

# CEDAR CITY CORPORATION

H. H. LUNT, MAYOR  
CEDAR CITY, UTAH

July 9, 1938

Hon. T. H. Humpherys  
State Engineer,  
State Capitol Building,  
Salt Lake City, Utah.

Dear Mr. Humpherys:

Cedar City Corporation and the Class I water users around Cedar City are having some difficulty in adjusting their water rights.

As you possibly remember under the Decree of the District Court of the Fifth Judicial District in and for Iron County, Utah, there was awarded to Cedar City Corporation one cubic second foot of water for culinary purposes and 2.92 second feet of water for irrigation purposes.

The fields and the City are trying to reach an agreement on the use of the culinary and irrigation water.

There is no dispute on the question that when the supply of Coal Creek is under 25.96 cubic second feet of water, the irrigation water is subject to a certain proportionate shrink, depending on the lowering of the volume of the Creek.

However, the question has arisen whether or not the culinary water should be subject to the same shrinkage.

In this connection it may be remembered by you that the point of diversion of the culinary water is four or five miles up the creek from the diversion ditch where the irrigation water is taken from.

If, under the rules of your office, culinary water is under the same shrinkage as irrigation water, then we will of course abide by your instructions in the matter. If however, culinary water is to be considered as not subject to shrink we would appreciate information on this question so that we would act on your advice in relation thereto.

OFFICE OF  
HERBERT P. HAIGHT  
CITY RECORDER

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I realize this is some difficulty on the part of your office, but we are all anxious to get this matter adjusted satisfactory to all concerned, and we would greatly appreciate any advice you could give us on this matter.

With kindest regards, I am

Yours very truly,



Reuben J. Shay  
City Attorney

