



GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Water Rights

KENT L. JONES  
State Engineer/Division Director

November 17, 2011

Jeffery A and Paula M Heil  
PO BOX 1318  
Parowan, UT 84761

-----Certified Mail-----

Water User:

In 2010, The Division of Water Rights mapped irrigated acreage for the Parowan Valley using 2009 Aerial Photography. During the 2011 irrigation season, irrigated acreage was monitored by the Parowan Valley Water Commissioner during field checks to verify acreage irrigated conformed to existing water rights. Discrepancies between acreage watered in 2011 and the amount of water rights shown in our records are evident from The Division's field inspections.

According to our records, the water rights under your name show a current total of 32.175 acres covered under water rights 75-53 (for 19.4 Acres, your portion of ownership is 10.4 acres), and 75-1999-a34671 (for 12.775 Acres). However it appears the smaller square parcel (19.6 acres) in addition to the larger pivot (116.6 acres) were both watered at some point this past (2011) season to total 136.2 acres. The field observations indicate both the acreages were green and a crop was harvested. If the irrigation system was run once at any time in the season, the division counts that as irrigated acreage for the entire season. The division considers this over watering of 104.025 acres unacceptable and egregious. Perhaps this is an oversight on your part; however this matter must be resolved. Provided for your review is a summary of your water rights in our records along with prints of the same, and a map.

The Water Commissioner has attempted to contact you in writing and your lack of responsiveness has prompted this letter. The division is now considering enforcement actions to rectify this matter. It is important that you contact us when you receive this letter to confirm or correct our understanding of your water rights. If contact is not made, you should expect further correspondence from our Regulation and Enforcement section. Please contact Shayne Scott, Water Commissioner at (435) 477-2873 or Mike Silva at (801) 538-7430 as soon as possible; you are also required to submit a response in writing to the address below.

Sincerely,

Mike Silva  
Distribution Engineer

Enclosures

cc: Southwestern Regional office



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Jeffery & Paula  
Heil

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**Summary of Ownership for Section 18 T34S R9W**

| <b>Ownership in Section 18 T34 R9</b>   | <b>Summary</b>     | <b>AF</b> | <b>Acres</b>  |
|---|--------------------|-----------|---------------|
| Jeffrey A. and Paula M. Heil  | 75-53              | 41.6      | 10.4          |
|   | 75-1999-           |           |               |
| Jeffrey A. and Paula M. Heil  | a34671             | 52        | 12.775        |
| Robert H. Parker, Trustee, et al  | 75-116             | 31.4      | 7.85          |
| Brian Head Enterprises Inc.   | 75-1557            | 2.0       | 0.5           |
| Reuben Halstead   | 75-1716            | 5.0       | 1.25          |
| Robert H. Parker, Trustee Lapsed<br>at end of October 2010<br><b>(*no longer valid)</b> | t36551(75-<br>116) | 167.4004  | <*41.8501>    |
| <b>Total</b>  |                    |           | <b>32.775</b> |

