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08.02.2007

AUG 23 2007

RE: REQUEST FOR FORMAL INVESTIGATION REGARDING WATER RIGHTS
CREEK DRAINAGE IN MONTICELLO PRICE

Dear Mark,

The Carlisle Water Users have been concerned about the new collection system the City of Monticello is installing in the North Creek drainage west of Monticello. We have expressed our concerns to you verbally. As you know, the Carlisle Waters Users get their water for Gordon Reservoir from North Creek which they use to irrigate their farms. We have attempted to discuss the problem with Trent Schafer, Monticello City manager, who we believe has no interest in resolving anything. Also, an attempt to talk with the mayor of Monticello, Doug Allen, resulted with his comment "I am not going to tell you anything" regarding the control and measuring devices that Utah State law requires be installed. The conversations absolutely don't go anywhere and no resolution is possible.

Presently, there is very little, if any, water getting past their collection system. In looking in a manhole on the mountain, it appears the City is taking substantially more water than their water right entitles them to. In fact, they are taking the whole stream when ditches everywhere else are running water.

Our concerns are the following:

1. Mark Page listed Monticello City first on a paper showing water rights on North Creek. This is the paper you showed us at a water meeting we had at the San Juan County Courthouse. Carlisle Water Users were listed second. It is our understanding and belief that these rights are in conjunction with each other. Both are the priority right and both have to be honored simultaneously.
2. Monticello City Manager Trent Schafer told us that the City can take their South Creek water right out of the North Creek drainage anytime they want to. It is our belief and understanding that the water right for South Creek must be taken out of South Creek. In the event the water is not available in South Creek, it can be taken out of North Creek. Likewise, Carlisle Water Users, who have a priority right out of Spring Creek, can take the water out of North Creek when it is not available in Spring Creek.
3. It is our belief and understanding that measuring and control devices need to be installed where water is diverted from a stream. We believe State law requires that. Presently, the only measuring device, that we are aware of, is just above the pond near the water treatment plant. It is our belief that the water which is in the pipe where the measuring device is located also includes water which is from drainages other than North Creek. Therefore, there is no way to measure the amount of water they are taking from North Creek.

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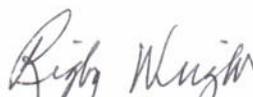
WATER RIGHTS
SALT LAKE

MS

4. Because the trust between the Carlisle Water Users and the City of Monticello has been breached, there is a need of some kind of monitoring to make sure compliance with current water rights of both parties is adhered to. The least, of which, is we should be able to check their measuring device and they should be able to check our measuring device which is located where the Carlisle Water Users and Blue Mountain Irrigation split their water.

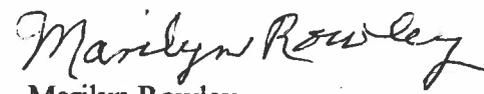
These issues need to be resolved. Therefore, we are requesting a FORMAL INVESTIGATION into the above concerns by the State Engineer and your office regarding the North Creek Drainage.

Thank you,


Rigby Wright


Grayson Redd

Jack Redd


Marilyn Rowley
Redd Investment

cc: State Engineer

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