



Big Plains Water and Sewer Special Service District
1777 N Meadowlark Dr, Apple Valley, Utah 84737
Phone: (435) 877-1190 Fax: (435) 877-1192
www.applevalleyut.gov

APPLICATION TO APPEAR BEFORE THE BOARD OF DIRECTORS

Date of board meeting for this agenda item to appear November 9, 2022

Paperwork returned by _____ (Date) _____

Name of Applicant: Kendra Webb Property Owner: Kenstal LLC

Mailing Address: _____

Phone: _____

Purpose of Request:

Drill a Well - permit for well drilling

Kendra Webb

Applicant Signature

Note: Final approval of this application is subject to all necessary paperwork being submitted no later than 1:00 p.m. on Wednesday, one week prior to the regularly scheduled meeting. All visual material must be submitted in a format viewable by public attending the meeting, as well as an email in PDF format for reproduction to meet notice requirements.

Chairman of the Board of Directors

Date

SSD Administration

Date

CLUFF DRILLING & PUMP
HC 65 Box 455
Fredonia, AZ 86022
(928) 640-7656
cluffdrilling@gmail.com

Well Location: N 1200' E 1023' from S4 Cor. S13, T43S, R11W, SLB&M

STATEMENT OF A WATER RIGHT SEGREGATION STATE OF UTAH

For the purpose of informing the State Engineer of the segregation of a portion of a perfected or water right application consistent with section 73-3-27, this statement is hereby made, based upon the following showing of facts.

Water Right:

Water Right Number: 81-5447
(SZUFELT)

(Document created on Aug 4, 2021 by SZUFELT)

Segregated From: 81-2850 on Aug 4, 2021
Parent Water Right Type: Decree

Owners:

Name: Kristal Markham
Address: [REDACTED]

Remarks: 0.666 AF

Interest:

Name: Kendra Webb
Address: [REDACTED]

Remarks: 0.667 AF

Interest:

Name: Merlin R. Webb Revocable Trust
Address: Kendra Webb, Trustee of the Kelland Webb
[REDACTED]

Remarks: 0.667 AF

Interest:

Dates:

Filed:

Priority: 1864

General:

Quantity of Water: 0.0072 CFS OR 2 ACFT

Source: Canaan Springs
County: Washington

Common Description: Canaan Ranch
Land Owned by Appl.:

County Tax Id#:

Points of Diversion:

Points of Diversion - Surface:

(1) N 921 ft. E 2091 ft. from SW corner, Sec 08 T 43S R 10W SLBM

Diverting Works:

Elevation:

Source:

UTM: 321336.593, 4103074.59 (NAD83)

(2) N 557 ft. E 2574 ft. from SW corner, Sec 08 T 43S R 10W SLBM

Diverting Works:

Elevation:

Source:

UTM: 321483.811, 4102963.643 (NAD83)

(3) N 52 ft. E 2719 ft. from SW corner, Sec 08 T 43S R 10W SLBM

Points of Diversion - Surface:

(1) N 921 ft. E 2091 ft. from SW corner, Sec 08 T 43S R 10W SLBM

Diverting Works:

Source:

Elevation:

UTM: 321528.007, 4102809.719 (NAD83)

(4) S 475 ft. E 2924 ft. from NW corner, Sec 17 T 43S R 10W SLBM

Diverting Works:

Source:

Elevation:

UTM: 321590.491, 4102649.089 (NAD83)

Proposed Water Uses:

Proposed Water Uses - Group Number: 610263

Water Rights Appurtenant to the following use(s):

81-2850(DEC), 81-5447(DEC),

Water Use Types:

Irrigation-Beneficial Use Amount: 0.4 acres

Group Total: 2.13

Period of Use: 01/01 to 12/31

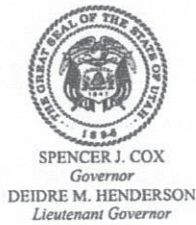
Place Of Use:

	North West				North East				South West				South East				Section
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	Totals
Sec 18 T 43S R 10W							X	X					X	X			
Group Acreage Total :																	

Use Totals:

