Bruder

Ioka Utah
June 24, 1948

State Engineer
Salt Lake City
Utah.

Dear Sir;

This morning I went over the Hartman, that is Case and Cannon, diversion of the Sand Wash. In the canal he had 7/8 of one acre foot of water, in another canal on a different fork of the Wash than the one I wrote you about he had out 17/38 of 1 second feet. At the latter diversion he has no filing. (And different from another diversion which I wrote you about before,) it is on a live stream of water. I did not iterfere with it because, I desired to return home first and check the abstract. I find that the total flow is 1 ~~50~~ 25/72 second feet. you will ~~not~~ note a little more than 1 1/3 second feet. These measurements were carefully taken, and I believe as accurate as it would be possible to take them without some special structures being put in for the occasion. The note which I left on the diversion when I regulated the water June 11th was still there but the opening which I made had been closed with a shovel and a portion of the water taken out at a diversion above. The diversion above referred to does not correspon to point under filing and the water is used on land not covered with filings.

June 24, 1940

I had two men with me this morning both of which read the note then we placed it back, held securely in place by rocks.

You will note that this diversion is designated by a location on each of two forks of Sand Wash at each place as I have twice reported he has a dam of earth and Rock, thow a live stream of water develops immediately below his dam in each instance. I found in one channel a load of manure which seemed to have been taken from a chicken coop, and at least one old squash had been put into the channel with the evident intent of distroying the channel.

I shall notify Mr. Hartman that this upper diversion is illegal, by mail as I could not contact him this morning. And if he does not turn the water off I shall, where there is not a legal diversion.

I here pause to remark that, the decree of the court, a copy of which is accessible to me, gives Case and Cannon, i.e. Hartman first right to the extent of 1½ second feet.

I submit the above for your consideration and await your instructions.

Respectfully Yours

Robert H. C. Marchant

Commissioner for Sand Wash.

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