



GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Water Rights

KENT L. JONES
State Engineer/Division Director

July 28, 2010

Barbara Gene Miner Family Trust
Barbara Gene and Dixon Jed Miner, Trustees
PO Box 151
Fairview, UT 84629

RE: Order of the State Engineer: Water Right 65-3067, (a34790)
Subject: State Engineer Agency Action: SEAA 1398, Measuring Device Requirement Notice

Dear Sir or Madam:

In order to regulate water on the San Pitch River and its tributaries, and as defined in the OSE mailed May 27, 2009, (copy attached) page 3, Item 4, required installation of an adequate measuring device associated with diversion(s) from the "historical drain" for water that is supplied to the ponds.

This letter is a cover page for formal notice that a Measuring Device along with control structures are required and must be installed within the next 60 days, not later than September 28, 2010.

Prior to commencing the required work the Respondent should consult with the Commissioner to assure that the planned improvements will satisfy the requirements of the attached notice. Please contact the River Commissioner, Randy Allred at (435) 262-7400 to coordinate the location and access to the measuring device(s) and controls and insure that it meets with his approval. He will inspect and make regular readings once the device(s) are installed. If you have any further questions, I can be reached at (801) 538-7430 or mikesilva@utah.gov

Sincerely,

Mike Silva
Distribution Engineer

2 Attachments: SEAA Notice 1398
OSE: 5 pages

cc: Roland Ross Terry
McArthur Frandsen Ditch Co
Edward C. Jessen Family Trust
Randy Allred, River Commissioner
Kirk Forbush, Southern Regional Engineer, Richfield

SCANNED

to SEAA 1398

