

# CLYDE, PRATT & SNOW

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MAY 20 1991

WATER RIGHTS  
SALT LAKE

May 16, 1991

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Mr. Jim Riley, P.E.  
Division of Water Rights  
1636 West North Temple, Suite 200  
Salt Lake City, Utah 84106

Re: RED CEDAR CORPORATION--GEORGE DOUGLASS

Dear Jim:

As you may be aware, I filed suit against Mr. Douglass about a year ago on behalf of my client Red Cedar Corporation in order to bring an end to the interference problems that they had been having with each other. That litigation has now been resolved by a stipulated settlement and a formal Judgment on Stipulation has been submitted to the court for entry.

I have enclosed a copy of the Stipulation and the proposed Judgment for your review and information. I will forward to you a copy of the Judgment once it has been signed by the court.

As you will note, the settlement contemplates the State Engineer will appoint a River Commissioner to supervise the distribution of water and the recording of water measurement data by the parties. The River Commissioner's salary and expenses are to be paid by the parties in accordance with the terms of the judgment. He will obviously need to be appointed by the State Engineer and brought under the supervision of the State Engineer's distribution section. I assume that Lee Sim will have supervisory control over the commissioner that will be appointed.

As you may be aware, both parties have discussed with Cecil Garland the possibility of his serving in the capacity of river commissioner. He has apparently agreed to do so. I suggest that either you or Lee should contact him and confirm this and then make the necessary appointment once the Judgment has been entered by the Court.

Red Cedar Corporation has as a part of the settlement entered into a lease agreement with Mr. Douglass that will provide Mr.

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Douglass some small quantity of water to provide for his domestic needs. The River Commissioner should also be aware of this arrangement so that the leased flows can be taken into account in connection with the distribution of water in accordance with the stipulated Judgment.

If you have any questions about this, please let me or Lee Kapaloski know.

Best regards.

Very truly yours,

CLYDE, PRATT & SNOW P.C.



STEVEN E. CLYDE

Enclosure

CC: Glen Allred  
Lee Kapaloski