

Oakland Place Subdivision

(Area 57, Book 12)
Proposed Determination

Public Meeting March 6, 2019

Utah Division of Water Rights

Moriah Gamache
Adjudication Engineer

www.waterrights.utah.gov

Agenda

- Adjudication Process Review
- Proposed Determination Overview
- Hydrographic Survey Map Overview
- Accessing the Proposed Determination and Hydrographic Survey Maps
- Questions



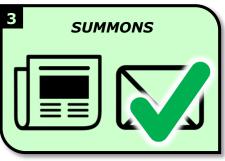
The Adjudication **Process**



Sept. 1, 1944



Sept. 8, 2017



Sept. 1, 2017



Sept. 13, 2017



Sept. 29, 2017



March 23, 2018



June 21, 2018

PROPOSED

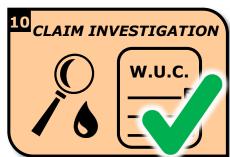
DETERMINATION



April 3, 2018



Oct. 19, 2018

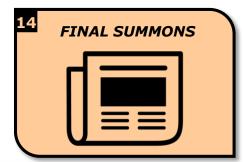




February 21, 2019









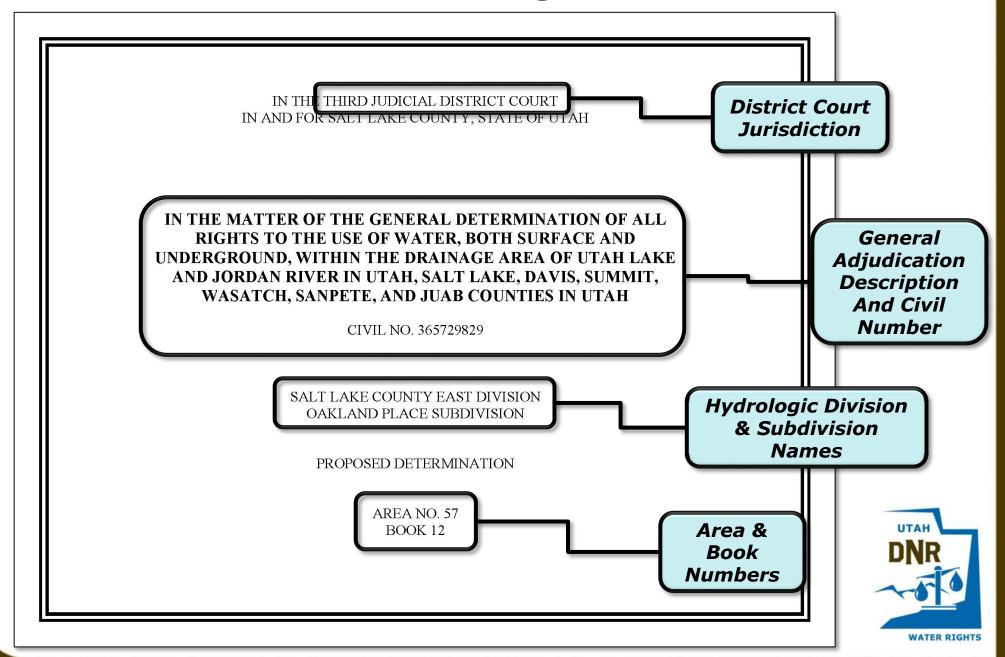
Proposed Determination

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- 2. Notice to Water Users
- 3. Preamble
- 4. Location Map
- 5. Priority Schedule
- 6. Description of Water Rights
- 7. Disallowed Rights
- 8. Alphabetic Index



Oakland Place Proposed Determination Title Page



Oakland Place Proposed Determination Notice to Water Users

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR SALT LAKE COUNTY, UTAH

Civil Case Number

EPAL DETERMINATION OF THE RIGHTS TO THE USE OF ALL OF THE WATER, BOTH SURFACE AND DRAIN AGE AREA OF THE UTAH LAKE AND JORDAN RIVER IN UTAH, SALT LAKE, DAVIS, SUMMIT, WASATCH, SANPETE, AND JUAB COUNTIES IN UTAH

SALT LAKI COUNTY EAST DIVISION, OAKLAND PLACE SUBDIVISION (57-12)

Salt Lake County Civil No. 365729829 Judge Laura Scott

NOTICE TO WATER USERS WITHIN THE ABOVE-DESCRIBED DRAINAGE AREA:

This is the Proposed Determination of Water Rights for the Salt Lake County East Division, Oakland Place Subdivision, Area No. and Jordan River General Adjudication. The Division of Water Rights has prepared the Proposed Determination as required by Utah Determination is the State Engineer's report and recommendation to the Court as to how all rights to the use of the water in the Oakland Place Subdivision should be determined. A copy of the Proposed Determination has been filed with the Clerk of the Third District Court in Salt Lake City, Utah. Additional printed copies are available, upon payment of printing costs, from the Division of Water Rights at 1394 w. North Temple, Suite 220, Salt Lake City, Ctah, telephone, (601) 336-5282. An electronic copy in PDF format is also available for download free of charge from the website of the Division of Water Rights at www.waterrights.utah.gov.

You are hereby notified that under Utah Code § 73-4-11(2), any person claiming a water right in the Oakland Place Subdivision who is dissatisfied with the Proposed Determination may object to it, but only in accordance with the following requirements: the objection must be in writing and filed in the Third Judicial District Court, in Salt Lake County, 450 South State Street, P.O. Box 1860, Salt Lake City, Utah 84114, within ninety (90) days after being served with notice of completion of the Proposed Determination. Service of the Proposed Determination is effective on the date the notice is mailed. A claimant who wishes to object to the Proposed Determination should also serve a copy of the objection on counsel for the State Engineer at the address shown below.

