



GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Water Rights

KENT L. JONES  
State Engineer/Division Director

June 30, 2015

### **Cease Use Notice Regarding Water Rights on the Virgin River and its Tributaries with Priority Date of 1901 or Later**

The Virgin River and its tributaries are experiencing significantly diminished flows because of continued drought. Utah state law provides that appropriators shall have priority among themselves according to the dates of their respective appropriations, so that each appropriator is entitled to receive the appropriator's whole supply before any subsequent appropriator has any right (UCA §73-3-21.1(2)(a)). Water users at the Washington Fields Diversion have placed a call on upstream water rights later than their 1900 priority water rights.

**With this notice, the state engineer is ordering surface water users on the Virgin River and its tributaries above the Washington Fields Diversion to immediately cease diversion and use of water rights with a priority date of 1901 or later, until further notice.**

The state engineer's authority to secure the equitable apportionment and distribution of water according to the respective rights of appropriators is outlined in UCA §73-2-1(3). Water users who fail to comply with this notice may be subject to civil and criminal penalties as outlined in statute. In future years water users may be provided verbal notice of priority distribution or water user head gates may be shut or locked with no more notice than a distribution tag secured to the controlling works.

Please be advised that Utah state law (UCA §73-5-4) requires all water users install and maintain controlling works and a measuring device that meet state engineer approval, and to make them accessible to the state engineer or water commissioner. Attached is a priority schedule showing water rights on the Virgin River and its tributaries above the Washington Fields Diversion. For additional information please contact one of the following: Water Commissioner David Jessop at (435) 673-3617, Regional Engineer Kurt Vest at (435) 586-4231, or Distribution Engineer Mike Silva at (801) 538-7430.

Sincerely,

Kent Jones, P.E.  
Utah State Engineer

cc: David Jessop, Virgin River Water Commissioner  
Kurt Vest, Southwestern Regional Engineer  
Ron Thompson, General Manager, WCWCD  
John Wadsworth, President, Hurricane Canal Co.  
Matt Staheli, President, St. George and Washington Canal

