

July 19, 1990

Rec'd 7/23/90  
*[Signature]*

Mr. Gerald Stoker, Area Engineer  
Department of Natural Resources  
Water Rights Division  
585 N. Main Street  
P.O. Box 506  
Cedar City, Utah 84720

**COPY**

Dear Mr. Stoker:

I am writing in reference to Dale Clarkson's well permit number 97-1938. This well is limited to the irrigation of 63.77 acres in an area referred to as the Draw within the town of Boulder. In this area, Mr. Clarkson irrigates 63.77 acres, and Mr. Leo Gardner, who owns 160 acres, also irrigates his land. Mr. Gardner owns some shares of Boulder Irrigation Company B and C water for this area. However, because of the lack of water in the area, there is no B and C water available. There are no other wells in this area nor any other rights under number 97-1938 and no Boulder Irrigation Company A water used in this land that I am aware of. Therefore, I believe approximately 200 acres are being irrigated from the well (permit 97-1938) which is limited to the irrigation of 63.77 acres.

Exceeding the allocation granted by this permit has a detrimental effect on water rights 97-1496 and 97-1524 owned by Deer Creek Ranch partnership and other land owners of Deer Creek Ranch. I believe that the source of Mr. Clarkson's well water is also the source of our spring-fed water rights, and that by exceeding his permit limitations he is decreasing the amount of water available both in Deer Creek (97-1524) and spring area (97-1496).

Would you please look into this matter and inform me of the outcome of your investigation?

Very truly yours,

*David J. Bird*  
David J. Bird

DJB:dd

## DEER CREEK RANCH

c/o David J. Bird, 333 East 400 South, Salt Lake City, Utah 84111 • (801) 328-8987