RESTORATION PROCLAMATION

PROCLAMATION TO RESTORE THE RIGHT OF THE PUBLIC TO APPROPRIATE WATER FOR NON-CONSUMPTIVE PURPOSES FROM THE SEVIER RIVER AND ITS TRIBUTARIES.

WHEREAS, on December 19, 1946, the Governor of Utah (pursuant to Section 73-6-1, Utah Code Annotated, 1953, as amended) suspended the right of the general public to appropriate the surplus or unappropriated water from the Sevier River and its tributaries subject to the following exceptions: (1) isolated water holes, springs and underground water in the drainage areas of the Sevier River; (2) applications for change of point of diversion, place and nature of use of such surface and undergound water; and (3) applications for exhange. And,

WHEREAS, the Governor of Utah, by Proclamation dated June 5, 1951, restored the right of the public to appropriate water for power purposes from Six Mile Creek in Sanpete County, Utah. And,

WHEREAS, the State Engineer, after review and investigation, has concluded that it would be in the public interest to restore the right of the public to appropriate water for non-consumptive purposes and has recommended that the Sevier River and its tributaries be restored to appropriation for such uses.

NOW, THEREFORE, I, Scott M. Matheson, Governor of the State of Utah, upon recommendation of the State Engineer and pursuant to Section 73-6-2, Utah Code Annotated, 1953, as amended, do hereby restore to the public the right to appropriate the surplus and unappropriated water from the Sevier River and its tributaries for non-consumptive purposes. Except as modified herein and by the Proclamation of June 5, 1951, the Withdrawal of December 19, 1946, shall remain in full force and effect.

This Proclamation shall become effective upon completion of publication of notice hereof once a week for three successive weeks in newspapers of general circulation within the Sevier River Drainage Basin. After the first publication of said notice, applications may be deposited with the State Engineer and at the time such Proclamation becomes effective, the State Engineer shall hold public hearings giving all applicants notice to determine which applications so filed during the period of publication are most conducive to the public good, and shall file such applications in order of priority according to such determination.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol, Salt Lake City, Utah, this 24th day of March, 1981, at 1:00 O'Clock P.M.

/s/ Scott M. Matheson, Governor of the State of Utah

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