Irrigation sole-supply total: 0.4 acres

for a group total of: 2.13 acres



SPENCER J. COX
Governor
DEIDRE M. HENDERSON
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

BRIAN C. STEED
Executive Director

TERESA WILHELMSSEN
State Engineer/Division Director

August 4, 2021

KRISTAL MARKHAM



RE: Segregated Water Right Number: 81-5447

Dear applicant:

In accordance with the information you have provided to our office, we have processed your Request to Segregate a Water Right for Water Right Number 81-2850. The portion has been assigned the new water right number of **81-5447**. Please use this new number in all future correspondence, conveyances, inquiries etc. A copy of the Statement of a Water Right Segregation is enclosed for your records.

Please let me know if you have any questions regarding this matter.

Sincerely,

Scott Zufelt
(435) 586-4231
scottzufelt@utah.gov

Enclosures



SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

BRIAN C. STEED
Executive Director

TERESA WILHELMSSEN
State Engineer/Division Director

August 4, 2021

KENDRA WEBB

RE: Segregated Water Right Number: 81-5447

Dear applicant:

In accordance with the information you have provided to our office, we have processed your Request to Segregate a Water Right for Water Right Number 81-2850. The portion has been assigned the new water right number of **81-5447**. Please use this new number in all future correspondence, conveyances, inquiries etc. A copy of the Statement of a Water Right Segregation is enclosed for your records.

Please let me know if you have any questions regarding this matter.

Sincerely,

Scott Zufelt
(435) 586-4231
scottzufelt@utah.gov

Enclosures



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Governor
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State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

BRIAN C. STEED
Executive Director

TERESA WILHELMESEN
State Engineer/Division Director

August 4, 2021

MERLIN R WEBB REVOCABLE TRUST
KENDRA WEBB TRUSTEE OF THE KELLAND WEBB SUBTRUST



RE: Segregated Water Right Number: 81-5447

Dear applicant:

In accordance with the information you have provided to our office, we have processed your Request to Segregate a Water Right for Water Right Number 81-2850. The portion has been assigned the new water right number of **81-5447**. Please use this new number in all future correspondence, conveyances, inquiries etc. A copy of the Statement of a Water Right Segregation is enclosed for your records.

Please let me know if you have any questions regarding this matter.

Sincerely,

Scott Zufelt
(435) 586-4231
scottzufelt@utah.gov

Enclosures

APPLICATION FOR PERMANENT CHANGE OF WATER

STATE OF UTAH

Rec. by KB #872

Fee Amt. \$150.00

Receipt # 22-00388

For the purpose of obtaining permission to make a permanent change of water in 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 of Section 73-3-3 Utah Code Annotated, as amended.

CHANGE APPLICATION NUMBER: 2483602

WATER RIGHT NUMBER: 81-5447

(c94205MNAY) COUNTY TAX ID: AV-1362

This Change Application proposes to change the POINT(S) OF DIVERSION, PLACE OF USE, and NATURE OF USE.

1. OWNERSHIP INFORMATION.

A. NAME: Kristal Markham

ADDRESS:

REMARKS: 0.666 AF

NAME: Kendra Webb

ADDRESS: ~~71 North 1150 West~~

~~Hurricane UT 84737~~

REMARKS: 0.667 AF

NAME: Merlin R. Webb Revocable Trust

ADDRESS: Kendra Webb, Trustee of the Kelland Webb Subtrust

~~71 North 1150 West~~

~~Hurricane UT 84737~~

REMARKS: 0.667 AF

B. PRIORITY OF CHANGE: Jan 24, 2022

FILING DATE: Jan 24, 2022

C. EVIDENCED BY: 81-5447 (DEC)

* DESCRIPTION OF CURRENT WATER RIGHT: *

2. SOURCE INFORMATION.

A. QUANTITY OF WATER: 0.0072 cfs OR 2.0 acre-feet

B. SOURCE: Canaan Springs

COUNTY: Washington

C. POINT(S) OF DIVERSION.

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JAN 24 2022
WATER RIGHTS

POINTS OF DIVERSION -- SURFACE:

- (1) N 52 feet E 2,719 feet from SW corner, Section 08, T 43S, R 10W, SLBM
 (2) N 921 feet E 2,091 feet from SW corner, Section 08, T 43S, R 10W, SLBM
 (3) N 557 feet E 2,574 feet from SW corner, Section 08, T 43S, R 10W, SLBM
 (4) S 475 feet E 2,924 feet from NW corner, Section 17, T 43S, R 10W, SLBM

3. WATER USE INFORMATION.

IRRIGATION: from Jan 1 to Dec 31. Acres: 0.4000 Supplemental Acres: 2.1300.

