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Representing:
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I
JURISDICTION

This is an action to determine the rights to the use of all of the water, both surface and underground, within the drainage area of the Escalante Subdivision of the Escalante River Division of the Colorado River. This action is filed pursuant to the provisions of Chapter 4, Title 73, Utah Code Annotated 1953, as amended, and jurisdiction of the Court is not disputed and is hereby determined to be present.

II
DUTY OF WATER

1. The State Engineer, in the Proposed Determination of Water Rights, recommended a duty of water for irrigation purposes of three acre feet per acre of land on an interlocutory basis. This duty of water was protested by Mrs. Paul Steed, New Escalante Irrigation Company, and Pine Creek Irrigation Company. These protestants asserted that they could beneficially use water in excess of three acre feet per acre. The State Engineer has made a further investigation and evaluation of this matter and has recommended that the duty of water be raised from three acre feet per acre to four acre feet per acre on a trial basis, with the right of the State Engineer or any interested water user to petition the Court at any time to request that the duty of water be either raised or lowered.