Summary of Jeffrey A. and Paula M Heil Water Rights in Database record:

```

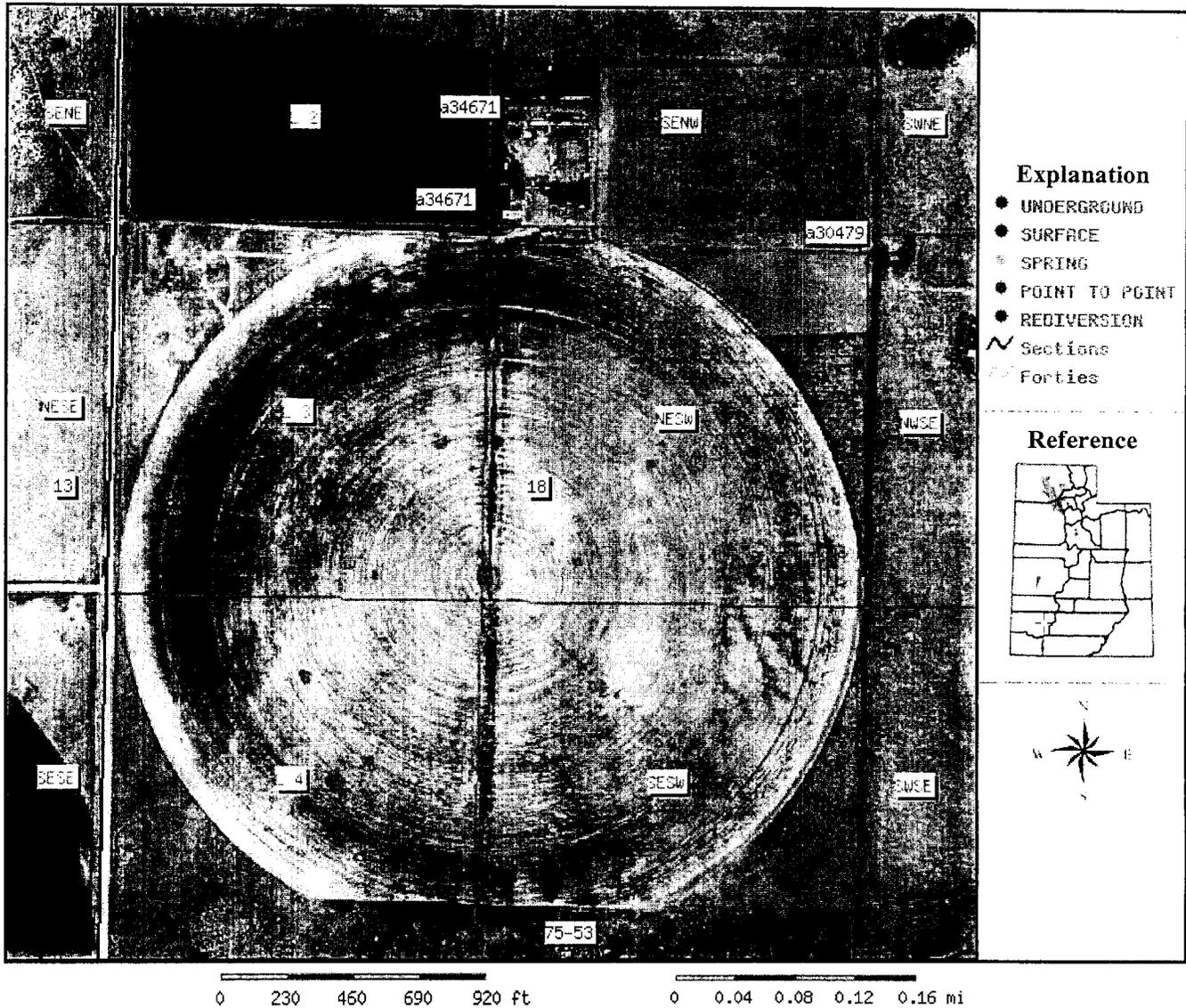
Heil, Jeffrey A. and Paula M.      75-1999      APPL  WUC   A21797      5193
  Underground Water Well          52.0000 acft
  Priority Date: 06/10/1950
Heil, Jeffrey A. and Paula M.      a34671
  Underground Water Wells (2) 52.0000 acft      APP
  Priority Date: 07/29/2008                                existing/provisional
Heil, Jeffrey A. and Paula M.      t34672
