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JUN 28 1990

WATER RIGHTS
SALT LAKE

June 22, 1990

Mr. Robert L. Morgan, P.E.
Utah State Engineer
Utah Division of Water Rights
1636 West North Temple
Salt Lake City, UT 84116

Dear Bob:

I represent several water users who own water shares in the Furnace Ditch Company and other water rights, all of which are supplied from the Beaver River near Adamsville, Utah. These water users have had some concerns over the allocation of water among the various water users on the lower Beaver River.

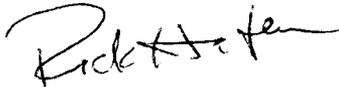
In order to acquaint myself with the situation, I traveled to Adamsville on June 20. During the course of my visit, I observed the water diversion, regulating and measuring facilities at the Aberdare, Furnace, South and Hay ditches. The Aberdare and Furnace diversions have regulating gates and measuring wiers. However, there are no regulating or water measuring devices located at the point waters are diverted from the River into the South Ditch. I understand that during the extraordinary runoff in the early 1980s the historical diversion into South Ditch was damaged and that a "new" diversion was constructed several hundred feet upstream of the historical diversion to allow water diversions into the South Ditch. While the absence of regulating and measuring structures might be excused for a reasonable time until such structures could be built, their continued absence obstructs equity and impartiality in allocating the water of the Beaver River. This is particularly true in times of drought. We therefore request that you order the installation of appropriate diversion, regulating and water measuring devices at the South Ditch diversion pursuant to Section 73-5-4, Utah Code Annotated, or

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require the point of diversion to be returned to the historical point of diversion where there are such facilities. We would appreciate your prompt attention to this matter.

Very truly yours,

SNOW & JENSEN



Kendrick J. Hafen

KJH/nlc

pc: Mr. Clark Gubler
Mr. Gerald Stoker