4. PLACE OF USE.

(Which includes all or part of the following legal subdivisions:)

BASE TOWN RANG SEC	NORTH-WEST $\frac{1}{4}$				NORTH-EAST $\frac{1}{4}$				SOUTH-WEST $\frac{1}{4}$				SOUTH-EAST $\frac{1}{4}$			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
SL 43S 10W 18				***		X	X	***				***	X	X		

THE FOLLOWING CHANGES ARE PROPOSED:

5. SOURCE INFORMATION.

A. QUANTITY OF WATER: 2.0 acre-feet

B. SOURCE: Underground Water Well

COUNTY: Washington

C. POINT(S) OF DIVERSION. Changed as Follows:

POINTS OF DIVERSION -- UNDERGROUND:

- (1) N 1.190 feet E 145 feet from S $\frac{1}{4}$ corner, Section 13, T 43S, R 11W, SLBM
 WELL DIAMETER: 8 inches WELL DEPTH: 100 to 600 feet
 COMMENT: Proposed Well Location 6
- (2) N 1.225 feet W 735 feet from SE corner, Section 13, T 43S, R 11W, SLBM
 WELL DIAMETER: 8 inches WELL DEPTH: 100 to 600 feet
 COMMENT: Proposed Well Location 5
- (3) N 1.290 feet W 780 feet from S $\frac{1}{4}$ corner, Section 13, T 43S, R 11W, SLBM
 WELL DIAMETER: 8 inches WELL DEPTH: 100 to 600 feet
 COMMENT: Proposed Well location 1
- (4) N 1.260 feet W 365 feet from S $\frac{1}{4}$ corner, Section 13, T 43S, R 11W, SLBM
 WELL DIAMETER: 8 inches WELL DEPTH: 100 to 600 feet
 COMMENT: Proposed Well Location 2
- (5) N 1.200 feet E 1,025 feet from S $\frac{1}{4}$ corner, Section 13, T 43S, R 11W, SLBM
 WELL DIAMETER: 8 inches WELL DEPTH: 100 to 600 feet
 COMMENT: Proposed Well Location 4
- (6) N 1.010 feet W 635 feet from S $\frac{1}{4}$ corner, Section 13, T 43S, R 11W, SLBM
 WELL DIAMETER: 8 inches WELL DEPTH: 100 to 600 feet
 COMMENT: Proposed Well Location 3

D. COMMON DESCRIPTION: SE of Applevalley

6. WATER USE INFORMATION. Changed as Follows:

IRRIGATION: from Jan 1 to Dec 31. Total Acres: 0.2608 Sole Supply: 0.2608.
 STOCKWATERING: from Jan 1 to Dec 31. Total Stock: 7.0000 Sole Supply: 7.0000.
 DOMESTIC: from Jan 1 to Dec 31. Total Families: 2.0000 Sole Supply: 2.0000.
 Part-Time Domestic Use

7. PLACE OF USE. Changed as Follows:

(Which includes all or part of the following legal subdivisions:)

BASE TOWN RANG SEC	NORTH-WEST 1/4				NORTH-EAST 1/4				SOUTH-WEST 1/4				SOUTH-EAST 1/4			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
SL 43S 11W 13				***					***			X	X	***		X

8. SIGNATURE OF APPLICANT(S).

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 maps and other documents attached, at the time of filing, rests with the applicant(s).

Kristal Markham

Kendra Webb

Merlin R. Webb Revocable Trust

6. WATER USE INFORMATION. Changed as Follows:

IRRIGATION: from Jan 1 to Dec 31. Total Acres: 0.2608 Sole Supply: 0.2608.

