

September 10, 1986

Mrs. Kristy Jensen, Secretary
BRADY DITCH IRRIGATION CO.
Box 218
Fairview, Utah 84620

Dear Mrs. Jensen:

I recently received your inquiry concerning your assessment for the San Pitch Distribution System. You asked a question concerning what the assessment was for and also what it was based on.

The San Pitch Distribution System has been in operation for many years. The system involves all the Upper San Pitch River and its tributaries. According to the Articles of Association, the system, which includes the Brady Ditch, is to distribute the waters of the San Pitch to its rightful owners. The system is to establish a Board of Directors with a chairman, which board is to "promote general harmony of the entire river system and to care for the needs of the individual and corporate water users . . . and function as administrators and mediators of their water affairs". A set annual meeting is called by the Board with the water users to discuss problems and make recommendations to the State Engineer. After this meeting the Board meets with the state engineer to agree upon a budget and a river commissioner, and to make plans for water distribution for the following year.

According to state statute 73-5-1 of the Utah Code annotated, 1953, the operating costs of such a distribution system are to be "borne pro-rata by the users of water from such river system" and is to pay commissioner salaries and expenses for delivering and recording the amounts of water diverted. Perry Jensen has been appointed as your river commissioner. He is responsible for regulating and measuring the river flow under his jurisdiction and his expenses and salary are to be paid by the users.

Each year the commission reports to the state engineer the amount of water that has been diverted by each user and they, in turn, pay their proportional share of the operating expenses. I have included a copy of the 1985 diversion amounts and the 1986 assessment preparation for your information.

Should you have any questions please contact me or Stan Adams at our Richfield Office (896-4429).

Sincerely Yours,

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

Enclosure

KLJ:cj

cc: Perry Jensen, River Commissioner
San Pitch Distribution System