



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

Robert L. Morgan
State Engineer

Northern Area
1780 North Research Park Way, Suite 104
North Logan, Utah 84341-1940
435-752-8755
435-752-0062 (Fax)

Robert Cronquist, Jr.
1925 Canyon Road
Smithfield, Utah 84335

RECEIVED

FEB 22 1999

WATER RIGHTS
SALT LAKE

Dear Mr. Cronquist,

February 19, 1999

It has been reported to us and we have observed that several small dams have been constructed on or adjacent to Birch Creek on property which you may own.

A review of our water rights records does not indicate that there is a water right which allows this use of water. Utah Code Ann. section 73-3-1 states that no appropriation of water may be made and no rights to the use of water may be initiated without an application approved by the State Engineer. If this water use is not covered by a water right, it constitutes an illegal use of water and would be subject to enforcement action from this office.

If there are water rights covering the use described above which we are not aware of, please contact our office and bring the water rights in question to our attention.

If this water is being used without a water right or in excess of your water rights, we strongly encourage you to stop the unlawful use and restrict your use of water to the limitations of your current water rights.

If you have any questions concerning this letter, please contact me at 1780 North Research Parkway, #104, North Logan, Utah 84341. Phone: 752-8755.

Sincerely,

Regional Engineer

cc: Lee Sim
Jeff Gittins
Lori Meeker