



State of Utah
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF WATER RIGHTS

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)

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

**RE: Michael Yardley)
 Water Right No(s). 71-474,)
 71-475, 71-521, 71-1808,)
 71-3437)**

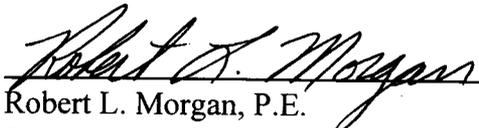
**UNLAWFUL USE OF WATER
 IN EXCESS OF WATER RIGHT**

According to Utah Code Ann. Section 73-3-1, no appropriation of water may be made and no rights to the use of water may be initiated without an application approved by the State Engineer. Water Right No(s). 71-474, 71-475, 71-521, 71-1808, 71-3437 allow the irrigation of 124.22 acres and the watering of 138 head of livestock with a limitation on annual use of 496.88 acre feet of water. A comparison of aerial photography taken in mid-June 1997 with the updated water rights map shows that you are irrigating 75.63 acres more than allowed by Water Right No(s). 71-474, 71-475, 71-521, 71-1808, 71-3437. The attached map shows the location of the unlawfully irrigated land.

In October 1996 you were sent an ORDER to cease the use of all water in excess of the uses and limits set forth in Water Right No(s). 71-474, 71-475, 71-521, 71-1808, 71-3437. The ORDER remains in effect. You are not in compliance with the ORDER, therefore, you are subject to legal proceedings being commenced against you by the State Engineer. The State Engineer is undertaking an enforcement action in the Milford area in relation to the irrigation of unlawful acres. As resources allow, legal proceedings will be commenced against those irrigators who continue to irrigate land in excess of their water right. If you continue to unlawfully irrigate the acres described above, legal proceedings will be commenced against you.

I strongly urge you to give this matter your immediate attention. Should you have questions regarding this notice, please contact Kerry Carpenter, Regional Engineer, at 586-4231 or Lee Sim, Assistant State Engineer, at 538-7380.

Dated this 15th day of October, 1997.


 Robert L. Morgan, P.E.
 State Engineer

cc: Kerry Carpenter
 LaVar Davis

Enclosure



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- 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.

3. Article Addressed to:

Michael D Yardley
 PO Box 981
 Milford UT 84751

5. Received By: (Print Name)

6. Signature: (Addressee of Agent)
 X Michael Yardley

PS Form 3811, December 1994

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

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P 991 245 124

4b. Service Type

- Registered
- Express Mail
- Certified
- Return Receipt for Merchandise
- Insured
- COD

7. Date of Delivery

10-21-97

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

Domestic Return Receipt

102595-97-B-0179

Thank you for using Return Receipt Service.

DWR

P 991 245 124

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to		Water Rights	
Street and No.		PO Box 140300	
P.O., State and ZIP Code		SLC UT 84114-6300	
Postage		\$	
Certified Fee			
Special Delivery Fee			
Restricted Delivery Fee			
Return Receipt showing to whom and Date Delivered			
Return Receipt showing to whom, Date, and Address of Delivery			
TOTAL Postage and Fees			
Postmark or Date			

PS Form 3800, June 1985



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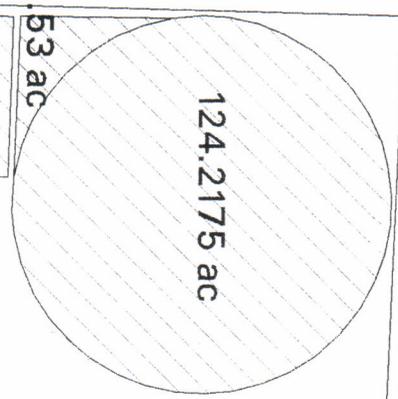
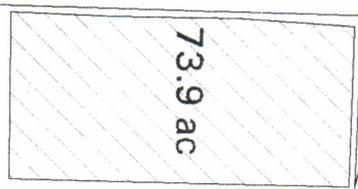
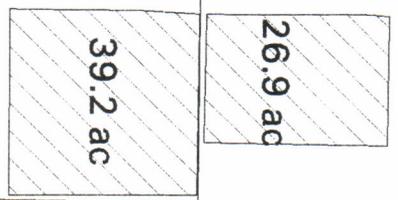
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Michael Yardley



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