

LHS



JAN GRAHAM
Attorney General

STATE OF UTAH

March 4, 1993

Honorable A. Lynn Payne
Eighth Judicial District Judge
Uintah County Courthouse
VERNAL UT 84078

Re: Uinta Basin General Adjudication--
1993 Interim Distribution Schedule,
Duchesne County Civil No. 3070

Dear Judge Payne:

Enclosed for your consideration are a Motion of the State Engineer and a proposed interim Order to govern distribution of water on the Duchesne-Strawberry River System for the 1993 irrigation season. As you may know, distribution of this drainage has been regulated under Order of this Court as part of the pending statutory adjudication action in Duchesne County during those years when there is anticipated to be insufficient water to satisfy existing rights. Although current snowpack reports indicate that we are doing better than we have for the last several years, unfortunately it appears that an interim distribution order will again be necessary for the 1993 irrigation season. For several years prior to his untimely death, Judge Draney made some suggestions to us regarding improvements in the method of implementing the interim distribution order. We have adopted his suggestions in that regard.

Based on the procedure we have used for the past two years, we are hereby submitting the Motion and proposed Order to the Court, and are also mailing copies of the same to attorneys and other parties who have expressed interest in the distribution schedule over the years--along with a copy of this letter. As set forth in the Motion, the distribution schedule was discussed with representatives of the Duchesne-Strawberry water users at their annual distribution meeting on February 3, 1993. The water users' were supportive of adopting the same distribution schedule as last year--which is what we are proposing to the Court.

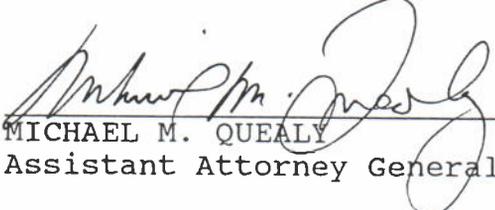
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Since the distribution order need not be signed until April 1st, this should allow any interested water users to file written objections. If any such objections are filed, we would ask the Court to set the matter down for hearing as soon as reasonably possible prior to April 1, 1993--although due to the high snowpack it may not be critical that the distribution order be in effect on April 1st as has been the case the past two years. This will allow us a little more "wiggle room" if that is necessary.

If no objections are filed and these documents otherwise appear to be in order, I would appreciate your executing the order at the appropriate time and forwarding the documents on to the Duchesne County Clerk for filing in the enclosed stamped, pre-addressed envelope. I would also appreciate a call from your clerk when you do go ahead and sign the order so that I can so advise the River Commissioner.

If you have any questions, please do not hesitate to give me a call.

Respectfully yours,


MICHAEL M. QUEALY
Assistant Attorney General

ccw/encls: All Counsel and Interested Parties of Record

MMQ/jr