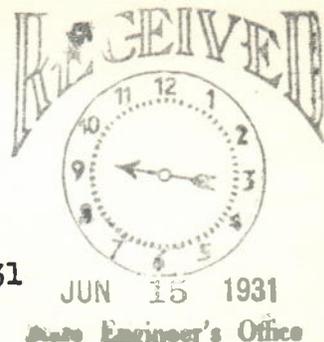


B. O. COLTON, JR.

WATER COMMISSIONER
LAKE FORK, UINTAH, WHITEROCKS RIVERS

MYTON, UTAH

June 12, 1931



Mr. George M. Bacon
State Engineer
Salt Lake City, Utah

Dear Sir:

I am pleased to have the opportunity of answering your communication of June 1st, relative to the complaint made by Mr. C. A. Thompson of Lapoint, copy of which you inclosed with your letter.

The drouth condition here is much the same as elsewhere. Water shortage is very acute. Many crops have not had a first irrigation as yet, and may not get one, unless we are blessed with a good storm period.

The flow of the streams, meagre as it is, is being distributed as fairly as possible to the various interests in the order of their priorities. The Indian, or "government" lands have prior right under the Court Decree and also in order of filing in your office, with the single exception of the Uintah River Irrigation Co. (Moffat Canal) which preceded the Indian filings with file No. 314 for 25 sec. ft. The water is distributed to Indian lands as well as to all others on their reported irrigated acreages.

In 1930 it was divided on the 1929 "crop reports" and we are still using that basis for present distribution. Blanks have been sent out for another report, which is to be filed with the commissioner by June 15th.

On the day of Mr. Thompsons "investigation" (May 28th) the Whiterocks River was flowing 120 sec. ft., at the U. S. G. S. gaging station above all canals. (Except the Marimon Ditch--200 acres). Beginning with the upper diversions the several canals were drawing water as follows:

U. S. Whiterocks (Indian Canal)	34 cfs.
Farm Creek (Indian Canal)	19 cfs.
Whiterocks--Ouray Valley Canal	12 cfs.
U. S. Deep Creek (Indian Canal)	none (canal broken)
Moffat Canal	23 cfs.
Colorado Park Canal	6 $\frac{1}{2}$ cfs.
Military (Indian Canal)	10 cfs.
Henry Jim (Indian Canal)	23 cfs.
Total	<u>127$\frac{1}{2}$ cfs.</u>

The Moffat flow was supposed to be coming from the Uintah River, although I have no accurate check of the amount actually received from that source. About 5 sec. ft. of the Henry Jim flow was delivered thru the Bench Canal and 1 sec. ft. was estimated as return flow. Deducting the

23 sec. ft. of water in the Moffat Canal, plus the 6 sec. ft. in the Henry Jim, which came from sources other than the

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Whiterocks River, from the total in all canals there is a recovery of $98\frac{1}{2}$ sec. ft. of the Whiterocks flow, or a river loss of $21\frac{1}{2}$ cfs.

The river discharges besides being wholly inadequate to serve the areas under canals, have fluctuated greatly. For example, on May 21st, the Uintah was measured by Mr. N. T. Wilson (of U. S. G. S. service) as 127 cfs., May 26th it had risen to 343 cfs. On the 27th, it was 244 cfs., 28th 231 cfs., and 29th 235 cfs. We have daily report on the Uintah discharge but have a 12 mile trip to make to get the Whiterocks flow so do not get it very often. However on May 21st, the discharge was 76 cfs., according to Mr. Wilson's measurement. May 27th at 6:00 P. M. it was 143 cfs., and on the 28th (also at 6:00 P. M.) 120 cfs.

This has made it very difficult to distribute the stream flow and keep water at the lowest diversions without wasting water. However we have succeeded in avoiding waste below the diversions, with the result that the lowest canals have taken the greatest fluctuation and much of the time have been below duty. The Henry Jim has suffered under this condition.

On May 25th the U. S. Deep Creek suffered a washout of a flume. Water was out of the canal until 2:30 P.M. on the 28th, when $18\frac{1}{2}$ cfs. was put into it and the morning of the 29th it was raised back to duty.

