



State of Utah
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF WATER RIGHTS

Michael O. Leavitt
 Governor
 Kathleen Clarke
 Executive Director
 Robert L. Morgan
 State Engineer

1594 West North Temple, Suite 220
 PO Box 146300
 Salt Lake City, Utah 84114-6300
 801-538-7240
 801-538-7467 (Fax)

*pd
 12/29/02*

**STATE OF UTAH
 DIVISION OF WATER RIGHTS**

DIVISION OF WATER RIGHTS Claimant vs. Ronald Paice Respondent))))))	NOTICE OF AGENCY ACTION: COLLECTION OF DELINQUENT ASSESSMENT Assessment Account No. 33-144
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TO: Ronald Paice:

The State of Utah, Division of Water Rights ("Division") notifies you that it is commencing an adjudicative proceeding in accordance with Chapter 46b, Title 63, U.C.A. 1953, Utah Administrative Procedures Act, and Division of Water Rights Rules, to determine one or more of the following:

1. Whether Ronald Paice failed to pay assessments to the state engineer for the salary and expenses of the water commissioners and other expenses related to the distribution of water?
2. Whether the state engineer should create a lien on Ronald Paice's water right for failing to pay the assessment?
3. Whether the state engineer should issue an Order to Cease the Use of Water forbidding Ronald Paice, his successor(s), or assignees to use the water while the default continues?
4. Whether the state engineer should bring an action against Ronald Paice in the district court for the unpaid expense and salary?

The Division has authority and jurisdiction to maintain this action under Sections 73-2-1, 73-2-1.1, and Chapter 5, Title 73, Administration and Distribution, U.C.A. 1953. The proceeding will be conducted informally according to rules adopted under Sections 63-46b-4 and 63-45b-5.

ALLEGED FACTS

Evidence indicates that the assessments on Account 33-144 have not been paid for at least two years and that the account is now delinquent in the amount of \$307.69 which includes the current and previous years' assessments and delinquent penalties shown below. See assessment statement attached as Exhibit A.

<u>Year</u>	<u>Assessment</u>	<u>Penalty</u>
2000	\$ 33.01	\$ 27.97
1999	32.74	32.23
1998	33.88	21.38
1997	43.35	19.74
1996	<u>56.77</u>	<u>6.62</u>
Total	\$199.75	\$107.94

PARTICIPATION

To participate in this proceeding you must provide information related to the above ALLEGED FACTS. Further, if you do not participate as described in the following paragraphs, a default order will be entered.

1. You must either provide relevant information or request a hearing. Relevant information must be mailed or delivered to the Presiding Officer.
2. If a Notice of Hearing is mailed to you, you must attend the hearing as scheduled in the notice.
3. Reasonable accommodations per Americans with Disabilities Act available with minimum 3 days advance notice.

DEFAULT

If you fail to participate as required above, the Presiding Officer will decide all issues raised by this notice without your participation and will enter a default order. Authority to default for failure to participate may be found in Section 63-46b-11 U.C.A. 1953, Subsection 63-46b-1(4)(a), and Rule R655-6-13, Utah Administrative Code .

HEARING

You may request a hearing within 20 days from the date of service on any issue of fact raised by this notice.

Even if you mail information to the Presiding Officer, the time to request a hearing will not be extended, unless the Presiding Officer gives you notice of an extension in writing.

If you decide to request a hearing, make your request in writing to the Presiding Officer named at the end of this document.

All telephone calls and mail concerning this actions should be directed to:

Robert L. Morgan
State Engineer
Utah Division of Water Rights
P.O. Box 146300
Salt Lake City, Utah 84114-6300
Telephone: (801)538-7240
Fax Number: (801)538-7467

DATED THIS 20 day of December, 2000

Robert L. Morgan
Robert L. Morgan
Presiding Officer

7000 0520 0019 1838 5119

**U.S. Postal Service
CERTIFIED MAIL RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Recipient's Name (Please Print Clearly) (To be completed by mailer)
Ronald Paice
Street, Apt. No.; or PO Box No.
City, State, ZIP+ 4

PS Form 3800, February 2000 See Reverse

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
RONALD PAICE
PO BOX 548
BEAVER UT 84713

4a. Article Number
7000 0520 0019 1838 5119

4b. Service Type
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery
12-26-00

5. Signature (Addressee)

6. Signature (Agent)
Tammy Paice

8. Addressee's Address (Only if requested and fee is paid)

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

ANNUAL WATER ASSESSMENT NOTICE

STATE OF UTAH -- DIVISION OF WATER RIGHTS
1594 WEST NORTH TEMPLE P.O. Box 146300 SALT LAKE CITY, UTAH 84114-6300

MILFORD AREA/ESCALANTE VALLEY DISTRIBUTION SYSTEM:

TOTAL SYSTEM ASSESSMENT UNITS = 14,288 ACRES

RONALD PAICE
PO BOX 548
BEAVER UT 84713

ACCOUNT NUMBER	ASSESSMENT UNITS	2000 ASSESSMENT	2000 DELINQUENT PENALTY	PRIOR UNPAID ASSESSMENT	PRIOR DELINQUENT PENALTIES	PAYMENTS MADE IN 2000
33-144	154	\$33.01	27.97	166.74	79.97	0.00
Totals:		\$33.01	27.97	166.74	79.97	0.00

TOTAL AMOUNT DUE = \$307.69

By law, payment is due by May 1st. If not paid by June 1st, a 10% DELINQUENT PENALTY will be added to your TOTAL AMOUNT DUE.
Make payable to STATE ENGINEER, and RETURN THE BOTTOM PORTION with your remittance.

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