

MEMO RE: BOUL CREEK DISTRIBUTION

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On Monday, Oct. 31, Mrs. Roxana D. Hall and Mrs. L. H. Denney called at the office of the State Engineer to learn if an order had been issued instructing Mr. Pace to install measuring device and whether or not such order had been carried out; they representing that at the present time there was no such device.

The State Engineer said that in view of the fact that the adjudication decree ordered the installing of such device he hesitated to make an order on the ground that if Mr. Pace would not comply with the order of the Court it was not reasonable to expect him to pay any more attention to the State Engineer.

Answering their question as to whether or not Mr. McBride could order a weir installed and supervise its construction the State Engineer answered that Mr. McBride's time was at the disposal of the water users on the Sevier and he could not very well order him to do work in another district. If, however, a private arrangement was made with Mr. McBride the State Engineer saw no objection to it.

The State Engineer also pointed out that practically nothing would be gained by having a weir installed unless there was a responsible commissioner to distribute the water during the irrigating season; also that neither party to the controversy was willing to accept the suggestion of the other and until this condition was changed there seemed no way of getting results. Mrs. Denney took exception to the Weber affidavit to which the State Engineer answered that there is nothing on the record to indicate that the affidavit was unsatisfactory or that Mr. Hall had not had full opportunity to take part in the investigation.