



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)

May 18, 1995

William L. Dalton  
P. O. Box 105  
Minersville, Utah 84752

Re: Order to Cease Use of Water  
Milford Area Distribution System

Dear Mr. Dalton:

Further progress has been made with respect to the measurement of well flows in Milford Valley. As a Division we share the concerns of the Milford Valley well pumpers regarding the decreasing well levels in the valley. Once accurate information is obtained then a proper management program can be put into effect for managing the water resources. In the effort to monitor total withdrawal of ground water, cooperation of each well user is imperative to obtain this information.

An inspection of all irrigation wells in the valley was performed by Division of Water Rights personnel and the water commissioner on April 10, 11, 12, 1995. It was found that you have two wells that require water meters. The first well (#69) located at S. 1250 Ft., W. 2620 Ft., NE Corner, Sec. 21, T 29S R 10W, SLB&M., has a diesel pump on it with no meter. Also, a second well (#96) located at N. 170 Ft., W. 480 Ft., SE Corner, Sec. 35, T28S R11W, SLB&M., was found to have no water meter located on the well water portion of your irrigation system. The existing meter reads both Rocky Ford Irrigation water and well water at the same time. A water meter must be installed on the second well so its water supply can be read independently of the Rocky Ford water otherwise it will be assumed that all water read through the meter as currently installed is from the well.

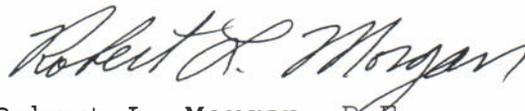
Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the first well described above until such time as an accurate and functional water meter is installed. Compliance with this order will be determined by field inspection by June 15, 1995. 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 immediately 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.

If you have any questions concerning this Order, please contact Lee H. Sim, Assistant State Engineer at 538-7380 or Kerry Carpenter, Cedar City Regional Engineer at 586-4231.

Sincerely,



Robert L. Morgan, R.E.  
State Engineer

RLM:LHS:JSL:cj

cc: Lee H. Sim  
Kerry Carpenter  
James Mayer  
Larry Maycock  
John H. Mabey, Jr.