

July 3, 1964

Beaver B.

Mr. Allen H. Tibbals, Attorney at Law
315 East Second South St.
Salt Lake City 11, Utah

Dear Mr. Tibbals:

Thank you for your letter dated July 2, 1964.

We are enclosing a copy of the requested order which we issued in 1959. In addition, we are sending a copy of your letter and the chart to Mr. Lee Strong and Mr. Stanley McKnight.

We trust this is satisfactory and will settle the problem.

Yours very truly,

Donald C. Norseth
DISTRIBUTION ENGINEER

DCN/wh
Enclosure

CC: Mr. C. Leland Strong
P. O. Box 165
Beaver, Utah

Mr. Stanley McKnight
Minersville, Utah

BOYDEN, TIBBALS, STATEN AND CROFT

LAW OFFICES

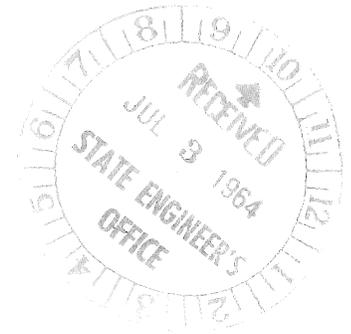
SUITE 604, EL PASO NATURAL GAS BUILDING

315 EAST SECOND SOUTH STREET

SALT LAKE CITY 11, UTAH

JOHN S. BOYDEN
ALLEN H. TIBBALS
EARL P. STATEN
BRYANT H. CROFT

July 2, 1964



Mr. Don Norseth
State Engineer's Office
State Capitol Building
Salt Lake City, Utah

Dear Don:

I again want to express to you, and through you to Mr. Lambert, the sincere appreciation of Mr. McKnight, Mr. Eyre and myself in affording us an opportunity to meet with you on Thursday, June 25th.

I am today informed by Mr. McKnight that he and Mr. Strong have gotten together and they believe they have a solution which will work out from a practical standpoint in getting the water from Three Creeks down to Rocky Ford under Mr. Lambert's order. We shall keep you advised as to the developments.

It is my understanding that Mr. Strong proposes that he will retain sufficient in the Three Creeks Reservoir to meet the needs and will not release it until the seven canals using direct flow are cut off, which will be in the next short while. This will then give him much less of a policing problem in getting the water on down to Rocky Ford.

There remains, however, the matter of the proper computation and application of the formula to the 4 1/2 second feet which, according to your previous order, was issued in 1959 was applicable to the first 4 1/2 feet in the river and then carried over for application of the general formula to the remainder. Mr. Strong indicates he has not been able to locate his copy of the order and I would certainly appreciate your kindness in furnishing it to him and Mr. McKnight has asked if you would send him a copy directly inasmuch as he has worn out the copy that he had.

Kindest personal regards and sincere thanks for your many courtesies.

Very truly yours,


ALLEN H. TIBBALS

AHT:bg
CC: Mr. McKnight

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

WAYNE D. BRIDGLE
DISTRIBUTION ENGINEER

File: Rocky Ford Water Distribution

Mr. [unclear] trong
[unclear] ah

Dear Mr. trong:

Reference is made to my letter of June 11, 1959 and to the table set out therein concerning distribution of certain rights on the Beaver Div r. By the way of elaboration and clarification, the following additional directions are now issued:

1. For the purpose of applying the table, the total diversions for the eight rights are totaled.
2. Column 3 is concerned with the allocation of the first 4.5 cfs, before June 1 of each year.
3. After June 1 of each year, when the total divertable flow exceeds 40.0 cfs., it shall be prorated to the eight parties in accordance with the percentages set up in column 4.
4. After June 1 of each year if this total flow is less than 40.0 cfs., the first 4.5 cfs shall be allocated to the parties in the amounts as set up in column 5. The remainder of this flow in the river shall be prorated to the eight parties in accordance with the percentages set up in column 4.

We trust that there should now be no question as to our determination of this matter.

Yours very truly

Donald D. Norestk
Distribution engineer

cc: [unclear]

Mr. Clifton Johnson
Cedar City, Utah
Rocky Ford Reservoir Co.
Innersville, Utah

Messrs. Boyden, Tibbels, [unclear], Craft

Attorney at Law

151 South State

Salt Lake City, Utah

W. B. Porter

Attorney General's Office

Copy sent to Ree Strong July 9, 1964