

Draft 7/26/61 - Leubart )  
Maye ) Re-  
Higginson ) view  
Donaldson )  
Kereth )

Dear Mr. Hunt:

Your letter of February 17, 1961 regarding the limitation on acre-foot of water and flow rate allowed in Escalante Valley has been under considerable study. We have delayed replying until such time as we could give consideration to not only your problem, but to several others that have arisen from your area.

At the time we made the statement over a year ago that acre-foot would be the limitation and flow rate would be of secondary consideration, we were thinking of actual operation of wells. It is generally impractical to maintain any specific well at a given output. When a well is new and the water level may be high, the discharge will be relatively high. During periods when the water level is at a minimum the flow will be considerably less. Sometimes a well goes partially bad and we have allowed a new well to be drilled and both used temporarily with the resultant flow being considerably greater than the application calls for. However, the right is as shown in the decree or determination. We, with court approval, will try to administratively allow temporary use of a flow rate not to exceed twice that called for in the award. In other words, if a man has a flow right for 3 c.f.s. to irrigate 100 acres of land, we would not consider it proper to allow a flow rate of 3 c.f.s. for each 50 acres. We would consider allowing use of a temporary flow of not exceeding 6 c.f.s. providing local interference would not develop.

Very truly yours,

WDC/esa

Wayne B. Criddle