



THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

T. H. HUMPHERYS
STATE ENGINEER

July 22, 1940

REL: PRICE RIVER DISTRIBUTION

Memorandum for office study only, by R. A. ANDERSON, WATER COMMISSIONER

Mr. George Milner Jr., now owns the R. A. Snyder Decreed right--90 acres 1st Class plus 30 acres 2nd Class. In 1938 Milner transferred from Snyder ditch (See Morse Decree) as decreed to Wellington canal by Change in State Engineer's Office.

Agreement, filed with State Engineer's office, between Wellington canal and George Milner Jr. to pay proportionate cost of M. & O., was to remain in Wellington, except that certain sums of money be paid if and when he transferred out. He also was to bear his delivery loss in transit, and delivery to him was to be the same as all other users in the Wellington canal.

Water was delivered to him in 1938 even though his Application was not yet complete. He never has been satisfied with the delivery, maintaining the delivery to him should be 100% regardless of delivery to other users, and that he should be given on the farm the efficiency that the commissioner put in the head of the canal. In this case, for example, I, as Commissioner, may declare the water at the head of the canal to be 50%. The water master on the Wellington deducts 25% for delivery loss, but Milner refused to accept this allocation and entered suit against the Wellington for damage, because he maintained that no loss should be deducted. The case came to trial this spring (1940) and Milner lost. Still he is not satisfied, and has now declared that he will get me, for he maintains that I have cut him and not Price and Helper Cities, and others--Utah Fuel Co., Independent Coal & Coke Co., and D. & R.G.W. R.R. Co. (See 1938 Report for water rights of each).

Price City, for example, owns a total of 9.50 c.f.s. and the most I have ever measured above all users is 3.01 c.f.s. this spring. I have measured as little as 1.75 c.f.s. in the fall of the year. I have been told by the City Water Supervisor that he has measured as much as 3.50 c.f.s. but that is only in the spring. The springs limit the amount of water that can be taken into the line. From the above, it can be seen that at no time does Price City use all their water except when the efficiency drops to a point where it takes all the available water to supply their demands. All the others named above are in about the same proportion, unless it be the Independent Coal & Coke Co. and it leases reservoir water when necessary, so that it has sufficient water.

Information in the 1938 Report referred to above was compiled from personal examination of ditch boards records, county records, previous commissioners' reports, and individuals owning and exhibiting deeds, transfers, etc., from city records and from the State Engineer's office. While it is not expected to be absolutely accurate, it nevertheless represents the information as I was best able to get it. By adding up the total right, they agree very closely with the original Decree. In some cases, however, the stock on the books of the Companies exceeds the record right. For example, Pioneer Ditch #1 owns 9.45 c.f.s. or 567 shares at 1 share per acre, while

