



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor

Kathleen Clarke
Executive Director

Robert L. Morgan
State Engineer

1594 West North Temple, Suite 220
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801-538-7240
801-538-7467 (Fax)

August 1, 2002

Richard Holley
1287 North 7000 East
Huntsville, UT 84310

Dear Mr. Holley:

We have observed the construction of a pond by damming a ditch in the Huntsville area.

A review of our water rights records does not indicate that there is a water right which allows this use of water. Utah Code Ann. section 73-3-1 states that 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. If this water use is not covered by a water right, it constitutes an illegal use of water and would be subject to enforcement action from this office.

If there are water rights covering the use described above which we are not aware of, please contact our office and bring the water rights in question to our attention.

If this water is being used without a water right or in excess of your water rights, we strongly encourage you to stop the unlawful use of water, to remove the dam, and to stop impounding the water; and restrict your use of water to the limitations of your current water rights.

If you have any questions concerning this letter, please contact me at (801) 538-7397 or Frank Quintana at (801) 538-7396.

Sincerely,

A handwritten signature in cursive script that reads "John Mann".

John Mann, P.E.
Regional Engineer

lfq

cc: Lee Sim

Blaine Johnson
Weber River Water Commissioner
1615 East Shadow Valley Drive
Ogden, UT 84403

Doug Allen
P.O.Box 270
Huntsville, UT 84307