

FILING FOR WATER IN THE STATE OF UTAH

Receipt by: MN
Fee Rec. 1,000.00
Receipt # 22-02385

APPLICATION TO APPROPRIATE WATER

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements to Title 73, Chapter 3 of the Utah Code Annotated (1953, as amended).

*WATER RIGHT NO. 71 - 5774

*APPLICATION NO. A

1. *PRIORITY OF RIGHT: _____

*FILING DATE: _____

2. OWNER INFORMATION

County Tax ID See attached

Name(s): Escalante Valley Partners, LLC

Interest: 100 %

Address: 95 East Main - PO Box 130

City: Enterprise

State: Utah

Zip Code: 84725

Phone Number (435) 231-2512

Is the land owned by the applicant? Yes No (If "No", please explain in EXPLANATORY section)

3. QUANTITY OF WATER: _____ cfs and/or 50,396 ac-ft.

4. SOURCE: Underground water wells located in deep aquifers

DRAINAGE: _____

which is tributary to _____

which is tributary to _____

POINT(S) OF DIVERSION: _____

COUNTY: Iron/Washington

See attached.

Description of Diverting Works: See attached.

COMMON DESCRIPTION: Multiple locations in the Beryl/Enterprise groundwater basin

5. POINT(S) OF REDIVERSION

The water will be rediverted from _____ at a point: _____

Description of Diverting Works: _____

6. POINT(S) OF RETURN

The water will be returned to the natural stream/source at a point(s): _____

7. STORAGE

Reservoir Name: _____ Storage Period: from _____ to _____

Capacity: _____ ac-ft. Inundated Area: _____ acres.

Height of dam: _____ feet

Legal description of inundated area by 40 acre tract(s): _____

*These items are to be completed by the Division of Water Rights

RECEIVED

APR 25 2022

WATER RIGHTS
CEDAR CITY

SCANNED

Appropriate

8. List any other water rights which will supplement this application Water rights owned by Beryl Enterprise area water users

9. NATURE AND PERIOD OF USE

Irrigation:	From <u>3/15</u>	to <u>11/1</u>
Stockwatering:	From _____	to _____
Domestic:	From _____	to _____
Municipal:	From _____	to _____
Mining:	From _____	to _____
Power:	From _____	to _____
Other:	From _____	to _____

10. PURPOSE AND EXTENT OF USE

Irrigation: 12,599 acres. Sole supply of 12,599 acres.
 Stockwatering (number and kind): _____
 Domestic: _____ Families.
 Municipal (name): _____
 Mining: _____ Mining District in the _____ Mine.
 Ores mined: _____
 Power Plant name: _____ Type: _____ Capacity: _____
 Other (describe): _____

11. PLACE OF USE

Legal description of place of use by 40 acre tract(s):
All acreage in the Beryl/Enterprise area subject to reduction by the Beryl/Enterprise Groundwater Management Plan.

12. EXPLANATORY

The following is set forth to define more clearly the full purpose of this application. (Use additional pages of the same size if necessary):
See attached

 The applicant(s) hereby acknowledges that he/she/they are citizen(s) of the United States of America or intends to become such a citizen(s). The quantity of water sought to be appropriated is limited to that which can be beneficially used for the purposes herein described. The undersigned hereby acknowledges that even though he/she/they may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of the information contained herein, including any maps and other documents attached, at the time of filing, rests with the applicant(s).

Eresdonte Valley Partners
 Signature of Applicant(s)*

*If applicant is a corporation or other organization, signature must be the name of such corporation or organization by its authorized agent, or in the name of the partnership by one of the partners.

[Signature]
 Authorized Agent (please print)

 Authorized Agent (signature)

Item 12. Explanatory.

This Application proposes a new appropriation within Area 71 – Beryl/Enterprise. The water in typical aquifers in Area 71 was over-appropriated in the 1900s. As a result, the State of Utah has adopted the Beryl/Enterprise Groundwater Management Plan, which forces reductions of water use over the next several decades. This can only lead to many farmers losing substantial amounts of water rights. This Application seeks to appropriate groundwater found in deep aquifers, never tapped into yet. No existing wells or water rights withdraw from (or propose to withdraw from) these deep aquifers. This new, deep groundwater resource will be used to offset the impending reductions, without impairing existing water rights.

The Application proposes to develop a series of deep groundwater wells in the Beryl/Enterprise area. These wells will divert up to 50,396 acre feet annually (the full reduction amount imposed by the Beryl/Enterprise Groundwater Management Plan). The points of diversion proposed in the Application will be located on land owned by users presently regulated by the Beryl/Enterprise Groundwater Management Plan. The applicant will secure easements, rights-of-way, federal/state/local permits required to construct, operate, and maintain this project.