

State of Wyoming



STATE ENGINEER'S OFFICE

Cheyenne

August 16, 1940



Mr. T. H. Humphreys
State Engineer
Salt Lake City, Utah

Dear Mr. Humphreys:

This office is in receipt of a letter from Mr. Emil C. Gradert, Superintendent of Water Division No. 4, of Robertson, Wyoming, in which he complains of a situation existing on Burnt Fork, whereby a water appropriator by the name of Jensen, owning lands in Wyoming and diverting in the State of Utah, it taking water in his Utah Diversion, which has been turned down by Hoop Lake appropriators from the Hoop Lake Reservoir.

For some years, there has been trouble concerning this particular diversion and you no doubt have received complaints heretofore. What I have in mind, is to secure your cooperation by requiring your water commissioner to regulate this appropriation to conform with Wyoming appropriators, except for such portion of his land as is located within the State of Utah.

Under our law, we can compel him to return the water to the stream as soon as it reaches the Wyoming Boundary and then the question arises concerning the right-of-way and who is to build the ditch etc., and it seems to me that what can be accomplished indirectly, would much better be accomplished directly by a regulation of the right in your state.

If I am correctly informed, this man has no right in either State, and it would seem that your water commissioner should have authority to shut him off entirely until he takes the proper steps in securing a water right and then it should be regulated in accordance with priority in either one or both of our States. Surely he is subject to some regulation in one or the other of our states.

I am aware that we have somewhat of the same situation existing on the Bear River and as time goes by, we should be able to work out a satisfactory solution of this problem.

Hoping to hear from you at an early date with any suggestion you may have to offer, I am

Yours very truly,

A handwritten signature in cursive script, appearing to read "L. C. Bishop".

L. C. BISHOP
State Engineer.

LCB/ah
cc/ Emil C. Gradert