



Nibley Park Subdivision

(Area 57, Book 5)

Proposed Determination

Public Meeting

August 29th, 2017

Utah Division of Water Rights

Blake W. Bingham, P.E.

Assistant State Engineer - Adjudication


www.waterrights.utah.gov

Agenda

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

Adjudication Process


1



The State Engineer is initiated by water users or court order to initiate a General Adjudication. (UCA 73-4-1)

Sep. 1, 1944


2 **NOTICE**



The State Engineer publishes notice of the pending adjudication for 2 weeks in a local newspaper. (UCA 73-4-3)

Dec. 11, 2015


3 **SUMMONS**



The State Engineer serves Summons on claimants and publishes Summons for 5 weeks in a local newspaper. (UCA 73-4-4)

Dec. 17, 2015


4 **PUBLIC MEETING**



The State Engineer holds a Public Meeting in the area to inform water users of the adjudication process. (UCA 73-4-5)

Jan. 12, 2016


5 **HYDROGRAPHIC SURVEY**



The State Engineer conducts an initial hydrographic survey of the area. (UCA 73-4-3)


Feb. 1, 2016

6 **Notice & 90 days**



The State Engineer serves notice on Claimants to file claims. Claimants have 90 days to file claims with the court or State Engineer for forfeiture. (UCA 73-4-3 & 9)


7



The State Engineer reviews User's Claims and other evidence and prepares a Proposed Determination which is then distributed to the claimants and filed with District Court. (UCA 73-4-11)

Aug. 4, 2017

8 **PUBLIC MEETING**



The State Engineer holds a Public Meeting to discuss the Proposed Determination with claimants. (UCA 73-4-11)

Aug. 29, 2017


9

90 days

In Progress


Claimants have 90 days to file an objection to the Proposed Determination with the District Court. (UCA 73-4-11)

10 **FINAL SUMMONS**




The State Engineer serves the final summons via publication for 5 weeks in a local newspaper. (UCA 73-4-22)

11 **OBJECTION RESOLUTION**



The State Engineer resolves objections to the Proposed Determination with respective water users. (UCA 73-4-14)

12 **DECREE**



The District Court issues a Decree (or Interlocutory Decree) on the Proposed Determination. (UCA 73-4-15)

Proposed Determination

Contents

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



Nibley Park Proposed Determination Title Page

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

***District Court
Jurisdiction***

**IN THE MATTER OF THE GENERAL DETERMINATION OF ALL
RIGHTS TO THE USE OF 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**

***General
Adjudication
Description
And Civil
Number***

SALT LAKE COUNTY EAST DIVISION
NIBLEY PARK SUBDIVISION

***Hydrologic Division
& Subdivision
Names***

AREA NO. 57
BOOK 5

***Area &
Book
Numbers***



Nibley Park Proposed Determination Notice to Water Users

Civil Case Number

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

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

SALT LAKE COUNTY EAST DIVISION, NIBLEY PARK SUBDIVISION (57-5)

Salt Lake County Civil No. 365729820

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

Instructions on filing an objection

This is the Proposed Determination of Water Rights in the Salt Lake County East Division, Nibley Park Subdivision, Area 1, and Jordan River General Adjudication. The Division of Water Rights has prepared the Proposed Determination as required by Utah Code. The Proposed Determination is the State Engineer's report and recommendation to the Court of how all rights to the use of the water in the Nibley Park Subdivision are determined. A copy of the Proposed Determination has been filed with the Clerk of the Third District Court in Salt Lake City, Utah. Additional CDs or printed copies are available, upon payment of printing costs, from the Division of Water Rights at 1594 West North Temple, Suite 220, Salt Lake City, Utah, telephone, (801) 538-7240. An electronic copy in PDF 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 Nibley Park 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, Salt Lake City Department, 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 is effective on the date the notice is mailed, hand delivered to the claimant, or published. The claimant should also file a copy of the objection with counsel for the State Engineer at the address shown below.

Sarah M. Shechter
Benjamin J. Jensen
Melissa L. Reynolds
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



Nibley Park 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
NIBLEY PARK SUBDIVISION
AREA NO. 57, BOOK 5

Salt Lake County Civil No. 365729820

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 Nibley Park Subdivision of the Salt Lake County East Division of the Utah Lake and Jordan River General Adjudication. The Nibley Park Subdivision is the enlarged 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 5.

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 June 21, 1972 order 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 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 (2015). He has given the required notices, served and published summons, completed hydrographic surveys, and taken 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 Claims filed in the Nibley Park 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 Nibley Park Subdivision for which a claim was timely filed.

