March 7, 1936

Mr. Geo. L. McPheeters, Project Manager,
Resettlement Administration,
Widtsoe Land Use Adjustment Project,
Panguitch, Utah.

Boulder Cr. Dist.

Dear Sir:

I have your letter of March 2, in which you ask for information relative recorded water rights on Boulder creek and Escalante river, Garfield, Utah.

Before making reply to this letter I have examined the records in this office and find that the waters of Boulder creek were Decreed in 1901 in the case of W. G. Baker, et al v. A. M. Lyman, et al. This Decree is no doubt available in the Sixth Judicial District Court of Garfield County. In addition, we have a Decree adjudicating the water rights on East, Center, and West Deer creeks in the case of Lloyd Garrison v. W. A. Wilson, et al, which is also on file in the District Court office of Garfield county.

We have no records showing what the rights on Escalante creek are that were initiated prior to March 1903. Rights prior to this date were initiated by placing the water to beneficial use and unless these rights have been before the Court for an Adjudication they may not be of record. An examination of the records of the court may indicate whether or not these existing diligent rights to the use of the water initiated since 1903 are of record in this office, and for your information I have had prepared and enclose herewith an abstract showing such rights, which I hope will be of value to you in your investigations.

In your letter you ask if the Colorado River Commission Claim any right to the water in the Escalante river. I can only answer in general by saying that in the Colorado River Compact the Upper States received a certain allotment of water from the Colorado River System. Of this Upper States allotments Utah will eventually have allotted it's prorata share. The water

to supply this share of Utah's rights will come from the streams in Utah from which Utah users can divert and put to beneficial use the waters.

Anytime you are in Salt Lake I would be glad to discuss with you whatever subjects you have in mind pertaining to water or water rights as they apply under the Widtsoe Land Use Adjustment Project.

Yours very truly,

T. H. Humpherys,
STATE ENGINEER

By_____
Chief Deputy, St. Eng.

2/hb
Encl.