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Governor

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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

December 17, 2009

Ray Pehrson
1215 Canyon Road
Logan UT 84321

Dear Mr. Pehrson:

The State Engineer has asked that I respond to your letter that we received in our office on December 8, 2009.

We are very much aware of the canal failure that resulted in three deaths and the loss of homes in the area; and like you, we feel this was a tragedy.

Your letter expressed concerns about the measures taken in response to the failure by the canal companies and by the State of Utah. The State Engineer has no authority to regulate the internal affairs of canal companies so I cannot comment on the meetings or the voting that occurred. I would certainly hope that it was done in accordance with the by-laws of both companies.

I do know that several options for repairing or replacing the failed canal have been investigated. My understanding is that from an engineering stand point, based on long term viability, safety of operation, and cost of construction, it appears the best option is to combine the Logan Northern Canal with the Logan, Hyde Park, Smithfield Canal. I believe the intent is to ensure delivery of irrigation water to all stockholders in both companies.

As far as I know, the exact cause of the failure is still undecided. State statute provides for the State Engineer to inspect and evaluate the security of a canal usually only in emergency situations. The Division of Water Rights, and especially our office in Logan, has been very involved in the meetings, planning and discussions concerning the repair or replacement of the canal. Our office will continue to be involved to ensure that water right issues are properly handled through this process.

If you have any further questions, please feel free to contact me by phone at 801-538-7380 or by e-mail at LeeSim@utah.gov or Will Atkin, Regional Engineer, by phone at 435-752-8755 or by e-mail at WillAtkin@utah.gov.

Sincerely,

Lee H. Sim, P.E.

Assistant State Engineer for Field Services