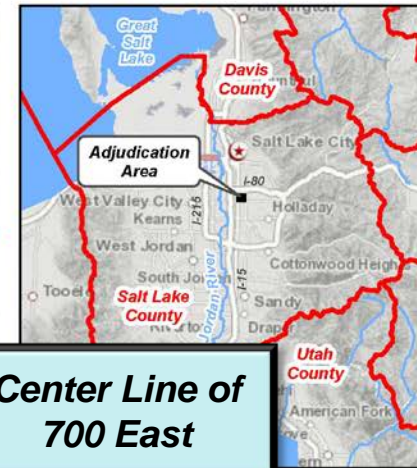
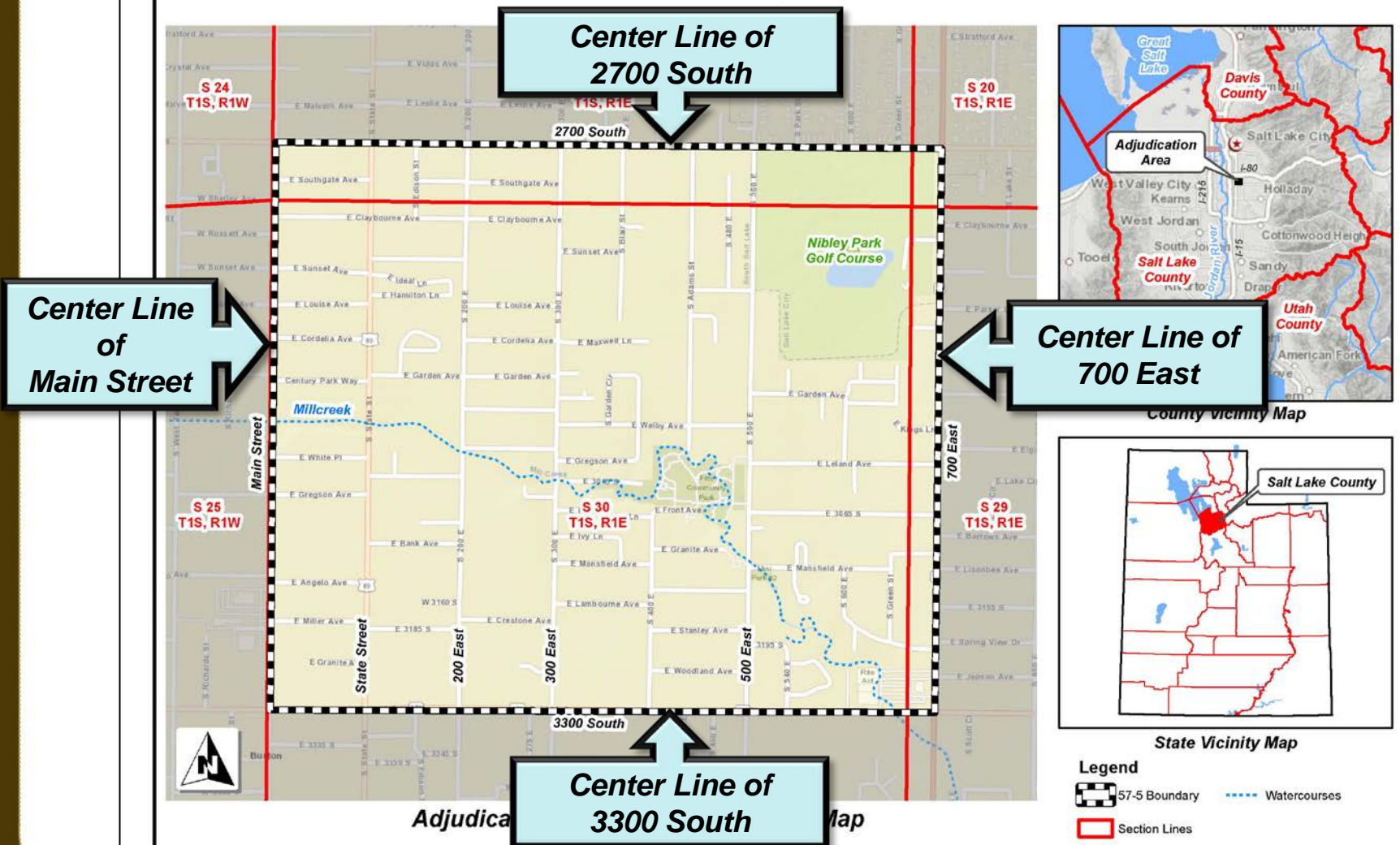
The State Engineer has prepared and served notice of the Proposed



Nibley Park Proposed Determination Location Map

Location Map

Salt Lake County East Division, Nibley Park Subdivision
Area 57, Book 5



Nibley Park Proposed Determination Priority Schedule

Proposed Determination Book for Nibley Park

Area: 57 Book Number: 5

PRIORITY

FLOW

WR#

NAME

Water Source and Sources

Underground Water Well(s)

Priority
Date

Flow Rate (cfs)
or
Annual Volume (acft)

Water Right Number and
Owner of Record

1900	0.4 acft	57-4684	John Rees
1900	0.089 cfs	57-4955	Salt Lake City Corporation
1900	0.089 cfs	57-4956	Salt Lake City Corporation
1900	0.089 cfs	57-4957	Salt Lake City Corporation
1900	0.045 cfs	57-4958	Salt Lake City Corporation
1900	0.089 cfs	57-4959	Salt Lake City Corporation
1900	0.045 cfs	57-4960	Salt Lake City Corporation
1900	0.089 cfs	57-4961	Salt Lake City Corporation
1900	0.089 cfs	57-4962	Salt Lake City Corporation
1900	0.111 cfs	57-4963	Salt Lake City Corporation
		57-4964	Salt Lake City Corporation
		57-4941	Mrs. Harriet A. Rees
		57-4247	City of South Salt Lake
		57-4248	City of South Salt Lake
		57-4250	City of South Salt Lake
1905	0.056 cfs	57-4253	City of South Salt Lake
1905	0.056 cfs	57-4254	City of South Salt Lake
1905	0.033 cfs	57-4256	City of South Salt Lake
1905	0.15 acft	57-5371	Jeffery S. Wallace
1906	0.015 cfs	57-10513	Thayer C. Barrowes Family Trust
1906	0.178 cfs	57-3621	City of South Salt Lake
1906	1.55 acft	57-3721	Swenson, L.C.
1906	0.05 acft	57-3722	Thomas M. Rees
			Brigham D. Rees and Sharla Rees
1906	1.15 acft	57-5224	Frank W. Foulger
1907	0.134 cfs	57-4258	City of South Salt Lake
1907	0.096 cfs	57-4259	City of South Salt Lake
1907	0.051 cfs	57-4260	City of South Salt Lake

Priority Schedule

Date of Publication: August 04, 2017

Page: 2



Nibley Park Proposed Determination Description of Water Rights (Example)

