



GARY R. HERBERT  
*Governor*  
SPENCER J. COX  
*Lieutenant Governor*

# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
Division of Water Rights

MICHAEL R. STYLER      KENT L. JONES  
*Executive Director*      *State Engineer/Division Director*

Clover Flat Irrigation Company  
c/o Mr. Tim Westwood  
PO Box 120039  
Antimony, UT 84712-0039

Re: Kodki Ditch Flume

August 17, 2016

Water Users:

Enclosed is a formal Notice from the State Engineer's Office explaining that the flume measuring Clover Flat Irrigation Company's Kodki ditch becomes submerged every year and needs to be reset or replaced with a ramp flume before October 8, 2016.

You are receiving the Notice because the State Engineer's records indicate you are the President of Clover Flat Irrigation Co, which owns water rights in the Kodki ditch.

Should you wish to discuss the required repairs or have any questions about this Notice, please feel free to call me at (801) 538-7431.

Regards,

Sue Odekirk, P.E.  
Distribution Engineer

CC:  
Kirk Forbush, Southern Regional Engineer  
Russel Christensen, River Commissioner



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## DEPARTMENT OF NATURAL RESOURCES

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### BEFORE THE DIVISION OF WATER RIGHTS

<p>In The Matter Of:</p> <p>Clover Flat Irrigation Co.</p> <p>RESPONDENT</p>	<p>Clover Flat Irrigation Co.</p> <p>Kodki Ditch</p> <p><b>MEASURING DEVICE NOTICE</b></p> <p><b>SEAA 2061</b></p> <p>DISTRIBUTION ACCOUNT: 102152</p> <p>WATER RIGHTS: 61-2055, 61-1681, 61-2817 &amp; 61-2078</p>
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#### I. AUTHORITY

The Division of Water Rights (“Division”) issues this Notice under UTAH CODE ANN. § 73-5-4 and in accordance with UTAH ADMIN. CODE R. 655-15.

U.C.A. § 73-5-4 states in part :

*(1) To assist the state engineer or water commissioner in the regulation, distribution, and measurement of water, a person using water in this state, except as provided by Subsection (4), shall construct or install and maintain a measuring device at:*

- (a) each location where water is diverted from a source; and*
- (b) any other location required by the state engineer.*

...

*(3) The state engineer shall approve the design of:*

- (a) the measuring device;*

...

*(6) If a water user refuses or neglects to construct or install the measuring device after 30 days' notice to do so by the state engineer, the state engineer may:*

- (a) forbid the use of water until the user complies with the state engineer's requirement;*

August 16, 2016

Subject: Clover Flat Irrigation Co. – Kodki Ditch

## II. STATEMENT OF FACTS

1. The Respondent diverts water from the Sevier River under the above-listed water rights through a head gate at the following location: North 31 feet and East 1,089 feet from the Southwest Corner of Section 03, Township 31S, Range 2W, Salt Lake Baseline & Meridian.
2. Equitable distribution of water from the Sevier River requires that the respondent's ditch be equipped with a functional and accurate measuring device. April 27, 2016 the 3 foot Parshall Flume was inspected.
  - a. The flume is installed in a location that is too flat. In addition to there not being enough fall across the flume, vegetation in the channel causes resistance to downstream flows and submerges the flume even more. This type of flume doesn't measure accurately when submerged.

## III. ACTIONS REQUIRED

1. The Kodki ditch flume must be replaced or reset.

**Replacement option:** A ramp flume can measure accurately even if it is 90% submerged. The existing Parshall flume could be replaced with a ramp flume or be modified into a ramp flume in the current location.

**Reset option:** The existing Parshall flume can be reset so that it won't submerge. To ensure free flow, the flume floor must be sufficiently close to the water level of your maximum flow. So if the desired maximum flow in the Kodki ditch is to be 15 cfs, note the water level in the ditch when it flows 15 cfs. Reset the flume in the ditch so that the flat part of the flume's floor is within 9.5 inches of that high flow level.

**Water should not be diverted after October 8, 2016 unless the above actions have been completed.**

The orderly distribution of water from the Sevier River in accordance with existing water rights is a concern to Division as well as to the Respondent. To that end we appreciate and thank you for your cooperation. If you have any questions concerning this Notice please contact Sue Odekirk, Distribution Engineer at (801) 538-7431 or Russel Christensen, River Commissioner at (435) 979-2087

Respectfully,



Sue Odekirk, P.E.  
Sevier River Distribution Engineer

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CERTIFICATE OF MAILING

I, the undersigned, certify that on this Dated this 17<sup>th</sup> day of August, 2016, I mailed a copy of the foregoing Notice by regular U.S. Mail, delivery confirmation receipt requested, to the following:

Clover Flat Irrigation Company  
c/o Mr. Tim Westwood  
PO Box 120039  
Antimony, UT 84712-0039

USPS TRACKING # **9114 9999 4423 8701 8652 09**  
& CUSTOMER  
RECEIPT For Tracking or inquiries go to USPS.com  
or call 1-800-222-1811.



Kelly Horne  
Division of Water Rights  
Field Services Secretary

cc: Kirk Forbush, Russel Christensen, File