STOCKWATERING: from Jan 1 to Dec 31. Total Stock: 7.0000 Sole Supply: 7.0000.

DOMESTIC: from Jan 1 to Dec 31. Total Families: 2.0000 Sole Supply: 2.0000.
Part-Time Domestic Use

7. PLACE OF USE. Changed as Follows:

(Which includes all or part of the following legal subdivisions:)

BASE TOWN RANG SEC	NORTH-WEST $\frac{1}{4}$				NORTH-EAST $\frac{1}{4}$				SOUTH-WEST $\frac{1}{4}$				SOUTH-EAST $\frac{1}{4}$			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
SL 43S 11W 13					***				***			X	X	***		X

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Kristal Markham
Kristal Markham

Kendra Webb

Merlin R. Webb Revocable Trust

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 DOMESTIC: from Jan 1 to Dec 31. Total Families: 2.0000 Sole Supply: 2.0000.
 Part-Time Domestic Use

7. PLACE OF USE. Changed as Follows:

(Which includes all or part of the following legal subdivisions.)

BASE TOWN RANG SEC	NORTH WEST 1/4				NORTH-EAST 1/4				SOUTH-WEST 1/4				SOUTH-EAST 1/4			
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
SL 43S 11W 13											X	X			X	X

8. SIGNATURE OF APPLICANT(S).

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 maps and other documents attached, at the time of filing, rests with the applicant(s).

 Kristal Markham

 Kendra Webb

 Merlin R Webb Revocable Trust

Utah Water Right Change Map							
SWNE	SENE	SWNW	SENW	SWNE	SENE	2	SENW
NWSE 14	NESE	NWSW 13	NESW	NWSE	NESE	18 3	NESW
HA-6 HA-5 HA-2 HA-3 HA-4 HA-1							
SWSE	SESE	SWSW	SESW 43S 11W	SWSE	SESE	4 43S 10W	SESW
NWNE	NENE	NWNW	NENW	NWNE	NENE	1	NENW
23			24			19	
SWNE	SENE	SWNW	SENW	SWNE	SENE	2	SENW





Legend

Hereafter place of use
 Point of diversion

(HA-1) N 1010 ft, W 635 ft, from S4 cor, Sec 13, T 43S, R 11W, SL B&M (UTM-83: 318086.9, 4101543.5)

(HA-2) N 1190 ft, E 145 ft, from S4 cor, Sec 13, T 43S, R 11W, SL B&M (UTM-83: 318324.6, 4101598.4)

(HA-3) N 1200 ft, E 1025 ft, from S4 cor, Sec 13, T 43S, R 11W, SL B&M (UTM-83: 318592.8, 4101601.4)

(HA-4) N 1225 ft, W 735 ft, from SE cor, Sec 13, T 43S, R 11W, SL B&M (UTM-83: 318859.3, 4101590.7)

(HA-5) N 1260 ft, W 365 ft, from S4 cor, Sec 13, T 43S, R 11W, SL B&M (UTM-83: 318169.2, 4101619.7)

(HA-6) N 1290 ft, W 780 ft, from S4 cor, Sec 13, T 43S, R 11W, SL B&M (UTM-83: 318042.7, 4101628.9)

I/we Kendra Webb, hereby acknowledge that this map was prepared in support of Application 248362. I/we hereby submit this map as a true representation of the facts shown thereon to the best of my/our knowledge and belief.

Kendra Webb

Applicant(s)

1/13/2022

Date

see pages 3
for more wet
signatures

The Spectrum

PART OF THE USA TODAY NETWORK

PROOF OF PUBLICATION

STATE OF WISCONSIN
COUNTY OF BROWN

STATE OF UT/ DIV WATER RIGHTS
1594 W NORTH TEMPLE STE 330

SALT LAKE CITY UT 84116

I, being duly sworn, deposes and says that I
am an employee of The Spectrum, a
newspaper of general circulation published daily
in Saint George, Washington County, State of
Utah, also distributed in Iron County and also
forwarded to Utahlegals.com, and that the
notice is a true copy of which is here to
attached, was published in said newspaper
issues dated:

02/17/2022, 02/24/2022

for a total of 2 insertion(s) and per
Utahlegals.com will remain on Utahlegals.com
for 30 days.



