



STATE OF UTAH

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January 30, 1991

Joseph Novak
Attorney at Law
10 Exchange Place, #1100
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Gayle F. McKeachnie
Attorney at Law
363 East Main Street
VERNAL UT 84078

Re: Whiterocks Irr. Co. v. State Engineer and
Ouray Park Irr. Co. v. State Engineer

Gentlemen:

It is my understanding that the State Engineer has now withdrawn his distribution order on the Whiterocks and Uinta Rivers system which was the subject of two separate lawsuits filed on behalf of your respective clients.

I would now like to get these two actions disposed of. It seems to me that since the order has been withdrawn, both lawsuits are now moot. Since the State Engineer has not yet responded to either complaint, the easiest way to dispose of these matters may be to simply have both of you unilaterally dismiss without prejudice. On the other hand, if either of you would prefer a formal stipulation, I would certainly be happy to do that also.

Could you please let me know as soon as possible your preference for getting these two actions disposed of. Thanks for your cooperation. Best personal regards.

Very truly yours,

MICHAEL M. QUEALY
Assistant Attorney General

cc: John H. Mabey, Jr.
cc: Robert L. Morgan
cc: Lee H. Sim
cc: Robert W. Leake
MMQ/jr