



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

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M E M O R A N D U M

TO: File
FROM: Kirk Forbush, P.E.
Area Engineer
SUBJECT: Distribution of Water Right 63-3012
Pg. 3 Cox Decree
DATE: September 24, 1990

There was a question as to the distribution of Sevier Valley Canal Companies' 60.0 cfs Water Right 63-3012 found on Page 3 of the Sevier River Decree. This water right has a period of use from October 1 to October 15. The question being is this water to be delivered including storage water from the Piute Reservoir if the make below the reservoir is not enough to satisfy this right?

After a review of the Morse Decree and the case of "Richlands Irrigation Company vs. Vermillion Irrigation Company," under date of March 26, 1941, the answer to the distribution question can be answered.

Water flowing into Piute Reservoir during said period is included in the total flow to be divided to water users per their pro rata share of said primary flow. However, storage water is not to be released to make up for insufficient flow rates. This water right is a direct flow right and is delivered depending on existing natural discharge and the water users pro rata share.

cc: Ray Owens
Lee Sim