Legal Clerk

Subscribed and sworn before me this
24th of February 2022.



NOTARY PUBLIC RESIDING
AT STATE OF WISCONSIN
COUNTY OF BROWN

Notary Expires: 8-25-23

SHELLY HORA
Notary Public
State of Wisconsin

Ad#:0005129710

P O : Utah Division of Water Rights

This is not an invoice

of Affidavits 1

RECEIVED

FEB 28 2022

WATER RIGHTS
SALT LAKE

GH

NOTICE TO WATER USERS

The applications below were filed with the Division of Water Rights in Iron/Washington County. These are informal proceedings per Rule 655-6-2. Protests concerning an application must be legibly written or typed, contain the name and mailing address of the protesting party, STATE THE APPLICATION NUMBER PROTESTED, CITE REASONS FOR THE PROTEST, and REQUEST A HEARING, if desired. Also, A \$15 FEE MUST BE INCLUDED FOR EACH APPLICATION PROTESTED. Protests must be filed with the Division of Water Rights on or before Mar. 16, 2022 either electronically using the Division's on-line Protest of Application form, by hand delivery to a Division office, or by mail at PO Box 146300, Salt Lake City, UT 84114-6300. Please visit waterrights.utah.gov or call (801)538-7240 for additional information.

IRON COUNTY

CHANGE APPLICATION(S)

- 73-4357 (a48360): Kent Jackson propose(s) using 1 ac-ft. from groundwater (West of Cedar City) for DOMESTIC; IRRIGATION.
- 19-466 (a48365): David and VaNae Barlow Family Trust, Les and Mary Ann Barlow Family Trust propose(s) using 3 ac-ft. from groundwater (Juniper Pines Subdivision) for DOMESTIC; IRRIGATION; STOCKWATERING.
- 71-5751 (a48368): Gregorio Andrade and Luz E Ramos Andrade propose(s) using 2 ac-ft. from groundwater (Southeast of Beryl Townsite) for DOMESTIC; IRRIGATION; STOCKWATERING.
- 71-5752 (a48376): Cory Casey and Dawn Casey propose(s) using 0.5 ac-ft. from groundwater (Northeast of Newcastle) for DOMESTIC; IRRIGATION.
- 71-5747 (a48379): Exotic BnBs, LLC propose(s) using 5 ac-ft. from groundwater (Be-

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FEB 28 2022

WATER RIGHTS
SALT LAKE

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- tween Beryl and Beryl Junc.)
for DOMESTIC; IRRIGATION.
- 73-4460 (a48401): PJB Investments LLC propose(s) using 10 ac-ft. from groundwater (East of Quichapa Lake) for DOMESTIC; IRRIGATION.
 - 71-5565 (a48404): Kinon Coles Sr and Mar F Coles and Nathan A Coles propose(s) using 1 ac-ft. from groundwater (North of 56 at Iron Mtn.) for DOMESTIC; IRRIGATION; STOCKWATERING.
 - 75-2184 (a48431): Jeff W. and Jennifer L. Hunter propose(s) using 1 ac-ft. from groundwater (West of Paragonah) for DOMESTIC; IRRIGATION.
 - 73-4475 (a48433): Robert Jackson and Megan Jackson propose(s) using 1 ac-ft. from groundwater (West of Cedar City) for DOMESTIC; IRRIGATION.
 - 73-4456 (a48434): Jeremiah Jeffs Keate, Meadows Ranches HOA INC propose(s) using 4 ac-ft. from groundwater (Meadows Ranches Subdivision) for MUNICIPAL: In Meadow Ranches HOA INC.
 - 73-4471 (a48439): AJM Investment Holdings, LLC, Central Iron County Water Conservancy District propose(s) using 42.4175 ac-ft. from groundwater (CICWCD) for MUNICIPAL: In Central Iron County WCD.
 - 71-727 (f48405): Enterprise Reservoir and Canal Company, Kerry Holt Farms propose(s) using 533.6 ac-ft. from groundwater (Southwest of Beryl Jctn.) for IRRIGATION; EXTENSION(S).
 - 75-1982 (a33753): William Lee and Debra Jean Grimm is/are filing an extension for 3 ac-ft. from groundwater (Six miles West of Parowan) for DOMESTIC; IRRIGATION; STOCKWATERING.
 - 73-2751 (a33691): James Dockstader is/are filing an extension for 3.9903 ac-ft. from groundwater (2 miles SW of Hamilton Fort) for DOMESTIC; IRRIGATION;

