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*Attorneys for the Utah State Engineer*

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**IN THE FIFTH JUDICIAL DISTRICT COURT  
IN AND FOR WASHINGTON COUNTY, STATE OF UTAH**

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IN THE MATTER OF THE GENERAL  
DETERMINATION OF RIGHTS TO THE  
USE OF WATER, BOTH SURFACE AND  
UNDERGROUND, WITHIN THE  
DRAINAGE AREA OF THE VIRGIN  
RIVER IN WASHINGTON, IRON, AND  
KANE COUNTIES IN UTAH

*General File*

**SUPPLMENTAL SERVICE MATRIX  
FOR EAST FORK VIRGIN RIVER  
DIVISION**

Civil No. 800507596

Special Master R.L. Knuth

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Interim State Engineer Boyd Clayton, P.E., through undersigned counsel, submits this supplement to the Service Matrix for the East Fork Virgin River Division of the Virgin River General Adjudication, Area 81 Book 2, which was filed with the Court on January 8, 2020. The State Engineer adds the following objection to the list of parties that should be served in this matter.

**81-2-20. Donald and Linda Sayles**, Objection and PD page attached as Exhibit 20.

Subject Water Right: 81-1017

PD page:

Segregations: 81-4028 and 81-4375

Service List:

R.P.E. Properties, LLC  
P.O. Box 712137  
Salt Lake City, UT 84171

Leslie and Michael Tate  
8713 Kings Hill Drive  
Salt Lake City, UT 84121

Deborah, Katherine, and  
Maureen Urpani  
PO Box 245  
Orderville, UT 84758

Dated this 11<sup>th</sup> day of February, 2020.

SEAN D. REYES  
UTAH ATTORNEY GENERAL

/s/ Sarah M. Shechter  
SARAH M. SHECHTER  
BENJAMIN J. JENSEN  
MELISSA REYNOLDS  
Assistant Attorneys General  
Attorneys for the Utah State Engineer  
1594 West North Temple, Suite 300  
Salt Lake City, Utah 84116

## **CERTIFICATE OF SERVICE**

I hereby certify that on February 11, 2020, a true and correct copy of this Service Matrix was served by electronic filing on all attorneys who have entered their appearance in this case.

*/s/ Alexandria Grimaldoag*

# **EXHIBIT 20**

August 10, 1992

Robert L. Morgan, P.E.  
State Engineer  
Division of Water Rights  
1636 West North Temple  
Salt Lake City, Ut. 84116

RECEIVED

AUG 18 1992

WATER RIGHTS  
SALT LAKE

Re: Duly filed PROTEST regarding Water Right 81-1017 as specified in Book 2 of PROPOSED DETERMINATION OF WATER RIGHTS on the VIRGIN RIVER DRAINAGE AREA - EAST FORK VIRGIN RIVER DIVISION.

Dear Mr. Morgan:

This letter and the attached documentation are to serve as our official protest concerning the inaccuracies printed out in the above mentioned Determination of Water Rights book regarding our Water Right 81-1017.

As exhibit one, we have enclosed a copy of the escrow agreement regarding the transfer of ownership from ourselves to Martin Stevens and Charles Kirkpatrick. As you can see, the Quit-Claim Deed that refers to that portion of Water Right 81-1017 was not to be filed with the county recorder until such time as the contract on the sale of the land had been paid in full. This Quit-Claim Deed, that was signed by my husband and myself was to be held by the title company until that time. Unfortunately, someone in the title company erroneously filed this Quit-Claim Deed with the Kane County Recorders office, even though the balance due on the land is far from being paid in full.

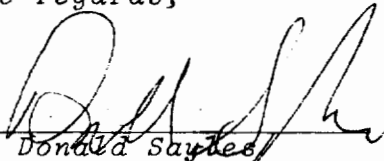
Once this error was brought to light, we had the grantees Quit-Claim the water right back to my husband and myself. I have enclosed copies of these recorded Quit-Claims to verify these reconveyances (exhibits two and three).

