



GARY R. HERBERT  
*Governor*  
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*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*

Junction Irrigation Company  
c/o David Thompson  
135 North 100 West  
Junction, UT 84740

Re: Junction Ditch

November 8, 2017

Mr. Thompson:

Enclosed is a formal Notice from the State Engineer's Office explaining that Junction Irrigation Company's Diversion from the Sevier River and from the slough needs a lockable head gate and the flume needs to be re-located to the location of that gate. Both actions must be completed prior to diverting water into the ditch next spring.

You are receiving the Notice because the State Engineer's records indicate you are the President of Junction Irrigation Co, which owns the water right taken at the Junction 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>Junction Irrigation Company</p> <p>RESPONDENT</p>	<p>Junction Irrigation Company</p> <p>Junction Ditch</p> <p><b>HEAD GATE AND MEASURING DEVICE NOTICE</b></p> <p><b>SEAA 2102</b></p> <p>DISTRIBUTION ACCOUNT: 102182 WATER RIGHTS: 61-2064</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 ...shall construct or install and maintain controlling works and a measuring device at:*
  - (a) *each location where water is diverted from a source; and*
  - (b) *any other location required by the state engineer.*
- (2) *A person using water in this state shall make the controlling works and measuring device accessible to the state engineer or water commissioner.*
- (3) *The state engineer shall approve the design of:*
  - (a) *the measuring device; and*
  - (b) *controlling works so that the state engineer or a water commissioner may regulate and lock the works.*
- (6) *If a water user refuses or neglects to construct or install the controlling works or 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; and*
  - (b) *commence enforcement proceedings authorized by Section 73-2-25.*



November 8, 2017

Subject: Re: Junction Ditch Head Gate & Measuring Device Notice

## II. STATEMENT OF FACTS

1. The Respondent diverts water from the Mitchell Springs and Mitchell Slough, tributaries to the Sevier River, under the above-listed water right into the Junction Ditch at the following location: North 2,850 feet and east 2,750 feet from the SW corner Section 18, Township 30 South, Range 3 West, Salt Lake Baseline & Meridian.
2. No lockable controlling works exist at the head of the ditch.
3. Equitable distribution of water requires that the Respondent's diversion be equipped with an accurate measuring device. The diversion should be measured upstream of any splits or diversion from the irrigation ditch. The measuring device needs to be moved upstream of any splits or diversions and closer to the lockable controlling works.

## III. ACTIONS REQUIRED

1. A lockable head gate must be installed at the head of the ditch.
2. Flume must be re-located nearer the head gate and upstream of any divisions or outflows from the irrigation ditch.

**Water should not be diverted after May 1, 2018 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

November 8, 2017

Subject: Re: Junction Ditch Head Gate & Measuring Device Notice

CERTIFICATE OF MAILING

I, the undersigned, certify that on this 8th day of November, 2017, I mailed a copy of the foregoing Notice by regular U.S. Mail, delivery confirmation receipt requested, to the following:

Junction Irrigation Company  
c/o David Thompson  
135 North 100 West  
Junction, UT 84740

Kelly K. Horne

Kelly Horne  
Division of Water Rights  
Field Services Secretary

7002 0510 0002 2228 7813

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
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Postage \$	Postmark Here
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Return Receipt Fee (Endorsement Required)	
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Total Postage & Fees \$	
Sent To	
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	
PS Form 3800, January 2001	
See Reverse for Instructions	

cc: Kirk Forbush, Russel Christensen, File