



State of Utah

DEPARTMENT OF ENVIRONMENTAL QUALITY DIVISION OF WATER QUALITY

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Executive Secretary

January 19, 1999

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WATER RIGHTS
CEDAR CITY

Mr. Chad W. Johnson
Beaver County Commission
105 East Center
Beaver, UT 84713

Dear Mr. Johnson:

Subject: Dec. 22, 1998 Flood Control Proposal

We have received your letter requesting Division of Water Quality (DWQ) approval to use a previously-constructed diversion of the Beaver River to Hay Springs west of Minersville to prevent property damage during Beaver River flood events.

To date, the Water Quality Board has not promulgated rules pertaining to water quality impacts caused by diversions. Therefore, no specific approvals or permits are currently required from this office. However, as you are probably aware, bacterial contamination of well water has been identified in the Milford Flat area, which is immediately down gradient from the proposed diversion. Water samples from the Beaver River have shown high bacteria counts that cause us considerable concern. While we cannot be certain whether past diversions of the Beaver River have caused or contributed to these problems, until the source of the bacterial contamination is known with certainty our recommendation would be that you use the diversion only when absolutely necessary for prevention of flood damage. We also encourage you to investigate other flood control management options which might avoid this possibility of ground water contamination and any associated liabilities.

Please contact me or Dennis Frederick if you have any questions.

Sincerely,

Utah Water Quality Board

Don A. Ostler, P.E.
Executive Secretary

DF:mtn/fb

cc: Southwest Utah Health Dept.
Scott Hacking, District Engineer
Kerry Carpenter, Div. Of Water Rights
Minersville Town
Milford City

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