

Beaver

September 14, 1959

Carlyle M. Jenkins
Beaver, Utah

Issue Date: Sept. 14, 1959
Expiration Date: March 11, 1960

Dear Mr. Jenkins:

RE: APPLICATION NO. 31395

This will acknowledge receipt of the above-numbered application for appropriate water, together with the statutory filing fee of \$ 10. Under this application you propose to divert 0.015 sec.-ft. of water from a 6-inch well, between 50 and 150 feet deep, located at a point N. 86 rds. and W. 84 rds. from the SE Cor. Sec. 30, T28S, R6W, S12E, for domestic purposes.

You have requested permission to proceed immediately with the drilling of this well. This letter grants you that privilege with the understanding that all risks as regards water rights are being assumed by you, and with the assumption that there may be unappropriated water in this area and no likelihood of serious interference with other water rights. You may proceed to drill this well before receiving official approval of the application. However, this action in no way grants any right to the use of water from said well. Such right of use may be granted only if and when your application is completed according to the laws controlling the appropriation of water and, of course, subject to existing rights.

If other than new standard casing is to be used in this well such casing must be inspected and approved by a representative from this office. All wells must be so constructed and finished that they may be readily controlled at all times, in order to prevent waste of underground water. Wells must be drilled and cased in such a manner that will prevent the infiltration of contaminated water into them.

The driller must be bonded and have a current permit from the State Engineer. Before commencing, he must give this office notice as to the day he will begin drilling. Also, within 30 days after the well has been completed or abandoned, he must file a well driller's report. This report is to contain accurate and complete information regarding the work done, and become part of the files in this office pertaining to Application No. 31395.

This is permission for a licensed driller to begin drilling your well.

Please note that the expiration date of this letter is March 11, 1960.

Yours very truly,

Wayne D. Criddle,
STATE ENGINEER.

DGS/ao

July 7, 1959

Mr. Wallace Yardley, Chairman
Beaver River Water Users' Association
Beaver, Utah

Re: Beaver River Distribution

Dear Wallace:

Lee Strong was in my office yesterday briefly and appears to be somewhat restless with the limited amount of work now needed on the Beaver River distribution. Apparently he gets up early, takes care of the distribution first thing and then has considerable time during the balance of the day without much to do. Our use of his time in the Milford area has been limited to about two days every two weeks.

We are encouraging him to get his report worked up as soon and as completely as possible. However, there is only about so much he can do on that until the end of the season.

Since I feel that a man with a desire to produce should be given the opportunity, and since we possibly could use Lee about half time on our adjudication program in the Escalante Valley, we would like to offer him some additional work, if agreeable to your water users' committee. Certainly we would not want him to neglect his commissioner duties in any way and we would so advise him. But we believe this work would be good for Lee, for us, and we hope for the River System.

Please advise me as to how you might feel towards this proposal.

Sincerely,

Wayne D. Criddle

WDC/eca

cc: Lee Strong
Clifton Johnson



THE STATE OF UTAH
OFFICE OF STATE ENGINEER

WAYNE D. CRIDDLE
STATE ENGINEER

~~STATE OF UTAH~~
Cedar City, Utah
May 27, 1959



Mr. Wayne D, Criddle
State Engineer
403 State Capitol
Salt Lake City, Utah

Dear Mr. Criddle:

RE: Beaver River Distribution

Lee Strong, Beaver River Water Commissioner, and myself have been working together the past two days, May 25 and 26, to solve some of the distribution problems on the river. Evidently Lee was in Salt Lake and discussed one of the most serious problems with you about May 19 concerning an interpretation in the decree. Since his visit to the office he has found a letter written from the former State Engineer, Harold Linke, which seems a fair interpretation, until a final determination is made. The enclosed letter was copied from the original to Mr. Mackerel but Schedules "A" and "B" were not copied since the information is summarized in Schedule "C". Mr. Joseph Tracy sent a revised schedule to the Water Commissioner in 1951 which removes 3.0 second feet contributed by Devil Creek from the schedule (perhaps all of this information is in your records but has not yet been sought out).

Lee Strong, Paul Griffiths and myself installed a 4-ft. rectangular weir in the Beaver River on May 26 in order to arrive at the water available from day to day as the schedule calls for, and this measuring device, although temporary, will allow proper distribution during this season unless a flood takes it out. Lee Strong will distribute the water under the revised schedule as directed by Mr. Tracy until such time as written changes are sent by the office.

