



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: James Mayer)
Water Right No(s). 71-1756)**

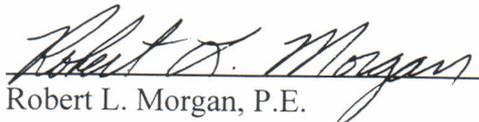
**UNLAWFUL USE OF WATER
IN EXCESS OF WATER RIGHT**

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). 71-1756 allow the irrigation of 25.17 acres and the watering of 24 head of livestock with a limitation on annual use of 100.68 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 22.74 acres more than allowed by Water Right No(s). 71-1756. 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). 71-1756. 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



DWR

P 991 245 121

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Karen

Sent to	
Water Rights	
Street and No.	
PO Box 146300	
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

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.

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:

James Mayer
PO Box 839
Milford Ut 84751

4a. Article Number
P 991 245 121

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

5. Received By: (Print Name)
James Mayer

6. Signature: (Addressee or Agent)
X *[Signature]*

7. Date of Delivery
10/21/97

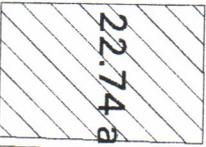
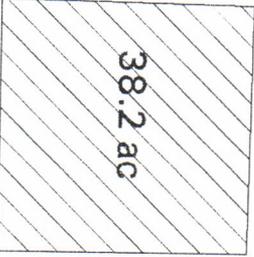
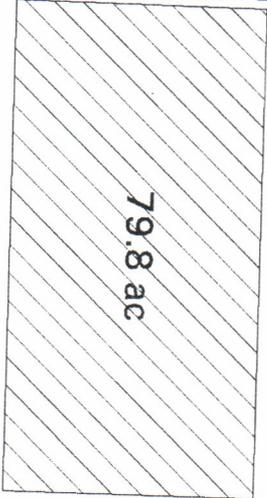
8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994
102595-97-8-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

R11 W



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James Mayer

