



STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES

DIVISION OF  
WATER RIGHTS

HUBERT C. LAMBERT  
STATE ENGINEER

XXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXX  
P.O. Box 723 - Price, Utah 84501  
June 9, 1970

Dear Water User:

Personnel of the Southeastern Area Office of the State Engineer made inspection trips on Minnie Maude Creek, Argyle Creek and Nine Mile Creek on June 1, 2, and 5, 1970. During these inspection trips diversions on the system were inspected.

It was noted that many measuring devices (Parshall Flumes) had been removed and that many of the devices which were in place were not functionally accurate, either because they were not level and/or because the inlet and outlet channels were in need of cleaning. Parshall Flumes and headgates were ordered installed previously by the State Engineer at the direction of the District Court. If these devices are not installed and maintained the owners thereof are in violation of Section 73-5-4 Utah Code Annotated, 1953, which states in part:

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. ... The State Engineer may forbid the use of water until the user thereof shall comply with his requirement, or the State Engineer may proceed to construct or install or cause to be constructed or installed such controlling works or measuring devices, and the cost of the same shall be a lien against the lands and water rights served thereby, and the State Engineer is authorized to bring action in the name of the State to foreclose such lien.

If your use of water is not to be placed in jeopardy, it is imperative that these control and measuring devices be repaired and/or reinstalled by June 27, 1970.

Sincerely yours,

Kerward H. McKinney  
AREA ENGINEER

KHM/jmd

Water Users In Nine Mile Area

Sharp Bryner - Route No. 1, Price, Utah 84501

Lyle Bryner - P.O. Box 242, Price, Utah 84501

Louis Motte - Price, Utah 84501

Albert Leautaud - Price, Utah 84501

Bernard Iriart - 503 East 1st North, Price, Utah 84501

Leon Thayn - Wellington, Utah 84542

Amber Keel - Nine Mile via Price, Utah 84501

Willis Hammerschmid - 445 East 1st South, Price, Utah 84501

Frank Albertson - 251 North 4th Avenue, Price, Utah 84501

Maxine Burdick - Duchesne, Utah 84021

Preston Nutter Corporation - Nine Mile via Price, Utah 84501

Earl R. Dillman - Roosevelt, Utah 84066

Jack Wimmer - Nine Mile via Price, Utah 84501

Nev Wimmer - Nine Mile via Price, Utah 84501

Leon Pressett - 108 Columbia Drive, Dragerton, Utah 84520

Humbert Pressett - c/o Preston Nutter Corp., Nine Mile via Price, Utah 84501

Henry Mills - Route No. 1, Price, Utah 84501

Clive Sprouse - Roosevelt, Utah 84066