

May 15, 1963

Mr. E. J. Fjeldsted
Ogden River Water Rights Association
RFD 2, Box 223
Layton, Utah

Dear Mr. Fjeldsted:

Re: Ogden River

Your letter of May 6 has caused us to again review our past correspondence on the subject, the minutes of the Ogden River Water Rights Association 1963 meeting in considerable detail, as well as to recall our own understanding of what was agreed to at the meeting and our policy in regards to collecting assessments on water users that may not be ~~direct~~ distribution charges.

In reviewing the item for committee expense in the Ogden River Budget, we note this represents over 18 percent of the total budget. This is one-third as much as is paid for the commissioner's salary. We further note that 23 percent is for legal counsel, part for office expense and secretarial assistance, and but 18 percent for direct committee expense. From protests reaching this office and from our own experience, we question that this committee has need for separate legal counsel. We might further question the propriety of adding expenses of office and secretarial help when possibly such services are minimal and already paid for on a regular basis by a semi-public agency.

Frankly, our representatives went along with the budget this year on the understanding that the various committee costs would be paid by voucher submitted directly to this office. Since you feel that this is not in accordance with the understanding of those at the meeting, and since the minutes are silent on this, we will go along this year on the request you have made. Our only concern is that we not assess and collect funds for purposes that might be questioned by the water users. I am sure you will maintain an adequate record of expenditures of the funds and will be prepared to answer any questions on them which might be raised by water users of the system.

Our policy on this will be reviewed in detail at the 1964 meeting and unanimous approval of procedures to be followed will be sought.

E. J. Fjeldsted

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May 15, 1963

Enclosed is our check for the \$870 item as requested. It is assumed that you will send the \$432.62 balance from the 1962 account to Frank Reese so that it might be placed in the bank reserves of the system.

Regarding the third paragraph of your letter, we do not visualize it to be the function of this committee "to protect the rights" of Ogden River water users, particularly if you are talking about internal matters. That must be handled by the individual users or through some other organization. If this is not so, the State Engineer would be a party to helping close the door to anyone legitimately desiring water. This is the reason we feel this committee needs no legal assistance and probably will not consider it as a part of future budgets.

This same policy will be followed on all other systems in the state and we believe it is the only fair and equitable position we can take on this matter.

Sincerely,

Encl.

WDC/eca

Wayne D. Griddle

**cc: Mr. John M. Jones, Chairman
Ogden River Water Rights Association
1174 12th Street,
Ogden, Utah**

**Mr. D. Earl Harris, Chairman
Weber River Water Rights Committee
415-416 Eccles Building
Ogden, Utah**

**Mr. E. J. Steen
Attorney-at-Law
Newhouse Building, S.L.C.**

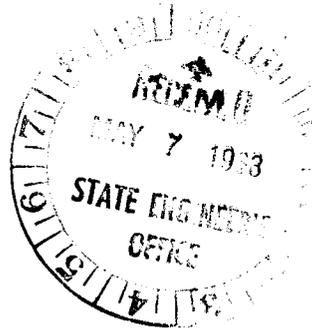
**cc: Don Merseth
Frank Reese**

OGDEN RIVER WATER RIGHTS ASSOCIATION

Mailing Address: RFD 2 Box 223
Layton, Utah

May 6, 1963

Mr. Wayne Criddle, State Engineer
Utah State Engineer's Office
State Capitol Bldg.
Salt Lake City, Utah



Dear Mr. Criddle:

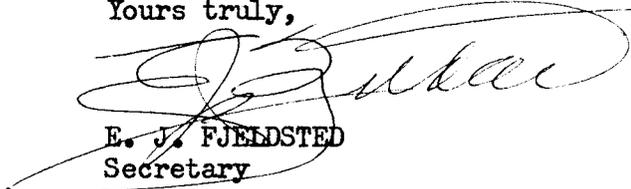
We have a letter from Donald C. Norseth, Distribution Engineer, which disturbs me no end. The minutes we presented to your group (copy enclosed) in no way commits us to make payment of the committee expense on vouchers as stated in Mr. Norseth's letter. Last year your office gave us the amount set aside for our water users committee expense and we used from that amount, as we were permitted, leaving unexpended revenues of \$432.62. We have requested that same consideration this year and I have Mr. Norseth's letter denying us that privilege. I quoted to him the fact that the Weber River Water Rights Committee, of which I am a member, have a substantial reserve account and yet they draw each year their committee expense in a lump sum. I checked with Mr. Harris' office and he informed me this is correct.

We have paid the expense of the committee attending the annual meeting out of this \$432.62 balance and also we paid our Attorney E. J. Skeen \$100 for services to our organization as well as expenses of \$21.33 for a luncheon meeting. This leaves us a balance of \$220.53 and, of course, we cannot send Mr. Reese the total amount of \$432.62 as he suggests.

I am sure you are not trying to put some special restrictions on the Ogden River Water Rights Association, which organization was formed at your request. As you know, and your records will bear me out, that until the Ogden River Water Rights Association was organized there was nothing done on the Ogden River to protect the rights and assist the members in getting needed work done. Your water commissioner will tell you since this Rights Assoc. has been functioning, much better service has been obtained through Mill Creek. This was a thorn-in-your-side for a long time.

In all fairness I feel you should straighten your boys out and send us the amount we requested for our committee expense which is \$870. Immediately upon receipt of this amount we will send Mr. Reese \$432.62 which is in compliance with our minutes.

Yours truly,


E. J. FJELDSTED
Secretary

cc: Attorney E. J. Skeen

OGDEN RIVER WATER RIGHTS ASSOCIATION

May 7, 1963

Mr. Wayne Criddle
State Engineer
State Capitol Bldg.
Salt Lake City, Utah

Dear Mr. Criddle:

We neglected to enclose a copy of the minutes of January 8, 1963 with our letter of May 6 th. Please find same enclosed.

Yours truly,



E. J. FJELDSTED
Secretary

