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State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER KENT L. JONES
Executive Director *State Engineer/Division Director*

March 28, 2012

Larry Maycock
Rocky Ford Irrigation Co.
P.O. BOX 2135
Beaver, UT 84713

RE: Rocky Ford Dam, UT00259 – Increase in High Water Elevation

Mr. Maycock:

On February 27, 2012, our office received a report that work was being done on the Rocky Ford dam spillway. Our office contacted you on this day and our understanding was that additional riprap was being placed on the downstream channel of the spillway to repair erosion from concentrated flows during previous spilling events and to spread flow across the entire spillway channel. It was also understood that concrete would be used to hold the riprap in place. Our office was in agreement with this maintenance and repair work and indicated to you at that time that the high water level should be preserved.

On March 14, 2012, Everett Taylor of our office visited Rocky Ford dam and noted that a concrete sill has been placed at the downstream shoulder of the spillway crest. This work is not consistent with the previously given description of work to be completed. At the time of the visit water was not flowing over the newly placed sill but was measured at 0.3 feet over the old concrete weir wall at the upstream shoulder of the spillway crest.

Additional complaints from water users have been received by our office..

Section 73-5a-201 of the Utah State Code states, "*No person may construct, enlarge, repair, alter, remove or abandon any dam or reservoir without obtaining written approval from the State Engineer.*"

By installing a new concrete sill with a crest elevation above 5505 feet, Rocky Ford dam has been altered and enlarged without approval from the State Engineer. Because the dam was altered without authorization, Rocky Ford Irrigation Co. must not store water above the previous high water elevation of 5505 feet until authorized.

This issue is being evaluated within our division. Information regarding additional remedial actions will be forthcoming. Your cooperation is appreciated. You should be aware that violation of the instructions in this notice could be actionable under the State Engineer's enforcement authority.

If you have any questions or would like to discuss this letter in further detail, please contact me at (801) 538-7376 or Everett Taylor at (801) 538-7372.

Sincerely,

David K. Marble, P.E.
Asst. State Engineer, Dam Safety

DKM/ewt/jm

cc: Kurt Vest – Regional Engineer
 Jared Manning – Asst. State Engineer, Field Services