



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

Robert L. Morgan
State Engineer

Southwestern Area
585 North Main Street
P.O. Box 506
Cedar City, Utah 84721-0506
801-586-4231

11 May 1994

Mr. & Mrs. Verl Lobb
Mr. & Mrs. Don Pettit
Mr. & Mrs. Bud Thulin
Mr. & Mrs. Edward Williams
P.O. Box 401
BEAVER UT 84713

RE: DIVERSIONS OF BEAVER RIVER

Ladies and Gentlemen:

We received this date your letter requesting our attention to diversions of water to the "Manmouth Water District". I believe that your reference is likely intended to specify the "Mammoth Canal & Irrigation Company", one of the primary water users on the Beaver River.

In reviewing your letter, I would concede that you are correct in your statements regarding the 32 CFS flow right decreed to the Mammoth Canal. Also, your calculations of flow are essentially correct. It must be stated however, that the velocity component (5.7 feet per second) is a critical part of this calculation and is not easily measured. Use of a "floating chip" to estimate this value gives a notoriously high value and is not generally considered an acceptable method.

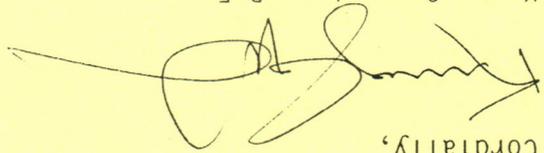
Having addressed that issue, let me briefly describe the manner in which the waters of the Beaver River are distributed. Mr. Ronnie Roberts serves as the Distribution Commissioner for this river. On a frequent basis, Mr. Roberts travels to a USGS gauging station in the mouth of Beaver Canyon and takes a reading of the flow in the river. Mr. Roberts then distributes that flow to the various users with rights to that water according to court decreed delivery schedules. At the uppermost point of diversion, there are actually several primary users whose rights are diverted at a common point, including the Mammoth Canal, the Kent's Lake Company, the Second South Bench Company, the Second North East Bench Company, the Willis Company, Beaver City, and some private parties. Except in the case of unusually high flows in the river, the existing water rights can only be satisfied by diversion of the entire flow of the river.

We are sympathetic to your concerns regarding the potential loss of vegetation in the natural channel and fire hazard existing during dry periods. However, our office has no authority to require maintenance of any minimum instream flows.

Hopefully, you can take comfort in knowing that the present levels of diversion have been occurring for approximately 100 years and yet there appears to have been sufficient subsurface flows and seasonal stream flows to maintain the natural channel. Any current reductions of vegetation could be due to area-wide drought conditions which have prevailed for about 6 of the past 7 years and which have shown their effects throughout our region.

If you wish to obtain more detailed information regarding the foregoing explanation of Beaver River diversions and distribution, you may contact Mr. Roberts at P.O. Box 605 in Beaver.

Cordially,



Kerry Carpenter, P.E.
Assistant Regional Engineer

KEC:k
pc: Ronnie Roberts / P.O. Box 605 / BEAVER UT 84713