THE STATE OF UTAH

OFFICE OF STATE ENGINEER

SALT LAKE CITY

Price Dist

GEO. M. BACON
STATE ENGINEER

May 29-27.

Mr Reid Jerman
State Engineer Office

Dear Reid,

In reply to your letter of May 24th regarding Demarco, Eleganti water rights! I found the following facts.

Application No. 5390 is recorded, from State of Utah to Spring Canyon Coal Co. The Demarco's hold certificate No 741 but do not have it recorded. These do not refere to waters of Crystal Spring.

I went over the case which went to the Supreme Court and it was all about Crystal Spring. The substance of it is that A Eleganti trade Crystal Spring to Spring Canyon Coal Co. for goat spring ~~and~~ or water covered in Application 5390 and any other water owned. After Crystal Spring increase its flow some years after, A Eleganti wanted it back and it got into court and went to the Supreme Court. The finding of the case was that the trade was not valad and with out consideration, therefore A Eleganti got Crystal spring back, and Spring Canyon Coal Co of necessity go their water back which they traded to Eleganti (some of which was covered in Application 5390. This is as I understand it after diging into it.

61 Utah 475

A. W. HORSLEY
PRESIDENT

H. G. MATHIS W. A. THAYN
DIRECTORS

W. R. WAYMAN
MANAGER-SECRETARY

Price River Water Conservation District

PRICE, UTAH, _____ 192__

The ~~night~~ evening of May 27th I happened up there and Elegantis had all the waters of all the springs of the wash. I had previously fixed it so that ~~to~~ each party got their water, so I again proceeded to cut the dam Elegantis had made to take goat spring water, about them 10 to 15 of the Elegantis appeared and one attempted to take the shovel I had away from me. I placed him under arrest, he refused to come to Price with me, so to avoid any more trouble I left him and filed a complaint the next morning. Clay the County Attorney was in tuch with their Attorney as he promised they would not bother it again if I would drop the complaint. At present things seem to be a little more settled up Spring Canyon Wash. Demarco have about 65 acres under cultivation they say, and Elegante have 25 acres. I feel they should also be assessed as they have taken more time this year than all of Price River ~~so far this year~~ Your's till I see you together.

W. R. Wayman

W. R. 628