



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor

Robert L. Morgan
Executive Director

Jerry D. Olds
State Engineer

1594 West North Temple, Suite 220
PO Box 146300
Salt Lake City, Utah 84114-6300
(801) 538-7240 telephone
(801) 538-7467 fax
www.nr.utah.gov

July 17, 2002

Ryan Ostler
Emil Mitchell
5100 South State Highway
Birdseye, UT 84629

Re: Complaint concerning John Wilding's diversion and pond

Dear Mr. Ostler and Mr. Mitchell:

Your email to Governor Michael O. Leavitt has been forwarded to this office. We have reviewed your email and the water rights in Thistle Creek. Due to the diminished flows of the Spanish Fork River in this drought year, it has been determined that the only water rights that should be diverting water at this time are those with an 1851 priority or earlier (first class water rights). Water Right Number 51-368, shown on the records of the State Engineer as being owned by Emil Mitchell, has 0.7 acre of irrigation with first class water. This is all of the first class water that could be found in either of your names. The most that you can irrigate under this water right is 0.7 acre. We have instructed the River Commissioner to deliver only first class water rights in the area, which should alleviate your problem with Mr. Wilding.

We are assuming the water right that you are concerned about is 51-368, it is the only one that is a first class water right owned by either of you. If there are other water rights that you are concerned about, you will have to identify those rights. No water rights were found in the name of Ryan Ostler on the records of the State Engineer. If you have additional questions or problems, do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Jerry D. Olds".

Jerry D. Olds, P.E.
State Engineer

cc:

Governor Michael O. Leavitt
John Mendenhall, River Commissioner
Lee Sim
Jim Riley



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Jerry D. Olds, P.E.
State Engineer

cc:

Governor Michael O. Leavitt
John Mendenhall, River Commissioner
Lee Sim
Jim Riley

TRANS BASIN
DIVERSION

MAIN DIVERSION

INDIANOLA

2nd DIVERSION

PAWNAWATS
Slough

ROCK CREEK

CLEAR CREEK

Thistle Creek

WEIR

WEIR

Dennis Remington

JERRAN Alinders

Edith
Lasson

Calvin Lasson

Fish
Bryce Clayton

Dry Creek

John
Wilding

Kelly
Mitchell

Emil
Mitchell

Nebo creek