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WATER RIGHTS
SALT LAKE

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STOCKWATERING.
WASHINGTON COUNTY
CHANGE APPLICATION(S)

- **81-5447 (a48362):** Kristal Markham, Kendra Webb, Merlin R. Webb Revocable Trust propose(s) using 2 ac-ft. from groundwater (SE of Applevalley) for DOMESTIC; IRRIGATION;

STOCKWATERING.

- **81-5059 (a48373):** Larry Hutchings propose(s) using 0.25 ac-ft. from groundwater (Hurricane Mesa) for DOMESTIC.
- **81-4167 (a48377):** Verna Mae Conde, Palace Pass LLC propose(s) using 11 ac-ft. from groundwater (2 miles N of Pintura) for COMMERCIAL.
- **81-5397 (a48402):** Zion Holdings, LLC propose(s) using 1 ac-ft. from groundwater (Dalton Wash) for COMMERCIAL: Commercial..-Glamping Operation.
- **81-5480 (a48440):** Thad Wilcox and Carly Wilcox propose(s) using 0.75 ac-ft. from groundwater (South of Rockville) for IRRIGATION.
- **81-5477 (a48441):** Power Property LLC propose(s) using 0.25 ac-ft. from groundwater (East of Kolob Reservoir) for DOMESTIC. EXTENSION(S)
- **81-2419 (a27204a):** Riverside Development L.L.C. is/are filing an extension for 5.68 ac-ft. from groundwater (SW of St. George) for IRRIGATION.
- **81-1191 (a33412):** Nida Parajos is/are filing an extension for 1.25 ac-ft. from the Unnamed Spring (Near Kolob Reservoir) for DOMESTIC; IRRIGATION.

Teresa Wilhelmsen, P.E.
State Engineer

Pub#5129710
Published

Feb. 17, 2022 & Feb. 24, 2022
The Spectrum
UPAXLP

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FEB 28 2022

WATER RIGHTS
SALT LAKE

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SPENCER J. COX
Governor
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Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

BRIAN C. STEED
Executive Director

TERESA WILHELMSSEN
State Engineer/Division Director

ORDER OF THE STATE ENGINEER
For Permanent Change Application Number 81-5447 (a48362)

JUN 24 2022

Permanent Change Application Number 81-5447 (a48362) in the names of Kristal Markham, Kendra Webb, and Merlin R. Webb Revocable Trust was filed on January 24, 2022, to change the points of diversion, place of use, uses, and storage of 0.0072 cubic foot per second (cfs) or 2.0 acre-feet of water as evidenced by Water Right Number 81-5447. Heretofore, the water has been diverted from the following points located: (1) Surface - North 52 feet and East 2719 feet from the SW Corner of Section 8, T43S, R10W, SLB&M; (2) Surface - South 475 feet and East 2924 feet from the NW Corner of Section 17, T43S, R10W, SLB&M; (3) Surface - North 921 feet and East 2091 feet from the SW Corner of Section 8, T43S, R10W, SLB&M; (4) Surface - North 557 feet and East 2574 feet from the SW Corner of Section 8, T43S, R10W, SLB&M. The water has been used for the year-round sole supply of 0.4 acre irrigation (group total of 2.13 acres). The water has been used in all or portion(s) of Section 18, T43S, R10W, SLB&M.

