



OLENE S. WALKER  
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Lieutenant Governor

State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
Division of Water Rights

ROBERT L. MORGAN      JERRY D. OLDS  
Executive Director      State Engineer/Division Director

April 22, 2004

**RECEIVED**

**APR 26 2004**

**WATER RIGHTS  
SALT LAKE**

Nielson Construction Inc.  
Attn: Wayne Nielson  
P.O. Box 620  
Huntington, Utah 84528

Dear Wayne:

Re: Temporary Change Application 93-283 (t28077)

On July 9, 2003, you filed the above referenced Temporary Change Application with this office on your Avery Ditch water right. The point of diversion and nature of use of the water were changed from the Avery Ditch and irrigation, to your pump on Huntington Creek north of town. The application was approved July 14, 2003, and will expire July 13, 2004.

I am writing this letter to inform you that earlier priority water users on the lower part of Huntington Creek have called for their water, and their rights are senior to this right. Therefore, you are being notified that you are to divert no further water under this application unless you receive authorization from Kay Jensen, Huntington Creek Commissioner, or this office.

In anticipation of a very poor water year, it is questionable whether there will be any water available to you under this right. Therefore, you should probably look to other sources for this construction season.

If you have any questions or wish to discuss this matter in more detail, please feel free to contact me. Your cooperation in this matter is appreciated.

Sincerely,

Mark P. Page  
Regional Engineer

Cc: Kay Jensen – Huntington Creek Commissioner  
Lee Sim – Assistant State Engineer for Distribution

MPP/mjk