

Price, Utah  
August 30, 1928

Mr. Geo. M. Bacon  
State Engineer  
Salt Lake City, Utah

Dear Mr. Bacon:

I made another investigation of the DeMarco--Eleganti system this morning at 11:00 o'clock in accordance with your request as shown by your letter of August 27th.

The Eleganti's were diverting water at their second diversion below Crystal Spring. They were taking practically all of the water at that point which includes the water of Crystal together with the waters of the wash which arise above Crystal spring and below Crystal spring to that point. Crystal Spring was running about  $\frac{1}{3}$  of a second ft. while the other waters of the wash to that point was a trifle more. Of this total amount, not  $\frac{1}{10}$  of it was being allowed to run on down to the DeMarco's. I have found this same condition to exist several times this summer, they allow only sufficient water to pass, to say that they are allowing water to pass their diversion.

An agreement of dividing the water on a day basis, as suggested possible by Mr. Madison, this spring was impossible as the Eleganti's would not agree to it. The distribution has been made on the decree of the court, the same as last year, in which the Eleganti's get Crystal Spring all the time, and all the other waters of the wash on Sunday, while DeMarco's get Goat Spring and all the waters of the wash six days a week. Mr. Ruggeri suggested to me that you were of the opinion that a  $3\frac{1}{2}$  day each agreement had been reached and distribution was on that basis, which is not the case.

If a distribution on a day basis could be forced I feel it would help and simplify matters, as there is sufficient water to take care of both parties if it were kept together and used on turns.

Very truly yours,

*H. R. Wayman*