Hereafter, it is proposed to divert 2.0 acre-feet of water from points of diversion changed to: (1) Well - North 1190 feet and East 145 feet from the S $\frac{1}{4}$ Corner of Section 13, T43S, R11W, SLB&M (8-inch well, 100-600 feet deep); (2) Well - North 1225 feet and West 735 feet from the SE Corner of Section 13, T43S, R11W, SLB&M (8-inch well, 100-600 feet deep); (3) Well - North 1290 feet and West 780 feet from the S $\frac{1}{4}$ Corner of Section 13, T43S, R11W, SLB&M (8-inch well, 100-600 feet deep); (4) Well - North 1260 feet and West 365 feet from the S $\frac{1}{4}$ Corner of Section 13, T43S, R11W, SLB&M (8-inch well, 100-600 feet deep); (5) Well - North 1200 feet and East 1025 feet from the S $\frac{1}{4}$ Corner of Section 13, T43S, R11W, SLB&M (8-inch well, 100-600 feet deep); (6) Well - North 1010 feet and West 635 feet from the S $\frac{1}{4}$ Corner of Section 13, T43S, R11W, SLB&M (8-inch well, 100-600 feet deep). The water is to be used for the year-round irrigation of 0.2608 acre; year-round, part-time, indoor, domestic sole supply requirements of 2.0 equivalent domestic units (EDUs); and year-round stockwatering of 7.0 equivalent livestock units (ELUs) in cattle, horses, or equivalent species. The place of use of the water is being changed to all or portion(s) of Section 13, T43S, R11W, SLB&M. Heretofore storage is removed from the application.

Notice of the application was published in The Spectrum on February 17 and 24, 2022. No protests were received.

The hereafter annual water diversion and depletion requirements for the proposed beneficial uses are equal to and less than the heretofore values, respectively.

The subject water right is within an area that is currently under an active adjudication order of the Fifth Judicial District Court. In evaluating the various elements of the underlying right, it is not the intention of the State Engineer to adjudicate the extent of the right but rather to provide sufficient definition of the right to ensure that other vested rights are not impaired by the change

without compensation, that no enlargement of the underlying right occurs, and that the Permanent Change Application satisfies the current requirements of applicable statute and policy.

It is, therefore, **ORDERED** and Permanent Change Application Number 81-5447 (a48362) is hereby **APPROVED** subject to prior rights and the following conditions:

1. This approval is limited to the rights to divert and beneficially use water and does not grant any rights of access to nor use of land or facilities not owned by the applicants.
2. As noted, this approval is granted subject to prior rights. The applicants shall be liable to mitigate or provide compensation for any impairment of or interference with prior rights as such may be stipulated among the parties or decreed by a court of competent jurisdiction.
3. Water use under this approval shall be limited to the irrigation of 0.2608 acre with a maximum annual diversion allowance of 1.304 acre-feet of water for this use, to the stockwatering of 7.0 ELUs with a maximum annual diversion allowance of 0.196 acre-foot of water for this use, and to the part-time indoor domestic requirement of 2.0 EDUs with a maximum annual diversion allowance of 0.5 acre-foot of water for this use.
4. To accommodate the approval of this permanent change application, the year-round use of 2.0 acre-feet of water to be used for the irrigation of 0.4 acre at the historical point of diversion and place of use must cease.
5. The applicants shall construct or install and maintain controlling works and a measuring device as required by Section 73-5-4 of Utah Code.
6. Although this approval does not exclude any of the points of diversion requested in the application, start cards for the wells applied for will not accompany this decision. The application must request a start card for each individual well as the applicant desires to construct it. Contact should be made with the Cedar City Office of the Division of Water Rights, either in writing or by phone at (435) 586-4231, for issuance of the start card authorizing a licensed well driller to construct the well.

The State Engineer has statutory responsibility to create and maintain water right records based on an administrative process outlined in statute. The State Engineer is not authorized by statute to adjudicate water right title or the validity of established water rights. It is noted that failure to exercise a water right within the statutory period could render all or a portion of a water right invalid through forfeiture. Parties who wish to challenge the validity of a water right are advised that a declaration of forfeiture is a judicial action and the courts are available to pursue such suits (UCA 73-1-4).

SCANNED

The applicants are strongly cautioned that other permits may be required before any development of this application can begin and it is the responsibility of the applicants to determine the applicability of and acquisition of such permits. Once all other permits have been acquired, this is your authority to develop the water under the above referenced application which under Sections 73-3-10 and 73-3-12, Utah Code Annotated, 1953, as amended, must be diligently prosecuted to completion. The water must be put to beneficial use and proof must be filed on or before June 30, 2029, or a request for extension of time must be acceptably filed and subsequently approved; otherwise, the application will be lapsed.

