

September 17, 1952
Cedar City, Utah

State Engineer's Office
State Capitol Building
Salt Lake City, Utah

Dear Sir:

The Coal Creek Decree gave Cedar City 1 C.F.S. for domestic use and 2.93 C.F.S. to irrigate the land within Cedar City. This amount was based on a flow of 25.19 C.F.S. in Coal Creek and was to decrease as the flow of the creek decreased.

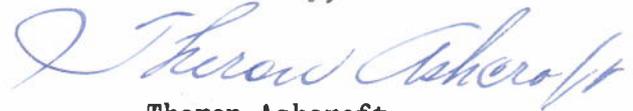
At a later date Cedar City changed the point of diversion and nature of use of 1 C.F.S. from the irrigation stream to the Cluff Spring and for domestic use. Shortly after, without a change application they put Chatterly Spring into their pipe lines and for several years paid the irrigation companies for its use.

At the present time the present flow of Coal Creek is less than 12 C.F.S. which would entitle Cedar City to less than 2 C.F.S. From the combined flow in their pipe lines including Cluff Spring and Chatterly Spring, but not including the pump water, they have almost all the water they are entitled to in the pipe line and their attorney has instructed me to turn the water out of their irrigation ditches. This, however, would necessitate adjusting 6 or more division boxes, most of which are steel and concrete.

It appears to me that Cedar City should do one of three things:
(1) File a change application on Chatterly Spring and stand the expense of changing the splits permanently, or (2) turn the spring out of their system permanently, or (3) pay the Coal Creek water users for the spring.

Will you please advise me on this matter.

Yours truly,



Theron Ashcroft
Water Commissioner

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cc: Cedar City Corporation
Coal Creek Water Users Association

2-1267
1-614-985

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