Propose		Nibley Park		Area: 57 Book Number: 5																																																																					
67	57-3620	NAME: City of South Salt Lake TYPE OF RIGHT: U1520 FLOW: 0.178 cfs	PRIORITY: 1923 SOURCE: Underground Water Well																																																																						
POINT OF DIVERSION -- UNDERGROUND: [1] S 494 feet E 1676 feet from the NW corner, Section 30 T 1S R 1E SLB&M Well Diameter: 2 inches Well Depth: feet																																																																									
BENEFICIAL USE: <i>[The following use data has appurtenant supplemental water rights.]</i> Water Use Group No. 412938. Water Rights Appurtenant to the following use(s): 57-3620, 3621 IRRIGATION: from Apr 01 to Oct 31 SOLE SUPPLY: 0.1250 acre of the Group Total of 0.2500 acres. OTHER: from Jan 01 to Dec 31 MISCELLANEOUS: W. Wilson School. Acre Feet allowed by this Right for this Use: 5.88000 acre feet PLACE OF USE: (which includes all or part of the following legal subdivisions:)																																																																									
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Nibley Park Proposed Determination Description of Water Rights (Example)

Proposed Determination Book for Nibley Park

67 **57-3620** **NAME:** City of South Salt Lake
TYPE OF RIGHT: U1520 **PRIORITY:** 1923
FLOW: 0.178 cfs **SOURCE:** Underground Water Well

- Name (Owner of Record)
- Type of Right
- Flow Rate (cfs or acre-feet)

POINT OF DIVERSION -- UNDERGROUND:
 [1] S 494 feet E 1676 feet from the NW corner, Section 30 T 1S R 1E SLB&M
 Well Diameter: 2 inches Well Depth: feet

BENEFICIAL USE:
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30	1S	1E	SL		X		*				*					0.2500
Group Total:																0.2500

68 **57-3621** **NAME:** City of South Salt Lake
TYPE OF RIGHT: U1521 **PRIORITY:** 1906
FLOW: 0.178 cfs **SOURCE:** Underground Water Well

POINT OF DIVERSION -- UNDERGROUND:
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 Well Diameter: 2 inches Well Depth: feet

Description Of Water Rights **Date of Publication: August 04, 2017** **Page: 55**



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- Priority Date
- Source



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**Point of Diversion Location
&
Well Data (if available)**



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Nibley Park Proposed Determination Description of Water Rights (Example)

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Nibley Park Proposed Determination Description of Water Rights (Example)

Proposed Determination Book for Nibley Park

Area: 57 Book Number: 5

67 **57-3620 NAME:** City of South Salt Lake
TYPE OF RIGHT: U1520 **PRIORITY:** 1923
FLOW: 0.178 cfs **SOURCE:** Underground Water Well

POINT OF DIVERSION -- UNDERGROUND:

[1] S 494 feet E 1676 feet from the NW corner, Section 30 T 1S R 1E SLB&M
Well Diameter: 2 inches Well Depth: feet

BENEFICIAL USE:

[The following use data has appurtenant supplemental water rights.]

Water Use Group No. 412938. Water Rights Appurtenant to the following use(s):
57-3620, 3621

IRRIGATION: from Apr 01 to Oct 31 **SOLE SUPPLY:** 0.1250 acre in the Group Total of 0.2500 acres.

OTHER: from Jan 01 to Dec 31 **MISCELLANEOUS:** W. Wilson School.
Acre Feet allowed by this Right for this Use: 5.88000 acre feet

PLACE OF USE: (which includes all or part of the following legal subdivisions:)

----- Northwest Quarter -----				----- Northeast Quarter -----				----- Southwest Quarter -----				----- Southeast Quarter -----				Section
SC	TOWN	RANG	BS	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	Totals
30	1S	1E	SL		X		*				*					0.2500
Group Total:																0.2500

Sole Supply

68 **57-3621 NAME:** City of South Salt Lake
TYPE OF RIGHT: U1521 **PRIORITY:** 1906
FLOW: 0.178 cfs **SOURCE:** Underground Water Well

POINT OF DIVERSION -- UNDERGROUND:

[1] S 175 feet E 2347 feet from the NW corner, Section 30 T 1S R 1E SLB&M
Well Diameter: 2 inches Well Depth: feet



Nibley Park Proposed Determination Description of Water Rights (Example)

Proposed Determination Book for Nibley Park

Area: 57 Book Number: 5

67 **57-3620 NAME:** City of South Salt Lake
TYPE OF RIGHT: U1520 **PRIORITY:** 1923
FLOW: 0.178 cfs **SOURCE:** Underground Water Well

POINT OF DIVERSION -- UNDERGROUND:

[1] S 494 feet E 1676 feet from the NW corner, Section 30 T 1S R 1E SLB&M
Well Diameter: 2 inches Well Depth: feet

BENEFICIAL USE:

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Water Use Group No. 412938. Water Rights Appurtenant to the following use(s):
57-3620, 3621

IRRIGATION: from Apr 01 to Oct 31 SOLE SUPPLY: 0.1250 acre of the Group Total of 0.2500 acres.

OTHER: from Jan 01 to Dec 31 MISCELLANEOUS: W. Wilson School.
Acre Feet allowed by this Right for this Use: 5.88000 acre feet

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Group Total:																0.2500

Group Total

68 **57-3621 NAME:** City of South Salt Lake
TYPE OF RIGHT: U1521 **PRIORITY:** 1906
FLOW: 0.178 cfs **SOURCE:** Underground Water Well

POINT OF DIVERSION -- UNDERGROUND:

[1] S 175 feet E 2347 feet from the NW corner, Section 30 T 1S R 1E SLB&M
Well Diameter: 2 inches Well Depth: feet

Nibley Park Proposed Determination Description of Water Rights (Example)

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Place of Use:
Section, Township,
& Range



Nibley Park Proposed Determination Description of Water Rights (Example)

Proposed Determination Book for Nibley Park		Area: 57 Book Number: 5																																																																					
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**Place of Use:
Quarter-Quarter
(40-acre tract)**



