



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor

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Executive Director

Robert L. Morgan
State Engineer

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May 10, 1995

Ms. Arline Lundburg
c/o Datchel Whitaker
P.O. Box 177
Kanosh, Utah 84637

Dear Ms. Lundburg:

Re: Pahvant Valley

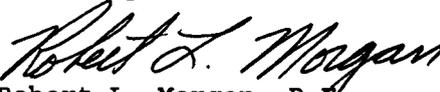
Last fall you received a letter dated August 24, 1994 stating that it appeared from our research and investigation that you were irrigating 36 acres of land located in Section 19, Township T23S, Range R5W, SLB&M for which no valid water right is known to exist. The letter directed you to either verify your rights with our regional office in Richfield if you believe we are in error, or to obtain approval of any necessary changes if you planned to irrigate this land in 1995. You were instructed to complete this by the beginning of irrigation in 1995 or you would be ordered to cease the use of water on the illegal acreage.

To our knowledge you have not responded to that letter or it is unclear at this time what your intentions are for the coming irrigation season. We expect you to comply with the conditions of the above referenced letter. We will enforce water right acreage limitations in the Pahvant area this season and verify compliance by field investigation. Orders to cease the use of water will be issued when it is determined that illegal acreage is being irrigated. Legal action to enforce the cease use order will be used when necessary. It is your responsibility to make certain that the land you are irrigating is covered by a valid water right.

This letter commences an informal adjudicative proceeding which is being conducted pursuant to Rules R655-6 of the Administrative Rules of the Division of Water Rights.

If you have any questions concerning this notice, please contact Kirk Forbush, Regional Engineer, at 801-896-4429, or Lee H. Sim, Assistant State Engineer for Distribution, at 801-538-7380.

Sincerely,


Robert L. Morgan, P.E.
State Engineer

cc: Lee Sim
Kirk Forbush
John Mabey, Asst. Attorney General

