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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Water Rights

KENT L. JONES
State Engineer/Division Director

September 25, 2014

Kent Peterson
150 W. 2100 N.
Kamas, UT 84036

Re: Changes to work required under SEAA1515 & SEAA1516 on Marion Ditches

Dear Kent:

This letter is follow-up to our recent phone conversations regarding the Notices issued to the upper and lower Marion ditch companies. The purpose of this letter is to change some of the work required under Notices SEAA1515 and SEAA1516 based on the following findings:

1. The ditch companies have applied for grants to convert these ditches to a pipeline. If the ditches are replaced with a pipe, the lower flume may be discontinued. It is not prudent or required to repair a flume if it will not be used in the future.
2. The water rights used by both ditch companies are regulated at the point of diversion. Diversions are reported separately based on the total flow upstream, not the measured flow at the lower flume. Some lower ditch shares are delivered via the upper ditch.
3. The two companies, not the water commissioner, are charged with delivering the water to the rightful shareholder's irrigated acres after it is diverted from the river under the direction and control of the water commissioner.

Thank you for bringing these items to my attention. They reduce the scope of work required at the lower flume. **Both companies must jointly install the stilling well at the upper 4-ft Parshall flume. The lower flume maintenance work and stilling well are not required at this time.** If there are questions regarding the work required, I can be reached at 801 538-7469.

Sincerely,

Ben Anderson, P.E.
Distribution Engineer

cc: Ross Hansen, Regional Engineer
Cole Panter, Weber River Commissioner
Alene Marchant, Deputy Commissioner
Louise Willoughby, Marion Upper Ditch Co.
Jack Clegg, Marion Lower Ditch Co.
Jim Soter, Marion Lower Ditch Co.
John Blazzard, Marion Lower Ditch Co.

