



DEPARTMENT OF NATURAL RESOURCES

DIVISION OF WATER RESOURCES

Bill Ritter, Jr.
Governor

James B. Martin
Executive Director

Dick Wolfe, P.E.
Director/State Engineer

March 10, 2010

Mr. Lee Sim, Assistant State Engineer
Utah Division of Water Rights
1594 W. North Temple Suite 220
P.O. Box 146300
Salt Lake City, UT 84114-6300

Dear Mr. Sim:

Pursuant to the Pot Creek Memorandum of Understanding and Agreement (MOU) and its associated Pot Creek Operations Manual, referred to as Exhibit A in the MOU, gaging stations are to be maintained on the main stem of Pot Creek above the inlet to Matt Warner Reservoir and at the state line between Utah and Colorado. These gaging stations are to be used to account for the amount of water entering the reservoir and to record the amount of water in Pot Creek at the Utah-Colorado state line. The gage above Matt Warner Reservoir shall be operated and maintained by Utah and the Utah-Colorado state line gage shall be operated and maintained by Colorado.

The State of Colorado has operated and maintained the Pot Creek at State Line near Vernal, UT gaging station since the summer of 1983. The State of Colorado continues to operate and maintain this station and the station is currently equipped with satellite monitoring which allows this office and public to access the data real time.

It has come to my attention that to date, no gaging station has been installed by the State of Utah on Pot Creek above the inlet to Matt Werner Reservoir. The State of Colorado has offered to assist in the installation of a recording device on a temporary basis, which the State of Utah chose to decline.

The State of Colorado believes that the installation of this gaging station is a vital component of the administration of Pot Creek. However, it becomes even more important given the fact that the current water commissioner, Michael (Stoney) McCarrell, may soon resign, thus losing the expertise and knowledge of someone that understands the details of the administration of Pot Creek.

Consequently, the State of Colorado requests that a gaging station be established on Pot Creek above the inlet to Matt Warner Reservoir by October 31, 2010. If the State of Utah believes it cannot establish a gaging station by this date, please notify my office as soon as possible.

Office of the State Engineer

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Finally, it is also my understanding that a measuring device is to be located on Pot Creek above Calder Reservoir, which has not yet been installed. The State of Colorado requests that the State of Utah continue their efforts of installing a measuring device at this location.

I appreciate your consideration of these requests. Please contact Erin Light if you have any questions regarding this matter.

Sincerely,



Dick Wolfe, P.E.
Director/State Engineer

cc: Mike Sullivan, Deputy State Engineer
Erin Light, Division Engineer