

SMITH | HARTVIGSEN <sup>PLLC</sup>  
ATTORNEYS AT LAW

# WATER & THE LAW

The Walker Center | 175 South Main Street | Suite 300 | Salt Lake City, UT 84111 | 801.413.1600

To view more information about water law in Utah, visit our water blog at

[utahwaterrights.blogspot.com](http://utahwaterrights.blogspot.com)

## Greetings!

Welcome to this issue of *Water and the Law*. We hope you will find this newsletter to be helpful and informative. As always, we welcome your feedback. If you have questions or comments, please reply to this e-mail or call us at 801-413-1600.

Smith Hartvigsen, PLLC



## Contact Us

If you have any questions or if you would like to see something discussed in the future, please let us know by sending an e-mail to [info@smithlawonline.com](mailto:info@smithlawonline.com)

Or contact one of us directly through the following links:

[Craig Smith](#)  
[David Hartvigsen](#)  
[Matt Jensen](#)  
[Jeff Gittins](#)  
[Rick Rathbun](#)  
Megan Garrett  
Graham Gilbert

To view previous newsletters, visit our website at [www.smithhartvigsen.com](http://www.smithhartvigsen.com)

## Announcements from Smith Hartvigsen

Smith Hartvigsen is pleased to announce that Jeffrey R. Gittins will become a partner effective January 1, 2013. We are also pleased to announce the addition of two associates to the firm: Megan Garrett and Graham Gilbert.

**Jeff Gittins** practices primarily in the areas of water law and land use. Jeff joined Smith Hartvigsen as an associate in 2008 following a one-year clerkship with the Honorable Justice Jill N. Parrish of the Utah Supreme Court. Jeff maintains a leading Utah water rights law blog found at [utahwaterrights.blogspot.com](http://utahwaterrights.blogspot.com).

**Megan Garrett** joined Smith Hartvigsen in October, 2012 as an associate. Prior to joining Smith Hartvigsen, Megan was an attorney for several years at Stinson Morrison Hecker LLP. Megan's experience includes a wide range of commercial litigation matters, including aviation litigation, products liability defense, covenants not to compete, manufacturer and supplier disputes, construction litigation, employment defense, and arbitration. Megan assisted with the preparation of two amicus curiae briefs on behalf of Alliance Defense Fund in *Citizens United v. Federal Elections Commission*, Supreme Court of the United States, Case No. 08-205. Megan has also published an article titled, "A New Era in Public Land Policy? The Shift Toward Reacquisition of

Land and Natural Resources," with James R. Rasband, 53 Rocky Mtn. Min. L. Inst. 11-1 (2007).

**Graham Gilbert** practices in the areas of appellate law, wetlands regulation, environmental permitting, water quality, water law and commercial litigation. He is a graduate of Lewis and Clark College (B.A. degree, summa cum laude) and of the University of Utah S.J. Quinney College of Law (J.D. degree, Order of the Coif). Prior to law school, Mr. Gilbert worked as a consulting hydrologist for municipal, resort, agricultural, and energy clients in Colorado. Before joining Smith|Hartvigsen, Mr. Gilbert served as a clerk to the Honorable Justice Jill N. Parrish of the Utah Supreme Court. He is a member of the Utah State Bar (Salt Lake County Bar) and the American Bar Association (Environmental and Natural Resources Section) and is admitted to practice in Utah.

## ***Water Shares and Water Rights for Sale***

As a service to our clients and others, we are assisting with the sale and lease of certain water shares and water rights. The following is a list of the shares and water rights available. If you would like to know asking price or any further information, please contact J. Craig Smith or David B. Hartvigsen.

### ***Shares for Sale***

#### **Sanpete County**

=*Cedar Creek Tunnel Irrigation Co.*

183 shares (30% of the total shares of the company)  
(Point of Diversion in San Rafael River basin with  
Place of Use in Sanpete County. Trans-basin  
diversion)

#### **Salt Lake County**

=*South Jordan Canal Co.*

10 shares, 2 shares

=*Beckstead Irrigation Co.*

15 shares, 12 shares

#### **Summit County**

=*Summit Water Distribution Co.*

21 Class A shares

### **Utah / Salt Lake Counties**

=*Utah & Salt Lake Canal Co.*

108 shares, 12 shares, 4 shares, 2 shares

=*Utah Lake Distribution Co.*

56 shares, 86 shares

=*Welby Jacob Water Users Co.*

10 shares

### ***Water Rights for Sale***

#### **Utah County**

=51-7221

18 acre-feet used for irrigation (underground water in Indianola/Birdseye area). Additional water is also available.

#### **Carbon County**

=91-94

0.15 cfs / 72.4 acre-feet used for mining (Gordon Creek water)

=91-330

0.557 cfs / 252.35 acre-feet used for mining (Gordon Creek water)

=91-353

0.015 cfs / 3.62 acre-feet used for mining (Gordon Creek water)

#### **Grand County**

=92-668

595.8 acre-feet used for irrigation (Green River water)

*Sellers will sell all or any portion (1 share, 1 acre foot) of the water shares and water rights.*

### ***Water Rights for Lease***

#### **Daggett County**

=41-3470

8,000 to 11,832 acre-feet approved for municipal use on the Green River.

We welcome feedback and questions. Please contact us at [info@smithlawonline.com](mailto:info@smithlawonline.com)

Or Visit us at [www.smithhartvigsen.com](http://www.smithhartvigsen.com)

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