



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Norman H. Bangerter
Governor
Dee C. Hansen
Executive Director
Robert L. Morgan
State Engineer

Southern Area
130 North Main Street
P.O. Box 563
Richfield, Utah 84701-0563
801-896-4429

RECEIVED
MAY 04 1992
WATER RIGHTS
SALT LAKE

April 29, 1992

CERTIFIED MAIL - RETURN REQUESTED
NUMBER P 437 740 158

Keith P. MacKay
4560 South 300 West
Murray, Utah 84107

Dear Mr. MacKay:

Pursuant to our conversation earlier today, I am writing to formalize our compliant concerning a new point of diversion, place and nature of use in Section 24, T29S, R4E, SLB&M, which was observed during the fifth week of April, 1992.

Therefore, pursuant to our on-site conversation, I am instructing you to immediately cease the use of Fremont River water and to immediately drain the water stored in the newly constructed reservoir.

Enclosed is an Application For Temporary Change Of Water and Application For Permanent Change Of Water form. One of these must be filed, along with the filing fee and approved to change the point of diversion, place, and nature of use of an existing water right for you to begin to use the Fremont River water for the intended uses.

This letter serves to commence informal adjudicative proceedings.

Should you wish to meet with me concerning this matter I would be happy to do so. I would remind you than any delay concerning this matter will be followed by legal proceedings through the Utah State Attorney Generals office.

Respectfully yours,

Kirk Forbush, P.E.
Regional Engineer

KF/cr

cc: Lee Sim, Assistant State Engineer
John Mabey, Attorney Generals office
Bobby Edwards, River Commissioner

enclosure: forms