



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

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March 19, 1997

Mr. Clyde Martinsen
PO 418
Fairview, Ut 84629

Dear Mr. Martinsen:

Since your visit on February 18, 1997, I have looked into the water rights described in our files and in the Cox Decree for the Brady Ditch. My investigation revealed the following:

W.R. #	Page # *	Para. # **	Priority	C.F.S.
65-3221	106	9	1872	49/80 = 0.612
65-3235	107	12	1872	1.46 1/2/80 = 0.018
65-3240	107	17		6 1/2/80 = 0.0813 ***
65-3258	110	35	1872	2

Total = 2.711 c.f.s.

- * Cox Decree
- ** Johnson Decree
- *** See explanation below

This part of the Brady Ditch water right may be the cause of the confusion about how much water should be diverted. The way the decree is printed could lead someone to interpret the flow rate as 6.5 c.f.s. However, in reviewing the "Cox Decree Proposed Findings" pages 115 and 116, it is clear the correct interpretation is 6 1/2/80. In describing paragraph 17 of the Johnson Decree, the proposed findings state,

"Water decreed to Jones Ditch which ditch is abandoned. It was originally decreed 13/80. Now owned 6 1/2 shares in Brady Ditch Inc. Now owned 6 1/2 shares in Moroni Mt. Pleasant Irr. Company owned by A.F. Reynolds."

I hope this information answers the questions you had. If you have further questions, please contact me at 538-7380 or Kirk Forbush at 896-4429.

Sincerely,

Lee H. Sim, P.E.
Assistant State Engineer
for Adjudication and Distribution

cc: Kirk Forbush
Larry Rawlings

