



DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Norman H. Bangertter
Governor
Dee C. Hansen
Executive Director
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State Engineer

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September 10, 1990

Mr. Bill Christensen
Water Commissioner
Uintah and Lake Fork Rivers
P. O. Box 4
Roosevelt, UT 84066

Dear Bill:

Re: Whiterocks Irrigation Co.

I have reviewed the issue which you described to me on Friday regarding Whiterocks Irrigation Company storing its domestic water right through the winter. Certificates 1738 and 1739 both provide domestic and stockwatering flows of one cfs per 1,000 acres of irrigated land from November 15 through March 31. Under Change Applications a10983 and a10982, Whiterocks Irrigation Company had requested to store 5.717 cfs (1555.022 acre-feet) of this right.

The Memorandum Decisions on the changes dated March 12, 1981 expressly denied the storage of this water. In the State Engineer's opinion, this water could not be converted to a consumptive use right because it had primarily been used as carrier water and had not been consumptively used. Therefore, I believe that Whiterocks Irrigation Company storage rights are limited to those described in the order we sent out on August 30, 1990.

If you have any further questions, please feel free to contact me.

Sincerely,

Lee H. Sim, P. E.
Directing Engineer for
Adjudication/Distribution

IHS:bd

cc: Bob Leake