

BOOK 1363 PAGE 1663

09-146-0012
PETITION TO BUY WATER CONSERVANCY SUBDISTRICT FOR THE MAINTENANCE OF WATER
Gill, Donald M.

husband and wife of Roy (State)
heretofore styled Petitioner elects to purchase and hereby applies to the Roy Water Conservancy Sub-
district, heretofore styled the Subdistrict, for the allotment of the beneficial use of 69 acre-foot
of water annually for the irrigation of land situated in Weber County, Utah described as follows: (See
attached description.)

All of lot 34, Valley West Sub, no. 3, in Roy City, Weber County, Utah.

RUTH E. BAHR, CLERK
WEBER COUNTY
DEPUTY *Donna Staker*
AUG 20 8 01 AM '80
RECEIVED AND RECORDED FOR
Roy Water District
817408
scapell
PLATED VERIFIED
ENTERED MICROFILMED

The Petitioner Agrees:

1. To purchase and pay for the right to use such water, whether or not petitioner actually takes and uses the same at the price to be fixed annually by the Board of Directors of the Subdistrict which shall include the following items:
 - (a) An amount not to exceed \$5.50 annually per acre-foot for all water allotted.
 - (b) An amount, not to exceed \$12.50 annually for each delivery point, provided for the land described above. In the event of the division of the said land into separate ownerships served from the same delivery point, the said charge of \$12.50 annually shall be made for each parcel in new ownership.
 - (c) A fair proportionate amount of operation, maintenance and replacement charges estimated by the Subdistrict for its use; and a fair proportionate amount of the estimated operation, maintenance and replacement charges assessed against the Subdistrict by the Weber Basin Water Conservancy District pursuant to the Class C petition and order between the Weber Basin Water Conservancy District and Subdistrict.
2. To pay a connection charge upon the granting of this petition the sum of \$ — fee-paid which is not refundable.
3. The aggregate of the amounts so fixed in paragraphs 1 and 2 hereof shall be a tax lien upon the above described lands and shall be paid in accordance with the provisions of the Water Conservancy Act of Utah and as the same may be amended. Nothing contained in this paragraph shall be construed to exempt the Petitioner from paying the taxes levied pursuant to Sections 73-9-19 and 20 Utah Code Annotated 1953, as amended.
4. The charges specified in paragraph 1 shall remain effective against the land herein described, provided that upon application to the Subdistrict, its Board of Directors may reduce the water allotment pursuant to this petition and the charges specified in paragraph 1 to said land in separate ownership in accordance with rules and regulations of the Subdistrict's Board.
5. Project water so allotted shall be delivered at a point or points designated by the Subdistrict after consultation with petitioner or his representatives. It shall not be the responsibility of the Subdistrict to provide facilities to convey the water from such point or points to the place of use. The petitioner

agrees to bear a pro rata share of all conveyance and evaporation losses from the Weber Basin Water Conservancy District storage reservoirs, and from the Subdistrict reservoirs to the point or points of delivery.

6. If for any reason, there is a shortage of project waters available to petitioner not caused by the negligence of the Subdistrict or not within the control of the Subdistrict, no liability shall accrue against the Subdistrict, or the Weber Basin Water Conservancy District, or the United States or any of their officers, agents or employees of either of them, for any damage, direct or indirect, arising therefrom and the payments to the Subdistrict provided for herein shall not be reduced because of any such shortage or damage. Deliveries of water allotted pursuant to this petition may be reduced as determined by the Subdistrict.

7. The petitioner agrees to comply fully with all applicable Federal laws, orders and regulations, and the laws of the State of Utah, all as administered by appropriate authorities, concerning the pollution of streams, reservoirs, groundwater, or water courses with respect to thermal pollution, or the discharge of refuse, garbage, sewage effluent, industrial waste, oil, mine tailings, mineral salts, or other pollutants.

8. The provisions of the Water Conservancy Act of Utah, and the Rules and Regulations of the Board of Directors of said Subdistrict shall be binding upon the Petitioner, and this petition shall be subject to the repayment contract between the Weber Basin Water Conservancy District and the United States dated December 12, 1952, No. 1406-00-33 as amended and any contract that may be entered into by the Subdistrict for the repayment of costs incurred by it for the construction of a distribution system, pumping plant and equalizing reservoir.

Date this 3rd day of April, 19 80

Signed *Donald M. Gill*

Petitioner and Owner of lands above described.

STATE OF UTAH,
County of Weber

On the 3rd day of April, 19 80, personally appeared before me Donald M. Gill, who being by me duly sworn did say that he (they) is (are) the signers of the within instrument, who duly acknowledged to me (that he (they) executed the same.

Notary Public *Donald M. Gill*
Residing at Roy City, Weber, State of Utah

(SEAL)
My Commission Expires July 16, 1982

ORDER ON PETITION TO BUY WATER CONSERVANCY SUBDISTRICT

The notice having been given and hearing had, it is ordered that the foregoing petition of Donald M. Gill be granted and an allotment of 69 acre-foot of irrigation water is hereby made to the lands therein described, upon the terms, at the rates, and payable in the manner as determined by the District's Board of Directors.

