

STATE OF UTAH

OFFICE OF THE ATTORNEY GENERAL



JAN GRAHAM
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Director of Public Policy & Communications

MEMORANDUM

TO: ROBERT L. MORGAN, State Engineer
KENT L. JONES, Assistant State Engineer
LEE SIM, Assistant State Engineer
KIRK FORBUSH, Regional Engineer-Richfield

FROM: *JM* JOHN H. MABEY, JR., Assistant Attorney General

DATE: April 6, 1995

RE: DMADC v. Morgan, et al., Sanpete County
Civil No. 930600316; approved Change
Application No. 63-4 (a16484)

Enclosed is a copy of the ORDER APPROVING PARTIAL SETTLEMENT STIPULATION signed by Judge Tibbs March 25, 1995. As you may recall, there were two Complaints filed against Gunnison Irrigation Company's approved change application. This ORDER resolves only the issues between the five irrigation companies (DMADC) and Gunnison Irrigation Company.

All parties worked closely with Kirk Forbush and me in resolving this matter. The Richfield office will need to pay particular attention to the terms of the Order and assist the commissioner in implementing the Order where necessary.

The Complaint filed by Gunnison-Fayette Irr. Co. is still in litigation. By stipulation of the parties, Gunnison-Fayette now has until November 30, 1995 within which to prosecute their case to final judgment. I will keep you updated as to any trial dates which may be set.

Please contact me if you have any questions about this matter.

Enclosure