Sarah M. Shechter, No. 15357 Benjamin J. Jensen, No. 14216 Melissa L. Reynolds, No. 15718 Assistant Utah Attorneys General SEAN D. REYES Utah Attorney General Attorneys for the State Engineer 1594 West North Temple, Suite 300 Salt Lake City, UT 84116 Telephone: (801) 538-7227 sshechter@agutah.gov bjensen@agutah.gov mreynolds@agutah.gov **Instructions**

on filing an



Oakland Place Proposed Determination Preamble

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR SALT LAKE COUNTY, UTAH

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHTS TO THE USE OF ALL OF THE WATER, BOTH SURFACE AND UNDERGROUND, WITHIN THE DRAINAGE AREA OF UTAH LAKE AND JORDAN RIVER IN UTAH, SALT LAKE, DAVIS, SUMMIT, WASATCH, SANPETE, AND JUAB COUNTIES IN UTAH

PROPOSED DETERMINATION OF WATER RIGHTS IN
THE UTAH LAKE AND JORDAN RIVER GENERAL ADJUDICATION
SALT LAKE COUNTY EAST DIVISION
OAKLAND PLACE SUBDIVISION
AREA NO. 57, BOOK 12

Salt Lake County Civil No. 365729829 Judge Laura Scott

Kent L. Jones, P.E., State Engineer of the State of Utah, respectfully submits this report and recommendation to the Court.

- 1. Geographical Area Covered. This General Adjudication, known as the Utah Lake and Jordan River General Adjudication, includes all water sources, both surface and underground, within the drainage of the Utah Lake and Jordan River in Utah, Salt Lake, Davis, Summit, Wasatch, Sanpete, and Juab Counties in Utah. This Proposed Determination is limited to water rights with points of diversion in the Oakland Place Subdivision of the Salt Lake County East Division of the Utah Lake and Jordan River General Adjudication. The Oakland Place Subdivision is the area on the map shown on page vii. The Utah Division of Water Rights has designated the Proposed Determination for this area as Area 57, Book 10.
- 2. Commencement. On September 1, 1944, the Court ordered the State Engineer to make a determination and adjudication of all rights to the use of water of Utah Lake and Jordan River and their tributaries in Utah and Salt Lake Counties. On June 21, 1972, the Court issued an order clarifying that the adjudication area includes all the rights to the use of water, both surface and underground, within the drainage area of Utah Lake and Jordan River and their tributaries in Utah, Salt Lake, Davis, Summit, Wasatch, Sanpete, and Juab Counties. The Court also ordered that the title of this action be amended to read, "In the Matter of the General Determination of the Rights to the Use of

all of the Water, Both Surface and Underground, Within the Drainage Area of the Utah Lake and Jordan River in Utah, Salt Lake, Davis, Summit, Wasatch, Sanpete and Juab Counties in Utah."

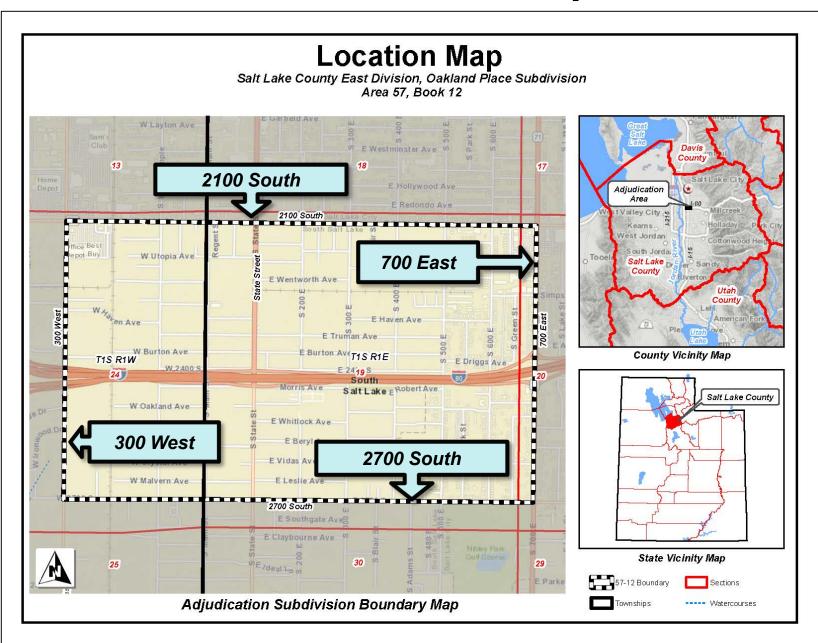
3. State Engineer's Activity. The State Engineer has followed the requirements of Title 73, Chapter 4 of the Utah Code. He has given the required notices, served and published summons, prepared and filed a List of Unclaimed Rights with the Court, completed hydrographic surveys, and evaluated claims from water users within the area. Prior to making the recommendations in the Proposed Determination, the State Engineer has given careful consideration to the Statements of Water User's Claim filed in the Oakland Place Subdivision. To the best knowledge of the State Engineer, this Proposed Determination contains all rights to the use of water with points of diversion located within the Oakland Place Subdivision for which a claim was timely filed or for which the Court has excused the late filing.

Contemporaneously with the filing of this Proposed Determination, the State Engineer has published and served notice of the Proposed Determination on each claimant of record within the Oakland Place Subdivision as required by Utah Code § 73-4-11. The Proposed Determination is available on the Division of Water Rights website at www.waterrights.utah.gov free of charge.