  Underground Water Wells (2) 52.0000 acft      LAPSED
  Priority Date: 07/29/2008

Heil, Jeffrey A. and Paula M.      75-116      APPL  WUC   A26876
  Underground Water Well 103.8000 acft Portion Owned: 31.40 AF as joint tenants
  Priority Date: 04/19/1955

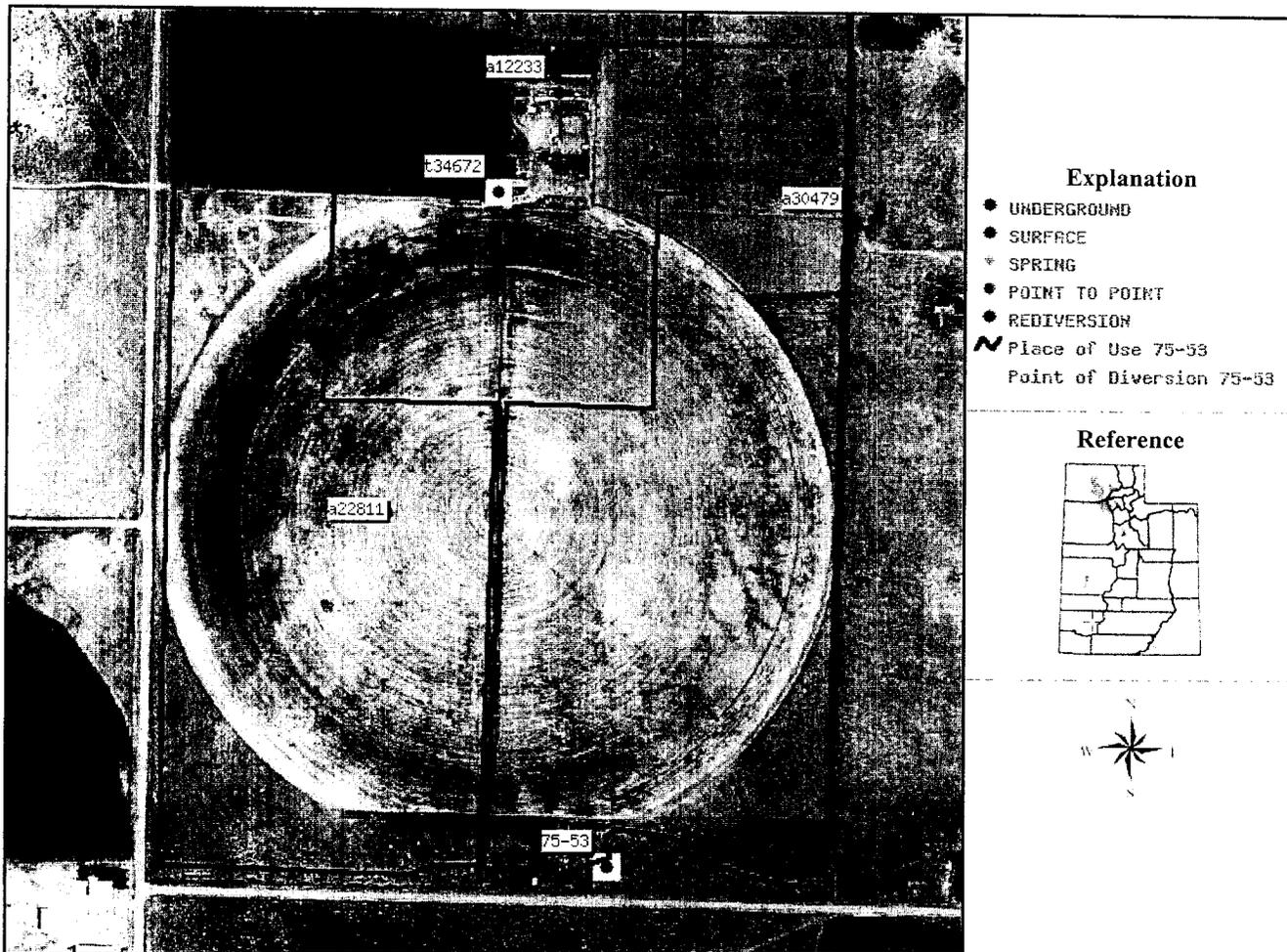
Heil, Jeffrey A. and Paula M.      75-53      APPL  WUC   A17090
  Underground Water Wells (2) 77.6000 acft Portion Owned: 41.60 acft., as Joint Tenants
  Priority Date: 12/01/1945
  