Nibley Park Proposed Determination Description of Water Rights (Example)

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<table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="4">----- Northwest Quarter -----</th> <th colspan="4">----- Northeast Quarter -----</th> <th colspan="4">----- Southwest Quarter -----</th> <th colspan="4">----- Southeast Quarter -----</th> <th colspan="2">Section</th> </tr> <tr> <th>SC</th><th>TOWN</th><th>RANG</th><th>BS</th> <th>NW</th><th>NE</th><th>SW</th><th>SE</th> <th>NW</th><th>NE</th><th>SW</th><th>SE</th> <th>NW</th><th>NE</th><th>SW</th><th>SE</th> <th>NW</th><th>NE</th><th>SW</th><th>SE</th> <th>Totale</th> </tr> </thead> <tbody> <tr> <td>30</td><td>1S</td><td>1E</td><td>SL</td> <td></td><td>X</td><td></td><td>*</td> <td></td><td></td><td></td><td>*</td> <td></td><td></td><td></td><td>*</td> <td></td><td></td><td></td><td>*</td> <td>0.2500</td> </tr> <tr> <td colspan="20" style="text-align: right;">Group Total:</td> <td>0.2500</td> </tr> </tbody> </table>												----- Northwest Quarter -----				----- Northeast Quarter -----				----- Southwest Quarter -----				----- Southeast Quarter -----				Section		SC	TOWN	RANG	BS	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	Totale	30	1S	1E	SL		X		*				*				*				*	0.2500	Group Total:																				0.2500
----- Northwest Quarter -----				----- Northeast Quarter -----				----- Southwest Quarter -----				----- Southeast Quarter -----				Section																																																																												
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Group Total:																				0.2500																																																																								
68	57-3621	NAME:	City of South Salt Lake																																																																																									
		TYPE OF RIGHT:	U1521							PRIORITY:	1906																																																																																	
		FLOW:	0.178 cfs							SOURCE:	Underground Water Well																																																																																	
POINT OF DIVERSION -- UNDERGROUND: <div style="margin-left: 20px;"> [1] S 175 feet E 2347 feet from the NW corner, Sec Well Diameter: 2 inches Well Depth: feet </div>																																																																																												

**Place of Use:
Acreage Total per Section**



Nibley Park Proposed Determination Disallowed Rights

Water Right Number		Proposed Determination for Nibley Park		Area: 57 Book Number: 5
WR#	NAME	POINT(S) OF DIVERSION	SOURCE	
57-14	Brigham Reese	[1] S 112 feet W 777 feet from the W4 corner, Section 29 T 1S R 1E SLB&M [2] S 73 feet W 253 feet from the E4 corner, Section 30 T 1S R 1E SLB&M	Mansfield Spring	
57-127	William Koegler	[1] S 1265 feet E 3940 feet from the NW corner, Section 30 T 1S R 1E SLB&M	Underground Water Well	
57-133	Name of Owner of Record	2268 feet from the SW corner, Section 30 T 1S R 1E SLB&M	Underground Water Well	
57-143		[1] S 4097 feet E 4698 feet from the	Underground Water Well	
57-160	Jay S. Worthington	[1] S 2938 feet E 3064 feet from the NW corner, Section 30 T 1S R 1E SLB&M	Underground Water Well	
57-172	Emil Larson	[1] S 2850 feet E 1719 feet from the NW corner, Section 30 T 1S R 1E SLB&M	Underground Water Well	
57-174	Niels R. Monson	[1] S 2395 feet E 4137 feet from the NW corner, Section 30 T 1S R 1E SLB&M	Underground Water Well	
57-181	Mrs. W. L. Buckley	[1] S 2856 feet E 2323 feet from the NW corner, Section 30 T 1S R 1E SLB&M	Underground Water Well	
57-184	Margaret C. Aamodt	[1] S 931 feet E 1995 feet from the W4 corner, Section 30 T 1S R 1E SLB&M	Underground Water Well	
57-187	Joseph B. Graham	[1] N 238 feet E 1670 feet from the SW corner, Section 19 T 1S R 1E SLB&M	Underground Water Well	