4. Beneficial Use. In preparing the Proposed Determination, the State Engineer has based his recommendations on Utah water law, including the

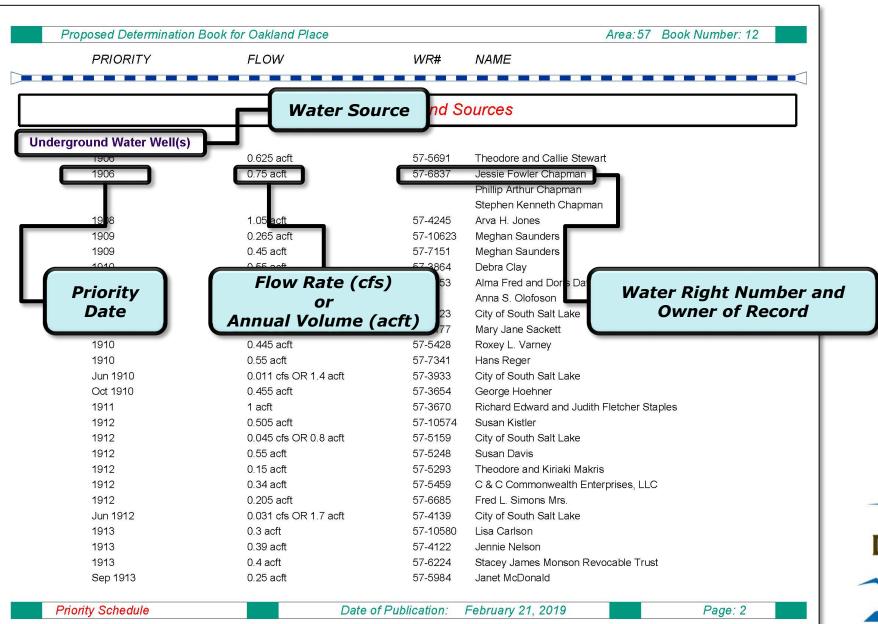


Oakland Place Proposed Determination Location Map

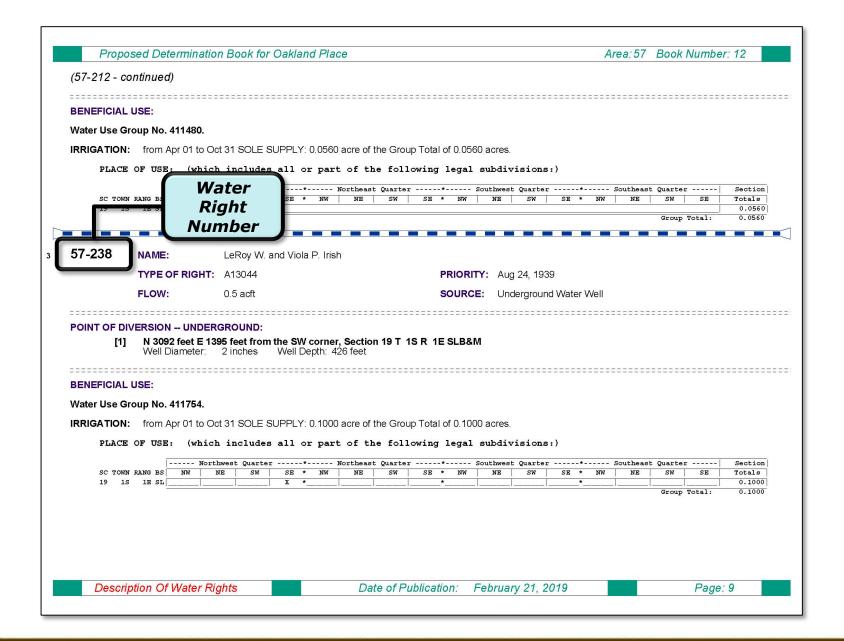




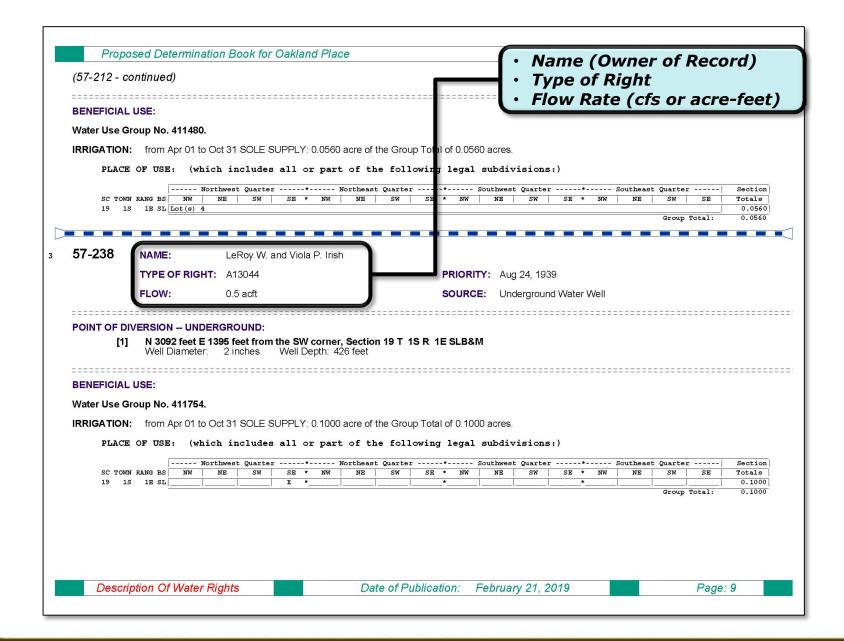
Oakland Place Proposed Determination Priority Schedule