```

See Detail attached pages:

# Utah Division of Water Rights



# Utah Division of Water Rights



0 240 480 720 960 ft

0 0.04 0.08 0.12 0.16 mi

|  |                                |          |        |                               |
|--|--------------------------------|----------|--------|-------------------------------|
| Heil, Jeffrey A. and Paula M.<br>Underground Water Wells (2)<br>Priority Date: 07/29/2008                      | <u>t34672</u><br>52.0000 acft  | LAP      |        |                               |
| Heil, Jeffrey A. and Paula M.<br>Underground Water Wells (2) existing/provisional<br>Priority Date: 07/29/2008 | <u>a34671</u><br>52.0000 acft  | APP      |        |                               |
| Heil, Jeffrey A. and Paula M.<br>Underground Water Well<br>Priority Date: 04/19/1955                           | <u>75-116</u><br>103.8000 acft | APPL WUC | A26876 | 31.40 AF as joint tenants     |
| Heil, Jeffrey A. and Paula M.<br>Underground Water Well<br>Priority Date: 06/10/1950                           | <u>75-1999</u><br>52.0000 acft | APPL WUC | A21797 | 5193                          |
| Heil, Jeffrey A. and Paula M.<br>Underground Water Wells (2)<br>Priority Date: 12/01/1945                      | <u>75-53</u><br>77.6000 acft   | APPL WUC | A17090 | 41.60 acft., as Joint Tenants |

# STATE OF UTAH -- DIVISION OF WATER RIGHTS -- DATA PRINT OUT for 75-116(A26876)

(WARNING: Water Rights makes NO claims as to the accuracy of this data.) RUN DATE: 11/17/2011 Page 1

WATER RIGHT: 75-116 APPLICATION/CLAIM NO.: A26876 CERT. NO.:

CHANGES: t36551 Lapsed, t37403 Lapsed, t27707 Lapsed, c3257 Unapproved, a5871 Water User's Claim, t29256 Lapsed

=====

NAME: Tracy J. Dixon  
 ADDR: 8159 Country West Drive  
 Magna UT 84044  
 REMARKS: 4.0 AF

NAME: Habibian, LTD  
 ADDR: 747 E. St. George Blvd.  
 St. George, UT 84770  
 REMARKS: 6.00 AF, 1.50 acs irr

NAME: Jeffrey A. and Paula M. Heil  
 ADDR: P.O. Box 1318  
 Parowan UT 84761  
 REMARKS: 31.40 AF as joint tenants

NAME: Alvin Munsee  
 ADDR: c/o Carl Wilson, 9143 E. 9200 N.  
 Parowan UT 84761  
 REMARKS: 5.00 Af

NAME: Robert H. Parker Trustee  
 ADDR: 1801 White Hawk Ct.  
 Las Vegas, NV 89134  
 REMARKS: 45.40 AF

NAME: Lynda Diane aka Linda Diane Rosato  
 ADDR: 2445 Sage Point Circle  
 Las Vegas NV 89128  
 REMARKS: 4.0 AF

NAME: Summitt Ranch Associates Incorporated  
 ADDR: Box 140  
 Cedar City UT 84720  
 REMARKS: 8 AF

=====

|                          |                         |                       |                      |                         |
|--------------------------|-------------------------|-----------------------|----------------------|-------------------------|
| LAND OWNED BY APPLICANT? | COUNTY TAX ID#:         |                       |                      |                         |
| FILED: 04/19/1955        | PRIORITY: 04/19/1955    | PUB BEGAN:            | PUB ENDED:           | NEWSPAPER:              |
| ProtestEnd:              | {PROTESTED: [No ]}      | HEARNG HLD:           | SE ACTION: [ ]       | ActionDate:09/23/1963   |
| EXTENSION:               | {ELEC/PROOF:[Election]} | ELEC/PROOF:08/10/1970 | CERT/WUC: 03/28/1972 | LAP, ETC:  LAPS LETTER: |
| RUSH LETTR:              | {RENOVATE: }            | RECON REQ:            | TYPE: [ ]            |                         |

PD BOOK: [ 75- ] |MAP: [30c ] |PUB DATE:  
 Type of Right: Application to Appropriate Source of Info: Water User's Claim Status: Water User's Claim

=====

FLOW: 103.8 acre-feet SOURCE: Underground Water Well

COUNTY: Iron COMMON DESCRIPTION:

POINTS OF DIVERSION -- UNDERGROUND:  
 (1) N 30 ft E 1320 ft from W4 cor, Sec 18, T 34S, R 9W, SLBM  
 DIAMETER OF WELL: 16 ins. DEPTH: 300 to ft. YEAR DRILLED: WELL LOG? No WELL ID#: 13999  
 (2) N 145 ft W 850 ft from S4 cor, Sec 18, T 34S, R 9W, SLBM  
 DIAMETER OF WELL: 12 ins. DEPTH: 275 to ft. YEAR DRILLED: WELL LOG? No WELL ID#:

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STATE OF UTAH -- DIVISION OF WATER RIGHTS -- DATA PRINT OUT for 75-53(A17090)

(WARNING: Water Rights makes NO claims as to the accuracy of this data.) RUN DATE: 11/17/2011 Page 1

WATER RIGHT: 75-53 APPLICATION/CLAIM NO.: A17090 CERT. NO.:

CHANGES: a3054 Water User's Claim, a5871 Water User's Claim

OWNERSHIP\*\*\*\*\*

NAME: Jeff D. Foutz
ADDR: 6625 Weather View Dr.
Las Vegas NV 89110
REMARKS: 15 AF

NAME: Jeffrey A. and Paula M. Heil
ADDR: P.O. Box 1318
Parowan, UT 84761
REMARKS: 41.60 acft., as Joint Tenants

NAME: Andrew Leavitt
ADDR: 572 Kennedy Drive
Las Vegas NV 89110
REMARKS: 10.00 ac-ft

NAME: Dorothy W. Robinson
ADDR: P.O. Box 27
Paragonah UT 84760
REMARKS: 5.00 AF, 1.25 acre

NAME: John Arthur and Ruth E. Sarbacker
ADDR: 5428 Painted Gorge St.
Las Vegas NV 89149
REMARKS: 1.0 ac-ft, 0.25 ac

NAME: Rock Vetell
ADDR: 1350 Conneaut
Bowling Green OH 43402
REMARKS: 1.00 AF, 0.25 acre

NAME: Royce Williams
ADDR: 5101 Evergreen Meadow Avenue
Las Vegas NV 89130
REMARKS: 4 AF

DATES, ETC.\*\*\*\*\*

LAND OWNED BY APPLICANT? COUNTY TAX ID#:
FILED: 12/01/1945 PRIORITY: 12/01/1945 PUB BEGAN: PUB ENDED: NEWSPAPER:
ProtestEnd: PROTESTED: [No ] HEARNG HLD: SE ACTION: [ ] ActionDate:08/23/1946 PROOF DUE:
EXTENSION: ELEC/PROOF: [ ] ELEC/PROOF: CERT/WUC: LAP, ETC: LAPS LETTER:
RUSH LETTR: RENOVATE: RECON REQ: TYPE: [ ]

PD BOOK: [ 75- ] MAP: [30c ] PUB DATE:

Type of Right: Application to Appropriate Source of Info: Water User's Claim Status: Water User's Claim
Related Distribution System: 37-PAROWAN VALLEY

LOCATION OF WATER RIGHT\*\*\*\*\*

FLOW: 77.6 acre-feet SOURCE: Underground Water Wells (2)

COUNTY: Iron COMMON DESCRIPTION: 5-6 mi. west of Parowan City

POINTS OF DIVERSION -- UNDERGROUND:
(1) N 30 ft E 1320 ft from W4 cor, Sec 18, T 34S, R 9W, S1E8
DIAMETER OF WELL: ins. DEPTH: to ft. YEAR DRILLED: WELL LOG? No WELL ID#: 13999
(2) N 145 ft W 850 ft from S4 cor, Sec 18, T 34S, R 9W, S1E8
DIAMETER OF WELL: 12 ins. DEPTH: 275 to ft. YEAR DRILLED: WELL LOG? No WELL ID#:



