



THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

WAYNE D. GRIDDLE
STATE ENGINEER

October 15, 1959

Mr. Ralph A. Gardner
K & G Ranch
Beryl, Utah

Dear Mr. Gardner: RE: APPLICATION NO. 16236-a

This acknowledges receipt of your letter dated September 29, 1959, concerning the development of water in the Escalante Valley under your approved application. From your letter it indicates that you have proceeded in good faith and accomplished all that you can physically accomplish in perfecting your application by the December 31, 1959, deadline.

This is to inform you that if your land is level and all planted and water has been applied to the area involved that this can be considered putting the water to beneficial use. A crop is likely to develop next spring as a result of this work even though physical conditions may not produce a crop this fall.

Our desire to stabilize the area by setting the December 31 deadline has created unforeseen problems of use since the users are attempting to perfect their rights up to the last minute. We had hoped that by giving the users two years notice that they would plan their development work far enough ahead that we could adopt a realistic policy on the use of water necessary to complete proof. However, it appears that in most instances this planning has not sufficiently materialized to consummate and complete development by December 31, 1959, without a liberal interpretation of the requirement of application of water constituting beneficial use. As a result, even though we have discouraged last minute attempts at development it appears that this liberal interpretation is justified at this time.

Yours truly,

Hubert C. Lambert
DEPUTY STATE ENGINEER

HCL/le

c/ Don N.
Harold
Keith