Points of Diversion & Source



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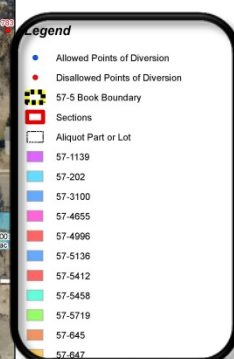
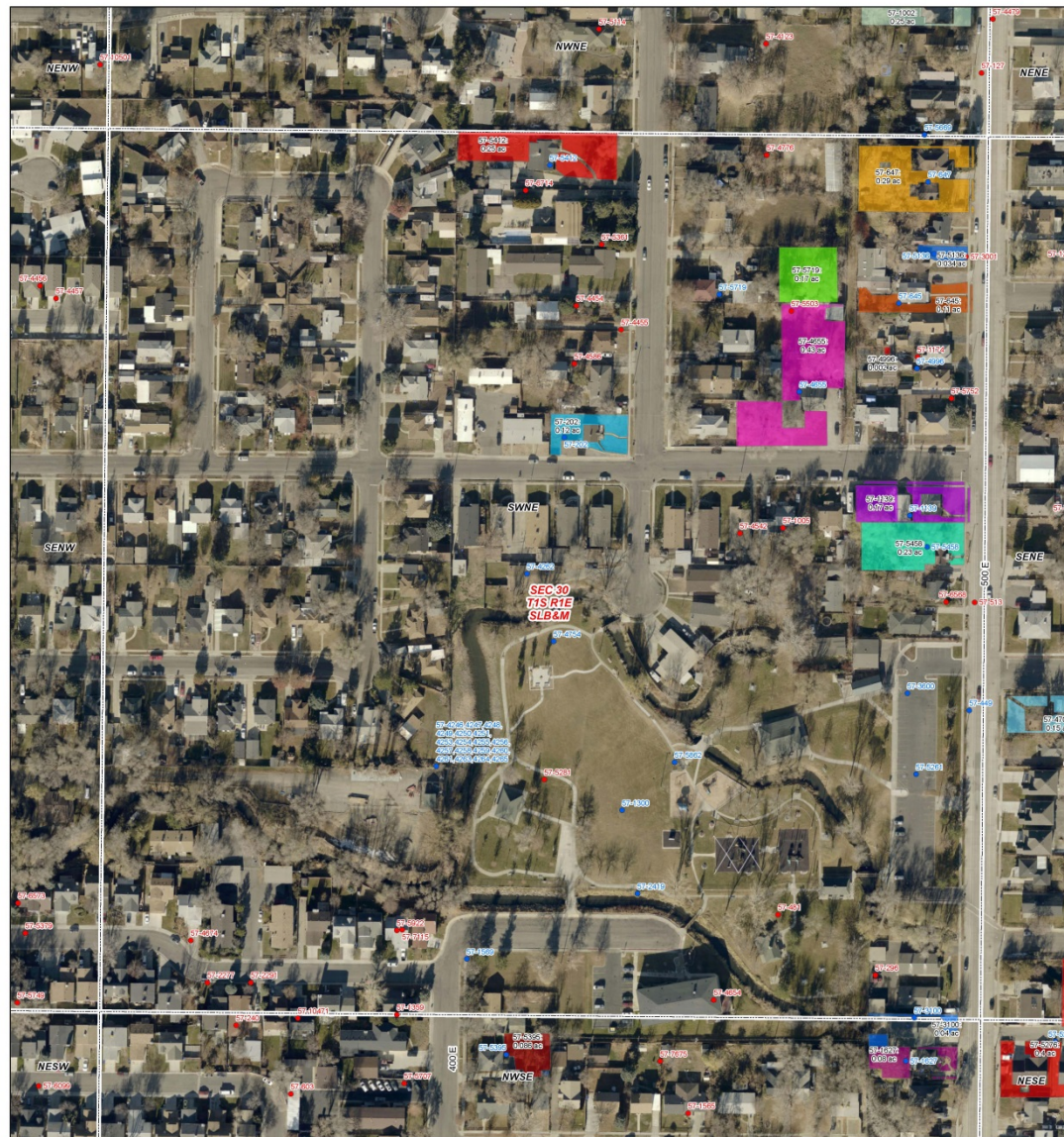
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Number

Point of Diversion Source



Nibley Park Proposed Determination Hydrographic Survey Maps



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Nibley Park Subdivision Hydrographic Survey
Area 57, Book 5
State of Utah, Department of Natural Resources, Division of Water Rights
SWNE Quarter of Section 30 Township 1S Range 1E SLB&M

