

# CONFUSED? We want to help!

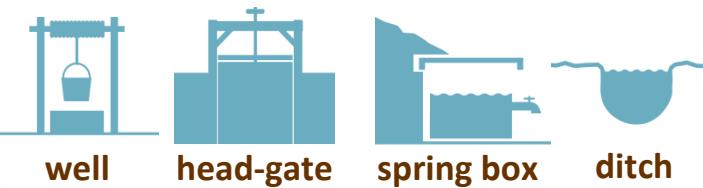
## Why am I receiving a summons?!

The summons is part of a legal process required by law called a “water rights adjudication” or “general adjudication.” The adjudication process is geared towards individuals who wish to claim a water right. The Division of Water Rights sends these notices and summons to property owners in the general area because they are the group most likely to have valid claims that the State Engineer is unaware of and to ensure that everyone has an opportunity to participate if they wish.



## What is a water right?

A water right is different than a connection to the local municipal water supply. People who have water rights are generally very aware of them because they are actively diverting water from a natural source using some type of physical structure such as a well, head-gate, spring box, or ditch.



## What is a water rights adjudication?

A water rights adjudication is a legal process that is used to identify historical and existing water rights in a specific area and document their uses.

## What is my obligation?

Generally speaking, if you think you have a water right, you should participate and file a claim when provided notice to do so; otherwise, you may simply disregard this notice. Individuals who are uncertain as to whether or not they should be participating should contact the Division of Water Rights.

## What will happen next?

The Division of Water Rights will be holding a public meeting as shown in the attached notice. We encourage you to attend. Following the public meeting, the Division of Water Rights will send a notice indicating that the 90-day claim filing period has begun and instructions on how and where to file a claim.



## How Can I find out more information?

**Website:** [www.waterrights.utah.gov/adjinfo](http://www.waterrights.utah.gov/adjinfo)

**Phone:** 801-538-5282

**Email:** [waterrights\\_adjudication@utah.gov](mailto:waterrights_adjudication@utah.gov)

**Address:** 1594 W. North Temple, Salt Lake City, UT 84116



**STILL CONFUSED? Take a moment to watch this brief video:**

[www.waterrights.utah.gov/adjinfo](http://www.waterrights.utah.gov/adjinfo)







SPENCER J. COX  
Governor

DEIDRE M. HENDERSON  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

BRIAN C. STEED  
Executive Director

### Division of Water Rights

TERESA WILHELMSEN  
State Engineer/Division Director

March 16, 2022

Dear Water User(s),

The State Engineer (Division of Water Rights) has commenced the adjudication of the Navajo Nation Subdivision (Area 09, Book 1) of the San Juan River Division within the Southeastern Colorado River General Adjudication. Water rights general adjudications are large-scale civil actions in the local district court to investigate, define, and ultimately settle all claims to water rights within a specific area. A water right is generally associated with the use of water from a well, spring, or stream and **does not include a water service connection to the local municipality**. If you want to assert or maintain a water right in the Navajo Nation Subdivision you must participate in the general water rights adjudication.

A search of our records indicates that you may be an owner (or owner's agent/legal counsel) of property or a water right within the boundary of the Navajo Nation Subdivision. Generally speaking, the Navajo Nation Subdivision consists of all lands within the State of Utah South of the San Juan River; also including all lands within the State of Utah, North of the San Juan River and encompassed within the exterior boundaries of the Navajo Nation. (see Figure 1).