75-53 currently has: -- 77.6 19.4000

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\*\*\*\*\*E N D O F D A T A\*\*\*\*\*  
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# STATE OF UTAH -- DIVISION OF WATER RIGHTS -- DATA PRINT OUT for 75-1999(A21797)

(WARNING: Water Rights makes NO claims as to the accuracy of this data.) RUN DATE: 11/17/2011 Page 1

**WATER RIGHT: 75-1999** APPLICATION/CLAIM NO.: A21797 CERT. NO.: 5193

CHANGES: t34672 Lapsed, a34671 Approved

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OWNERSHIP\*\*\*\*\*  
 NAME: Jeffrey A. and Paula M. Heil  
 ADDR: P.C. Box 1318  
 Parowan UT 84761

=====

DATES, ETC.\*\*\*\*\*

LAND OWNED BY APPLICANT? COUNTY TAX ID#:  
 FILED: 06/10/1950 PRIORITY: 06/10/1950 PUB BEGAN: PUB ENDED: NEWSPAPER:  
 ProtestEnd: [PROTESTED: [No ] HEARNG HLD: SE ACTION: [Approved] ActionDate: 05/04/1951 PROOF DUE:  
 EXTENSION: [ELEC/PROOF: [ ] ELEC/PROOF: CERT/WUC: 03/13/1980 LAP, ETC: LAPS LETTER:  
 RUSH LETTR: [RENOVATE: [ ] RECON REQ: TYPE: [ ]

PD BOOK: [ 75- ] MAP: [ ] PUB DATE:

Type of Right: Application to Appropriate Source of Info: Ownership Segregation Status: Water User's Claim

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LOCATION OF WATER RIGHT\*\*\*\*\*

FLOW: 52.0 acre-feet SOURCE: Underground Water Well

COUNTY: Iron COMMON DESCRIPTION: Northwest of parowan

POINTS OF DIVERSION -- UNDERGROUND:

- (1) N 25 ft E 1235 ft from S4 cor, Sec 07, T 34S, R 9W, SLBM  
 DIAMETER OF WELL: 14 ins. DEPTH: 450 to ft. YEAR DRILLED: WELL LOG? No WELL ID#:
- (2) N 55 ft E 230 ft from SW cor, Sec 07, T 34S, R 9W, SLBM  
 DIAMETER OF WELL: 12 ins. DEPTH: 275 to ft. YEAR DRILLED: WELL LOG? No WELL ID#: 13981
- (3) S 1220 ft E 1320 ft from NW cor, Sec 07, T 34S, R 9W, SLBM  
 DIAMETER OF WELL: 16 ins. DEPTH: 594 to ft. YEAR DRILLED: WELL LOG? No WELL ID#:
- (4) N 2635 ft E 680 ft from S4 cor, Sec 08, T 34S, R 9W, SLBM  
 DIAMETER OF WELL: 14 ins. DEPTH: 600 to ft. YEAR DRILLED: WELL LOG? No WELL ID#:
- (5) S 2620 ft E 10 ft from N4 cor, Sec 08, T 34S, R 9W, SLBM  
 DIAMETER OF WELL: 14 ins. DEPTH: 600 to ft. YEAR DRILLED: WELL LOG? No WELL ID#:
- (6) N 860 ft E 1210 ft from W4 cor, Sec 09, T 34S, R 9W, SLBM  
 DIAMETER OF WELL: 14 ins. DEPTH: 600 to ft. YEAR DRILLED: WELL LOG? No WELL ID#:

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USES OF WATER RIGHT\*\*\*\*\* ELU -- Equivalent Livestock Unit (cow, horse, etc.) \*\*\*\*\* EDU -- Equivalent Domestic Unit or 1 Family  
 SUPPLEMENTAL GROUP NO. 627503.

