

WATER RIGHTS ENFORCEMENT REFERRAL

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Complete this form by entering the requested information in the blanks provided and by checking the answer(s) which most clearly apply.

1. The *alleged violator* is:
 - 1.1. Name: _____
 - 1.2. Address: _____
 - 1.3. Telephone: _____

2. If the *alleged violator* is other than an individual (Example: irrigation company, mutual water company, corporation, LLC, etc.), the contact person is:
 - 2.1. Name: _____
 - 2.2. Office / Title: _____

3. Did the alleged violation occur or continue to occur during the past 12 months?
 - 3.1. Yes
 - 3.2. No (If “No,” the violation is not likely subject to enforcement action.)

4. The alleged violation arises from (check all that apply):
 - 4.1. a person diverting, impounding or using water for which *no water right* has been established;
 - 4.2. a person diverting, impounding or using water in *violation of an existing water right* (Example: water is being taken from a source or used in a manner, amount, time or place not authorized by the water rights.);
 - 4.2.1. The *alleged violator's* water right/application number(s), if known, are :

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4.3. Other statute or rule:

4.3.1. Specify the relevant statute or rule allegedly violated: ¹

5. When did the alleged violation first occur? Date: _____

6. Is the violation continuing to the present date?

6.1. Yes

6.2. No. Ended on date: _____

7. Provide a narrative description of the alleged violation including any relevant details and pertinent information not addressed or identified in the foregoing items. Provide copies of any correspondence, records, pictures, etc., related to the alleged violation. Avoid information that will identify you as the referent. Attach additional sheet(s) as needed.

¹The following violations *are not* subject to an enforcement action under § 73-2-25, but are subject to criminal penalties under § 73-2-27. Any violation observed under these statutes may be referred to the Attorney General's Office or to the local law enforcement authorities.

1. Damaging or interfering with control or measuring device(s) being used for distribution of water by the State Engineer or interfering with a person authorized by the State Engineer to distribute water (§ 73-1-14);
2. Obstructing a canal, ditch, pipeline, etc. or right-of-way for the operation and maintenance of same (§ 73-1-15);
3. Interfering with the lawful and official activities of an authorized employee of the Division of Water Rights (§ 73-2-20);
4. Drilling a well or offering drilling services without a current license (§ 73-3-26).

PRIVACY NOTICE

As a matter of administrative policy, the Division of Water Rights will protect your identity. This page of the referral form *will not* be placed on the scanned documents of the Division’s Internet website and will be classified as a “*protected record*” in accord with the Government Records and Management Act (GRAMA). UTAH CODE ANN. § 63G-2-305 (9). The information on this page will be released only if required by lawful process.

8. You ***must*** provide the following information before the Division of Water Rights will investigate this referral:

8.1.1. Your name(s): _____

8.1.2. Your mailing address:

8.1.3. Your telephone #(s): _____

9. Signature: _____

Date: _____

Completed referral forms should be mailed to:

Division of Water Rights
Enforcement Office
88 E Fiddlers Cyn Rd – B
CEDAR CITY UT 84721

You may contact the Enforcement Office by calling (435) 592-2376 or by sending an e-mail to: kerrycarpenter@utah.gov

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