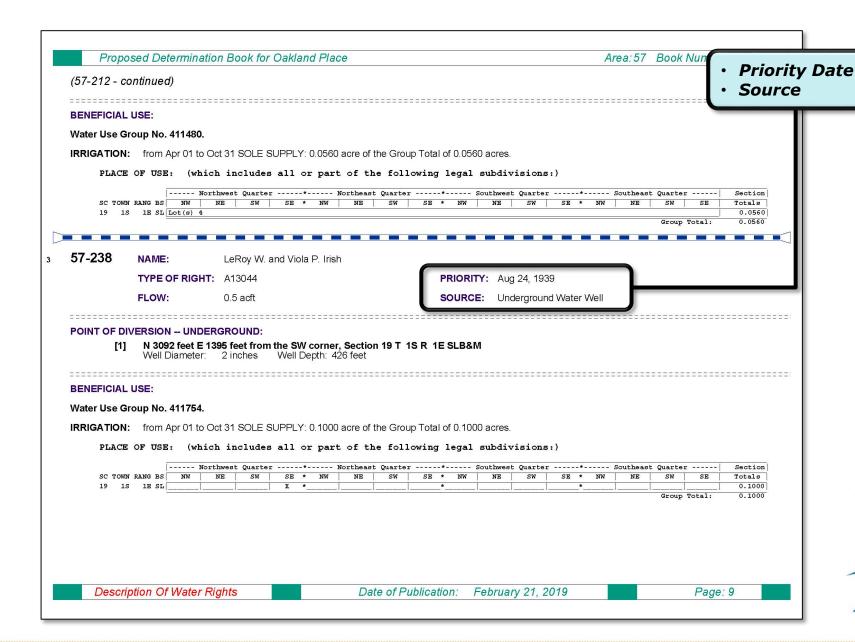




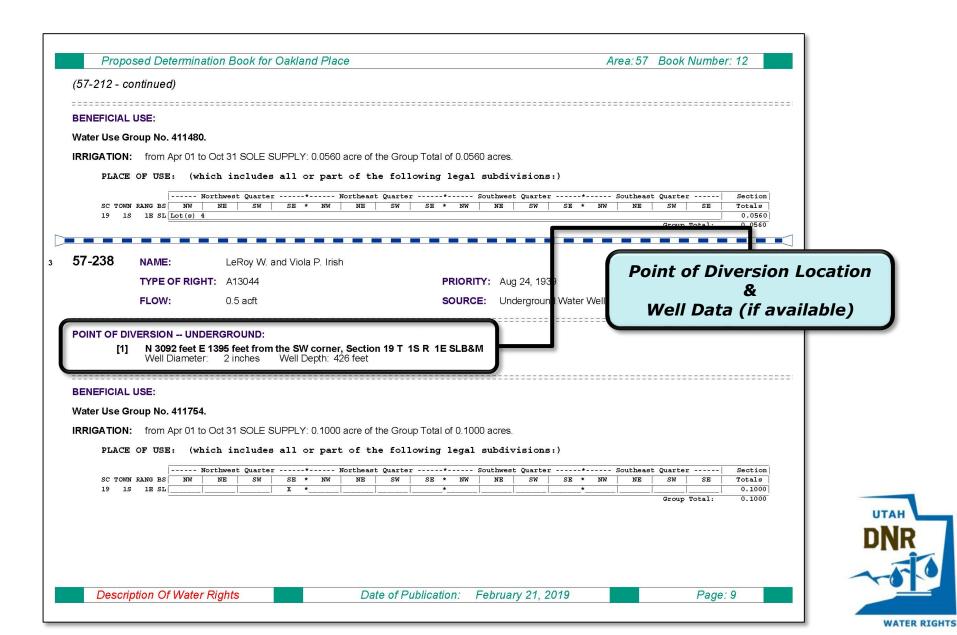


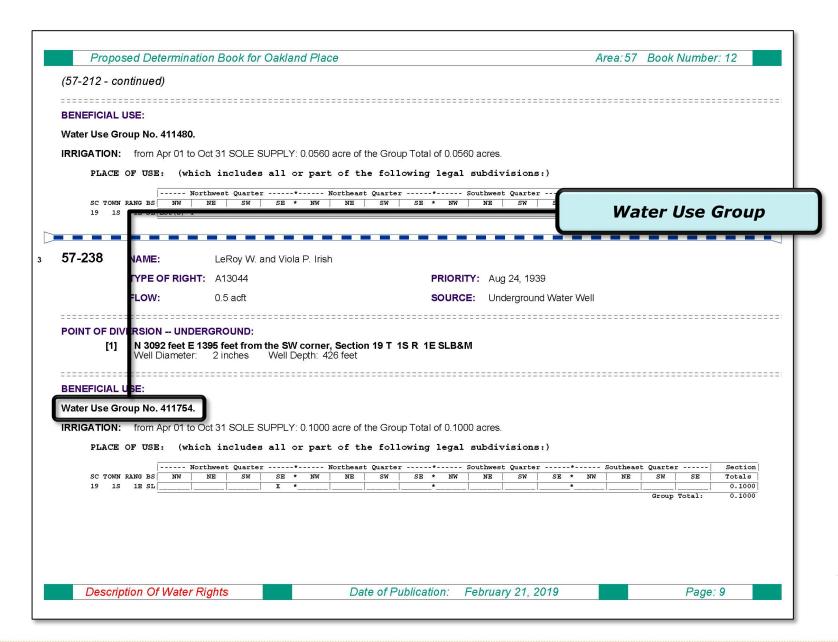




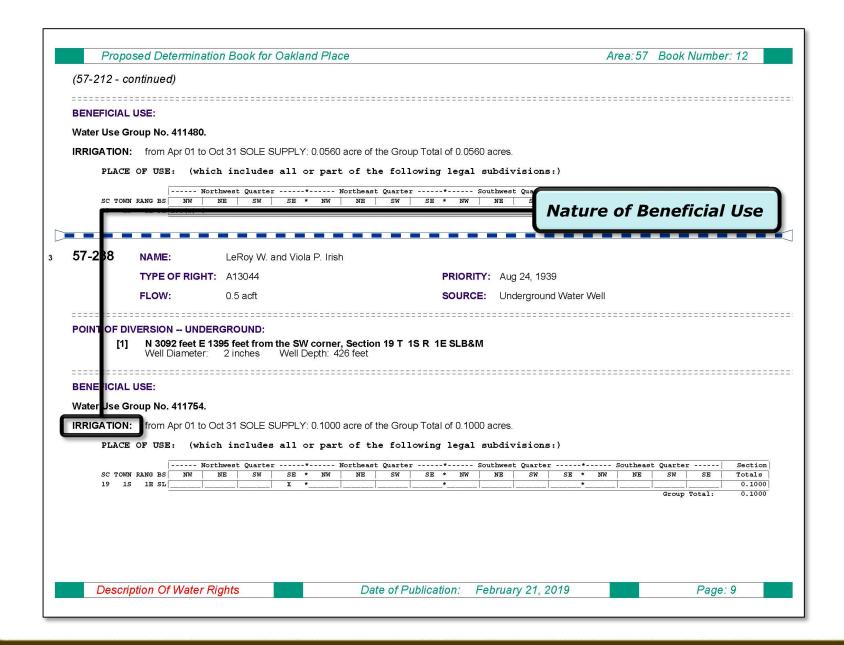




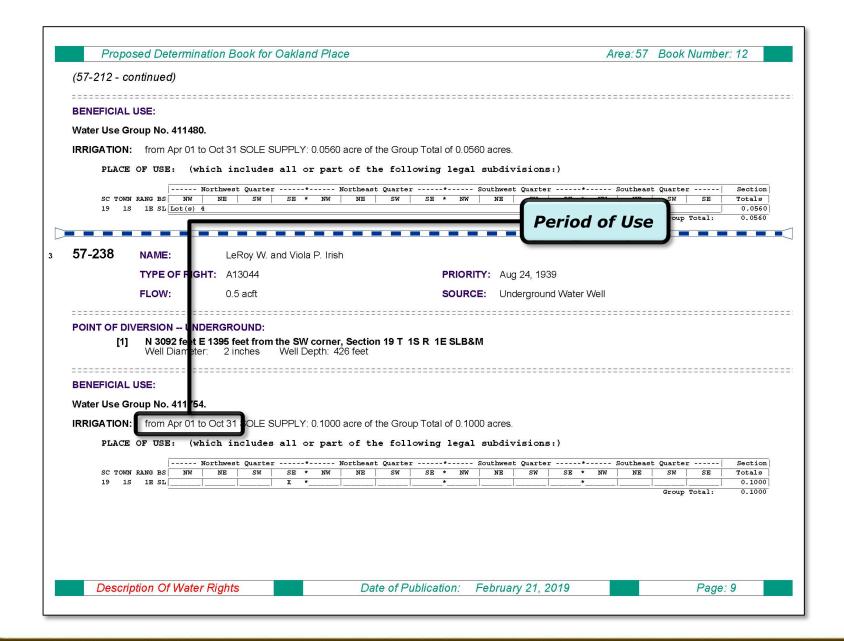




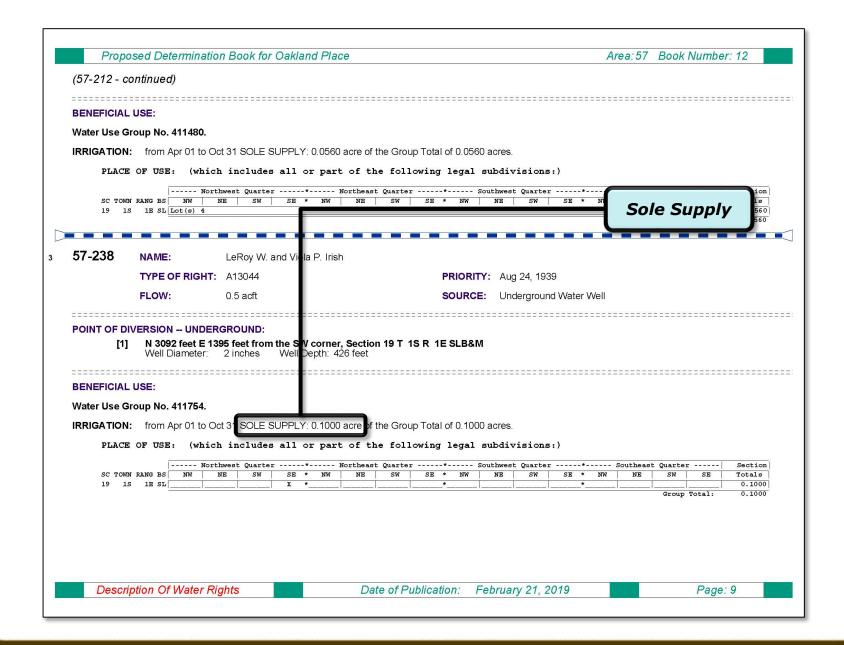




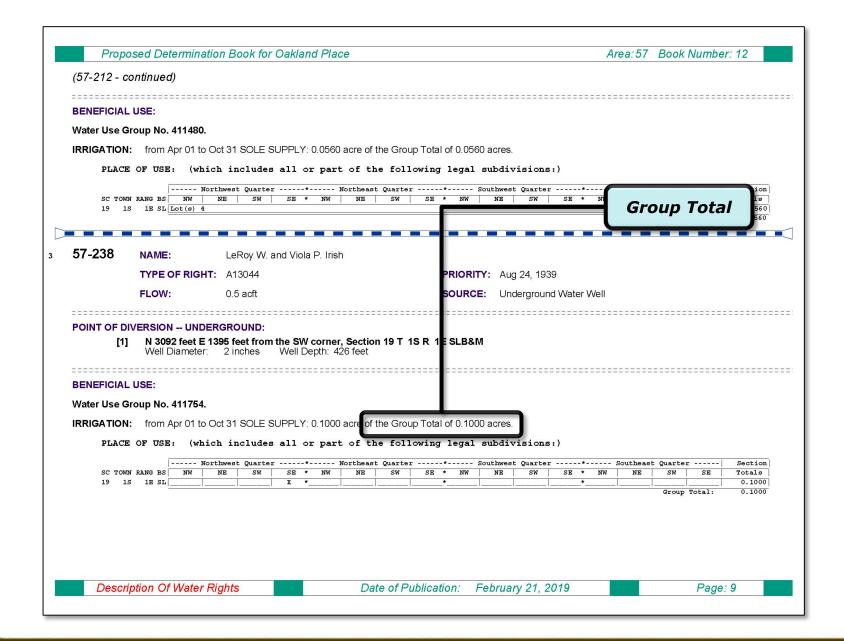




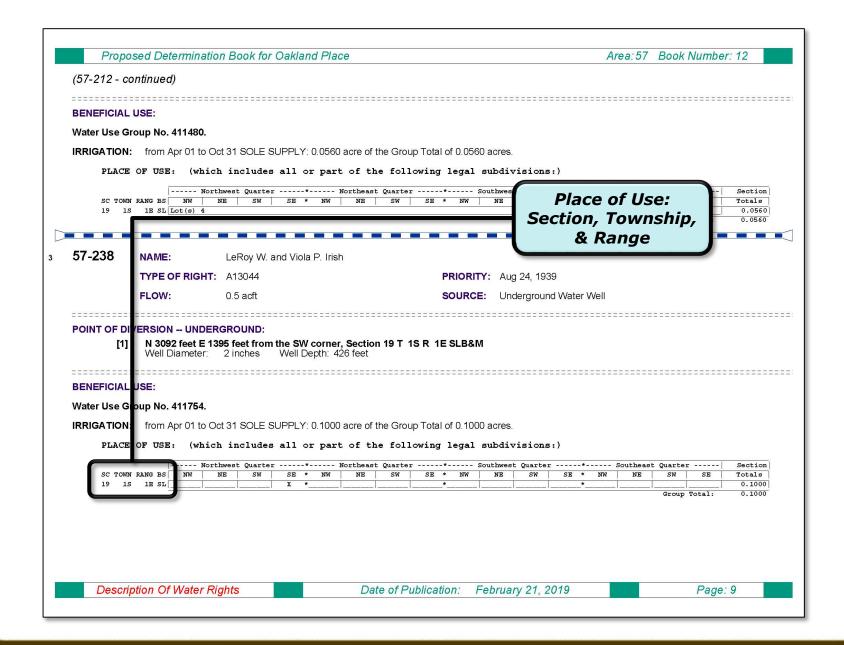




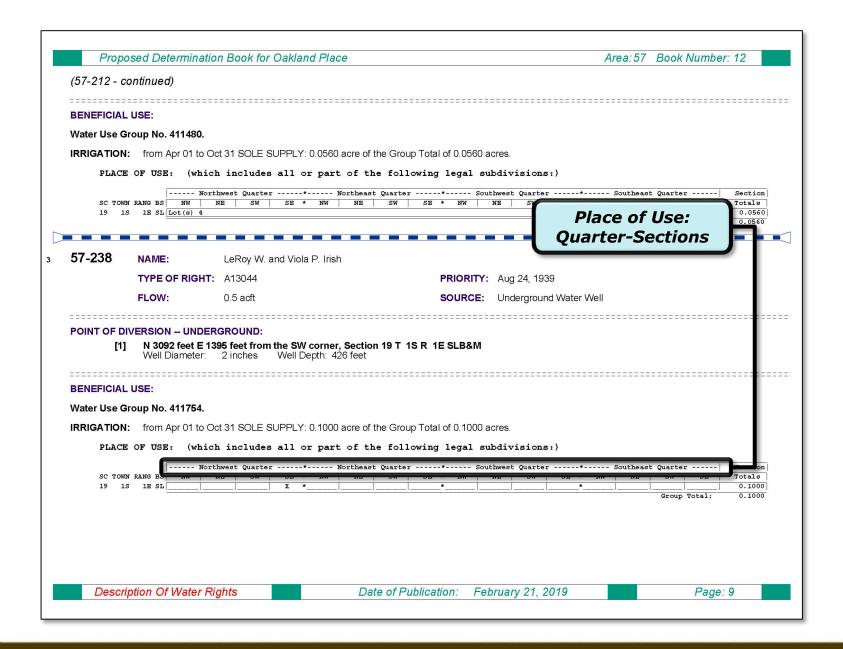




