



State of Utah

DEPARTMENT OF NATURAL RESOURCES DIVISION OF WATER RIGHTS

Norman H. Bangertter

Governor

Dee C. Hansen

Executive Director

Robert L. Morgan

State Engineer

1636 West North Temple, Suite 220

Salt Lake City, Utah 84116-3156

801-538-7240

November 21, 1990

Mr. David L. Murray, President
Whiterocks Irrigation Company
LaPoint, UT 84039

Dear Mr. Murray:

Re: Unlawful storage in LaPoint Resv.

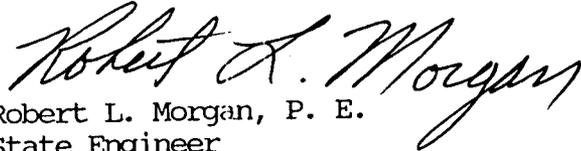
You informed this office by way of a letter dated October 29, 1990 that beginning November 1, 1990 the Whiterocks Irrigation Company would store water in LaPoint Reservoir. The State Engineer's Office observed that such storage has in fact occurred and is on-going. You are hereby notified that such action is an unlawful appropriation of water pursuant to Section 73-3-1 of the Utah Code.

Whiterocks Irrigation Company's right to divert water to storage in LaPoint Reservoir between 11/01 and 03/31 is limited to Application A35504 (43-3720) which has a priority of 8/08/1963. However, diversion to storage will not be allowed under this right until sometime in the spring when flows are sufficient to satisfy a 1963 right.

Therefore, pursuant to Sections 73-3-1 and 73-2-1 of the Utah Code you are hereby ordered to cease immediately the diversion of water to storage in LaPoint Reservoir. You are also ordered to release the amount of water stored since November 1, 1990 and reduce the reservoir level to the pre-November 1 water surface elevation of approximately 5660 by December 10, 1990. Failure to do so may result in legal action against Whiterocks Irrigation Company.

If you have any questions concerning this order, please contact Bob Leake, Area Engineer at 965-9835 or Lee Sim, Directing Engineer for Distribution.

Sincerely,



Robert L. Morgan, P. E.
State Engineer

RIM:LHS:bd

cc: Bob Leake, Area Engineer
John Mabey, Assistant Attorney General
Lee Sim, Directing Engineer ✓

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. (Extra charge) 2. Restricted Delivery (Extra charge)

3. Article Addressed to:

Mr. David L. Murray, President
Whiterocks Irrigation Company
LaPoint, UT 84039

4. Article Number

0251686

Type of Service:

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee

X *David L. Murray* Kushton

6. Signature - Agent

X

7. Date of Delivery

8. Addressee's Address (ONLY if requested and fee paid)

Lee Sim, P.E.
(Storage)