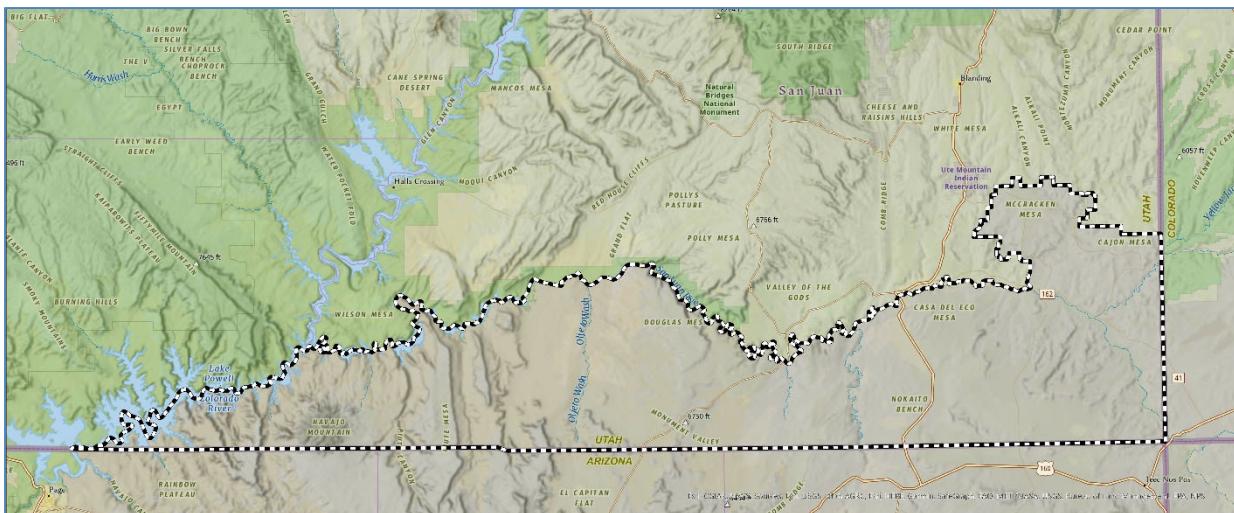


Figure 1: Navajo Nation Subdivision (09-1) Boundary

Enclosed is a statutory summons required by Utah Code § 73-4-4. This summons brings recipients under the jurisdiction of the Seventh Judicial District in and for Grand County, Utah, and makes you a party to the general adjudication action; however, it is unlike a summons you may receive in the course of traditional litigation where immediate response is mandatory. In this case, you will need to respond at a future date—of which you will be notified—if you own or want to claim a water right. Otherwise, not participating

March 16, 2022

Re: Navajo Nation Subdivision Adjudication (Area 09, Book 1)

expresses your lack of interest in making any claim(s) to a water right. Later in the process, you will receive instructions on how and when to file your claim(s).

The State Engineer will be holding **a total of four public meetings**, to meet with water users and discuss the adjudication process;

- **Monticello, March 30, 2022 at 4:00 p.m., The Hideout Community Center located at 648 South Hideout Way**
- **Blanding, March 30, 2022 at 7:00 p.m., USU Blanding Arts & Events Center located at 715 West and 200 South on the USU Blanding campus**
- **Aneth, March 31, 2022 at 10:00 a.m., The Aneth Chapter House located on SR 162 near Riverside Ct**
- **Oljato-Monument Valley, March 31, 2022 at 3:00 p.m., The Navajo Welcome Center in Monument Valley located at SR 163 and Monument Valley Rd**

You can view recordings of these meetings on-line under the meetings tab at the following address:

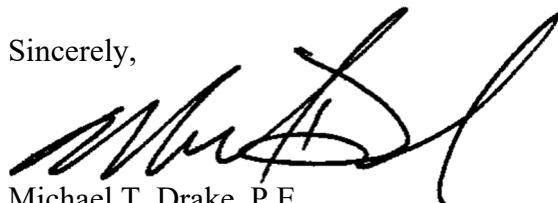
<http://www.waterrights.utah.gov>

Subsequent to the public meetings, the State Engineer will send notice to you and others in the area to submit claims to any water rights. Instructions on how and when to file claim(s) will be included with the notice at that time.

**If you have no claim to a valid water right, you are not obligated to take further action and may disregard the notice.**

Additional information about the water rights adjudication process can be found on the Division of Water Rights' website: <http://www.waterrights.utah.gov/adjinfo>. However, if you have unanswered questions regarding the adjudication process or your water rights within this area, please contact the Division of Water Rights at (801) 538-5282.

Sincerely,



Michael T. Drake, P.E.  
Assistant State Engineer - Adjudication

Enclosures

1. Summons

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*Attorneys for the Utah State Engineer*

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**IN THE SEVENTH JUDICIAL DISTRICT COURT  
GRAND COUNTY, STATE OF UTAH**

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IN THE MATTER OF THE GENERAL  
DETERMINATION OF ALL THE  
RIGHTS TO THE USE OF WATER,  
BOTH SURFACE AND  
UNDERGROUND, WITHIN THE  
DRAINAGE AREA OF THE  
COLORADO RIVER IN SAN JUAN,  
GRAND, AND UNTAH COUNTIES,  
UTAH, AND EXCLUSIVE OF THE  
GREEN RIVER DRAINAGE

**SAN JUAN RIVER DIVISION,  
NAVAJO NATION SUBDIVISION  
AREA 09, BOOK 1**

**SUMMONS**

Judge Don M. Torgerson

Civil No. 810704477 (09-1)

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IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT IN AND  
FOR THE COUNTY OF GRAND, STATE OF UTAH, IN THE MATTER OF THE  
GENERAL ADJUDICATION OF WATER RIGHTS, SAN JUAN RIVER DIVISION,  
NAVAJO NATION SUBDIVISION.

**SUMMONS**

The State of Utah to the said defendant:

You are hereby summoned to appear and defend the above entitled action which is brought for the purpose of making a general determination of the water rights of the described water source. Upon the service of this summons upon you, you will thereafter be subject to the jurisdiction of the entitled court and it shall be your duty to follow further proceedings in the above entitled action and to protect your rights therein. The State Engineer will give a further notice, sent to your last-known address that you must file a statement of claim in this action setting forth the nature of your claim, and said notice will specify the date upon which your statement of claim is due. Thereafter, you must file said claim within the time set and your failure so to do will constitute a default in the premises and a judgment may be entered against you declaring that you have no right to the use of water not claimed.

DATED this 16<sup>th</sup> day of March, 2022.

SEAN D. REYES  
UTAH ATTORNEY GENERAL

/s/ Sarah M. Shechter  
SARAH M. SHECHTER  
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