



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

March 8, 1994

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

Robert L. Morgan
State Engineer

1636 West North Temple, Suite 220
Salt Lake City, UT 84116-3156
801-538-7240
801-538-7467 (Fax)

James Mayer, Chairman
Box 829
409 W 4500 S
Milford, UT 84751

Dear Jim:

Re: Milford Area Distribution System

This letter is to follow up on the telephone conversation I had with you on March 2.

I am quite concerned about Richard's performance as the commissioner for your area. As you stated in our committee meeting on the 10th, the report Richard prepared is difficult to read and it appears the data is not reliable. After the meeting, we went with Richard to look at the Green Diamond wells. He had reported that the metered use from the wells was 13,000+ acre feet and he felt that the meters were bad. We also read the meters and calculated the use from the wells to be 4,057 acre feet. I asked Richard how he had done his calculations and he said that he couldn't remember. Anyone could have made a mistake in calculations, but my concern is Richard's attitude about the measurements and the report. He didn't question his calculations or ask for assistance to make sure he was right but instead faulted the meter. Richard also seems to feel that the report is unimportant. The copy he handed out at the meeting was missing several pages from the one he faxed to us earlier, but he didn't seem too concerned about it.

The quality of the report is particularly troubling to us because we met with Richard on November 10 to explain what should be included in the report and how we wanted it prepared. Enclosed are the forms we created for him to use in preparing the report. We explained them to him and he told us that he understood and would use them. As you can see, he did not use much of what we gave him.

During the 1992 irrigation season, we relied on Richard to report to us which wells had operating meters and which were out of compliance. He reported to us that all but four had meters installed. These four were then started through the court process. At the 1993 meeting, we found out that almost 50 wells did not have operable meters and Richard had reported meters installed when all he had was a promise from the water user that the meter would be installed.



James Mayer, Chairman
Continued -Page 2-

We are uncertain about the amount of effort that Richard is putting into learning the operation of the pitot tube. The new one will be easier to operate, but it will still require some effort to understand it and properly use it. I believe the pitot tube will increasingly become the way water is measured in the valley, so it is critical that the commissioner be skillful in using it.

We are going to spend more time with Richard this year to give him as much training as we can and to see if we can help him do a better job as the commissioner and prepare a better report. We also will be watching him to evaluate his efforts and his attitude towards the requirements of the position. If Richard does not improve, I don't feel that I could recommend him to the State Engineer as the commissioner for 1995. The success of the distribution program in your area depends heavily on the commissioner. If we think there are problems, I will contact you in December so we can discuss the situation before the committee meeting.

As we discussed, I will send Richard a letter concerning these problems and I will send you a copy. However, I would rather that this be kept fairly confidential for now; I think it would improve our chances of helping Richard to do his job better. Please give me a call if you have any questions or if you would like to discuss this further.

Sincerely,



Lee H. Sim, P.E.
Assistant State Engineer
for Distribution

cc: Bob Morgan, State Engineer
Gerald Stoker, Regional Engineer
The Distribution System Committee