



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor

Kathleen Clarke
Executive Director

Robert L. Morgan
State Engineer

Southwestern Region
585 North Main Street, Suite 1
PO Box 506
Cedar City, Utah 84721-0506
435-586-4231
435-586-2789 (Fax)

14 July 2003

RECEIVED
JUL 16 2003
WATER RIGHTS
SALT LAKE

Elliott F. Christensen
10 East South Temple, Ste 1650
SALT LAKE CITY UT 84133

RE: REQUEST FOR DOCUMENTATION / NEW HARMONY AREA

Mr. Christensen:

I am writing pursuant to my earlier letter dated 07 July 2003 regarding the same captioned matter and your response by fax and telephone on 11 July 2003. Regarding the two issues addressed in the earlier letter:

“Death Valley Well”

As you have explained, it is now my understanding that the well which I visited in company of Mr. Bruce Whited on 03 July 2003 is, in fact, not the so-called “Death Valley Well” (which has not been drilled as of this date) but is a well located approximately South 911' and E 1150' from the North Quarter Corner of Section 35, T38S, R13W, SLB&M. The well was drilled under Change Application 81-1635 (a17309). The well lithology and construction was mistakenly reported on a pre-printed well log form for another well authorized under that change, said log having been manually altered by striking out the pre-printed location and writing in “South 1000' East 3700' ” [evidently from the NW Corner of said Section 35]. This same well has been alternately referenced as “12” Ash Creek Well” and “Well B” in various other documents. It is also described in pending Change Application 81-192 (a20468) as proposed point of diversion (11), and it is under authority of this application that it is currently in use.

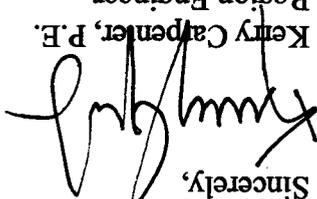
Therefore, it appears that our records do contain the required documentation for this well, now supplemented by the information which you provided by fax on 11 July 2003.

“Sawyer Spring Dam/Pond”

You have confirmed that the pond in question is, in fact, not located on property belonging to the CPB but is situated on land which you have personally acquired. You also acknowledged that you contracted with Mr. Cloyd Stratton to construct the pond and did so with the understanding that, because it was below certain size limitations, no special permitting was required. You have also affirmed that the pond has been drained and that the outlet will remain open so that the reservoir will not impound water until all necessary authorizations are in place. Further, you informed me that the water in the pond has come primarily from a buried 2-inch PVC line which carries water from the so-called “Sawyer Well” rather than from the Sawyer Spring itself.

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I understand that you will contact personnel in our Salt Lake Office of Dam Safety/Stream Alterations to begin the process of obtaining the necessary authorizations to maintain the pond. Your prompt and thorough responses to my earlier inquiries are appreciated.

Sincerely,

Kerry Carpenter, P.E.
Region Engineer

pc: Richard Hall, P.E. / Assistant State Engineer – Dam Safety / Stream Alterations
Lee Sim, P.E. / Assistant State Engineer – Distribution / Well Drilling
Kent Jones, P.E. / Assistant State Engineer – Appropriations
Water Rights Files 81-16, 81-17, 81-192