22 162
21 222
17 378
19 518
30 429
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30-461

Ioka, Utah.
Sept. 1, 1939

RECEIVED SEP 2 1939 State Engineer's Office

Mr. T. H. Humphreys, State Engineer
Salt Lake City, Utah.

Dear Sir,

When we talked with you at the U.B.I.C. you suggest we write you.

At various time this summer we have made trips up the Sand Wash and have found from one to five streams being diverted, at least two where there is no filing and if the N.J. Mitchell filing has but one point of diversion, then there were three.

Hugo Mitchell is the one that was using the water from the two without filing and also the third which he says is covered by his fathers filing, but his brother Parley says there is but one point of diversion.

On Aug. 20th three of us went up the Sand Wash stream and found water beind diverted at three places. Oscar Nelson, who has a filing had a stream, which he owned up to taking and said he had had it about three days. Another stream was diverted at the N. J. Mitchell upper point of diversion, if he has two, and the third at his lower point of diversion, or where there is no filing. This third stream was going on Hugo Mitchell's land.

Parley Mitchell, Sam Williams and Hugo Mitchell are ~~all those~~ each farming a part of the R. J. Mitchell land covered by the upper point of diversion.

On our trip of Aug 20th at aroud four to five oclock in the evening Sam Williams part of the land had just been watered that is a portion of it, over 100 rows of corn. and we cought Hugo Mitchell setting the water on his corn.

Sam Willi[illegible] owned up to watering his corn, but denied putting the water in the ditch Hugo didn't know how the water got in the ditch. We also saw Parley and he didn't know anything about it. There was no water on Parley land at that time, but on the following Wed. Aug. 23, after we had put their head gate in and shoveled a tight dam in their ditch a few feet below the head gate on the 20th, the head gate had been taken out laid on the bank, the dam removed removed and the water was being used part of the stream on Parley's land the upper peice on the ditch, and the balance was on Hugo's land.

The Dry Gulch wouldn't help us get a commissioner, and you see the kind of thing we are up against.

We trust that something can be done.

The address of all four men named is Ukalco.

Yours truly, Melvin J. Benson
Pres. Sand Wash Irrig Co