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WATER RIGHTS  
SALT LAKE

January 12, 1990

Lee H. Sim, P.E.  
Division of Water Rights  
1636 West North Temple  
Salt Lake City, UT 84116

Dear Lee:

I apologize for this late response to your letter of December 7, 1989. I was on vacation for most of December and your manila envelope came to my office, after which it became buried under a half-ton of paper; I just found it yesterday.

None of the snow courses that are scheduled for discontinuance are of any consequence to the Pot Creek system. However, I do have some questions and comments regarding the Assessment Report as follows:

1. Account Number 53 - Ruby Sweatfield is the wife of Cliff Massey (see Account No. 35). Actually the irrigation right is in Ruby's name, therefore, she should not be assessed for stockwatering. Account Number 53 should be eliminated. Account No. 35 should now read "Massey, Ruby".
2. Account Number 39 appears to be a duplicate of Account Number 38.
3. Account Number 40 is not viable since Zelph Calder has been dead for a number of years.
4. Account Number 54 - Max Haslem - this one is probably ok, however, you should be aware that Max Haslem leases Max Rasmussen's property so Mr. Haslem is being assessed for both irrigation and stockwatering.
5. Irrigator Joe Calder, who has 35 acre feet of water was properly left out of the 1988 assessments because it was not possible to get water to his property. A pressure valve system was installed early in 1989 and Mr. Calder received his water during the 1989 irrigation season. This diversion system is a good one and Joe should have no problem in receiving his water in the future.
6. Dean Johnson, a resident of Vernal and who I have known personally for several years, called me and asked for water for his cattle. I informed him that I would not be able to supply water to him because he did not have a water right of any kind. Dean told me that he owns land on Diamond Mtn. and that one of his parcels is on Pot Creek below Crouse Reservoir. I later caught a man that he had hired, pumping water out of Calder Reservoir into a water truck to be hauled to a stockwatering pond for watering his cattle.

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I informed the truck driver to discontinue hauling until I was able to talk to Dean. I called Dean the next day and after reiterating myself on the water right issue, we decided the only way he could haul water to his cattle from the lakes would be for him to buy water from one of the irrigators. Dean later informed me that he did not discontinue hauling water because he had purchased water from Max Haslem who leases the Max Rasmussen property. I later talked with Max Haslem who said that Dean had called him, but that he told him that he would not sell any water to him. Later, I met Dean on the street and asked him about it. He said he would make it right with Max. Max didn't use all the water that was available to him and may now indeed be willing to accept Dean's money for 1/2 acre foot which is what I determined he took. Since Dean doesn't have a water right, he cannot, I assume, be assessed for an account he doesn't own. I realize Dean could probably be cited for petty larceny, but this would probably cause more problems for me than it is worth. I feel, however, that it should be documented somewhere and also that you might be interested.

Sincerely,



Chad W. Crosby  
Pot Creek Water Commissioner