



Norman H. Bangertter  
Governor  
Dee C. Hansen  
Executive Director  
Robert L. Morgan  
State Engineer

State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

Southern Area  
130 North Main Street  
P.O. Box 563  
Richfield, Utah 84701-0563  
801-896-4429

RECEIVED  
APR 23 1990  
WATER RIGHTS  
SALT LAKE

April 20, 1990

CERTIFIED MAIL - RETURN REQUESTED  
Number P 948 965 337

Chris Heaton  
Orderville, Utah 84758

Dear Mr. Heaton:

On April 19, 1990 I made a field inspection of several small dikes located within SW1/4 Section 14 and the SE1/4 of Section 15, Township 36 South, Range 5 West, Salt Lake Base & Meridian. This property is approximately 2 1/2 miles NE of Hatch and east of Highway 89.

It appears that these dikes have been constructed to retain water from local runoff. In checking with the Garfield County Recorder I find that this property is owned by yourself and Alvin Heaton.

I will take this opportunity to advise you that these dikes are illegal and have the potential of storing water which you have no right to store. The surface waters of the Sevier River Drainage are considered by the State Engineer to be fully appropriated as a result of the issuance of the Sevier River Decree. Any additional use or storage of water outside of the decree will interfere with and diminish downstream water rights.

Therefore, I am requesting that you breach these dikes by May 10, 1990 or legal action may be taken against you.

This letter commences informal proceedings to be conducted pursuant to Rules R625-6 of the Administrative Rules of the Division of Water Rights.

Chris Heaton  
April 20, 1990  
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If you have any questions concerning this matter please contact me as soon as possible.

Sincerely,



M. Stanley Adams, P.E.  
Area Engineer

MSA/clw

cc: Ray Owens, Sevier River Commissioner  
Lee Sim, Directing Engineer for Distribution  
John Mabey, Assistant Attorney General