



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: 'Dead Calf' Diversion

August 22, 2016

Water Users:

Enclosed is a formal Notice from the State Engineer's Office explaining that Clover Flat Irrigation Company's 'Dead Calf' Diversion needs a measuring device 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 taken at the 'Dead Calf' Diversion.

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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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>'Dead Calf' Diversion</p> <p>MEASURING DEVICE NOTICE</p> <p>SEAA 2063</p> <p>DISTRIBUTION ACCOUNT: 102152</p> <p>WATER RIGHTS: 61-2055, 61-1681, 61-2817 & 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 22, 2016

Subject: Clover Flat Irrigation Co. – ‘*Dead Calf*’ Diversion

II. STATEMENT OF FACTS

The Respondent diverts water from the Sevier River under the above-listed water rights through a head gate at the following location: North 9 feet and West 112 feet from the E4 Corner of Section 09, Township 31S, Range 2W, Salt Lake Baseline & Meridian.

2. Equitable distribution of water from the Sevier River requires that the respondent’s diversion be equipped with a functional and accurate measuring device. April 27, 2016 the diversion was inspected and found to be lacking an accurate measuring device.
 - a. Water diverted here passes through a culvert and then is diverted into two ditches originating at the culvert outlet. Suggestions for appropriate measuring devices include:
 - i. Collection box with 2 weirs and one stilling well
 - ii. Two ramp flumes and two stilling wells; one flume and one stilling well in each ditch.
 - iii. Settling pool long and deep enough to slow the water to a smooth surface with one flume and one stilling well at the single outlet of the settling pool. In this case, the water would be divided between the two ditches downstream of the measuring device.

III. ACTIONS REQUIRED

1. An accurate measuring device must be installed at the ‘*Dead Calf*’ Diversion Point.

Water should not be diverted after October 8, 2016 unless the above action has 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 22nd 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 30**
& 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