

*Price*  
*cont*

ARGYLE CREEK WATER COMMISSIONER'S REPORT

John Bene - Court Appointed Water Commissioner

July 20, 1963

Neve Winner	1.20 cfs
Umbert Pressett	0.40 cfs

Water was being diverted on grain field by small cabin. Commissioner's best information is that this place is the Burdick place. No measuring, no control at the diversion. This diversion is not named in the Johnson Decree. (Est. diversion 0.25 cfs. to 0.35 cfs)

Henry Mills	1.00 cfs
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Only one diversion point being used on this date.

Hayes Place (Brock Operator)	2.40 cfs.
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Dry dam found across stream. Portion of the dry dam taken out by the Water Commissioner before continuing down stream.

Preston Nutter Corp.  
No water being diverted on the south side.  
North side diversion (Gage reading - .44, = 1.15 cfs.)

Met Mr. Price at Nutter Ranch at which time he reported that he had been short of his decreed right since July 16, 1963. I informed him that I had found a dry dam across the stream at the Hayes' diversion and that in about five hours the water should be at his gaging stations as I had removed a portion of the dam. On my way back up Nine Mile Canyon I stopped and told Mr. Brock on the Hayes place that I had taken out part of the dry dam and released all but 1 cfs. of water to make up the rights downstream. There is no fixed control on this diversion and very difficult to set the water to fix quantity. Mr. Brock promised again to get a headgate on the diversion out of the main stream.

I made a trip back up Argyle Creek and checked on the reading on the Parshall Flumes, and also walked across from the road to the vicinity of cabin on the Burdick place to check the water on the grain field; the lower portion of the field was being irrigated. I went up to the Henry Mills' place at which time Mr. Mills and I went up to his diversion works and Parshall flume location.

Before noon on my trip up Argyle there was a fellow working on the Seever place mowing or raking hay. A fellow was mowing hay on the Pressett place, and Henry Mills and his men were hauling hay.

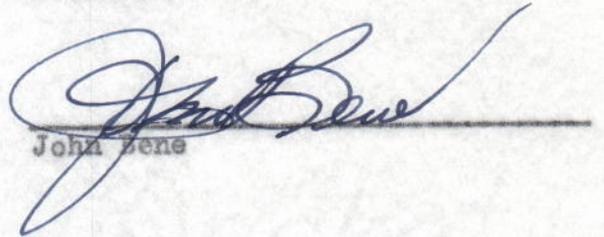
Readings as found on Argyle Creek and Nine Mile:

Neve Winner	1.20 cfs
Umbert Pressett	0.40 cfs
Henry Mills	1.00 cfs.
Hayes Place	2.40 cfs
Preston Nutter Corp.	1.15 cfs.
	<u>6.15</u>



There is still sufficient water to fill the decreed rights under the Johnson Decree (4.33 cfs).

REMARKS: It is very difficult to maintain a uniform flow after a division of water is made since it is dependent on how well the water is tended after it is set on the fields. If it is tended well, there is less return flow to the main stream of Argyle Creek. For example on the Pressett place, the water is diverted and unattended for days and returns back into the channel for lower users - with little consumptive use. This has also been the case on the Mills' place on occasions. The last users on the stream take all fluctuation.

  
John Bene

cc: Judge Joseph Nelson - Provo, Utah  
State Engineer - State Capitol - SLC  
Ed Clyde - 351 South State - SLC  
E. J. Skeen - 522 Newhouse Bldg. - SLC  
N. L. Wimmer - Nine Mile  
Preston Nutter Corp. - Nine Mile  
Clive Sprouse - Roosevelt  
Henry Mills - Price  
Umbert Pressett - Nine Mile