Lee Strong does not have records of Amendments to the Decree nor copies of change applications approved by the State Engineer since the decree was issued about 1936. Without this information he must rely on 'penciled in' amendments to the decree, which may not be valid or equitable. If the Water Users must be billed to cover costs of copying this information for use by the Water Commissioner, then immediate steps should be taken to take the necessary steps in getting the information into Mr. Strong's hands.

Also, for my information, I would like to know the policy of the State Engineer regarding the drilling of wells in the Beaver area. Considerable interest has been shown and it is a question of whether the filing of permits to drill should be discouraged or not. A general statement would be helpful.

Sincerely,

Clifton W. Johnson
Clifton W. Johnson
District Engineer

Enclosure: Copy of letter
6/14/50

THE STATE OF UTAH
OFFICE OF STATE ENGINEER

WAYNE D. CRIDDLE
State Engineer

SALT LAKE CITY

May 29, 1957

C
O
P
Y

Mr. Sam Cline
Milford, Utah

RE: BEAVER RIVER
DISTRIBUTION

Dear Sir:

Reference is made to your letter of May 24, 1957 in which you request our ideas as to whether or not the water commissioner should regulate Rocky Ford Reservoir with reference to the delivery of the first 7500 ac. ft. of water to the Minersville Reservoir & Irrigation Co., please be advised as follows.

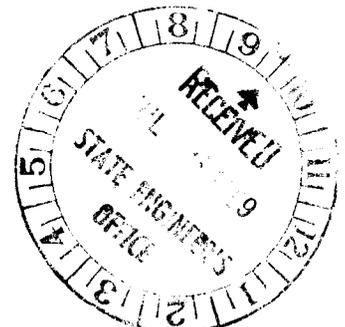
As the first 7500 ac. ft. of water is set forth in the decree and both the Rocky Ford Irrigation Company and the Minersville Reservoir and Irrigation Company recognize the right, it would seem the jurisdiction of this water should be under the direction of the Beaver River Water Commissioner to provide proper distribution.

In the near future a meeting will be held with the Beaver River Water Commissioner, at which meeting a discussion will be held on this and related matters.

Yours very truly,

/s/ WAYNE D. CRIDDLE
State Engineer

DCN/vg



May 18, 1959

Mr. John S. Boyden
Attorney-at-Law
351 South State
Salt Lake City, Utah

Dear Mr. Criddle:

Immediately following our telephone conversation on May 8 concerning water distribution on the Beaver River, I contacted Mr. Clifton Johnson, our area engineer at Cedar City.

Mr. Johnson said he had been up on the river with the Water Commissioner, Lee Strong, on May 6. He estimated that at least $1\frac{1}{2}$ c.f.s. were going into the upper end of the reservoir at that time. He said he already had a letter in the mail to me. For your information, I am enclosing a copy of the letter.

Apparently Mr. Johnson feels one of the major problems confronting water distribution on this River, as is generally so, is the lack of proper measuring devices. For another year, I feel that the water users should be instructed to install the flume referred to. We shall attempt to get this flume into the budget of the system for next year and hope that the Minersville users will support this action. I feel that this is necessary and should be a river project, not left up to any one company.

Sincerely,

WDC/eca
Enclosure

Wayne D. Criddle

cc: Mr. Clifton Johnson
P.O. Box 347
Cedar City, Utah

*Done
5/20/59*



THE STATE OF UTAH
OFFICE OF STATE ENGINEER

WAYNE D. CRIDDLE
STATE ENGINEER

~~SALT LAKE CITY~~

, Cedar City, Utah

May 7, 1959

Mr. Wayne D. Criddle, State Engineer
Room 403 State Capitol
Salt Lake City, Utah

Dear Mr. Criddle,

Yesterday, May 6, Lee Strong and myself were working on problems in Milford and on the Beaver River. One of the distribution problems on the Beaver River should be given some attention.

In the Greenville area of the Lower Beaver the water rights of Minersville Res. Co. and several diversions from the stream must be satisfied depending on the water in the river at Greenville. Without a measuring device on the River it is difficult for Lee Strong to make an equitable division of the water or for anyone to know that their rights are being satisfied. A dry year like this is especially difficult.

