



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) 328-6071

October 15, 1974

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

Mr. Kent Seeger
2128 East 5950 North
Liberty, Utah

Dear Sir:

September 12, 1974, you received an order from this office directing you to discontinue pumping from the waters of the Ogden River as they are fully appropriated and you have not obtained a contract to purchase water from Weber Basin Water Conservancy District to cover your use under Exchange Application No. 694. If you have not completed the contract to purchase water and submitted a copy of the document to this office within fifteen days of the receipt of this letter, the Ogden River Water Commissioner will be advised to post and close your diverting works. Section 73-5-3, Utah Code Annotated 1953, provides, in part, that:

Whenever in the pursuance of his duties the State Engineer regulates or causes to be regulated any headgate, cap, valve, or other controlling works of any ditch, canal, pipe, flume, well, or tunnel or other means of diversion or the controlling works of any reservoir, he may attach to such controlling works a written notice properly dated and signed, setting forth that such controlling works have been properly regulated and are wholly under his control, and such notice shall be a legal notice as to the facts therein contained to all parties interested in the diversion and distribution of the water of such ditch, canal, pipe, flume, well, or tunnel or other means of diversion or reservoir.

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

Kent Seeger
Page 2
October 15, 1974

Any person, who in any way unlawfully interferes with, injures, destroys, or removes any dam, head-gate, 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 act.

If you have any questions concerning the procedure outlined above, contact me at once.

Yours truly

A handwritten signature in cursive script, appearing to read "Dee C. Hansen".

Dee C. Hansen
State Engineer

DCN/mmt

cc: Rex Larsen, Area Engineer