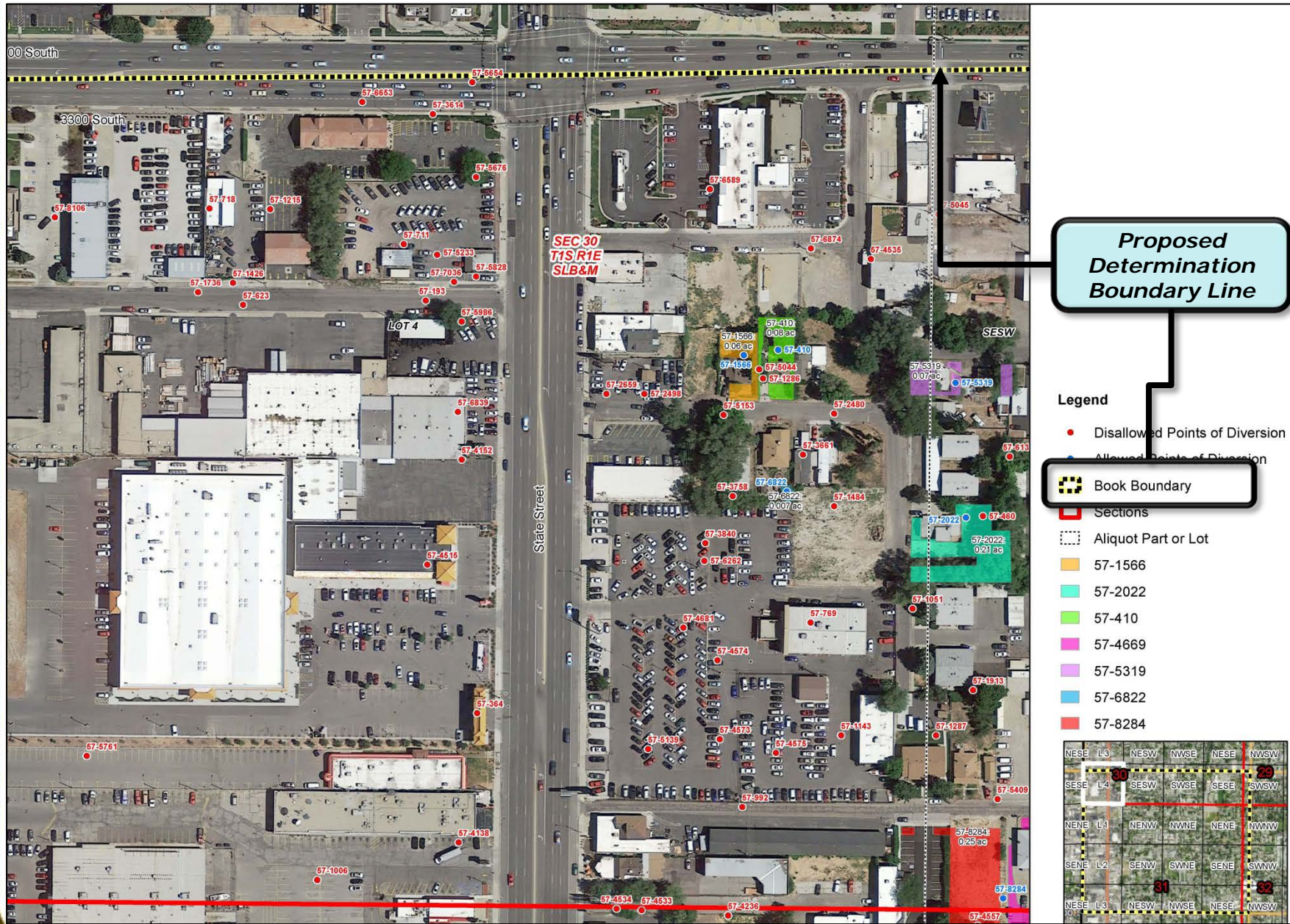
North Arrow,
Scale, and
Scale Bar

Map Legend

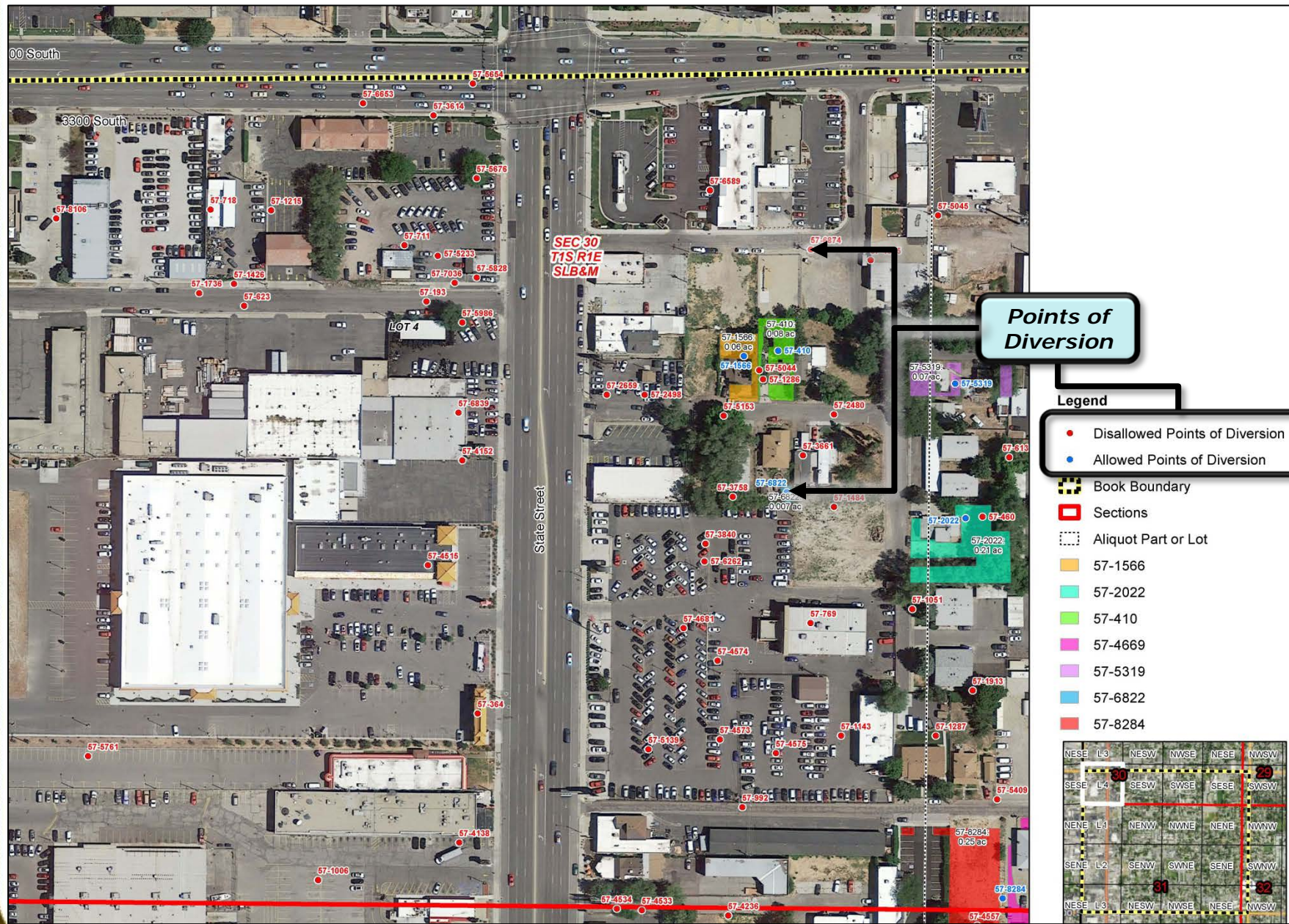
Map Location



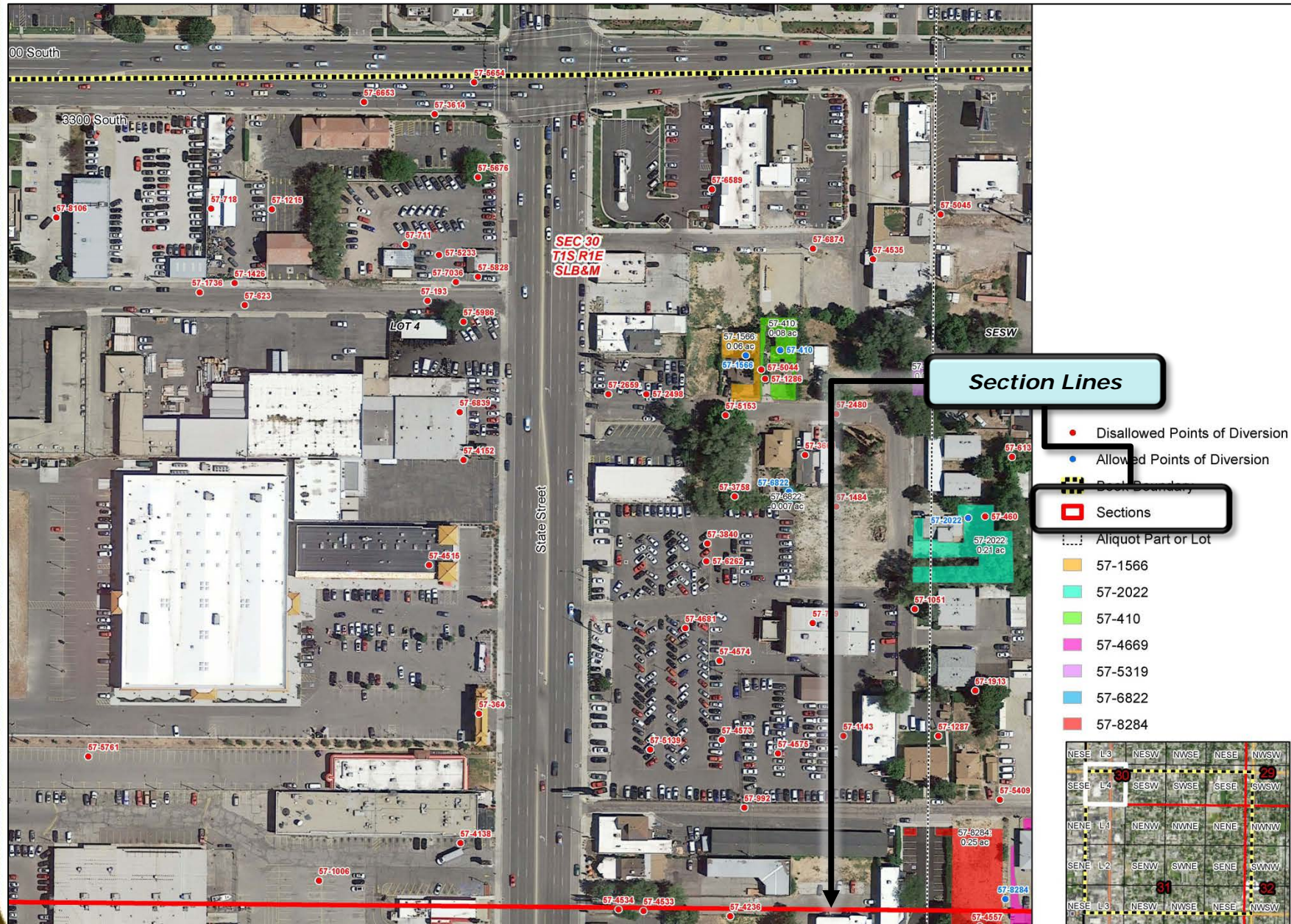
