



THE STATE OF UTAH  
OFFICE OF STATE ENGINEER  
SALT LAKE CITY  
July 7, 1954

JOSEPH M. TRACY  
HAROLD A. LINKE  
STATE ENGINEER

*Extra Copy*

Mr. D. S. Rowley, Jr.  
Secretary, Spring Glen Canal Co.  
Helper, Utah

Dear Sir:

RE: PRICE RIVER DISTRIBUTION

This letter is by way of a reply to your letter of June 26, 1954 and to the letter from some of the Carbonville Water Users under the same date.

Since receipt of these letters Mr. H. C. Lambert of this office has called upon you and has made a field examination of the situation, and since his return we have carefully considered this matter and have examined the Articles of Incorporation of the Spring Glen Canal Company that are on file in the office of the Secretary of State.

We do not understand your statement that "the Spring Glen Canal Company has no jurisdiction over the laterals off its canal" as the Articles of Incorporation are entirely to the contrary and no by-law of your company could supersede the Articles; and by reason of this fact and the further fact, according to our best information, that all of the users of water from this canal or any extensions or laterals from it, are members of your company, we have concluded that our office is entirely without jurisdiction and that the matter is entirely an intra-company affair.

The distribution of waters of the Price River Conservancy District to the Spring Glen Canal Company and/or the individual stockholders thereof, can only be the subject of a proper agreement among themselves as the jurisdiction of the State Engineer ceases when the water, either primary or conservancy district water, is delivered by our Water Commissioner from the Price River to the Spring Glen Canal Company at its point of diversion.

Yours very truly,

JMT/cca

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JMT/eca

CC: Harvey Thomas- Price, Utah  
Price Riv. Water Conserv. Dist.  
Price, Utah  
Dr. F. A. Migliore " "  
Frank Prazen Carbonville  
Wm. Robb Carbonville "  
Nick Diamante " "  
Floyd Birch " "

Yours very truly,

*Joseph M. Tracy*  
Joseph M. Tracy  
STATE ENGINEER