



STATE OF UTAH  
NATURAL RESOURCES  
Water Rights

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JUN 03 1991

Norman H. Bangerter, Governor  
Dee C. Hansen, Executive Director  
Robert L. Morgan, State Engineer

Southwestern Area • 585 N. Main Street • P.O. Box 506 • Cedar City, UT 84720-0506 • 801-586-4231

WATER RIGHTS  
SALT LAKE

31 May 1991

Robert A. & Neola Brown  
c/o Bruce Brown  
P.O. Box  
Beaver, UT 84713

RE: WATER RIGHTS ON INDIAN CREEK (WUC 77-761, 762)

To Whom It May Concern:

In a recent visit to the Indian Creek drainage area, it was brought to our attention that water being diverted from Indian Creek under the referenced water user's claims may be being used in a location and manner inconsistent with the rights.

Under WUC 77-761, up to 0.33 CFS of water may be diverted from Indian Creek at a point northeast of Manderfield and conveyed via a ditch (known to some local residents as the "Beaumont Ditch") to the designated place of use in Sections 29 and 32, T28S, R7W, SLB&M. WUC 77-762 allows the diversion of up to 0.33 CFS of water from springs southwest of Manderfield for irrigation of lands located in the same Sections 29 and 32. The two claims together are limited to the irrigation requirements of 21.67 acres within the described areas.

In visiting the area on 30 May 1991, we observed that water being diverted from Indian Creek at the point of diversion described under 77-761 was being diverted at a lower point into a reservoir just east of Old Hwy. 91 and north of Manderfield. We are informed that this diversion is at your request and that the water is being subsequently taken from the reservoir for use in a pressurized sprinkler system for irrigation of lands other than those described under the referenced rights. If this information is correct, then you should be advised and are hereby given notice that such diversion and use constitutes an unauthorized use of these rights and should be halted immediately. If this use continues, you will be subject to legal proceedings.

Brown/WUC 77-761,762  
31 May 1991  
Page 2

If you wish to divert and use water under 77-761 in the manner described above, it will be necessary for you to first file either an "Application for Permanent Change" or an "Application for Temporary Change" and receive approval of such application from the office of the State Engineer. You may contact our office if you wish to pursue one of these options.

Cordially,



Kerry Carpenter, P.E.  
Assistant Area Engineer

KEC:k

pc: Mrs. Neola Brown  
Ronnie Roberts, Distribution System Commissioner  
Norm Bradshaw, President, Manderfield Irrigation Co.  
Lee Sim, State Engineer, Distribution ✓