



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

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RECEIVED

JUL 25 2002

WATER RIGHTS
SALT LAKE

FROM THE STATE ENGINEER OF THE STATE OF UTAH

RE: Ellsworth Farms) NOTICE OF UNLAWFUL USE OF WATER
c/o David Ellsworth) WITH OUT A WATER RIGHT

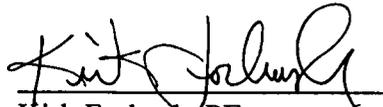
Utah Code Ann. section 73-3-1 states that no appropriation of water may be made and no rights to the use of water may be initiated without an application approved by the State Engineer. As we have discussed in the past several years, the large well located approximately South 30 feet and West 250 feet from the NE corner of Section 1, T20S, R5W, SLB&M does not have a water right associated with it. No water can be diverted from this well. Field investigation by the staff of the Division of Water Rights on July 18, 2002 revealed the water is being pumped from this well and used for irrigation on fields in Section 36, T19S, R5W and Section 1, T19S, R5W .

NOW THEREFORE, you are hereby **NOTIFIED that this constitutes an unlawful use of water without a water right.**

If you continue to use water unlawfully you will be subject to receiving an Order from the State Engineer requiring you to cease the use of water. Unlawful use of water in violation of an Order may result in legal proceedings against you.

I strongly urge you to give this matter your immediate attention. There will be no further notification from this office before an Order is issued. Should you have questions regarding this NOTICE, please contact me at 435-896-4429.

Dated this 22 nd day of July, 2002.


Kirk Forbush, PE
Regional Engineer

KF:TLM

cc: Lee Sim, Assistant State Engineer