



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

February 18, 1997

Michael O. Leavitt  
Governor  
Ted Stewart  
Executive Director  
Robert L. Morgan  
State Engineer

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

\*\*\*AMENDED\*\*\*

Mr. Vance Marshall  
P. O. 121  
Minersville, Ut 84752-0121

Dear Mr. Marshall:

Our information indicates that you use both groundwater and Rocky Ford Irrigation Company water to irrigate your land. The aerial photo taken during 1996 shows that you are irrigating more land than is allowed by your groundwater right. We assume that this additional land is irrigated with water from shares in the Rocky Ford Irrigation Company.

Therefore, at the annual meeting the water users voted that electric hour meters combined with pitot tube measurements would not be allowed to take the place of water meters. According to the attached procedures, you are required to install a meter on your pump at the well which has been numbered as well No. 97 by the commissioner.

A water meter must be installed **before the start of the 1997 irrigation season**. Failure to comply with this notice will result in an order to cease the use of water which will be enforced in court if necessary.

Thank you for your cooperation in attending to this matter in a timely manner. If you have any questions concerning this notice or the attached regulation procedures, please contact me at (801) 538-7380.

Sincerely,

Lee H. Sim, P.E.  
Assistant State Engineer  
for Adjudication and Distribution

LHS:ga

cc: Kerry Carpenter, Regional Engineer  
Lavar Davis, Water Commissioner  
Keith James, Committee Chairman





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January 22, 1997

Mr. Vance Marshall  
PO 121  
Minersville, Ut 84752

Dear Mr. Marshall:

Our information indicates that you use both groundwater and Rocky Ford Irrigation Company water to irrigate your land. The aerial photo taken during 1996 shows that you are irrigating more land than is allowed by your groundwater right. We assume that this additional land is irrigated with water from shares in the Rocky Ford company.

According to the procedures described in the accompanying letter, you are required to install a meter on your pump which has been numbered as well #97 by the commissioner. If your pump is powered solely by electricity, you may elect to install an hour meter and have your water measured by pitot tube.

Either an hour meter or a water meter must be installed before the start of irrigation this year (1997). Failure to comply will result in an order to cease the use of water. After the order has been issued, water users found in violation of the 1962 Adjudication order will be subject to contempt proceedings in District Court.

If you have any questions, please contact me at (801) 538-7380.

Sincerely,

Lee H. Sim, P.E.  
Assistant State Engineer  
for Adjudication and Distribution

cc: Kerry Carpenter, Regional Engineer  
Lavar Davis, Commissioner  
Keith James, Committee Chairman



**REGULATION POLICY AND PROCEDURE FOR  
MILFORD VALLEY WATER USERS  
USING BOTH ROCKY FORD RESERVOIR AND WELL WATER**

1. Water users who own Rocky Ford company shares and who irrigate more acres than the sole supply acreage allowed by their groundwater rights will be required to meter their groundwater use.
2. Irrigated acreage will be checked each year to determine if the water users are over the sole supply acreage limitation.
3. The water meters must be installed according to the guidelines which were given at the 1996 annual meeting. These guidelines are as follows:  
The commissioner will be responsible for determining the location of the meter and to operate and maintain it. The distribution committee will be responsible for determining the type of meter installed. The meters will be installed in such a manner that the commissioner can remove and replace them without shutting down the well. If that is not possible, the water user will be responsible for shutting down the system whenever requested by the commissioner for replacement of a defective meter.
4. The commissioner will visit each meter at the beginning of the irrigation season and then at least once every week to record water usage and make sure the meters are in good operating condition.
5. The water user is responsible for all the costs involved in the installation of his meters. Once the meters are installed, the distribution system will pay the costs of regular maintenance.
6. When water users reach the acre-foot limit from their metered wells, they will be notified by the commissioner that they need to shut the well off. The State Engineer will also issue a notice ordering them to cease the use of water. After the order has been issued, water users found violating the irrigation duty in the 1962 Adjudication order will be subject to contempt proceedings in District Court.