

1
2 **ST. GEORGE WATER REUSE PROJECT AGREEMENT**

3 This Agreement is made and entered into on January 18, 2001, by and among the City of
4 St. George, Utah; the Shivwits Band of the Paiute Indian Tribe of Utah; the State of Utah; and the
5 United States of America.

6 1.0 RECITALS.

7 1.1 On July 21, 1980, the State of Utah, pursuant to Title 73, Chapter 4, Utah Code Ann.
8 as amended, initiated a statutory adjudication of water rights in the Fifth Judicial District Court of
9 the State of Utah in and for Washington County, Civil No. 800507596, which encompasses all of
10 the rights to the use of water, both surface and underground, within the drainage area of the
11 Virgin River and its tributaries in Utah ("Virgin River Adjudication"), including the Santa Clara
12 Drainage ("Santa Clara System").

13 1.2 The United States was joined as a party in the Virgin River Adjudication pursuant to
14 43 U.S.C. § 666. On February 17, 1987, the United States filed a Statement of Water Users
15 Claim asserting a water right based on state law and a federal reserved water right claim for the
16 benefit of the Shivwits Band of the Paiute Indian Tribe of Utah.

17 1.3 The Santa Clara System is subject to erratic flows and in most years does not supply
18 sufficient water to satisfy all existing water rights, and the annual flow of the Santa Clara System
19 is characterized by either low flows or extremely high flows with very few average water years.

20 1.4 To remove causes of present and future controversy over the waters of the Santa
21 Clara System without further litigation, the Parties hereto have conducted extensive negotiations
22 regarding the settlement of the water right claims of the Shivwits Band of the Paiute Indian Tribe
23 of Utah, and the United States acting for the benefit of the Shivwits Band of the Paiute Indian
24 Tribe of Utah.