IRRIGATION: 13.0 acres Div Limit: 52.0 acft. PERIOD OF USE: 03/15 TO 10/31

| ##PLACE OF USE:        | *-----NORTH WEST QUARTER-----* |    |    |    | *-----NORTH EAST QUARTER-----* |    |    |    | *-----SOUTH WEST QUARTER-----* |    |    |    | *-----SOUTH EAST QUARTER-----* |    |    |        | * Section Totals |
|------------------------|--------------------------------|----|----|----|--------------------------------|----|----|----|--------------------------------|----|----|----|--------------------------------|----|----|--------|------------------|
|                        | * NW                           | NE | SW | SE | * NW                           | NE | SW | SE | * NW                           | NE | SW | SE | * NW                           | NE | SW | SE     |                  |
| Sec 06 T 34S R 9W SLEB | *                              |    |    |    | *                              |    |    |    | *                              | X  | X  | X  | *                              |    |    | *      | 0.0000           |
| Sec 07 T 34S R 9W SLEB | *                              | X  | X  | X  | *                              |    | X  | X  | *X                             | X  | X  | X  | X                              | X  | X  | *      | 0.0000           |
| Sec 08 T 34S R 9W SLEB | *                              |    | X  | X  | *                              |    | X  | X  | *X                             | X  | X  | X  | X                              | X  | X  | *      | 0.0000           |
| Sec 08 T 34S R 9W SLEB | *                              |    | X  | X  | *                              |    | X  | X  | *X                             | X  | X  | X  | X                              | X  | X  | *      | 0.0000           |
| Sec 08 T 34S R 9W SLEB | *                              |    | X  | X  | *                              |    | X  | X  | *X                             | X  | X  | X  | X                              | X  | X  | *      | 0.0000           |
| GROUP ACREAGE TOTAL:   |                                |    |    |    |                                |    |    |    |                                |    |    |    |                                |    |    | 0.0000 |                  |

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SEGREGATION HISTORY\*\*\*\*\*

This Right was Segregated from 75-74, with Appl#: A21797, Approval Date: / / under which Proof is to be submitted.

This Right as originally filed:

| FLOW IN<br>CFS              | QUANTITY IN *-----W A T E R U S E S-----* |                      |                 |                        |           |        |       |       |
|-----------------------------|---|----------------------|-----------------|------------------------|-----------|--------|-------|-------|
|                             | ACRE- FEET                                | IRRIGATED<br>ACREAGE | STOCK<br>(ELUs) | DOMESTIC<br>(FAMILIES) | MUNICIPAL | MINING | POWER | OTHER |
|                             | 52.0                                      | 13.0000              |                 |                        |           |        |       |       |
| *****E N D O F D A T A***** |   |                      |                 |                        |           |        |       |       |



| PLACE OF USE ----->  | CHANGED as follows:   |
|--|---|
| <pre> --NW¼-- --NE¼-- --SW¼-- --SE¼--  N N S S N N S S N N S S N N S S   W E W E W E W E W E W E W E W E  Sec 06 T 34S R 9W SLBM * : : : ** : : : ** :X:X:X** : : : * Sec 07 T 34S R 9W SLBM * :X:X:X** : :X:X**X:X: :X**X:X:X: * Sec 08 T 34S R 9W SLBM * : :X:X** : :X:X**X:X: : **X:X: : * </pre>         | <pre> --NW¼-- --NE¼-- --SW¼-- --SE¼--  N N S S N N S S N N S S N N S S   W E W E W E W E W E W E W E W E  Sec 18 T 34S R 9W SLBM * : : :X** : : : ** : : : ** : : : * </pre>  |
| <p>NATURE OF USE -----&gt;</p> <p>IRR = values are in acres.<br/> STK = values are in ELUs meaning Cattle or Equivalent.<br/> DOM = values are in EDUs meaning Equivalent Domestic Units<br/> (or Families).</p> <p>SUPPLEMENTAL to Other Water Rights: No</p> <p>IRR: 13.0000 acres. USED 03/15 - 10/31</p> | <p>CHANGED as follows:</p> <p>SUPPLEMENTAL to Other Water Rights: No</p> <p>IRR: 12.7750 and 12.7750 Sole Supply USED 03/15 - 10/31</p> <p>DOM: 2.0000 USED 01/01 - 12/31</p> |

\*\*\*\*\*  
\*\*\*\*\*E N D O F D A T A\*\*\*\*\*  
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