Nibley Park Proposed Determination Hydrographic Survey Maps



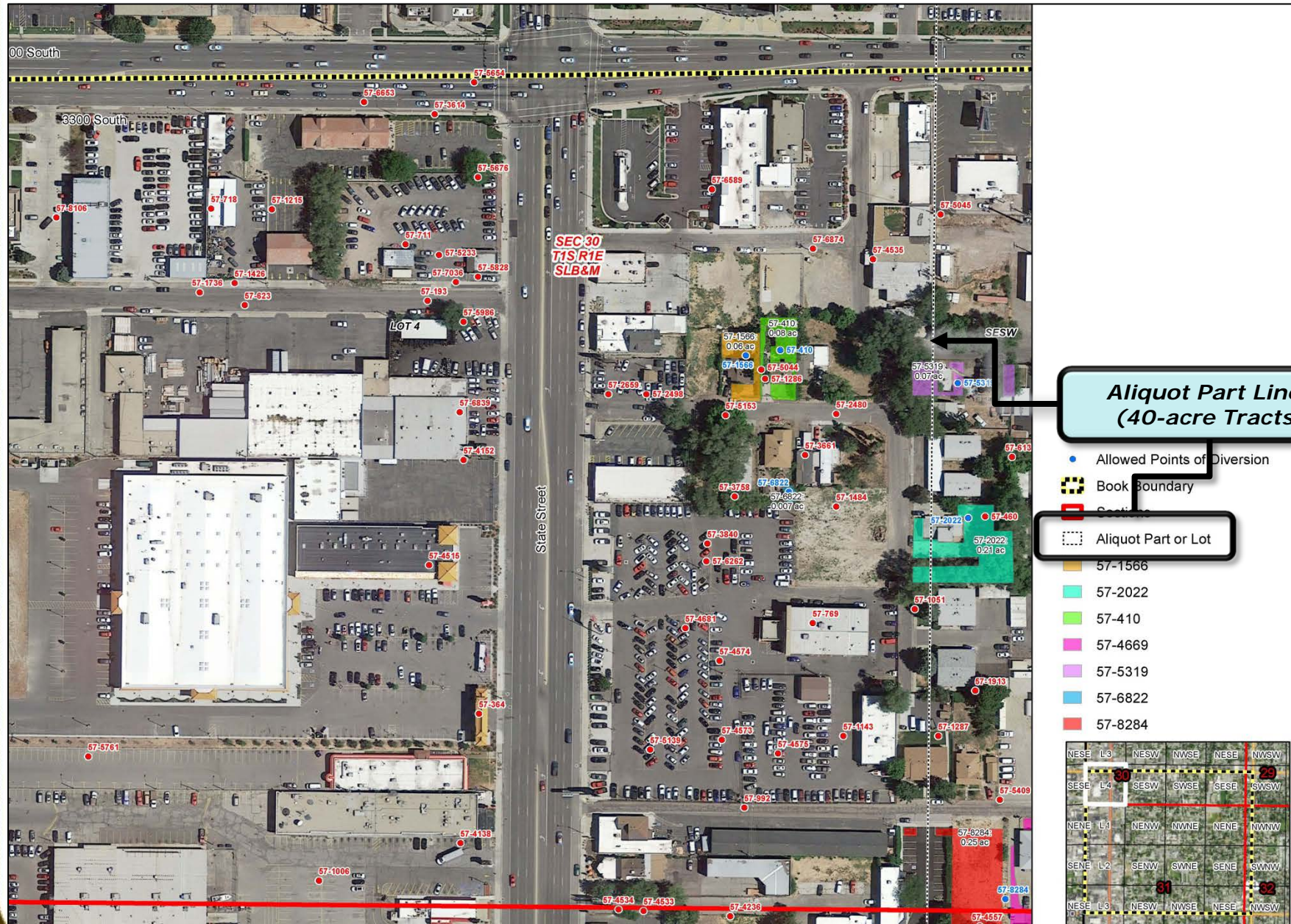
Nibley Park Proposed Determination Hydrographic Survey Maps



