

AFFIDAVIT OF PUBLICATION

RESTORATION PROCLAMATION

Bervi Area of the Escalante Desert in Iron and Washington Counties

State of Utah, County of Beaver, ss.

William Sullivan being first duly sworn, deposes and says that he is the Editor of the Beaver County News, a weekly newspaper published at Milford, Beaver County, State of Utah, and that the notice as per attached clipping was published in the regular and entire issue of the said newspaper, and not in any supplement thereof, for a period of 3 consecutive weeks, beginning with the issue dated May 24

WHEREAS, by a proclamation dated April 10, 1946, the Governor of the State of Utah, pursuant to Section 100-8-2, U.C.A., 1943, suspended the right to appropriate water from the following source:

That area bounded on the south and southwest by the water parting between the Great Basin and the Colorado River Drainage which said water parting follows the irregular crest of the mountains north of Pine Valley, Santa Clara Valley and Beaver Dam Valley; bounded on the west by a saddle in the neighborhood of the Town of Modena and the water parting of the extension of the Wah Wah Mountains; bounded on the east by the water parting between Cedar City Valley and the Escalante Desert, which crosses the Beaver River at the Minersville Dam, and bounded on the North by the township line between Township 30 South and Township 31 South."

WHEREAS, a portion of the above described area was restored by proclamation dated January 28, 1953, and

WHEREAS, the State Engineer of the State of Utah has, since the date of the withdrawal, completed the proposed determination of water rights in the Escalante Valley which reveals that based upon the present supply and existing rights there appears to be no unappropriated water in this source with the exception of certain isolated areas, and this basin can best be administered by the State Engineer without the existing withdrawal.

NOW, THEREFORE, I, George D. Clyde, Governor of the State of Utah, upon the recommendation of the State Engineer and pursuant to the authority vested in the Governor by Section 73-6-2, U.C.A., 1953, hereby restores to appropriation all surplus and unappropriated water in the above described area.

This proclamation shall not become effective until notice thereof has been published at least once a week for three successive weeks in a newspaper of general circulation within the boundaries of the Escalante Valley drainage area; provided, however, that 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 and rejecting those for which there is no unappropriated water.

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 8th day of May, 1962, at 4:55 p.m.

GEORGE D. CLYDE, Governor of the State of Utah.

Pub. May 24, 31, June 7, 1962.

Subscribed and sworn to before me this 8 day of June, 1962

Handwritten signature of Notary Public

Notary Public

Residing at Milford, Utah.

My Commission expires:

Oct 1, 1965