

June 6, 1956.

Ernest Mitchell, Birdseye, Utah.
Sidney B. Maer, Birdseye, Utah.
Floyd Gardner, Birdseye, Utah.
R. L. Mitchell, Birdseye, Utah.
Karl G. Gardner, Birdseye, Utah.
Selby G. Dixon, Birdseye, Utah.
Mrs. Ruby J. Poulson, Mt. Pleasant, Utah.
John Oberhansley, Spanish Fork, Utah.

Gentlemen:

RE: SPANISH FORK RIVER DISTRIBUTION SYSTEM

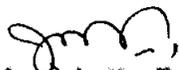
This letter is to confirm the fact that you have completed the installation of your head gates in such a fashion that they may be locked. Within a short time the Water Commissioner will again rate your head gate at which time it will be locked.

It is necessary that we now advise you that we do not believe that the legislature has given us the authority to adjudicate water rights and, in particular, we do not believe that we have any right to determine the nature or extent of your claimed diligence stockwatering rights in the face of the McCarty Decree on the Spanish Fork River.

We have, therefore, directed the Water Commissioner to confer with you as to whether you desire to receive your Spanish Fork decreed water and your purchased Strawberry Water as a continuous stream, or on an intermittent basis as in the past; and he will rate and lock your gate accordingly, and after you have fully used your right, he will have no choice but to close your head gate and forbid you the use of further water during that year.

It is probable that you may not agree with the determination we have made, and, if so, we would not be averse to the legal action that appears necessary to finally adjust this present controversy.

Very truly yours,


Joseph M. Tracy
STATE ENGINEER

LCM/ab

CC: Mr. Wayne Francis
Spanish Fork, Utah.