

January 17, 1950

Mr. David L. Foote
Orderville, Utah

East Fork

Dear Sir:

RE: VIRGIN RIVER DECREE

In answer to your letter dated January 12, relative to diversions from the Virgin River under decreed rights, kindly be advised that your point of diversion is, in fact, the intersection of the longitudinal axis of the diverting dam and the natural channel of Virgin River and not the head of your canal.

There is no reason why you could not maintain the same diversion dam and take the water out on a different side of the stream. This should be clear to you after the definition given of your point of diversion. However, if you actually change the location of the dam necessary to divert the water, in order to comply strictly with the statutes, you should file a change of point of diversion in this office. In this change, if you change the location of the place of use, this should also be provided for. A blank form for filing application for change of point of diversion, place and purpose of use, is forwarded to you, under separate cover. Kindly read all explanatory matter in the form before preparing it for filing.

Yours very truly,

Harold A. Linke
STATE ENGINEER

FWC/vm