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WATER RIGHTS



STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

DEE C. HANSEN
STATE ENGINEER
EARL M. STAKER
DEPUTY

P.O. BOX 506
CEDAR CITY, UTAH 84720
586-4231
July 29, 1980

GERALD W. STOKER
AREA ENGINEER

Raymond Brinkerhoff
Tropic, UT 84776

Dear Mr. Brinkerhoff:

Alvey Wash

It has been reported to the Division of Water Rights that you are diverting water on the "Dwayne Harkleroad" farm located within the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 26, T36S, R3W SLB&M. We are unable to search out a water right for this particular property and must assume that the water is being diverted illegally. By keeping an unauthorized dam in a canal or ditch it must create a problem to rights located downstream from the property. The alleged claim to direct interference states that, "We are having a problem with Raymond Brinkerhoff keeping his dam in our ditch to prevent any water from reaching our farm."

In the event you are irrigating with water from Cope Canyon or from the Paria River we must advise you to cease any further diversion until you have established a proper water right and have authorization from the State Engineer to irrigate the land in question. If you have any questions concerning this matter or water and water rights in general, we would be happy to assist you in understanding those situations.

Further inquiry will be made into the above described interference, and we believe that you will wish to cooperate in this matter and avoid the civil action that could culminate from misuse of water in Utah. Thank you.

Sincerely,

Gerald W. Stoker
Area Engineer

GWS:mch

cc: Donald C. Norseth
Distribution Engineer
Salt Lake City