



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

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State Engineer

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Salt Lake City, Utah 84116-3156
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May 25, 1990

Cardiff Associated Property Owners
2505 Skyline Circle
Salt Lake City, UT 84108

Attention: Charles Nickerson

RE: Spring development in Big Cottonwood Canyon

Gentlemen:

It has come to my attention that you have recently been issued a special use permit from the Forest Service to develop a spring in Big Cottonwood Canyon. I feel you should be informed of the state law requiring you to have an approved water right prior to any development of the spring, diversion or use of the water. Such a water right would probably be a change application based on a contract with Salt Lake City Corporation which owns the majority of the waters in Big Cottonwood Canyon.

Apparently you have an existing system through which you are diverting water from a creek, namely, Mill D South Fork. A search of the records of the State Engineer indicates that you do not have the right to divert any water from Big Cottonwood Canyon.

Will you please provide this office within 30 days, evidence of a valid water right to divert and use the water from the creek or spring. If after that time it is still found that you do not have a water right and are not taking any action to resolve this problem, the matter will be turned over to the Attorney General's office for legal action to forbid you from diverting any water.

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Thank you for your prompt attention to this matter and should you have questions or need assistance, please contact the Utah Lake/Jordan River Area Office.

Sincerely,


Robert L. Morgan, P.E.
State Engineer

RLM:JER:ap

cc: Wasatch-Cache National Forest
c/o Richard Rusk
6944 South 3000 East
Salt Lake City, UT 84121

Salt Lake City Corporation
c/o LeRoy Hooton
1530 South West Temple
Salt Lake City, UT 84115