

June 4, 1936

I. Owen Bullock  
Lonetree, Wyoming

Dear Madam: REL: BURNT FORD DISTR.

I have your letter of May 28, in which you report relative to the following: (1) Henrys Fork Water Users Association has paid you in full for your last year's services as Water Commissioner and the members are very anxious for you to start work this season; (2) The water conditions on Burnt Fork; (3) The investigation you have made relative to the water right held by Claud Sadler; (4) Mr. Jensen is again giving the water users a lot of trouble by cutting ditches etc.

In reply, I can say I am glad the association has, after considerable persuasion, paid you for your last year's work which has long since been due. Recently, I received a letter from Mr. Heiner and a telephone call from Mr. McGinnis, outlining the conditions as they now exist relative to the water available for the users and the excessive use that is being made of same by some of the canal owners diverting from Burnt Fork creek near the mouth of the canyon. He asks that I appoint a Water Commissioner at an early date. I have replied to him, by letter of May 26, a copy of which I am enclosing herewith, which I think clearly sets out the conditions under which I will appoint a Commissioner.

Your services, last year, were highly commendable and if and when the water users will have complied with the requirements set out in the letter above referred

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to, I will be glad to appoint you Commissioner.

I wish to thank you kindly for the effort you put forth in investigating the Sadlier complaint and your prompt report thereof. If and when I will have gathered additional information from Mr. Sadlier, relative to this right, I may be in a position to advise you more definitely relative thereto.

The Attorney General's office advises me that the case enjoining Mr. Jensen from interfering with the water diverting in Utah is, by stipulation between the attorneys, still pending and that if Mr. Jensen interferes with the water in Utah, he is in contempt of Court. I would say that if this disturbance continues, the water users or the Water Commissioner, if and when appointed, should take steps to further watch and secure evidence of Mr. Jensen's actually interfering with the Utah diversions. Such evidence will be used against him in the event he is brought into Court for contempt, which appears will be the case if he does not refrain from interfering.

If the water users on Burnt Fork are willing to stand the cost, there being no funds available whatever to handle this case otherwise, I think we should ask the Court for an early hearing in the Jensen case in order to determine whether or not we should stand by and let him roam about the ditches, cutting them at will, without any respect whatsoever for rights of others or the Commissioner in power. If and when you have a chance to discuss this matter with the Burnt Fork users, would you kindly advise me relative to their attitude in the matter.

Yours very truly,

T. H. Humpherys  
STATE ENGINEER

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