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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Water Rights

KENT L. JONES
State Engineer Division Director

May 21, 2019

Waterside Homeowners Association
1215 East Waterside Cove
Midvale, UT 84047

Dear Waterside HOA:

The Utah Division of Water Rights provides regulation and administration of water use on the Little Cottonwood Creek adjacent to your complex. Additionally, two water commissioners assist with distribution of water from the Creek in your area. This letter to inform your organization that owning property adjacent to a stream or creek in Utah does not create or grant basis for a water right and use of water on your property from that stream.

Sometime last year or in previous years, Water Commissioners had observed pump(s) being used to appropriate water from the creek. At the time, they informed the waterside ground-keeping staff not to divert water from the creek. The pumps were removed and placed behind the Maintenance building where they remain, at our last inspection.

According to the Division of Water Rights records, Waterside Condominium Association does not have a valid water right for diversion and use of water from the creek. This letter is to inform your organization, along with requirement that staff and others involved, are also informed that pump(s) located behind the maintenance building not be used for irrigation. Furthermore, these pumps should be permanently removed from the area, so others and those following are not tempted to do the same.

Be advised that illegal diversion of water be subject to enforcement with significant fines. The intent of this letter is to serve as a warning that a previous water rights violation has been observed and the potential still exists. If use of water from the creek commences anytime in the future, that action will result in an enforcement action directed at your organization from the Division of Water Rights.

If you have any questions regarding this matter, you can contact me at (801) 538-7430.

Sincerely,

Mike Silva
Distribution Engineer

cc:

Little Cottonwood Creek Water Commissioners

