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State of Utah

DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

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

May 11, 2006

Charles A. Callis
517 East Center Street
Provo, UT 84606

RE: DISTRIBUTION ACCOUNT NO. 100765 / WATER RIGHT 95-4857

Mr. Callis:

On May 2nd 2006, representatives from the State Engineer's office were conducting a routine inspection of the Hickman Valley Water Users Association (HVWUA) pipe that crosses your property at some point along its run. During the inspection, a well groomed grass area and plumbed irrigation/sprinkling system was observed on your property. We were quite impressed by the system and success in your landscaping efforts. Later, upon review of your water right and assessment account, it was determined that the only water right of record in our files under your name is associated with a underground well as described in the attached Data Print Out for 95-4857 (A68422). This right allows for irrigation of up to ¼ acre of ground, 10 stock units and one family.

It was unclear if the water for the sprinkling system is obtained from your well or the HVWUA pipe or both. This creates one of two conditions that are addressed below:

1. If the water is solely obtained from your well, and not the HVWUA pipe, then the assessment amounts you are billed and you have been paying should be discontinued. Funds already collected to this point in time (about \$5 yearly) have been spent towards operation of the Lower Fremont Distribution System and are not recoverable.
2. If you are obtaining water from the HVWUA pipe for your sprinkling system, then there are no records in our files associated with that water right. The payment of assessments does not guarantee that you have a water right. If the right is granted by the HVWUA or some type of deed, those documents would be required to be filed with The Division of Water Rights to establish your right to use this water.

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We encourage you to clarify the source your water use, and file the appropriate documents to establish your rights for use of the HVWUA pipe water (continue to pay assessments), OR notify us that your well is the sole source of the water, and then we will discontinue your assessments.

If you have any additional questions, please contact me at 801 538-7430 or by Email at MikeSilva@Utah.gov .

Sincerely,



Mike Silva
Distribution Engineer

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