

MEMORANDUM

TO: Big Sand Wash File

FROM: Ted Baldwin, Hydrologic Engineer

SUBJECT: Sand Wash Irrigation Company

DATE: March 31, 1978

Michael M. Quealy, attorney for Sand Wash Irrigation Company in a letter dated July 5, 1977, to Dee C. Hansen, State Engineer summarized a water right problem existing with Big Sand Wash water between Big Sand Wash Reservoir and the Sand Wash Irrigation Company diversions three miles downstream from the dam. Mr. Quealy requested the State Engineer to have the individuals involved install locking headgates and to cease their illegal diversions of water. Mr. Quealy also requested the extension of the jurisdiction of the Duchesne River Commissioner to include Big Sand Wash Creek to regulate the water .

Robert F. Guy, Area Engineer, Vernal, Utah, in a memo dated October 13, 1977 to Dee C. Hansen, summarized the basis for the Big Sand Wash water rights problem. He also brought up the possible conflict between the State and Federal since part of the water the Division of Water Rights is being asked to distribute is under Federal Decree.

I talked with Robert Guy on the Telephone during the afternoon of March 30, 1978 to learn more facts about the case. I also asked about the law suit that had been instigated in the matter but Mr. Guy did not know the progress of the law suit.

On the morning of March 31, 1978, I talked with William Christensen, Water Commissioner, Uintah-Lake Fork Rivers on the telephone to learn about Big Sand Wash Reservoir and the release of water to the Big Sand Wash water users. I also asked about the law suit. He informed me that the parties involved had agreed to try for an out of court settlement.

After talking with Mr. Christensen, I called Michael Quealy, attorney for Sand Wash Irrigation Company and asked if the out of court agreement had been reached. He said an agreement had been reached to the satisfaction of the Sand Wash Irrigation Company and there would be no need, at present, to follow through on his request to bring Big Sand Wash water under the regulation of the Duchesne River Commissioner.

*Ted Baldwin*