



STATE OF UTAH  
NATURAL RESOURCES & ENERGY  
Water Rights

Scott M. Matheson, Governor  
Temple A. Reynolds, Executive Director  
Dee C. Hansen, State Engineer

1636 West North Temple • Salt Lake City, UT 84116 • 801-533-6071

July 10, 1985

Wilmer Parrish  
Route 2  
Roosevelt, UT 84066

Dear Mr. Parrish:

We are experiencing difficulty in distributing the waters in Deep Creek Distribution System because of the lack of adequate measuring devices and headgates. Installation of measuring devices and headgates is required on every diversion in the State of Utah as stated in Section 73-5-4 of the Utah Code Annotated, 1953.

Though your diversion structure is existing, it does not adequately measure the flows diverted to you and it allows water to flow around the structure uncontrolled.

Because of this, the river commissioner is unable to measure the amounts of water to be diverted and cannot effectively distribute the river flow to all users. Therefore, the rights of some of the users on the system may be impaired.

The State Engineer is therefore ordering you to correct the problem to assure that your diversion is not drawing more water than you are entitled to. This must be done within five (5) days of receiving this letter or the diversion must be closed to allow no water to be taken at the diversion works. This is ordered to assure that the water rights of the downstream users are not impaired. The river commissioner has authority from the State Engineer to assure that conditions are met or that the diversion is controlled if conditions are not met.

The State Engineer further orders that a new headgate and measuring device be installed at the applicant's expense to adequately measure all water delivered to the applicant. From our field investigation, it appears that the point of diversion should be moved upstream from its present location. Please contact our office for help in selecting the type of headgate and measuring device required and also to determine if a change application needs to be filed to reflect the new point of diversion.

Deputy State Engineer/Earl M. Staker    Area Engineer/Richard B. Hall

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If you have any questions please contact me or our office in Vernal.

Very truly yours,

Robert L. Morgan, P.E.  
State Engineer

cc: Charman Justice, River Commissioner  
Lapoint, UT 84039

Arthur McKee, Chairman  
P.O. Box 93  
Lapoint, UT 84076

✓ Kent L. Jones, P.E.  
Directing Distribution Engineer

Dallin Jensen,  
Assistant Attorney General

Blake Wahlen  
Vernal Area Office