

MEMO

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MAY 15 2007

DEPARTMENT OF
CE

DATE: May 8, 2007

TO: File 11-7342

FROM: Cindy Bird *CB*

SUBJECT: Outside irrigation changes

Stephany Wuthrich acquired several lots of land from her father and they are currently in the name of Utah Process Agency, Inc (UPA). One of these lots is currently owned by John and Julie Franson which is described under permit 11-7342. UPA still has other ground under permits 11-7339 and 11-7343 that borders the ground now owned by the Franson's and State land. To access the ground you must use the driveway/access road to the Franson's home. You have to pass the Franson's home to get to the UPA ground.

On May 1st, 2007 during the field examination on 11-7339 and 11-7343 while accompanied by Stephany Wuthrich we drove up to the Franson's home. The driveway/access road whines around the hill on the approach to the Franson's home and from a distance I could see that all the grass around their home was yellow and dieing. My first impression on seeing this was that the grass had been sprayed so as to kill it.

When we got to the house we stopped at the Franson's house to let Mrs. Franson know that we were going up the road to the property still owned by UPA. While waiting in my truck for Stephany. I was parked in the driveway of the Franson's. During that time there was a man and women in the front yard of the Franson's working. The man was planting trees and the woman was following up with a buried drip system around the roots of the trees.

Stephany walked up to the house and then turned to come back and talk to me. I asked her if that was Mrs. Franson in the yard? She said no, Mrs. Franson was in the house on the phone but that she had seen her and waved. So we proceeded up the hill to the ground owned by UPA.

When coming back from the field inspection with Stephany, just after 4 pm, I noticed that the couple that was working south of the house earlier today was gone. So, I stopped at the house to talk with Julie Franson about what I saw earlier that day.

When I walked to the door, I noticed pieces of dead lawn squares piled in a mound behind me. Mrs. Franson answered the door and I asked her if they that received my letter? She replied that they had. I then asked her what they were doing planting tree with a drip system then? She replied that they were just doing some landscaping this weekend to fix the broken hoses that were already there. She further stated that "when we're talking to John", I wasn't sure what that meant. So, I asked what she meant and

she said that we need to discuss this when all three of us can set down and discuss it. I agreed and asked her to have John call me so we can get this taken care of and proceeded to go back to my truck which was parked in there driveway.

I started to pull away when I noticed Julie walking towards me so I stopped. She wanted to know "what I was doing there?" I explained I'm here with Stephany doing a field exam on her remaining permits: She is trying to establish beneficial use of the water. Then I further explained to her that we need to get this taken care of because if it is not the Department will have to issue a Notice of Violation (NOV) and a possible citation. And you really don't want to go that route so come in and lets get this taken care of. Then I drove away and Mrs. Franson proceeded to go and talk with Stephany Wuthrich.

On May 8th I went out again to measure the water under permits 11-7339 and 11-7343. I stopped at the Franson's again to let Julie know that I was going up to measure the springs for Stephany. The bare dirt in the front lawn has now been covered with bark dust. On the westerly side of the front lawn there were some additional soaker hoses lying on top of the new bark dust.