The water from the Deep Creek was placed in the Colorado Park, U. S. Military and Henry Jim Canals. (The Military Ditch is $2\frac{1}{2}$ miles north of Ft. Duchesne and is used only in emergencies and during high water). The Whiterocks Canal was carrying 68 cfs on the 25th. The gates were left unlocked under privilege extended to the watermaster (who has the full confidence of the Deputy Commissioner, Mr. Cloward) to raise them whenever the river flow justified. That evening about 7 P.M. an unknown dropped the canal gates. This was not discovered until the next morning when I arrived on the canal to make measurements for rating it. Upon completion of the rating I had raised the flow to 79 cfs., which was left in the canal in partial replacement of the loss suffered during the night.

On the 27th the river having dropped materially the deputy cut the Farm Creek canal $4\frac{1}{2}$ cfs., the Whiterocks canal 45 cfs. and the Colorado Park 6 cfs., the latter two being reduced to a culinary supply. These cuts were made to bring the Military and Henry Jim canals up to duty--more especially the Henry Jim, which had been constantly under duty, because of being furnished from the tail end of the Bench Canal.

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On the 28th. I had measurements made to determine the losses due to the necessity of using the river channel to get water down to the lower canals with the particular end in view of urging the junior users to assist the government in making some inexpensive improvements to avoid the losses due to the enforced use of the river channels under such emergencies--the most important of which have now been made. Of the $55\frac{1}{2}$ sec. ft. cut from the upper canals on the 27th. we could account for but 28 sec. ft., a loss of nearly 50 per-cent. This is undoubtedly too high and is to be accounted for in the fact that we did not ~~get~~^{check} the flow from the Uintah, which supplied the Moffat Canal, and also that there was a slight recession in the river discharges during the day.

Mr. Thompson's complaint was duly registered with the officers of the company and on May 1st., I met two of the directors, the watermaster and Mr. Cloward, my deputy, at the canal heading. After discussion of the whole matter the officers appeared fully satisfied. At this time there was $17\frac{1}{2}$ sec. ft. of water in the canal and as the clock record gave evidence of some tampering with the headgates, they were locked.

On May 2nd. the canal flow was increased 6 cfs. On the 3rd. it was cut back to culinary water. The night of the 4th. the locks were cut and 45 sec. ft. of water turned into the canal. Next morning the watermaster reported the condition as soon as he discovered it, and since that time we have had no further trouble.

I am very well acquainted with the officers of the Whiterocks company and am positively certain that they are without blame in this interference with the gates and water flow, and they are lending every support to an orderly handling of the matter. The condition is just such at present that I think you will hear little more about the flagrant waste of water as charged by Mr. Thompson.

I believe I have covered the situation quite completely except as to the complaint of the waste of $13\frac{1}{2}$ sec. ft. of water to serve the Indian School. This item I have not checked closely, but am informed that there is very little actual loss in this channel of the river, that the surplus reaches a branch of the Uintah and goes into the Deep Creek Canal. This water is taken by the Whiterocks settlement, (the seat of the Indian Schools) to furnish the water system which supplies piped water to the villiage.

I am furnishing copies of your letter and inclosure and also of my reply to the Whiterocks Irrigation Company, Lapoint Utah, and to Mr. Paul S. Henderson, U.S.I.S. Engineer, here at Myton.

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The distribution of water is made on a graduated duty schedule. The present duty is 95 acres per sec. ft. Here-
tofore the duty for the comparative period, June 1st. to
20th., had been 70 acres per sec. ft. This higher duty was
accessed to by Mr. Henderson, representing the Indian rights
with a very evident desire to alleviate the present serious
condition, and has helped greatly. Consent to the use of
culinary water for irrigation of gardens is also a generous
concession made by the prior rights to the junior rights, and
has come largely from "Government" canals in the present
stress.

Under the cooperative attitude of the U. S. Indian
Service officials, and the officers of the canal companies
together with the experience of the deputies on the rivers,
I think we are getting by as well as could be expected.

Appreciating the spirit of your request and thanking
you, I am

Very truly yours,

B. O. Colton Jr.
Commissioner

BOC/L.