



11 August 1992

RECEIVED

AUG 28 1992

WATER RIGHTS
SALT LAKE

Mr. Robert Fotheringham
State of Utah Water Rights
55 East 100 North
Logan, Utah - 84321

Dear Mr. Fotheringham:

I am writing this letter to document our telephone conversation of the morning of 10 August.

As I explained then I am a member of the Mantua Irrigation Water Board. In the last few weeks several of the water users have approached me with some concerns about the watering activities of Mr. Harvey Facer.

About three years ago Mr. Facer dug a small holding pond or reservoir about 300 yards south and below the North Dam spring which supplies irrigation water for the north end of Mantua valley. Some of the old time water users tell me that at the same time he developed a surface water source near the new pond where water had for years maintained a marsh condition.

Mr. Facer runs irrigation water into his pond during his irrigation turn. Then pumps water from the pond into a sprinkling system which waters his corn and alfalfa fields. He does not necessarily pump water from this pond during his irrigation turn, but pumps whenever it is convenient and for as long as he likes. Of course it varies but he has been observed sprinkling with as many as 40 standard sprinkling heads and three large heads all at the same time. And this he will do for hours.

Mr. Facer's position is that this is acceptable because he is only storing "his" water for later use when he wants to pump, and thus it is only his water that he is using.

The concern from the water users that have talked with me is that he has actually tapped into the same source of water that feeds the irrigation spring and that he is actually drawing down the level of the irrigation spring, taking water away from the spring and thus other water users who are not getting all the water

that they are entitled to and have a right to use.

At this point in time we are not accusing anyone of anything, but we do feel that there are some real questions that need answers. We are not water engineers and do not know how to go about find the answers to our questions and concerns. Therefore, we (a group of Mantua irrigation water users) are requesting the assistance of your office. It seems to us that this falls right in line with your responsibility to regulate water rights for northern Utah.

Any help you could provide in this matter would be appreciated. You can contact me at the address or phone numbers given below.

Respectfully,


Bryce H. Jeppsen

Address: 76 W. 500 N.
Mantua, Utah - 84324

Home phone: 723-2736
Business phone: 863-2499