Dated this 11th day of June, 1980
By *Richard W. DeLeon*
Chairman, Board of Directors

ATTEST:
I hereby certify that the above is a true copy of Petition and Order entered thereon by the Board of Directors of Roy Water Conservancy Subdistrict, on the 11th day of June, 1980.
James B. Burdick
Secretary

09-022-0034

PETITION TO HOY WATER CONSERVANCY SUBDISTRICT FOR THE ALLOTMENT OF WATER
Garfield, Eugene O. & Verda

husband and wife of Roy City Utah (State)
herein styled Petitioner elects to purchase and hereby applies to the Hoy Water Conservancy Sub-
district, herein styled the Subdistrict, for the allotment of the beneficial use of 76 acre-feet
of water annually for the irrigation of land situated in Weber County, Utah described as follows: (See
attached description.)

City of Roy, Lot 5, Block 4, Hy-Mesa Subdivision

The Petitioner Agrees:

1. To purchase and pay for the right to use such water, whether or not petitioner actually takes and
uses the same at the price to be fixed annually by the Board of Directors of the Subdistrict which shall
include the following items:

(a) An amount not to exceed \$6.50 annually per acre-foot for all water allowed.

(b) An amount not to exceed \$31.50 annually for each delivery point provided for the land described
above. In the event of the division of the said land into separate ownerships served from the same
delivery point, the said charge of \$31.50 annually shall be made for each parcel in new ownership.

(c) A fair proportionate amount of operation, maintenance and replacement charges estimated by the
Subdistrict for its use, and a fair proportionate amount of the estimated operation, maintenance and
replacement charges assessed against the Subdistrict by the Weber Basin Water Conservancy District
pursuant to the Class C petition and order between the Weber Basin Water Conservancy District and
Subdistrict.

Money collected pursuant to subparagraphs (a) and (b) above shall be used first to apply on the
Subdistrict's obligation to the United States under Contract No. 14-06-4005720, dated September 16,
1971; second, to apply to the Subdistrict's obligation under said Class C petition and order between
the Weber Basin Water Conservancy District and the Subdistrict; and third, to meet other obligations
of the Subdistrict.

2. To pay a connection charge upon the granting of this petition the sum of \$ 455.00 which
is not refundable.

3. The aggregate of the amounts so fixed in paragraphs 1 and 2 hereof shall be a tax lien upon the
above described lands and shall be paid in accordance with the provisions of the Water Conservancy
Act of Utah and as the same may be amended. Nothing contained in this paragraph shall be construed
to exempt the Petitioner from paying the taxes levied pursuant to Sections 73-9 and 20, Utah Code
Annotated 1953, as amended.

4. The charges specified in paragraph 1 shall remain effective against the land herein described,
provided that upon application to the Subdistrict, its Board of Directors may reallocate the water
allotted pursuant to this petition and the charges specified in paragraph 1 to parcels of said land in
separate ownership in accordance with rules and regulations of the Subdistrict's board.

5. Project water so allotted shall be delivered at a point or points designated by the Subdistrict after
consultation with petitioner or his representative. It shall not be the responsibility of the Subdistrict
to provide facilities to convey the water from such point or points to the place of use. The petitioner

agrees to bear a pro rata share of all conveyance and evaporation losses from the Weber Basin Water
Conservancy District storage reservoirs, and from the Subdistrict reservoirs to the point or points
of delivery.

6. If for any reason, there is a shortage of project waters available to petitioner not caused by the
negligence or the Subdistrict or not within the control of the Subdistrict, no liability shall accrue against
the Subdistrict, or the Weber Basin Water Conservancy District, or the United States or any of their
officers, agents, or employees of either of them, for any damage, direct or indirect, arising therefrom
and the payments to the Subdistrict provided for herein shall not be reduced because of any such
shortage or damage. Diversion of water allotted pursuant to this petition may be reduced as determined
by the Subdistrict.

7. The petitioner agrees to comply fully with all applicable Federal laws, orders and regulations,
and the laws of the State of Utah, all as administered by appropriate authorities, concerning the
pollution of streams, reservoirs, groundwater or water courses with respect to thermal pollution, or
the discharge of refuse, garbage, sewage effluent, industrial waste, oil, mine tailings, mineral salts,
or other pollutants.

8. The provisions of the Water Conservancy Act of Utah, and the rules and regulations of the Board
of Directors of said Subdistrict shall be binding upon the Petitioner, and this petition shall be subject
to the payment contract between the Weber Basin Water Conservancy District and the United
States dated December 12, 1952, No. 14-06-400-53 as amended and any contract that may be entered
into by the Subdistrict for the repayment of costs incurred by it for the construction of a distribution
system, pumping plant and equalizing reservoir.

Danielis 22 day of Oct 1979
Signed Eugene O. Garfield

Petitioner and Owner of Lands above described.

STATE OF UTAH
County of Weber

On this 22nd day of Oct 1979 personally appeared before me Eugene
O. Garfield who being by me duly sworn did say that he (they) is (are) the agent(s)
of the within instrument, who duly acknowledged to me that he (they) executed the same.

Notary Public Eugene O. Garfield
Residing at Eugene O. Garfield
County of Weber State of Utah

(SEAL)
My Commission Expires Apr 10 1980

ORDER ON PETITION TO HOY WATER CONSERVANCY SUBDISTRICT

The notice having been given and hearing had, it is ordered that the foregoing petition of
Eugene O. & Verda Garfield be granted and an allotment of 76 acre-feet of irrigation water is hereby made to the lands
therein described, upon the terms, at the rates, and payable in the manner as determined by the
District's Board of Directors.

Dated this 9th day of January 1980
By: Danielis
Chairman/Board of Directors

ATTEST:
I hereby certify that the above is a true copy of Petition and Order entered therein by the Board
of Directors of Hoy Water Conservancy Subdistrict, on the 9th day of JANUARY
1979-80

Secretary