This letter mailed to those listed on the attached sheet.

February 4, 1985

Name
Company
Street
State

RE: SUMMIT CREEK DISTRIBUTION SYSTEM

Dear S:

As you are aware, the annual meeting of the Summit Creek Distribution System was held January 17, 1985. Based on the Commissioner's Report presented at the meeting and a field review conducted by our office on July 9, 1984, we agreed that the measuring devices on the system were, for the most part, inadequate or non-existent. In order to correct the situation, the following resolutions were adopted.

1) In lieu of an extensive measuring program for 1985, a program of installing measuring devices will be adopted. The measuring devices will have to be paid for by the owners of the various rights.

2) Denzel Jensen would be retained on a limited basis to monitor installation of the measuring devices and coordinate with the State engineer's office. The total budget for 1985 would be $880.00, as contrasted with $2700.00 for 1984.

3) The State Engineer's staff would provide technical expertise, upon request, to determine the most suitable measuring device for eachspecific location and to provide information on suppliers of measuring devices.

Installation of measuring devices is required on every diversion irregardless of whether the diversion is under the jurisdiction of a commissioner. Section 73-5-4 of the Utah Code Annotated, 1953 states:

> "Every person using water in this state shall construct or install and maintain a substantial headgate, cap, valve or other controlling works, weir, flume and measuring device at each point where water is diverted or turned out, for the purpose of regulating and measuring the quantity of water that may be used. Such controlling works or measuring device shall be of such design as the state engineer may approve and so that the same can be locked and kept set by him or his assistants; and such owner shall construct and maintain, when required by the state engineer, flumes or other measuring devices at such points along his ditch as may be necessary for the purpose of assisting the state engineer or his assistants in determining the amount of water that is to be diverted into his ditch from the stream or water source, or taken

from it by the various users. Every owner or manager of a reservoir located across or upon the bed of a natural stream shall construct and maintain, when required by the state engineer, a flume or other measuring device or a plan to be approved by the state engineer, below such reservoir at a point approved by him, and a flume or measuring device above such reservoir on each stream or source of supply discharging into such reservoir, for the purpose of assisting the state engineer in determining the amount of water to which prior appropriators are entitled, and thereafter diverting it for such prior appropriators' use. If the owner of irrigation works, canals, reservoirs, wells, pumps or tunnels shall refuse or neglect to construct or install such head gates, caps, valves, flumes or measuring devices after thirty days' notice to do so by the state engineer, the state engineer may forbid the use of water until the user thereof shall comply with his requirement, or the state engineer may proceed to construct or install or cause to be constructed or installed such controlling works or measuring devices, and the cost of the same shall be a lien against the lands and water rights served thereby, and the state enngineer is authorized to bring action in the name of the state to foreclose such lien."

It is our feeling that 1985 will be an above average water year and therefore, will provide the users in the Summit Creek Distribution System with an excellent opportunity to upgrade their diversion and measuring devices. We expect this upgrading to occur before the 1986 water year. Your cooperation is appreciated and if you have any questions, feel free to contact myself or Bob Fotheringham of our Logan office.

Sincerely yours,

Richard B. Hall, P. E.
Distribution Engineer

RBH.pms

cc: Denzel Jensen, Commissioner
Bob Fotheringham, Area Engineer, Logan

Name
Company
Street
State

Mrs. George Chambers
125 South 100 West
Smithfield, Utah 84385

Mr. Robert O. Cronquist
Smithfield Canyon
Smithfield, Utah 84385

Mr. Lee Osborne
HYDE PARK CITY
66 North 400 east
Hyde Park, Utah 84318

Mrs. Nola Hunt
4115 South 530 East, 38J
Salt Lake City, Utah 84107

Mr. LaMon Perkes
HYDE PARK IRRIGATION COMPANY
225 North 200 West
Hyde Park, Utah 84318

Mr. Denzel Jensen, Commissioner
P. O. Box 309
Richmond, Utah 84333

Mr. Wesley Keller
767 North 200 East
Logan, Utah 84321

Mr. Don Hansen
LOGAN & NORTHERN IRRIGATION COMPANY
275 North Main
Smithfield, Utah 84335

Mr. Ralph Neikle
LOGAN HYDE PARK & SMITHFIELD IRRIGATION CO.
4610 North 1000 East
Smithfield, Utah 84335

Mr. Terry Gnehm
LOGAN NORTHFIELD IRRIGATION COMPANY
195 West 1800 North
Logan, Utah 84321

Mr. Dan Meikle
239 North 200 East
Smithfield, Utah 84385

Messrs Gerald & David Miles
414 East Canyon Road
Smithfield, Utah 84385

Mr. Dan Nilson
76 West 400 South
Smithfield, Utah 84385

Mr. Miles Nilson
325 South 300 West
Smithfield, Utah 84385

Mr. Samuel Nilson
C/o Mr. Dal Nilson
76 West 400 South
Smithfield, Utah 84385

Mrs. Doris Roskelly
275 South 200 East
Smithfield, Utah 84385

Mrs. Clifford Simpson
C/o Robert D. Simpson
385 South Main
Smithfield, Utah 84385

Mr. Dale Nilson
SMITHFIELD IRRIGATION COMPANY
77 West 400 South
Smithfield, Utah 84385

Mr. Carroll Hodges
SMITHFIELD NORTH BENCH IRRIGATION CO.
7600 North 500 East
Smithfield, Utah 84335

Mr. Don Hansen
SMITHFIELD CITY
69 North Main
Smithfield, Utah 84335

Mr. Richard Waters
2100 East Canyon Road
Smithfield, Utah 84385

Mr. George Weeks
195 East 300 South
Smithfield, Utah 84385