To my knowledge there is no specific statute which allows for either the State Engineer or the Water Users Organization to pay for a measuring device needed on the main stream for distribution purposes. I realize this is not the only time this has come up, but how can the Water Commissioner get such a device installed? Does the State Engineer inform the Water Users and require them to pay all costs or can such a measuring device be required by the State Engineer? In this case a parshall flume of about 20-30 C.F.S. capacity is needed and could be purchased locally for about \$250 (estimated).

If the State Engineer should recommend such a measuring device to the Water Users Committee some action would probably be taken, whereas if Lee Strong should go to them such may not be the case unless the State Engineer put on a little pressure. Minersville Res. may make a formal protest of present distribution, which would necessitate some kind of action, but there should be some way to get it done without lower users forcing the issue.

If the State Engineer cannot act in cases like this please let me know and Lee can present the problem to the Water Users.

Very sincerely,

Clifton W. Johnson

Clifton W. Johnson
District Engineer



Copy rec'd

MINUTES OF THE MEETING OF THE WATER
USERS OF THE BEAVER RIVER SYSTEM

Held February 17, 1959

Pursuant to notice given by the State Engineer of the State of Utah, a meeting of the water users of the Beaver River System was held at the County Courthouse in Beaver City, Utah, at 10:00 o'clock A.M., at which time and place it was determined and declared that a majority of the water users of the system were present. Those present are shown on Exhibit I attached hereto.

Present from the State Engineer's office were: Wayne D. Criddle, State Engineer; Frank Reese, Chief Accountant; Donald C. Norseth, Distribution Engineer; and Clifton W. Johnson, District Engineer.

Mr. Criddle called the meeting to order and explained that the purpose thereof was to adopt a budget of the system for the coming year and to recommend to the State Engineer a water commissioner for 1959. He thereupon turned the meeting over to Mr. Wallace D. Yardley to act as Chairman.

The minutes of the Water Users' meeting and of the Water Users' Committee meeting for the year 1958 were read by the Secretary, and upon motion by M. J. Warr, duly seconded by Reed Smith, were unanimously approved.

Mr. Frank Reese gave his annual financial report of the system, a copy of which is attached hereto, showing among other things, total receipts for 1958 of \$4,196.77, expenditures of \$3,653.28, and bills payable of \$71.06, leaving a balance of \$2,060.31 for the system. He stated that there were no delinquent accounts as of this date. On motion by Reed Smith, seconded by Albert Gale, the financial report was unanimously approved.

Lee Strong gave his annual report as water commissioner, showing snow and water measurements on the water shed, the amount of water in the Beaver River, and the amounts delivered to the respective ditches. After some discussion, it was moved by Fred Harris, seconded by Clark Smith, and unanimously passed, that the report be approved.

Chairman Yardley called for nominations for a water commissioner to be recommended to the State Engineer for appointment. Clark Smith nominated Lee Strong. The nomination was seconded by B. Mowers. There being no further nominations, Lee Strong was nominated by unanimous consent. The State Engineer announced that he would accept the recommendation and would appoint Lee Strong as water commissioner for 1959.

Committee
Nominations for the Water Users' Committee for 1959 were called for. On motion of Clark Smith, duly seconded by Reed Smith, and passed unanimously, the present members, namely: Wallace D. Yardley, John G. White, Amasa Barton, J. S. Murdock and Stanley McKnight were re-elected.

Mr. Yardley reported that the Water Users' Committee had met earlier in the day and had set a tentative budget for 1959 of \$4,000.00. He submitted it to the water users for approval. It was moved by S. Taylor Farnsworth and seconded by James B. Morgan, that a \$4,000.00 budget for 1959 be approved. The motion was unanimously passed.

Morgan
It was moved by Stanley McKnight, seconded by James B. Morgan, and passed unanimously, that the State Engineer be authorized to levy and collect water assessments on the system totaling \$4,000.00.

Further discussion was had on proposed legislation and its effects on water rights and the jurisdiction thereof as between the State Engineer and the Federal Government.

Present business being concluded, the meeting was adjourned subject to further call of the State Engineer.

Dated at Beaver City, Utah, this 17th day of February, 1959.

