

Memorandum

Date: 11/26/01

From: Craig L. Saxton

Subject: POD for Blackrock Creek Rights

Natural stream channel for Blackrock creek in question.

Creek flows south from the hills and reaches a point just North of I-15. At this point the creek can continue under I-15 and then flow west along the top of Blackrock Creek Subdivision, or flow to the East along the highway for about ¼ mile and then flow under the I-15 and down the East side of Bailey's property.

The USGS quad does not indicate either direction as the natural stream flow and just stops as if indicating the stream sinks when it reaches Steve Ferro's property just south of I-15.

At the point the natural flow reaches Steve Ferro's property there are signs of old diversion works that could send the water to the East, West, or South. To the west the water used to enter a pipe that ran through Bailey's property and then entered ditches that could take it to the Phillips. However since Bailey's bought the place in 1994 the pipe was removed and water was diverted North of I-15 through the path described above.

Recommend the POD for all rights south of I-15 at the junction point just South of I-15 where the USGS quad shows the end of the stream and historically that was how the water made it to the properties to the South East side of the subdivision.