



STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

442 STATE CAPITOL
SALT LAKE CITY, UTAH 84114

HUBERT C. LAMBERT
STATE ENGINEER

TELEPHONE
328-5671

April 30, 1970

Anderson-Winters Ditch
c/o M. F. Schade
446 North Citrus Avenue
Los Angeles, California 90036

Dear Mr. Schade:

RE: State Engineer Assessment
Account No. 2, Upper Ogden River
Right Nos. 333, 334, 335, Ogden
River Decree

Your letter of April 24, 1970 to the State Engineer questioning the amount of the assessment on your rights on the Ogden River was given to me for reply. The assessment is levied against the users of the water on the Ogden River System to defray the costs of distribution. The budget for the year and the basis for the assessment are determined annually by the water users, and their proposals are presented to the State Engineer at the Water User's Meeting held in January of each year.

The assessment for an irrigation company is normally sent to the officers of the company who include this as part of their annual charges to the stock holders. In the case of a mutual ditch company, such as the Anderson-Winters Ditch, one of the principal right owners is usually designated to receive the assessment, collect it from the individuals involved, and pay the State Engineer. As one of the principal stock holders, you have been doing this in the past.

[At a meeting with the water users held on January 9, 1968, the Ogden River Water Rights Association proposed to the State Engineer that "there be a new class of assessment being the 'exchange class.' That the minimum be \$5.00 or twice the lower rate per acre-foot for each exchange, whichever is more and the assessment be made to the owner of the right." The reason for establishing this minimum cost was to help defray the extra costs incurred in distributing these exchanges.

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You filed Change Application No. a-5831 to move a portion of your seepage water rights to a well; therefore, this change is included in this special class which is assessed for the extra costs of administering the change. This \$5 special assessment was added to the normal assessment of \$2.06 to total \$7.06. You could pro-rate the \$2.06 assessment against all of the users in proportion for their ownership of the right; however, the \$5 charge is properly yours.

In addition to the charges as they are shown upon this year's assessment, there will be one additional charge for Mr. Robert E. Froerer who has also made similar change application. His change will be included in next year's assessment.

I hope that this will explain the increase in charges for the year 1970. If you have any question regarding this, please contact me at this office.

Yours very truly,

Stanley Green
Hydrological Engineer

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cc: Robert E. Froerer
Floyd Barnett
Frank Rees
Donald Norseth ✓