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As stated in the office memorandum we are extremely short on water this year and unless the area receives storm runoff it is possible that some of the diversions will have to be shut off. We believe that some action must be taken in the event the water supply levels off or increases from storm runoff. If you have any questions we would be most happy to discuss them with you. Thank you for your support in this matter.

Yours truly,

Gerald W. Stoker
Area Engineer

GWS/sm

Enclosure

cc: Donald C. Norseth

Melvin Alvey

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

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GERALD W. STOKER
AREA ENGINEER

May 23, 1974

Honorable Judge Don V. Tibbs
County Courthouse
Manti, Utah 84642

RE: Alvey Wash Distribution System

Dear Judge Tibbs:

On May 22, 1974, I toured the above system with Mr. Melvin Alvey, Water Commissioner, and attached is a copy of the office memorandum written from that visit. Please note that we have three serious problems on the system of which we can control two, but the other problem is in the hands of the weather maker. The two problems that we would like to have your consideration on involve matters that were discussed at the annual water user's meeting, namely, the diversion by Leo Wilson without a proper measuring device, and the diversion by McKay Bailey. The Leo Wilson matter is quite clear but further explanation will be necessary for McKay Bailey's problem.

When we initially set up the distribution system under the direction of Judge Erickson we required J. C. Spencer (McKay Bailey) to install a by-pass or overflow canal which would allow that water not decreed or allotted to this diversion to be conveyed back into Alvey Wash at a location above the Steed diversion. An attempt to install this device was made but in our opinion the canal was too far away from the natural channel to accomplish the real purpose. The water was allowed to run in a poorly constructed canal and spread out through a grove of trees before reaching the wash. At the present time there is no evidence of the canal having ever existed. The sole purpose of this by-pass is not to ensure a supply of water for the Steed diversion only, but also to collect the waters of Alvey Wash and attempt to supply the Baxney diversion which is the last one on the system. It is our understanding that Mr. Barney will divert or attempt to divert water onto his property in the very near future.