

THE STATE OF UTAH

OFFICE OF STATE ENGINEER

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STATE ENGINEER

SALT LAKE CITY

Memorandum for Office Study only, by Reid Jerman

RE: BEAVER CREEK (NEAR LONE TREE WYO.)
SUMMIT COUNTY DIST.

On June 15 1934 I made a field examination of Beaver Creek relative to distribution of water. This was the result of several of the Wyoming users from said creek having complained that the Utah users who had but junior rights were taking all the water and using same and in some cases were turning it on to sage brush to prevent it from going down into Wyoming.

The water of Beaver creek, like every other stream in the west, is very low, - so low that by the middle of May the Utah users diverting water from West Beaver were having trouble between themselves over the diversion.

About May 28, 1934 said Utah users met to consider the matter of the diversion of water under existing conditions. It was decided that the only way to get by was to prepare a schedule and rotate the water since if the stream were divided there would not be sufficient water to be of value for the irrigation of meadows.

Under the schedule the west side was to have the water for one week (Harry Buckley 4 days, I. Owen and G. W. Bullock 3 days) and then it was to be turned to the east side for 1 week). (Harry and Allen Bullock 3 days, Harry Buckley, Joe Hickey and E. F. Lewis 4 days). I understand Mr. Bernice Ivory had not used water this season until the middle of this week, when he arrived with a herd of sheep and took out a small stream for stock-watering.

It appeared the trouble on West Beaver was brought about by the Whipple ditch (see sketch) having been enlarged in recent years to the extent of carrying a large volume of water and after the high water season is over a dry dam has been maintained at the head of said ditch so that it was almost impossible for the users below this diversion to get water passed. One Allen L. Bullock has taken upon himself the task of getting the water from the Bullock ditch above to this diversion, he being one of the users who apparently has no right to water. (See schedule of rights following)

Under the present arrangement the West Beaver users in Utah are getting along nicely. West Beaver was flowing less than 12 sec. feet at the time of my visit.

1910	**1910	3206	H. J. Gregory, etal	same	9.97 s.f.	1456
1911	1911	4058	Otto Anne	same	3.47 s.f.	713
1911	1911	4059	Hans Olson	"	4.444 s.f.	414
1911	1911	4176	I. Owen Bullock	same	4.6 s.f.	No. Cert.
1916	1916	5040	Mary W. Bullock	I. Owen Bullock	2.1 s.f.	665
1933	1933	11286	Bernice Ivory	same	4.0	Proof pending

APPLICATIONS IN ST. ENGINEER'S OFFICE FROM WEST BEAVER

*Note: Allen L. Bullock now claims water for 160 acres of land which he states was put under water in 1898 through the Whipple ditch. This home-
stead was taken up and relinquished 2 or 3 times before it was finally
patented by N. D. Bullock from whom Allen L. Bullock purchased the place.
It does not appear that he would be able to show a clear chain of title
to the water since when the homesteads were relinquished, the water was
no doubt abandoned.

1886	1886	1886	Hickey-Lewis	Isaac Bullock	E. F. Lewis	160
1886	1886	1886	Carter	Geo. Bullock	Harry Buckley	160
1898*	1898	1898	Whipple	A. F. Whipple	Mrs. Corothy Carter	40
1921	1921	1921	Whipple	"	Harry Bullock	160
1899	1899	1899	Bullock	Isaac & Wm. Bullock	"	160
			"	"	"	320
			"	"	I. Owen	189
			"	"	G.W. Bullock	189
			"	"	Joe Hickey	189

WEST BEAVER CREEK

From the best information I could gather, the Utah Beaver Creek rights are as follows:

Mr. H. J. Gregory and Joe Hickey are the Utah users from East Beaver (Hole-In-The-Rock-Stream). Mr. Gregory stated he was not now using water and it was running right on through his fields. Mr. Hickey was using water and there was still some going to the Wyoming users. Mr. Stoll, Wyoming Water Commissioner, stated he thought everything would be satisfactory now that Mr. Gregory was not using water, since he could get sufficient past Hickey to satisfy the Wyoming right.

Yr. Dt.	Name	Original Homesteader	Present Owner	Ac.
1886	Hickey-Lewis	Isaac Bullock	E. F. Lewis	160
1886	Carter	Geo. Bullock	Harry Buckley	160
1898*	Whipple	A. F. Whipple	Mrs. Corothy Carter	40
1921	Whipple	"	Harry Bullock	160
1899	Bullock	Isaac & Wm. Bullock	"	160
	"	"	"	320
	"	"	I. Owen	189
	"	"	G.W. Bullock	189
	"	"	Joe Hickey	189

**Note: App. No. 3206 calls for 9.97 sec. ft. from Middle Beaver. Apparently the ditch was constructed but very little, if any, water was ever diverted or used.

EAST BEAVER CREEK (HOLE*IN-THE-ROCK-STREAM)

Pr.	App. No.	Applicant	Pr. Owner	Qt.	Cert.No.
1920	8546	Herbert J. Gregory	same	2.32 sf	1462
1920	8655	Wm. Fletcher	H.J.Gregory	4.32 sf	1379
1924	9463	Urban P. Kern	Joe Hickey	1.76 sf	1536
<u>SPRINGS</u> 19	11517	J. Owen Bullock	same	2.00 sf	Proof Pending

HOOP LAKE

Pr.	App. No.	Applicant	Pr. Owner	Qt.	Cert.No.
1931	11175	Reed H. Hanks	same	950 ac.ft.	Pr. ^{col.} Pend.
<u>East Fork of Beaver and Thompson Cr.</u> 1934	<u>11631</u>	<u>Hoops Lake Res. Assoc.</u>	same	3000 ac. ft.	Proof Pending

In comparing the above with the Wyoming rights it will be found that there is but a small quantity of water decreed from Beaver creek in Wyoming with an earlier priority than 1886, - date of Utah priorities, and a major part of the water from East and Middle Beaver is passing into Wyoming to fill these rights.

June 19 1934