

Informal Complaint Report

Index Number: 5651 **Company Name:** Dammeron Valley Water Works

CUSTOMER INFORMATION

Customer Name: Matthews, Pat **Account Number:** 681.02
Other Contact Info: **Phone Number:** (435) 632-0539
Customer Address: 1093 North Horsemans Park **Other Phone:**
Customer Address: **Email Address:**
City: Dammeron Valley **State:** UT **Zip Code:** 84783

COMPLAINT INFORMATION

Type of Call: Complaint **Complaint Type:** Rate & Tariff
Date Received: 5/8/2015 **Date Resolved:** 5/14/2015
Complaint Received By: Erika Tedder **DPU Analyst Assigned:** 0
Utility Company Analyst:
Company at Fault: **Actual Slamming Case:** **Actual Cramming Case:**

Complaint Description:

Ms. Pat Matthews called our Division because she has been unsuccessful at obtaining all of the water she claims she has rights to through Dammeron Valley Water. Ms. Matthews said this has been an ongoing issue for years, but that she was tending to a dying parent and is just now able to get it straightened out. Ms. Matthews claims that she has 19 acre feet of water, but that Brooks Pace refuses to deliver her the excess water for her to water a pasture and sell the rest. She stated that her water right numbers are 81-4860 and 81-4861. Ms. Matthews believes that Dammeron Valley Water should deliver her all of the water that she has a right to.

Complaint Response:

From: Lisa Chauvin- Dammeron Valley Water Works <water@dammeronvalley.com>
Date: Tue, May 12, 2015 at 10:44 AM
Subject: RE: UT - Pat Matthews
To: Erika Tedder <etedder@utah.gov>

Hi Erika,
I faxed you my response. I will mail the original to Pat Matthews today.

Thank you for your help.

Lisa Chauvin
Dammeron Valley Water Works

Ma~ 12 2015 12:25PM Pen~ and Dammeron 435-656-0504
DAMMERON VALLEY WATER WORKS
May 1.2, 201.5
1. Dammeron Valley Drive East
Dammeron Valley, UT 84783
(435) 574-2295 • fax(435) 574-2953
water@dammeronvalley.com
Dear Ms. Matthews,

This letter is in response to your complaint with the Division of Public Utilities. Thank you for the opportunity to respond to your concerns. Dam me ron Valley Water Works shows that you have twenty acre feet of

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water from water user's claim No. Bl-'1487, as stated on your Quit-Claim Deed. I have enclosed a copy of the Quit-Claim Deed that states that the twenty acre feet of water is restricted to irrigation use only and ONLY on lot being conveyed herein. The lot address being 1341 North Carter's Pond Rd.

I have also enclosed a copy of the CC&Rs for Old Farms Subdivision. Please see Article II, Residential Area Covenants item 11. Greenbelt Lots. It states that your Lot #5 is considered a greenbelt lot and the irrigation water is restricted to the use of irrigation only on the designated lot. These water rights CANNOT be transferred away from the lot. Please let me know if you have any additional questions, otherwise I will consider the case closed.

a:~ Lisa Chauvin
Manager

Cc. Erika Tedder

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Additional Information:

I thanked Lisa/Dammeron Valley Water and closed the case.
E.Tedder

From: Dammeron Valley Water Works <water@dammeronvalley.com>
Date: Fri, May 29, 2015 at 2:09 PM
Subject: Fwd: Re: Water Payment
To: etedder@utah.gov

Should I respond back? I thought this matter was closed.

Thank you,
Lisa Chauvin
Dammeron Valley Water Works

Sent from my Verizon Wireless 4G LTE DROID
----- Forwarded message -----
From: plmatthews <plmatthews@beyondbb.com>
Date: May 29, 2015 11:50 AM
Subject: Re: Water Payment
To: Lisa Chauvin- Dammeron Valley Water Works <water@dammeronvalley.com>
Cc:

I am still traveling. Finishing up my mom's estate. Will be home next week. We need to have a conversation about my water deeds. The bank did not want or take the water on the Carter's Pond property. I had actually sequestered those water rights 4 years ago and spoke with Brooks at that time to transfer use to Horsemans Park. Now that the Carter's Pond house is fully out of my name I am again requesting use of that water on Horsemans Park. You may look up the deeds at the Cedar City office for the State Water Dept., they name me as the owner of two deeds, one for 16 feet of water and one for 3 feet. I actually deeded 1 acre foot of water to Carter's Pond. That will show up on the deed of sale for that house. I have spoken to the State Office in Salt Lake and the Cedar office and it looks like I actually own 19 acre feet of water and have every legal right to use it. My complaint to DVWW through the state is to be able to get DVWW to serve me that water. It doesn't really matter what Brooks did way back when because once the bank refused to take a deed for that water they gave up rights to it on that property. Once I am home we can deal with this. If service is still refused I will file another complaint and eventually request arbitration through the state. Filing a law suite is expensive and time consuming and if Brooks loses he stands to lose more than I do. Let's make this simple. Thanks Pat Matthews

06/01/2015:

After consulting with Mark Long and Bill Duncan in the DPU Water Section, I advised Lisa/Dammeron that this complaint is closed in our office due to the Company's response. If Pat Matthews would like to take the issue further, she has a right to file a formal complaint with the PSC, or seek legal counsel.
E.Tedder