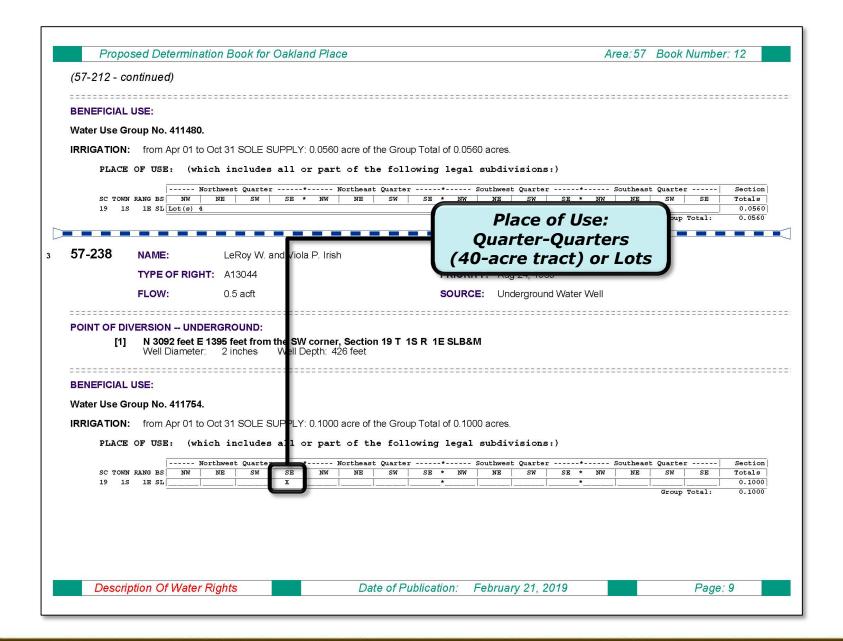




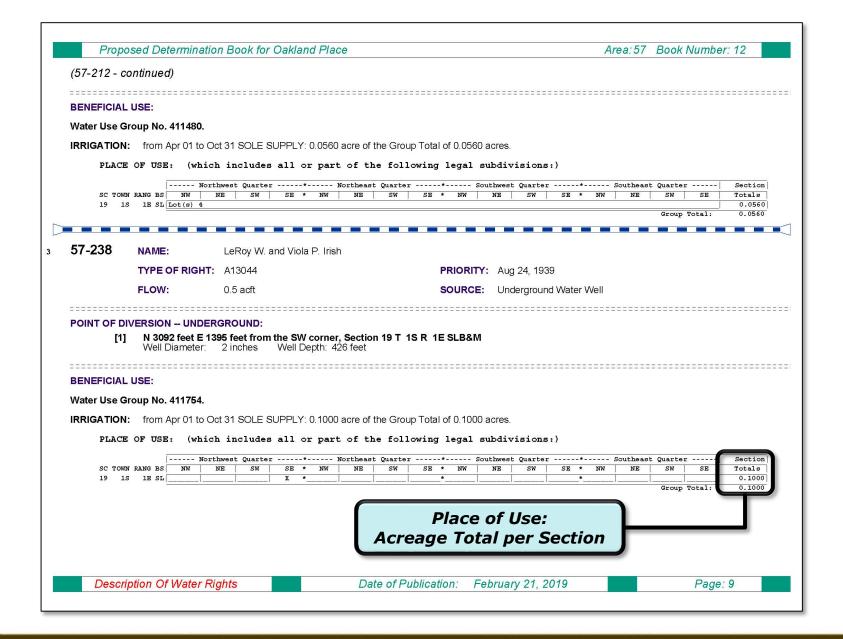






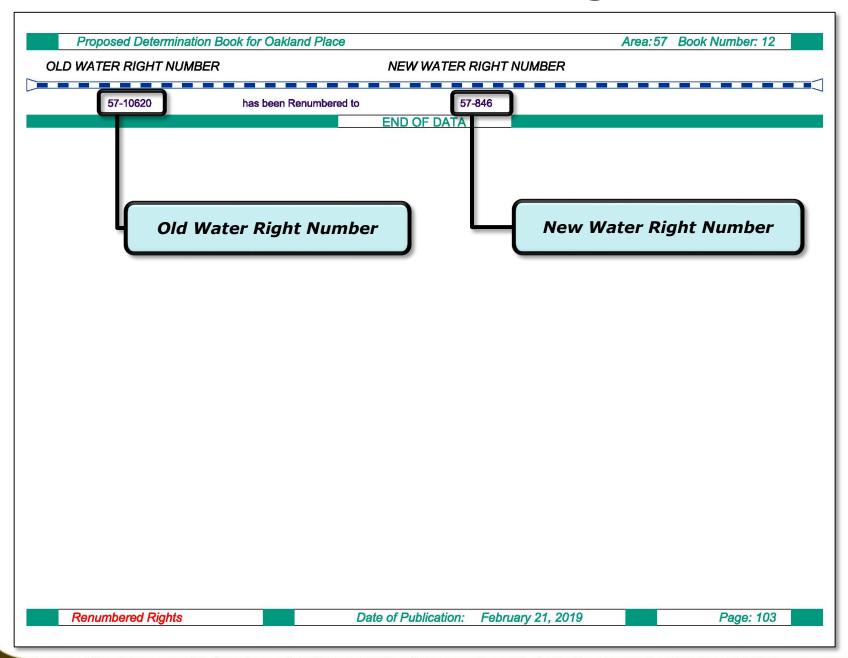






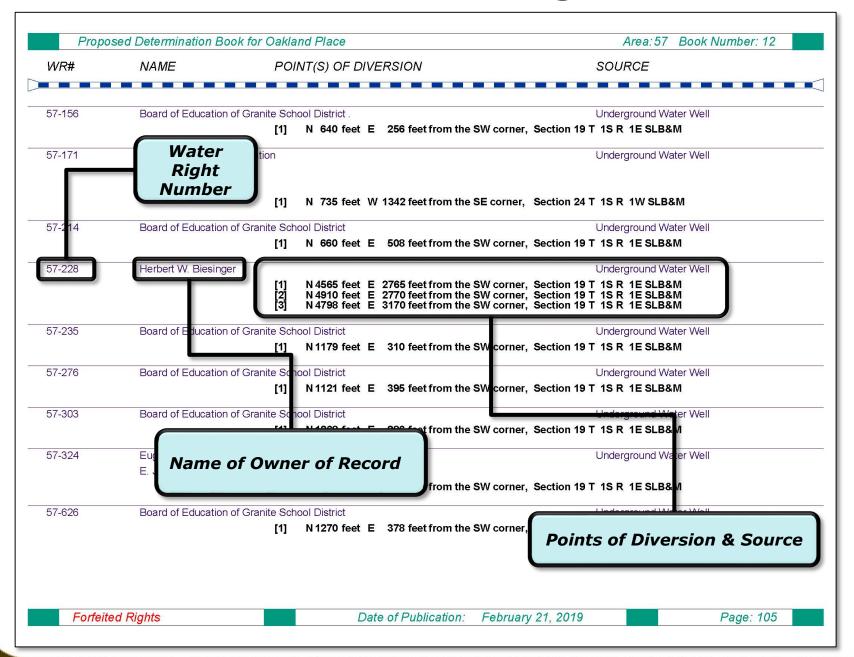


Oakland Place Proposed Determination Renumbered Rights



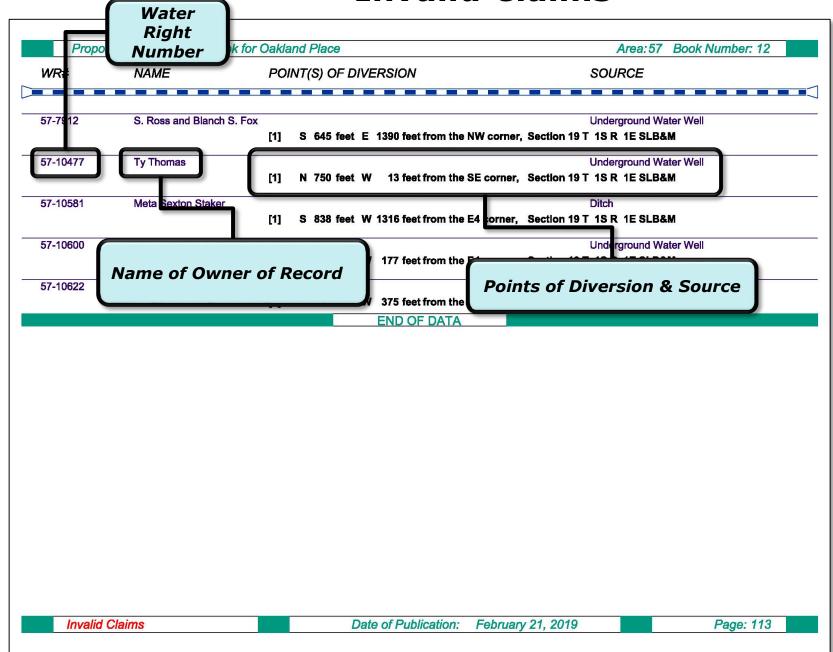


Oakland Place Proposed Determination Forfeited Rights



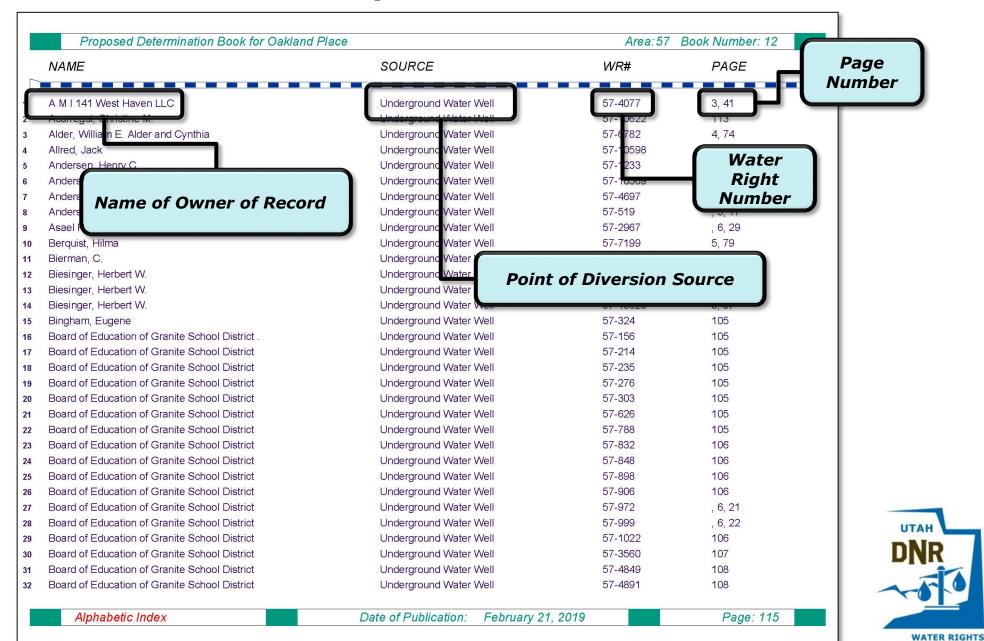


Oakland Place Proposed Determination Invalid Claims

