

THE STATE OF UTAH

OFFICE OF STATE ENGINEER

T. H. HUMPHERYS
STATE ENGINEER

SALT LAKE CITY

Tues. May 29, 1934

Memorandum for Office Study only, by L. Cardon

RE : PACK CREEK DIST.

At 9:40 today Mr. Dalton of Price called for information on Pack creek filings and asked concerning appointment of Water Commissioner. Information was obtained from the files and Mr. Dalton was contacted at 2 p.m. being informed there were 2 applications in good standing on said creek, both in the name of Robinson and both with 1910 priority. Mr. Dalton requested the appointment of a Water Commissioner, contending he represented 8/10 of water on creek and promising to send in petition in proper form to the State Engineer to reach this office tomorrow. At 5:10 Mr. Dalton called again, saying the man agreed upon by the water users was one Reed Lancer of Moab who was also County Attorney of Grand County. Discussion was held with Mr. Jerman relative to whether a representative or commissioner should be appointed, since the statutes provide that consultation must be had with water users by State Engineer before the latter has proper authority to appoint a Commissioner. Dalton insisted he was a majority and consultation had been held with him. He said that the users he represented would guarantee payment direct to Mr. Lancer and would also secure bond for him in amount of \$1000.00 covering distribution.

Mr. Jerman advised that the Commission would be prepared, the facts presented to the State Engineer and if all matters seemed in order, it would go out this evening, Mr. Dalton to send in formal petition at once.

At 7:30 Mr. Jerman called Mr. Dalton after consultation with the State Engineer, reporting that Mr. Humpherys wished to be helpful and would be so but felt the method outlined above for appointment of commissioner was irregular; that in order to protect all concerned that the regular petition asking for Commissioner should be filed, a hearing held and appointment made in regular manner. In that way the Commissioner could then work with legal authority. Mr. Dalton asked that Mr. Humpherys call him in regard thereto.