



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

State of Utah

DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER JERRY D. OLDS
Executive Director *State Engineer/Division Director*

April 24, 2007

Lower Fremont Distribution Account Holders

SUBJECT: Voting Procedures and Updating Water Rights Ownership
 Lower Fremont River Distribution System

Dear Water Users:

During the April 10, 2007, meeting there appeared to be some confusion regarding the voting method to be employed in the referenced system; this letter provides clarification on this procedure.

Attached is a copy of a letter sent last year, prior to the selection of the water commissioner, which explains the voting procedure for the Lower Fremont River Distribution System. This procedure allows each distribution account owner one vote regardless of the size of the water right or the number of people represented by the account. For example, an irrigation company with one account gets one vote even though the company and the account represent a number of people. For the same reason, a husband and wife listed on an account get only one vote even though they are both listed on the account.

Because of the differing interests of the water users in the upper and lower sections of the system, the Lower Fremont River Distribution System was divided into two voting blocks to prevent the water users in either section of the system from controlling the decisions at the distribution meetings by outvoting the other section. Several new accounts have been added since last year. At that time, there were more accounts in the upper section than in the lower section. The voting blocks were set up to protect the interests of the water users in the lower section.

Please be aware that having a distribution account, updating your billing information with the distribution section, and making payments to the distribution system does not provide an update to the title ownership of water rights on file with the Division of Water Rights.

Water right owners are responsible for keeping water right ownership information on the Division of Water Right's water right records current as changes occur through property transactions or inheritance within a family. If title to a water right needs to be updated, you must prepare and file a separate Report of Water Right Conveyance. Unless a valid Report of Water Right Conveyance has been filed with the State Engineer, ownership of a water right will be recognized in the name of the owner identified in the records held at the Division of Water Rights. Appropriate forms are available on the Division's web site at www.waterrights.utah.gov. The payment of a Distribution Assessment does not guarantee that the water right of record is

actually in your name, you are simply the responsible party for your portion of the distribution system assessment.

If you have any questions concerning this letter, please contact Mike Silva by phone at (801) 538-7430 or by E-Mail at MikeSilva@utah.gov or Kirk Forbush by phone at (435) 896-4429 or by E-Mail at KirkForbush@utah.gov.

Sincerely,



Mike Silva
Distribution Engineer
Division of Water Rights

Attachment: February 13, 2006 letter on Voting

pc: Kirk Forbush P.E. / Regional Engineer
Becky Taft / Water Commissioner / PO BOX 154 / BICKNELL UT 84715
Lee Sim / Assistant State Engineer, Distribution