Proof of beneficial use is evidence to the State Engineer that the water has been fully placed to its intended beneficial use. By law, it must be prepared by a registered engineer or land surveyor, who will certify to the location, uses, and extent of your water right. Upon the submission of proof as required by Section 73-3-16, Utah Code, for this application, the applicants must identify every source of water used under this application and the amount of water used from that source. The proof must also show the capacity of the sources of supply and demonstrate that each source can provide the water claimed to be diverted under this right as well as all other water rights, which may be approved to be diverted from those sources.

Failure on your part to comply with the requirements of the applicable statutes may result in the lapsing of this permanent change application.

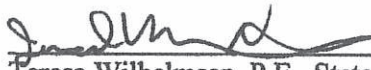
It is the applicants' responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership. Additionally, if ownership of this water right or the property with which it is associated changes, the records of the Division of Water Rights should be updated. For assistance in updating title to the water right please contact the Division at the phone number below.

Your contact with this office, should you need it, is with the Southwestern Regional Office. The telephone number is 435-586-4231.

This Order is subject to the provisions of Administrative Rule R655-6-17 of the Division of Water Rights and to Sections 63G-4-302, 63G-4-402, and 73-3-14 of the Utah Code which provide for filing either a Request for Reconsideration with the State Engineer or for judicial review with the appropriate District Court. A Request for Reconsideration must be filed in writing with the State Engineer within 20 days of the date of this Order. The written request shall be filed in-person, by mail, or electronically. If the request is filed electronically it shall be submitted to: waterrights@utah.gov, which is the authorized general email for the Division. However, a Request for Reconsideration is not a prerequisite to filing for judicial review. A petition for judicial review must be filed within 30 days after the date of this Order or, if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

ORDER OF THE STATE ENGINEER
Permanent Change Application Number
81-5447 (a48362)
Page 4

Dated this 24 day of June, 2022.

for 
Teresa Wilhelmsen, P.E., State Engineer

Mailed a copy of the foregoing Order this 24 day of June, 2022 to:

Kristal Markham


Kendra Webb


Merlin R. Webb Revocable Trust
Kendra Webb, Trustee of the Kelland Webb Subtrust


BY: 
Doralee Cannon, Applications/Records Secretary

SCANNED

APPLICANT CARD **for Change Application: a48362(81-5447)** **DUPLICATE/REISSUED**

IMPORTANT: THIS CARD MUST BE COMPLETED, SIGNED AND RETURNED BY THE WELL OWNER/APPLICANT AS SOON AS THE WELL IS DRILLED BY A LICENSED UTAH WELL DRILLER. **PROOF DUE/EXPIRATION DATE:** June 30, 2029

OWNER/APPLICANT: Kendra Webb

MAILING ADDRESS: [REDACTED]

PHONE NUMBER: --

WELL LOCATION: N 1200' E 1025' from S4 Cor, S13, T43S , R 11W, SLB&M

WELL UTM COORDINATES: Easting: 318593 Northing: 4101601

WELL ACTIVITY: **NEW(X)** REPLACE() REPAIR() DEEPEN()

WELL COMPLETION DATE: _____

NAME OF DRILLING COMPANY/LICENSEE: _____

Owner/Applicant Signature **Date**

NOTICE TO APPLICANT: COMPLETE AND RETURN THIS PORTION UPON FINAL WELL COMPLETION.
DO NOT GIVE THIS CARD TO LICENSED WELL DRILLER. - YOU MUST RETURN IT.
STATE OF UTAH DIVISION OF WATER RIGHTS Phone No. 801-538-7416 - FAX No. 801-538-7467

COMMENTS: _____

START/APPLICANT CARD INSTRUCTIONS: First, for each well, you must give a Driller (Start) Card to licensed driller with whom you contract to construct your well. Second, it is your responsibility to sign and return this Applicant Card to this office immediately after completion of the well.

CAUTION: There may be local health requirements for the actual siting of your well. Please check with the proper local authority before construction begins. See enclosed sheet addressing construction information.