



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

Michael O. Leavitt  
Governor  
Ted Stewart  
Executive Director  
Robert L. Morgan  
State Engineer

Southeastern Area  
453 South Carbon Avenue  
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801-637-1303

June 13, 1994

East Carbon City  
Attn: Mayor Paul Clark  
P.O. Box 70  
East Carbon, Utah 84520

Re: Regulation of Diversion #4 - Grassy Trail Creek

Dear Mayor Clark:

As you are aware from numerous conversations recently, our office is attempting to regulate the water delivery on Grassy Trail Creek as per the Memorandum Decisions issued on the Temporary Change Applications filed by Sunnyside Cogeneration Associates. Last Thursday, Casey Ford of my office was in the area to readjust the flows, and the chain locking the headgate to the ditch at Diversion #4 had been cut and the water was turned off. Today, Casey and Rick were at this same diversion and the chain had been cut again, and water was again being taken through the ditch. While Casey and Rick were at the diversion, Joe Martinez stopped by. When they informed him that he was not to disturb the settings, he indicated that he was not aware that we were trying to regulate the system.

As was indicated to you earlier, the regulation of this stream is under our direction, and any changes should be coordinated through us. The cutting of the chain was not appreciated, nor will it be tolerated in the future. Therefore, would you please notify the lessees that any changes or regulating of the ditch must be done through this office. We will make ourselves available at all reasonable times to minimize the inconvenience this may cause the water users.

I trust that we can expect your cooperation in the future. Should you have any questions or concerns relating to this matter, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Mark P. Page".

Mark P. Page  
Regional Engineer

cc: Lee Sim - Assistant State Engineer  
John Mabey - Assistant Attorney General

MPP/mjk