



JON M. HUNTSMAN, JR.  
Governor

GARY R. HERBERT  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Water Rights

KENT L. JONES  
State Engineer/Division Director

April 15, 2009

Blue Mt Canal Co.  
PO BOX 763  
Monticello, Utah 84535

Carlisle Water Co.  
PO BOX 535  
Monticello, Utah 84535

City of Monticello  
PO BOX 457  
Monticello, Utah 8453

Re: Extension Requests:

SEAA 1301 / Blue Mt. Canal Co.

SEAA 1302 / Carlisle Water Co.

SEAA 1303 / City of Monticello

Dear Water Users:

Please accept our condolences at the passing of Mr. F. Bennion Redd. With consideration for Mr. Redd's passing and in response to letters received from Monticello City and the Carlisle Water Co., the Division agrees to extend the deadline for the installation of all measurement devices required under Part III of SEAA's 1301, 1302 and 1303 from May 1, 2009 to April 1, 2010.

SEAA's 1301, 1302 and 1303 state:

*The Division recognizes the need for increased regulation on the North Fork of Montezuma Creek and is working to clarify the ownership and relative priority of water rights in the area. Prior to the beginning of the 2009 irrigation season, the Division will issue an Interim Distribution Order. In addition to clarifying water rights and relative priority among the parties using water from the North Fork of Montezuma Creek, the Interim Distribution Order will require monitoring and reporting of diverted flows.*

The Division is limited in its ability to regulate the distribution of water from the North Fork of Montezuma Creek until measurement devices have been installed. Consequently, the Division will delay issuing the Interim Distribution Order clarifying water rights, relative priority and requiring monitoring and reporting of flows until the 2010 irrigation season. These extension requests will require each of the water users and the Division to cooperate and work more closely together so that we may be able to deliver water according to the published distribution schedule. Each of the water users is encouraged to review the enclosed distribution schedule which will be used for this season. Finally, please consult with the Division prior



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to commencing the required measurement device work to assure that the planned measuring device will satisfy the requirements of the outstanding orders.

Monticello City requested permission to keep the existing in-line meters operational rather than replacing them with external meters. The Division is willing to consider this option subject to the following:

1. Three times per week during the 2009 irrigation season visit the meters measuring flows diverted from the North Fork of Montezuma Creek and tributary springs, water diverted from springs located in Pole Creek Canyon and water diverted from springs located in Bankhead Canyon. For each of the meters, record:
  - o Instantaneous flow
  - o Totalized flow
  - o Whether the meter was properly functioning when the employee arrived
2. Monthly, send copies of the above-listed records to:

Utah Division of Water Rights  
Southeastern Regional Office  
Marc Stilson, Regional Engineer  
319 Carbonville Road  
PO BOX 718  
Price, Utah 84501

Following the 2009 irrigation season the Division will review the records with the Monticello City Public Works Director and re-evaluate the operability of the in-line meters. If the records demonstrate that the meters are sufficiently accurate and reliable, the City may continue to use them and Part III of SEAA 1303 will be considered fulfilled. If the records demonstrate the installed meters are frequently inoperable, Monticello City will have until April 1, 2010 to install external meters.

We appreciate and thank each of the users' for their continued cooperation. Please feel free to contact me at (801) 538-7431 or Marc Stilson, Southeast Regional Engineer at (435) 613-3750 should you wish to discuss any aspect of the distribution schedule, the measurement device notices or this extension.

Sincerely,



Susan Odekirk, P.E.  
Distribution Engineer

cc: Marc Stilson

**2009 NORTH CREEK WATER RIGHTS FIELD DISTRIBUTION SCHEDULE**

CHRISTENSEN DECREE / SHELEY REPORT

DRAFT - WORK IN PROGRESS - LATEST REVISION: 02/11/09

SUBJECT TO REVISION.

W/O CONSIDERATIONS ON OTHER STREAMS

Water Right Data			OWNERSHIP		Flow Rate (cfs)											
NORTH CREEK DECREE PRIORITY	PRIORITY DATE	WATER RIGHT	ORIGINAL OWNER / HISTORY	CURRENT OWNER	North Creek						GORDON RESERVOIR					
					April 1-30	Cumulative	Percentage of Flow	May 1-31	Cumulative	Percentage of Flow*	June 1-15	Cumulative	Percentage of Flow*	June 16-Aug. 31	Cumulative	Percentage of Flow*
1	1884* (Should be 1887)	09-1278	As Per May 30, 1986 Agreement between Blue Mountain Irrigation Company and Monticello City	Monticello City	1,000	1,000	57.36%	1,000	1,000	19.26%	1,000	1,000	13.50%	1,000	1,000	11.72%
1	4/19/1918 (Should be 1887)	09-2009	500 Shares from Keith Redd	Blue Mountain Irr. / City of Monticello	0.114	1.114		0.252	1.252		0.688	1.688		0.993	1.993	
1	1887	09-2211	ORIGINAL CARLISLE RANCH WATER RIGHT	Carlisle Water Company	0.000	1.114	0.00%	1.2	3.452	33.85%	1.5	4.188	20.00%	2.0	4.993	17.65%
1	1887	09-2137	ORIGINAL BLUE MTN. IRR. CO. WATER RIGHT	Blue Mountain Irr. Co.	0.828	1.942	42.64%	3.048	6.500	46.89%	8.312	12.500	66.50%	12.007	17.000	70.63%
<b>FOR FLOWS 4.0 CFS AND BELOW</b>																
1	1884* (Should be 1887)	09-1278	As Per May 30, 1986 Agreement between Blue Mountain Irrigation Company and Monticello City	Monticello City	SAME AS ABOVE											
1	4/19/1918 (Should be 1887)	09-2009	500 Shares from Keith Redd	Blue Mountain Irr. / City of Monticello	SAME AS ABOVE											
1	1887	09-2211	ORIGINAL CARLISLE RANCH WATER RIGHT	Carlisle Water Company	SAME AS ABOVE											
1	1887	09-2137	ORIGINAL BLUE MTN. IRR. CO. WATER RIGHT	Blue Mountain Irr. Co.	SAME AS ABOVE											
2	1896		CARLISLE RANCH	Carlisle Water Company	STORAGE											
					GORDON RESERVOIR						JAN. 1 - DEC. 31					
					1,240	4,000	31.00%	1,625	4,000	40.63%	1,693	4,000	42.33%	36 AF		

