

May 6, 1949

Duane A. Frandsen  
Attorney at Law  
Price, Utah

Dear Duane:

RE: PRICE RIVER DISTRIBUTION ASSESSMENT

On April 15 you sent a check for \$512.11 to the State Engineer to pay a delinquent assessment against the Price River Water Conservation District. In the second paragraph of your letter you state:

"The district is paying this claimed delinquency with the understanding that the Price River Water Conservation District will not be assessed in the future for distribution of water from the Price River distribution system."

On March 4, 1948, Mr. Ed. Watson wrote a letter to Mr. Carlyle Pace, Secretary to the Conservation District, stating the position of his office. I am having the State Engineer hold this check for a period of ten days before cashing the same. In the event that you disagree with the letter of March 4, 1948, please let me know. We will return the check to you and file suit in order to satisfy you of the legal requirements of the Conservation District to pay this money.

It is not the desire of the State Engineer to perpetually have trouble in collection of this account and we would rather have one law suit and settle the matter once and for all than to accept this check on the understanding that the Conservation District is not responsible for any assessment. It is our claim and position that in the event the State Engineer cannot collect the assessment from the individual users of the water that the Conservation District will be required to pay such assessment.

In the event you do not agree with me please let me know. In the event you do agree no further information or correspondence will be necessary and the check will be cleared ten days from today.

Yours very truly,

J. Lambert Gibson  
DEPUTY ATTORNEY GENERAL

JLG/le

*No further info received  
Check No. 4387 in amt of \$512.11 deposited to R/R System  
account and credited under official State Receipt No. 44080,  
dated June 9, 1949. -- 1947 Assessment calls have been dated.  
Attached hereto (70)*