



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor

Kathleen Clarke
Executive Director

Robert L. Morgan
State Engineer

Northern Region
1780 Research Park Way, Suite 104
North Logan, Utah 84341-2058
435-752-8755
435-752-0062 (Fax)

September 7, 2001

Kent Larsen, President
Hyrum Blacksmith Fork Irrigation Company
645 North 600 East
Hyrum, UT 84319

Dear Mr. Larsen:

Pursuant to your letter dated August 12, 2001 regarding Coldwater Ranch Inc's diversion of water from the Blacksmith Fork for irrigation, I looked into the matter and present the following information.

Coldwater Ranch Inc. owns water rights 25-8108, 8109, 8110 and 8111, in addition to stock watering rights, which were previously owned by Keller Grazing. Enclosed are printouts showing that these rights are signed Water Users Claims which carry priorities of 1891 and 1900 to irrigate 43.5 acres. Enclosed is a map showing the irrigated acreage.

I passed by this area on September 7, 2001 and observed water flood irrigating some land and some sprinkler risers that obviously had water in them. I also noted that there was water flowing in the ditch on the 5M ranch north of the Coldwater Ranch. I didn't see any of the ditches on the Hardware Ranch with water in them.

Your request for a cease and desist order against Coldwater Ranch is noted, but a call on the river by the users should include all diversions out of priority, as well as illegal diversions. The flow of the Blacksmith Fork, as provided by the USGS, is 71 cfs, which is well below the primary (1861) rights held by the three irrigation companies, which total 120 cfs.

Enclosed is a copy of a letter I am sending to the Coldwater Ranch with regard to the flow of the Blacksmith Fork, the priority of their rights and their need to respect prior rights. For a more efficient and timely distribution, perhaps it is time that the State Engineer appoint a river commission and organize a distribution system. If you have any further questions, please contact our office.

Sincerely,

William H. Atkin, P.E.
Assistant Regional Engineer

WHA:gf