W. D. Yardley, Secretary

EXHIBIT I

<u>Name</u>	<u>Representing</u>
Kenneth S. Williams	Soil Conservation Service
Clifton W. Johnson	Dist. State Engineer
Loren Spenser	Soil Conservation Service
Clifton Beaumont	Manderfield
B. Nowers	South Creek Mutual Assn.
Amasa Barton	Barton Ditch
S. Taylor Farnsworth	2nd N. E. Bench Co.
Anthony F. Woodhouse	2nd South Bench Res. & Irrig. Co.
Glenn Gillies	2nd N. E. Bench Co.
Paul Griffiths	Aberdair Canal
Earl T. Smith	Willis Canal
Arthur Leon Smith	Beaver, Utah
James B. Morgan	Tanner Ditch
Robert Christiansen	North Creek Irrigation Co.
Thomas Muir	
Martell Easton	Beaver City
M. J. Warr	Kents Lake Reservoir Co.
Kent Morgan	West Side Irrigation Co.
John G. White	Beaver River Water Board
La Var M. Gale	North Creek
Stanley McKnight	Rocky Ford Irrigation Co.
J. S. Murdock	Rocky Ford Irrigation Co.
Albert Gale	West Side Irrigation Co.
Thomas Smith	
Reed Smith	West Field Ditch & South Field Ditch
Clark W. Smith	2nd North West Irrig. Co.
Alvin Yaddley	
Leon Paice	
Fred D. Norris	Mammoth Canal Co.

MINUTES OF THE MEETING OF THE WATER USERS' COMMITTEE FOR THE BEAVER RIVER SYSTEM
Held February 17, 1959

The meeting of the Water Users' Committee for the Beaver River System was held at the County Courthouse in Beaver City, Utah, at 9:00 o'clock A.M. of this date.

Members present were as follows: Wallace D. Yardley, Chairman, John G. White, J. S. Murdock, Stanley McKnight and Amasa Barton.

The purpose of the meeting was to set a tentative budget for the year 1959 for the approval of the Beaver River water users.

After discussing the water commissioner's salary and other items of expense, it was moved by John G. White that a tentative budget be set at \$4,000.00. The motion was seconded by J. S. Murdock and passed unanimously.

It appearing that the only delinquent account on the Beaver River system was that of Melvin Bradshaw for \$20.50, after some discussion as to what should be done about it, it was moved by Stanley McKnight, seconded by John G. White and passed, that Melvin Bradshaw be granted a one year extension of time in which to pay his account.

Thereupon the Committee recessed until after the annual meeting of the water users. At 11:30 A. M. the Committee re-convened with the same members present as before. It was moved by John G. White, seconded by Stanley McKnight and passed unanimously, that Wallace D. Yardley be elected chairman of the Water Users' Committee. It was moved by Stanley McKnight, seconded by John G. White and passed, that G. Victor Smith be retained as Secretary for the committee.

Mr. Lee Strong requested an increase in salary as water commissioner, and after some discussion it was moved by J. S. Murdock that his salary be raised to \$250.00 per month, retroactive to January 1st. The motion was seconded by Stanley McKnight and passed unanimously.

Thereupon a budget for 1959 totaling \$4,000.00 was unanimously adopted as follows:

Commissioner's Salary	\$3,000.00
Social Security	75.00
Travel Expense	800.00
Bond and Insurance	25.00
Secretary	25.00
Annual Report costs	30.00
Miscellaneous	45.00
Total	\$4,000.00

It was unanimously agreed that if the water Commissioner required more than the \$800.00 for travel expense, that the State Engineer be authorized to pay any additional amounts up to \$970.00 from the reserves of the system.

The State Engineer requested that his office be permitted to use the water commissioner to help read the pump well meters in the Milford Valley, provided it did not interfere with the distribution of the Beaver River waters. He stated that the expense and compensation for this added service would be paid by the State Engineer's office. It was moved by John G. White, seconded by Stanley McKnight and passed unanimously, that this permission be granted.

There being no further business, the meeting was adjourned subject to call by the Chairman.

Approved:

Wallace D. Yardley, Chairman

G. Victor Smith, Secretary

Handwritten: Melvin Bradshaw one year

Handwritten: 800
970

Handwritten: State Engineer's office