

The State of Wyoming  
Board of Control  
Cheyenne

Pinedale, Wyoming,  
September 28, 1939.

The State Engineer,  
Salt Lake City, Utah.

Dear Sir:

During the present irrigation season I have run into some very deplorable conditions in connection with water distribution near the state line between Utah and Wyoming, the worst of which is Burnt Fork, tributary of Henry's Fork involving a Mr. Jensen and others.

Mr. Jensen lives in Wyoming and all his irrigable land lies in Wyoming, but one ditch diverts water in Utah, on a school section which he has leased.

Mr. Jensen takes the attitude that we have no control whatever over water that is diverted in Utah. He dams up Burnt Fork at a number of places on his school section and floods it with water that belongs to other appropriators. He makes a practice, and says he will continue to do so, of opening a ditch that belongs to other parties, which runs through the school section, and lets the water return to the stream. On my last trip there, about a week ago, I found this ditch open in this manner and the ditch absolutely dry, and he openly admitted that he had done it, and said he would do it again, that the ditch ran through his land and he had a right to open it.

Similar conditions prevail on Bear River.

Would it be possible for you to give our Water Commissioners the authority to distribute the water on both sides of the state line in these cases? It seems that something must be done, especially on Burnt Fork, to prevent very serious trouble. I am ready to co-operate in any workable plan, but as I have been on the job only this year my knowledge of these problems is limited, and I have been unable to secure a copy of your irrigation laws. Perhaps you have a better solution?

Yours very truly,

*C. C. Feltner*  
Sup't Water Division Four