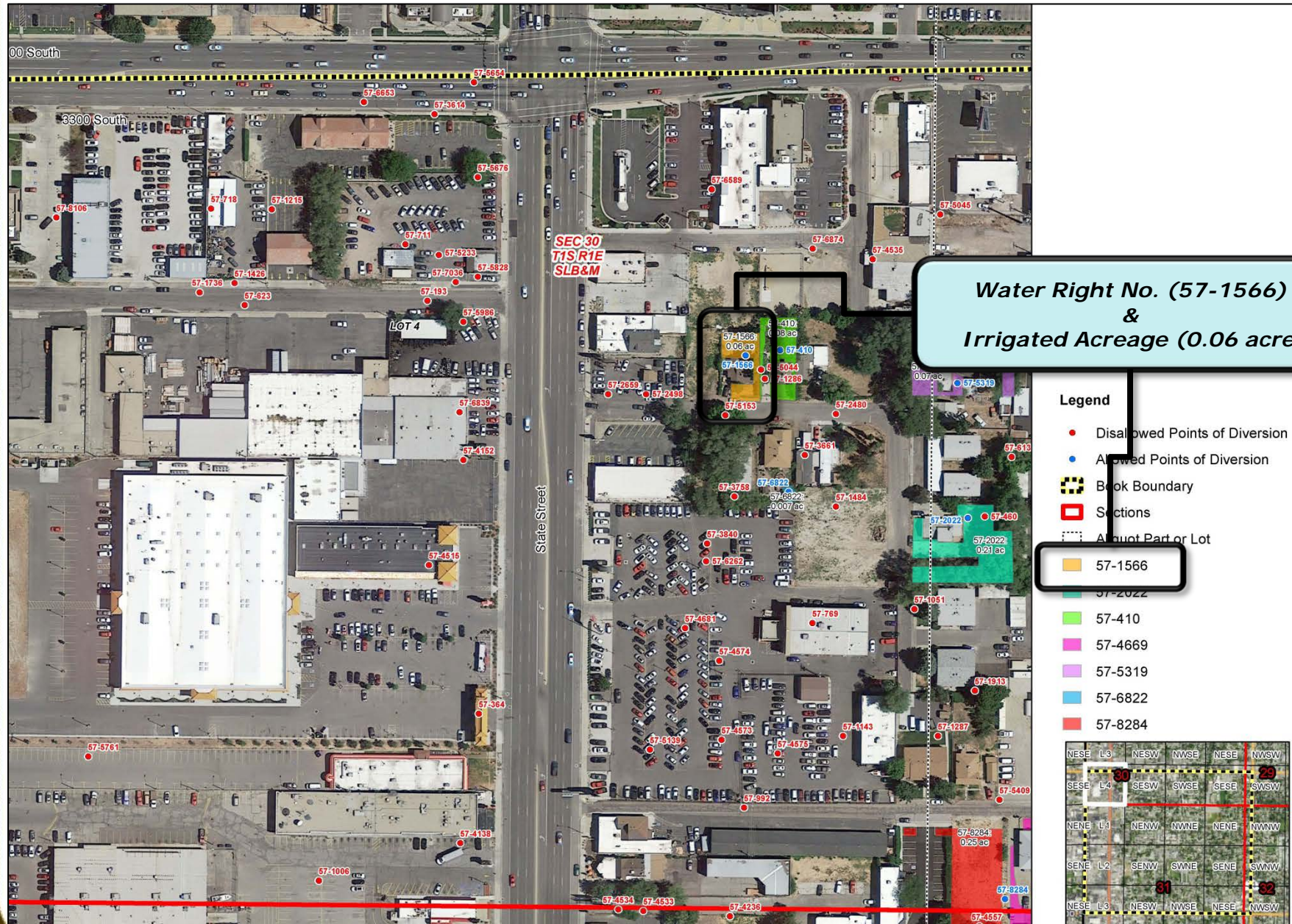
Nibley Park Proposed Determination Hydrographic Survey Maps



Nibley Park Proposed Determination Hydrographic Survey Maps



Nibley Park 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.
- Property owners within the Nibley Park adjudication area.
- Registered agents for corporate entities 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/NibleyParkPD>
- 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/NibleyParkHS>
- Hardcopies can be viewed at our office.



Who can I contact to discuss the Adjudication Process?

Blake Bingham, P.E.

Assistant State Engineer - Adjudication

E-mail: blakebingham@utah.gov

Gary Brimley, P.E.

Adjudication Engineer

E-mail: garybrimley@utah.gov

Josh Zimmerman

Adjudication Team Leader

Phone: 801-946-7168

E-mail: joshzimmerman@utah.gov

Utah Division of Water Rights

1594 West North Temple

Suite 220, PO Box 146300

Salt Lake City, UT 84114-6300

www.waterrights.utah.gov



Questions?

