



DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

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October 10, 1989

Mr. Chad Crosby, Commissioner
Pot Creek Distribution System
152 East 100 North
Vernal, Utah 84078

Dear Chad:

On April 26th of this year I sent you a description of how the flow of Pot Creek should be distributed during the filling of Crouse and Offield Reservoirs. In that letter I referred to the 1963 Decree by Judge A. H. Ellet which states in effect that the State Engineer may retain the first 5 cfs of the flow of Pot Creek in Matt Warner Reservoir during any part of the period from October 1 to May 1 and may release the same as soon as possible and convenient.

The letter may have given the impression that Crouse Reservoir water may be stored in Matt Warner Reservoir at any time according to the desires of the Division of Wildlife Resources. This is not true. Utah State Law will not allow change in place of storage without the approval of a change or temporary change application. If the Division of Wildlife Resources contemplates storing Crouse Reservoir water in Matt Warner Reservoir for any appreciable length of time each year, a change application for change in place of storage must be first approved by the Division of Water Rights.

Without an approved change, Crouse Reservoir must fill first as much as possible. Any run-off flows which are trapped in Matt Warner Reservoir because of restricted outlet capacity should be passed through to Crouse or Offield Reservoir as soon as possible.

I hope this will further clarify the necessary distribution procedures for Pot Creek. If you have any questions please contact me at 538-7390.

Sincerely,

Lee H. Sim, P. E.
Directing Engineer
Distribution/Adjudication

cc: Bob Leake, P. E., Division of Water Rights
Rod Stone, Division of Wildlife Resources
Lorin Sperry, Division of Wildlife Resources
Jeris Danielson, P. E., State Engineer, Colorado
Ed Blank, P. E., Division Engineer, Colorado
Max Rasmussen, Chairman to Pot Creek Distribution System