

August 13, 1942.

Mr. Frank B. Wood
Cedar City, Utah

c.c. of letters to
Mr. Gronway R. Perry
Cedar City, Utah.

re: Coal Creek Distribution

Dear Mr. Wood:

I have your letter regarding the water rights for the George H. Wood ranch which is located about 12 miles East of Cedar City in which you request that a hearing be held on this water right next time an engineer from this office is in Cedar City or locality.

Several weeks ago, upon the complaint of certain primary users on Coal Creek, I had an investigation made of the water rights in question. Apparently, although some water has been used on the George H. Wood ranch for many years, it was not included in the Coal Creek decree. Under the plain provisions of the statute, any rights not included in the decree are forever barred. Mr. Skeen reported to me that all of these facts were pointed out to the group interested in this question at a meeting held at the court house in Parowan a few weeks ago. He said that a number of the representatives of irrigation companies on Coal Creek had expressed a willingness to negotiate a settlement which would give the Wood ranch some kind of a water right. He explained that there are many legal difficulties confronting you and your brothers in any effort to force recognition of a water right but that something may be done if owners of decreed rights on Coal Creek are willing to recognize an apparent mistake in the decree and stipulate a right. There has been some complaint that although the George H. Wood ranch enjoyed a water right in early days, the right was very limited in extent and an effort has been made by increased use to enlarge the right during more recent years. In working out any sort of settlement, it should be kept in mind that the right was fixed by the use prior to the entry of the decree in 1924 and cannot be enlarged by increased use of water since the entry thereof.

The next time an engineer from this office is in the vicinity of Cedar City, I shall advise you and others interested and shall be glad to cooperate with you in an effort to settle this controversy which the file indicates has extended over several years.

Very truly yours,

Ed. H. Watson,
State Engineer.

EJS/ba

*sent for
field exam.
L.P.*