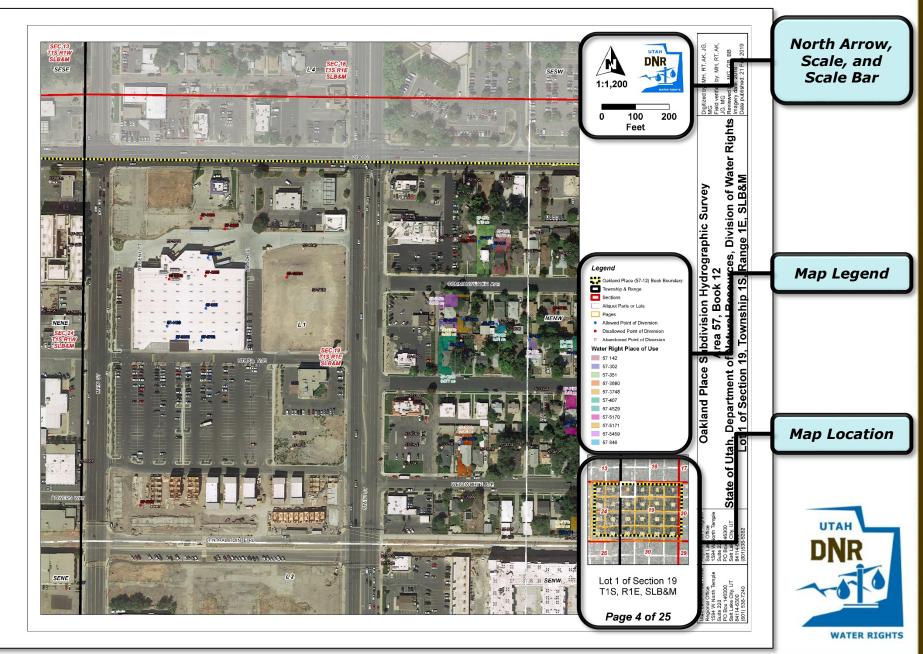




Oakland Place Proposed Determination Alphabetic Index



Oakland Place Proposed Determination Hydrographic Survey Maps



Accessing the Proposed Determination

Recipients of the Notice of the Proposed Determination:

- Water right owners listed on the records of the State Engineer.
- Claimants who submitted claims in the Oakland Place adjudication.
- Registered agents for corporate entities owning water rights or having filed claims within the adjudication boundary.
- Counsel of record who have filed an appearance in the court.

The Proposed Determination can be accessed via:

- http://www.waterrights.utah.gov/pdbooks/OaklandPlacePD
- Hardcopies can be printed at our office for a nominal fee.
- Filed at the District Court.

The Hydrographic Survey Map can be accessed via:

- http://www.waterrights.utah.gov/pdbooks/OaklandPlaceHS
- Hardcopies can be viewed at our office.



Who can I contact to discuss the Adjudication Process?

Blake Bingham, PE

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E-mail: <u>blakebingham@utah.gov</u>

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Utah Division of Water Rights

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www.waterrights.utah.gov



Questions?

