



THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

WAYNE D. CRIDDLE
STATE ENGINEER

May 4, 1962

Pot Creek

Mr. Zelph Calder
Vernal, Utah

Dear Mr. Calder:

On Tuesday, May 1, at Vernal, you asked for a decision by the State Engineer on several matters relating to the storage and use of water on Pot Creek.

Relative to the pending lawsuit which is on appeal from our denial of an extension of time within which to construct a reservoir on the Shiner property, under Application No. 15677, our decision is to pursue the litigation you initiated. We will be glad to try this matter in either Salt Lake City or Manila, whichever is more convenient for you and the court.

On the second matter, regarding the storage of 80 acre-feet of water under a temporary change of Ralph Siddoway's in the Matt Warner reservoir, this temporary change has not been officially filed as yet and, therefore, we would be unable to give you permission to sandbag or flashboard your spillway for its storage even though it were considered proper to encroach on the freeboard required for safety purposes.

As regards your third question, requesting permission for you to plant fish in your Matt Warner reservoir, our records indicate you have no such right. Such a right can only be secured by filing a proper application to appropriate.

It is hoped that these answers will clear the questions which you had in mind.

Yours very truly,

HCL/le

Wayne D. Criddle
STATE ENGINEER

CC/ Bob Guy
Don Norseth ✓