



State of Utah
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF WATER RIGHTS

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)

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

**RE: Delinquent Distribution Assessment Account
 Ross Marshall
 Water Right(s) 71-1631**

) **NOTICE OF COMMENCEMENT**
) **OF AGENCY ACTION**
)

According to Section 73-5-1(3), Utah Code Annotated (1953), all expenses for the distribution of water shall be borne pro rata by the users of water according to a schedule to be fixed by the State Engineer. You have been sent notice(s) concerning your delinquent assessment account in addition to the regular and delinquent assessment notices which have been mailed to you. The total amount due, including previous assessments and delinquent penalties, is \$51.71.

This **NOTICE OF COMMENCEMENT OF AGENCY ACTION** commences informal proceedings to be conducted pursuant to Rules R655-6 of the Administrative Rules of the Division of Water Rights. Section 73-5-1(3)(b), Utah Code Annotated (1953), authorizes the State Engineer to take certain actions to enforce payment of delinquent assessment accounts, including forbidding the use of water. These proceedings are intended to determine if there is any reason why the State Engineer should not exercise his statutory powers to prohibit your use of water until your assessment account is brought current.

In response to these proceedings, you may either pay your distribution assessment in full within thirty (30) days from the date of this letter or you may dispute your account assessment by filing a written response to the State Engineer within thirty (30) days from the date of this letter. If you fail to exercise either of these two options, the State Engineer may issue an **ORDER** forbidding you to use any water previously entitled to you under Water Right No(s) 71-163.

I strongly urge you to give this matter your immediate attention. Should you have questions regarding this **NOTICE OF COMMENCEMENT OF AGENCY ACTION**, please contact John Larsen at 538-7431 or Lee Sim, Assistant State Engineer, at 538-7380.

Dated this 26th day of October, 1995.

Sincerely,

Robert L. Morgan
 Robert L. Morgan, P.E.
 State Engineer

RLM:BW:bd

