



STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

DEE C. HANSEN
STATE ENGINEER
JOHN BENE
DEPUTY

442 STATE CAPITOL
SALT LAKE CITY, UTAH 84114
(801) 533-6071

DIRECTING ENGINEERS
HAROLD D. DONALDSON
DONALD C. NORSETH
STANLEY GREEN

June 6, 1977

(SEE ATTACHED SHEET)

RE: Milford Distribution System

It has been reported by your water commissioner, Mr. Lee Strong, that you are pumping your well(s) without a proper recording meter to record your water use. Section 73-5-4, Utah Code Annotated 1953, stated:

"Every person using water in this state shall construct or install and maintain a substantial headgate, cap, valve, or other controlling works, weir flume and measuring device at each point where water is diverted or turned out, for the purpose of regulating and measuring the quantity of water that may be used. Such controlling works or measuring device shall be of such design as the state engineer may approve..."

A continuous recording device was also ordered installed on each well by the district court.

The installation of your meter must be made within 30 days of the date of this order. Your commissioner will be directed to post and close your diversion if the installation of a meter is not installed as directed in this order. Section 73-5-4, Utah Code Annotated 1953, further provides:

"If the owner of irrigation works, canals, reservoirs, wells, pumps or tunnels shall refuse or neglect to construct or install such headgates, caps, valves, flumes or measuring devices after thirty days' notice to do so by

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the state engineer, the state engineer may forbid the use of water until the user thereof shall comply with his requirements..."

You are further advised that Section 73-1-14, Utah Code Annotated 1953, states:

"Any person, who in any way unlawfully interferes with, injures, destroys, or removes any dam, headgate, weir, casing, valve, cap or other appliance for the diversion, apportionment, measurement, or regulation of water, or who interferes with any person authorized to apportion water while in the discharge of his duties, is guilty of a misdemeanor, and is also liable in damages to any person injured by such unlawful acts.

If you have any questions concerning the problem with your meter, please contact your commissioner, Lee Strong; the area engineer for your area, Gerald Stoker, or me at once.

Sincerely,

Dee C. Hansen
State Engineer

alc

cc: Lee Strong
River Commissioner
P.O. Box 165
Beaver, UT 84713

cc: Gerald Stoker
Cedar City Office

Individuals that the attached letter was
address to:

Mr. Melvin L. Walker, Milford, UT 84751
Mr. William Dalton, Minersville, UT 84752
Mr. Richard Mayer, Box 432, Milford, UT
Mr. Gary Sullivan, Milford, UT
Mr. Leo & Max Mayer, Milford, UT
Mr. Ross Marshall, Minersville, UT
Mr. Wayne Wiseman, Box 355, Milford, UT
Mr. James Williams, P.O. Box 131, Minersville, UT
Mayer Brothers, c/o Lloyd S. Mayer, Milford, UT
Mr. Lyle Wiseman, Box 6, Milford, UT
Mr. Donald Yardley, Milford, UT

Mayer letter