



DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

Norman H. Bangerter

Governor

Dee C. Hansen

Executive Director

Robert L. Morgan

State Engineer

1636 West North Temple, Suite 220

Salt Lake City, Utah 84116-3156

801-538-7240

November 7, 1989

Ophir Creek Water company  
c/o Roy Willis  
Tooele Army Depot  
Tooele, UT 84074

Gentlemen:

RE: Ophir Creek Water

Change Application Number 15-2273 (a14267) was approved on April 19, 1987, adding storage to your rights out of Ophir Creek.

One condition was made upon approval of the change which was "that the water can only be accumulated in the storage reservoirs during the irrigation seasons." Please see the enclosed copy of the Memorandum Decision dated April 19, 1987. This condition was placed to protect prior rights downstream.

The Bureau of Land Management has brought to my attention that you are accumulating water in the ponds during the non irrigation season when said waters should be passed through the ponds and go down to prior rights.

From November 1 until March 31, each year, you do not have the right to accumulate additional water in your ponds and all water entering the ponds during that time period must be released.

I have not seen the ponds and am not familiar with their operation. Would you please provide within **two weeks** a detail of how the ponds are operated and how you can make sure that no water is accumulated during the non irrigation season.

Thanks for your prompt attention to this matter.

Sincerely,

James E. Riley, P.E.  
Area Engineer

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Encls.

cc: Bureau of Land Management  
c/o A.J. Martinez  
2370 South 2300 West  
Salt Lake City, UT 84119

Tooele County Wildlife Federation  
c/o Gene Ekenstam  
P.O. Box 223  
Tooele, UT 84074

E.J. Skeen, Attorney  
50 South Main, Suite 1600  
P.O. Box 45340  
Salt Lake City, UT 84145

✓ Lee Sim  
Distribution Directing Engineer