



JON M. HUNTSMAN, JR.
Governor
GARY R. HERBERT
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER
Executive Director

JERRY D. OLDS
State Engineer/Division Director

fu

April 11, 2006

Kay Jensen
P.O. Box 93
Cleveland UT 84518

Re: Water Commissioner Appointment

Dear Kay:

This letter is to inform you that, after due consideration, the State Engineer has concluded that it would be in the best interests of the Huntington Creek Distribution System to appoint you as the water commissioner.

We appreciate the experience and knowledge that you bring to the position; those qualities were evident from the interview with you on April 6th. However, it is apparent from the two Huntington Creek Distribution meetings that have been held this year that there are concerns related to the water commissioner position that need to be resolved.

The appointment is for a four-year term, however, failure to assist in resolving the concerns mentioned would be considered by the State Engineer as cause for removal from office as described in Section 73-5-1(4)(a) Utah Code Annotated.

The concerns may be generally described as follows:

- 1) There appears to be a considerable amount of confusion about the tasks that are the work of the Huntington Cleveland Irrigation Company water master and the tasks that are the work of the Huntington Creek Water Commissioner. Even though you will be filling both positions, we need to differentiate between the two positions and define the related tasks. We also need to educate the water users on the creek concerning the differences between the two positions.
- 2) There has been progress made in improving the annual report, however, additional improvement is needed. The report needs to become more clearly focused on the regulation of water on the distribution system and the data reported must more clearly show how water was distributed and the basis for the distribution decisions that were made.

- 3) There needs to be an understanding reached concerning the level of regulation effort necessary to distribute water adequately to the water users on the lower part of the distribution system. We would like to discuss this issue with you, however, the state engineer will make the determination concerning the amount of work required to successfully accomplish this part of the water commissioner responsibilities.

We would like to meet with you in the next few weeks to discuss these concerns and to begin to assist you in resolving these concerns. I will contact you to set up a date and time for our staff to meet with you.

We look forward to our continued work with you in the important responsibility of regulating and distributing water on Huntington Creek. If you have any questions related to this letter, please contact me by phone at (801) 538-7380 or by e-mail at LeeSim@utah.gov.

Respectfully,

A handwritten signature in black ink, appearing to read "Lee H. Sim". The signature is written in a cursive style with a large initial "L" and "S".

Lee H. Sim, P.E.
Assistant State Engineer

cc: Distribution System File
Marc Stilson, Regional Engineer
Huntington Creek Water Users