



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

March 6, 1992

Norman H. Bangertter

Governor

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Executive Director

Robert L. Morgan

State Engineer

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## MILFORD AREA DISTRIBUTION SYSTEM WATER USERS:

There has been growing concern expressed at the annual water users meeting over the past few years about the problem of broken or non-functioning water meters. It was reported this year that two thirds of the wells in the system either don't have meters or the meters don't work. Of those meters which do work, there is some question about the accuracy of their measurements.

Section 73-5-4 of the Utah Code Annotated, 1953, as amended, states in part:

"Every person using water in this state shall construct or install and maintain an operational headgate, cap, valve or other controlling works, weir, flume and measuring device at each point where water is diverted or turned out for the purpose of regulating and measuring the quantity of water that may be used. ...If the owner of irrigation works, canals, rivers, wells, pumps, or tunnels shall refuse or neglect to construct or install such headgates, caps, valves, flumes or measuring devices after thirty (30) days notice to do so by the state engineer, the state engineer may forbid the use of water until the user shall comply with his requirement."

Therefore, you are hereby notified that all wells within the Milford Area Distribution System are to be equipped with functional and accurate water meters prior to May 15, 1992. Each well will be inspected for compliance and those wells not in compliance will be tagged by the River Commissioner. The tag will represent an order to cease the use of water. Those users who do not comply will then face legal action where the State Engineer will seek a court order requiring that the well be shut off until such time as the meter is installed and functioning. This letter commences informal adjudication proceedings to be conducted pursuant to Rules R655-6 of the Administrative Rules of the Division of Water Rights.

If there are circumstances beyond your control which will prevent you from installing a meter by May 15th (i.e. delayed delivery of a meter which is on order) please contact Gerald Stoker at our Cedar City office or Lee Sim here in our Salt Lake office, prior to May 15th with evidence that the meter is on order and an indication of when it will be installed.

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It would be helpful if the meters throughout the system were of a similar type. The State Engineer cannot recommend a particular type of meter, however, we can provide some information on the different types available. If you would like a recommendation regarding the type of meters suggested by the Distribution System Committee, please contact Jim Mayer at 387-2616.

If you have any questions concerning this notice, please contact Gerald Stoker at 586-4231 or Lee Sim at 538-7380.

Sincerely,



Robert L. Morgan P.E.  
State Engineer

RLM:LHS:bd

cc: Gerald Stoker, Regional Engineer  
Richard Jefferson, River Commissioner  
Lee Sim, Assistant State Engineer  
James Mayer, Committee Chairman  
John H. Mabey, Jr., Assistant Attorney General