



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

Michael O. Leavitt  
Governor  
Ted Stewart  
Executive Director  
Robert L. Morgan  
State Engineer

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June 3, 1994

Mr. Bruce Hartman  
Big Sand Wash Distribution System  
Altamont, UT 84001

re: Request for Reconsideration  
and Stay of Order to Cease Use of Water

Dear Mr. Hartman:

Your petition, dated May 27, 1994, requested reconsideration and a stay of the order dated May 24, 1994. You stated that the measuring device required for your canal had been ordered and was expected to be delivered during the first two weeks of June. The petition further claimed irreparable injury would occur to the irrigated land if the diversion were closed as ordered.

The purpose for requiring measuring devices is to ensure that water is divided equitably among the water users according to the water rights of record and to ensure that water users do not exceed their rights.

The Request for Reconsideration is hereby denied, but the Order to Cease the Use of Water is hereby stayed upon the following conditions:

1. The required measuring device will be installed prior to June 20, 1994.
2. During the period before the measuring device is installed, the flow rate of the diversion into your canal will be set only by the commissioner. The diversion rate so set will not be changed except by the commissioner.

If these conditions are not met, the Order to Cease the Use of Water will be considered in full force. You will be notified and the requirements of the order will be enforced.

The Decision denying the Request for Reconsideration is subject to the provisions of Rule R625-6-18 of the Division of Water Rights and to Sections 63-46b-14 and 73-3-14 of the Utah Code which provide for the filing of an appeal with the appropriate District Court. A court appeal shall be filed within 30 days after



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the date of this Decision.

If you have any questions concerning the decision to deny reconsideration or the stay or the conditions associated with it, please contact Bob Leake at 781-5327 or Lee Sim at 538-7380.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert L. Morgan".

Robert L. Morgan, P.E.  
State Engineer

cc: Bradley R. Cahoon  
John Mabey  
Bill Christensen  
Lee Sim  
Bob Leake