Description:

Proposed Det. Book: 55- Map: Pub. Date:

Land Owned by Appl.: County Tax Id#:

Distribution System:

## Dates:

Filing:

Filed:  
Priority: Decree/Class: 1921 Provo River Decree (55 Area) 17th Class

Advertising:

Publication Began: Publication End: Newspaper:  
Protest End Date: Protested: Not Protested Hearing Held:

Approval:

State Eng. Action: Action Date:  
Recon. Req. Date: Recon. Req Action:

Certification:

Proof Due Date: Extension Filed Date:  
Election or Proof: Election/Proof Date:  
Certificate Date: Lapsed, Etc. Date: Lapsed Letter

Wells:

Prov. Well Date: Most Recent Well Renovate/Replace Date:

**Points of Diversion:**

Points of Diversion - Surface:

**Stream Alteration Required:**

(1) N 736 ft. W 1299 ft. from E4 corner, Sec 24 T 3S R 4E SLBM

Diverting Works: Phil Smith Ditch

Elevation:

Source: Provo River

UTM: 462861.898, 4488441.814

**Proposed Water Uses:**

Proposed Water Uses - Group Number: 401477

Water Rights Appurtenant to the following use(s):

55-11392(DEC), 55-11393(DEC), 55-13017(DEC), 55-13020(DEC), 55-13021(DEC),  
55-13022(DEC),

Water Use Types:

Irrigation-Beneficial Use Amount: 0 acres      Group Total: 4.7384      Period of Use: 04/01 to 10/31

Place Of Use:	North West				North East				South West				South East				Section Totals
	NW	NE	SW	SE													
Sec 24 T 3S R 4E SLBM									X	X	X	X					
Group Acreage Total :																	

**Use Totals:**

Irrigation sole-supply total: 0 acres

for a group total of: 4.7384 acres

**Segregation History:**

This Right was Segregated from: 55-11393, with Appl.#., Approval Date: / / under which Proof is to be submitted.

as originally filed:	Flow in CFS	AND/OR/BLANK	Quantity in Acre-Feet	Water Uses							
				Irrigated Acreage	Stock (ELUs)	Domestic (EDUs)	Acre-Feet				
							Municipal	Mining	Power	Other	
0.0105											

This Right as currently calculated:	Flow in CFS		Quantity in Acre-Feet	Water Uses							
				Irrigate Acreage	Stock (ELUs)	Domestic (EDUs)	Acre-Feet				
							Municipal	Mining	Power	Other	
0.0105											