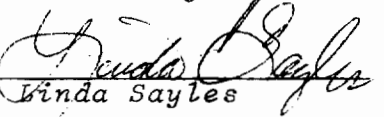
Water Right 81-1017 should reflect 100% interest in the names of Donald and Linda Sayles. Martin and Marilyn Stevens and Charles and Alma Kirkpatrick should not appear anywhere nor should they be allocated any interest in this Water Right at this time.

Please make the necessary corrections to show accurate water ownership prior to filing of the above mentioned decree with the District Court in Washington County.

Sincere regards,

NOTARY PUBLIC SPACE

Signed   
Donald Sayles

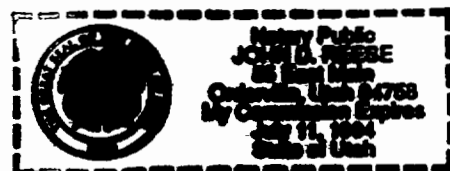
Signed   
Linda Sayles

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 14th DAY OF August 1992

  
NOTARY PUBLIC

Enclosures: Exhibits 1-3 attached.



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This Right has a total irrigated acreage for all claims of 201.85 acres.

81-1749 NAME: Sayles, Donald & Linda

INT: 100% FLOW: 0.033 cfs

TYPE OF RIGHT: D3514

PRIORITY: 1885

SOURCE: Judy Spring

MAP: 93abcd

POINT OF DIVERSION (SUR): (1) S 2970 ft. E 1300 ft. from NW Cor, Sec 3, T 41S, R 8W, SLBM.

WATER RIGHT CLAIMS IN COMMON: 1749

###STOCKWATERING: 49 Equivalent Livestock Units

PERIOD OF USE: 01/01 TO 12/31

Annual water allowed 1.38 acre-feet.

81-1017

NAME: Sayles, Donald & Linda  
Stevens, Martin and Marilyn C.  
Kirkpatrick, Charles and Alma K.

INT: 78.26% FLOW: 0.015 cfs  
INT: 10.87%  
INT: 10.87%

TYPE OF RIGHT: U22138, a16381 APP

PRIORITY: 1925

SOURCE: Underground Water Well

MAP: 93abcd

POINT OF DIVERSION (UGH): (1) N 1790 ft. W 1635 ft. from E½ Cor, Sec 4, T 41S, R 8W, SLBM.

WATER RIGHT CLAIMS IN COMMON: 1017

###STOCKWATERING: 25 Equivalent Livestock Units

PERIOD OF USE: 01/01 TO 12/31

Annual water allowed .70 acre-feet.

###DOMESTIC: 1 Family

PERIOD OF USE: 01/01 TO 12/31

Annual water allowed .45 acre-feet.

81-1750 NAME: Sayles, Donald & Linda

INT: 100% FLOW: 0.033 cfs

TYPE OF RIGHT: D3515

PRIORITY: 1885

SOURCE: Alan Spring

MAP: 93abcd

POINT OF DIVERSION (SUR): (1) N 1600 ft. W 1600 ft. from E½ Cor, Sec 4, T 41S, R 8W, SLBM.

WATER RIGHT CLAIMS IN COMMON: 1750

###STOCKWATERING: 49 Equivalent Livestock Units

PERIOD OF USE: 01/01 TO 12/31

Annual water allowed 1.38 acre-feet.

81-1776 NAME: Brown, Stephen C.

INT: 100% FLOW: 0.0016 cfs

TYPE OF RIGHT: D3550

PRIORITY: 1900

SOURCE: 4 Springs

MAP: 93

POINTS OF DIVERSION (SUR): (1) N 241 ft. E 1157 ft. from SW Cor, Sec 4, T 41S, R 8W, SLBM.

- (2) N 414 ft. E 23 ft. from SW Cor, Sec 4, T 41S, R 8W, SLBM.
- (3) N 199 ft. E 1169 ft. from SW Cor, Sec 4, T 41S, R 8W, SLBM.
- (4) S 350 ft. E 1654 ft. from NW Cor, Sec 9, T 41S, R 8W, SLBM.