



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

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

1636 West North Temple, Suite 220
Salt Lake City, Utah 84116-3156
801-538-7240

May 28, 1992

MR & MRS GERALD EYRE
PO 65
MINERSVILLE UT 84752

Dear Mr. & Mrs. Eyre:

Re: Order to cease use of water
Milford Area Distribution System

As a follow-up to the March 6th, 1992 notice regarding water meters, members of the staff of the Division of Water Rights and the River Commissioner inspected each well in the Milford Area Distribution System on May 21st & 22nd. A State Engineer's tag was placed on each well which was not in compliance with the notice and a list was made of the water users involved. According to our inspection your well is not metered or the meter is not working.

Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953, as amended, you are hereby ORDERED to cease the use of water from your Experimental Farm Well (the existing meter appears to work properly but flow bypasses meter) until such time as a meter in good working condition has been installed at the well. Compliance with this Order will be determined by a field inspection by the River Commissioner in the near future. Those water users whose wells are not in compliance with this Order will be reported to the Attorney General's Office and legal proceedings will then be initiated to enforce this Order.

This Order is subject to the provisions of Rule R655-6-17 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code Annotated, 1953, as amended, which provide for filing either a Request for Reconsideration with the State Engineer, or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20 days of the date of this Order. However, a Request for Reconsideration is not a prerequisite for a court appeal. A court appeal must be filed within 30 days after the date of this Order, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Order to cease the use of water
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If you have any questions concerning this Order, please contact Lee H. Sim, Assistant State Engineer at 538-7380 or Gerald Stoker, Cedar City Regional Engineer at 586-4231.

Sincerely,



Robert L. Morgan, P. E.
State Engineer

RLM:LHS:bd

cc: Lee H. Sim
Gerald Stoker
Richard Jefferson
James Mayer
John H. Mabey, Jr.