

# in the District Court of the Fifth Judicial District of the State of Utah, in and for Millard County

RICHLANDS IRRIGATION CO., Inc.  
Plaintiffs,  
vs.  
WESTVIEW IRRIGATION CO., Inc., et al.,  
Defendants.

Proposed Determination  
of  
Water Rights  
on  
Sevier River System  
by the  
State Engineer.

Now comes the State Engineer and respectfully shows the court:

I.

That under the provisions of Chapter 67, Session Laws of Utah, 1919, the State Engineer is required to make a proposed determination of all rights to the use of water from the Sevier River System in the above entitled case.

II.

That the Sevier River and its tributaries lie entirely within the State of Utah and constitute one of the major river systems of the State. The area drained by this system is approximately 5,500 square miles and embraces all or parts of Garfield, Piute, Sevier, Sanpete, Juab and Millard counties. The main stream, or South Fork, rises in several spurs of the Wasatch Range of mountains on the northern slope of the southern rim of the Great Basin in Kane, Iron and Garfield Counties. It is fed at the upper end chiefly by Asay and Mammoth creeks which have confluence directly above the town of Hatch, in Garfield County. Eighteen miles below at Panguitch it is increased by Panguitch Creek. The next principal tributary is the East Fork which joins the stream 45 miles further down, near the town of Junction, Piute County. Otter Creek, flowing from the north, is the main tributary to the East Fork, joining with the East Fork some 12 miles east of the Piute Reservoir. Below the Piute Reservoir in the order named, are the following principal tributaries: Ten Mile Creek joining the Sevier River from the west, Manning Creek from the east, Cottonwood Creek, Bullion Creek, Beaver Creek, Deer Creek and Clear Creek from the West, Monroe Creek, Cove River, Lost Creek, Salina Creek and Willow Creek from the east, and the San Pitch River from the northeast. Below the Sevier Bridge Reservoir the principal tributary is Chicken Creek which joins the Sevier River from the

north. The surplus water from the Sevier River, mostly seepage water from irrigated land, sinks in a series of lakes in the Sevier Desert, in central Millard County. From the source of the South Fork to the sink is approximately 225 miles.

III.

That there have been more than forty court decrees rendered on suits concerning water rights on the Sevier River System. The two most important ones are entitled "Deseret Irrigation Company and Leamington Canal Company vs. Samuel McIntyre, et al.," and "Richfield Irrigation Canal Company, et al., vs. Circleville Irrigation Company, et al." A decree of the first mentioned case was rendered by Judge E. V. Higgins in 1901 and on the second by Judge C. W. Morse in 1906. These two decrees were largely the result of stipulations between committees and representatives of water users.

IV.

That after full consideration of decrees of court, the statements of claims, the survey records and files, and after a personal examination of the Sevier River System the State Engineer has formulated a proposed determination of all rights to the use of water from said system and makes his recommendations to the court regarding the same as hereinafter set forth.

V.

That the rights are arranged in geographical order from the source to the mouth of said system. At the end of the determination is an alphabetical index list of the names of all corporations, associations and persons that have been made party defendants in this case. For convenience of identification only, each claim is given an arbitrary claim number.