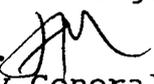


M E M O R A N D U M

TO: ROBERT L. MORGAN
State Engineer

LEE H. SIM
Assistant State Engineer
Distribution/Adjudication

GERALD STOKER
Southwestern Regional Engineer

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

DATE: February 4, 1994

RE: Dismissal of Action Against Russel Albrecht
Beaver County Civil No. 92-074

Attached is a copy of a NOTICE OF DISMISSAL which dismisses the well meter enforcement case against Russel Albrecht.

I am preparing a Motion for Summary Judgment against Greg Marshall and Brett Yardley. The plan is to have court orders in March prohibiting them from using water until functional meters are installed.

Please contact me if you have any questions.

JHM/ac

Attachment

JAN GRAHAM, No. 1231
UTAH ATTORNEY GENERAL
MICHAEL M. QUEALY, No. 2667
JOHN H. MABEY, JR., No. 4625
Assistant Attorneys General
ATTORNEYS FOR PLAINTIFF UTAH STATE ENGINEER
1636 West North Temple, Suite 300
SALT LAKE CITY UT 84116
Telephone: (801) 538-7227

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
IN AND FOR BEAVER COUNTY, STATE OF UTAH

ROBERT L. MORGAN, UTAH STATE ENGINEER,)	
)	
Plaintiff,)	NOTICE OF DISMISSAL
)	
vs.)	
)	
RUSSELL ALBRECHT,)	Civil No. 92-074
)	
Defendant.)	Honorable J. Philip Eves

Pursuant to Rule 41(a)(1) of the Utah Rules of Civil Procedure, the Plaintiff State Engineer hereby dismisses this action. No Answer has been filed by the Defendant. The Defendant has complied with the State Engineer's order to install functioning well meters.

DATED this 2nd day of February, 1994.

JAN GRAHAM
UTAH ATTORNEY GENERAL



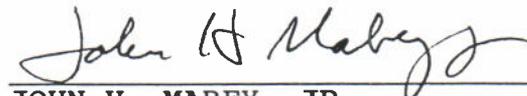
JOHN H. MABEY, JR.
Assistant Attorney General

ATTORNEYS FOR PLAINTIFF UTAH
STATE ENGINEER
1636 West North Temple, Suite 300
SALT LAKE CITY UT 84116

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of February, 1994, a true and correct copy of the NOTICE OF DISMISSAL was served by mailing the same, first-class postage prepaid, addressed as follows:

Russel Albrecht
169 East 200 South
MINERSVILLE UT 84752



JOHN H. MABEY, JR.
Assistant Attorney General