

Dry Gulch Irrigation Company

DIRECTORS

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Capital Stock \$800,000

Our system embraces fifty-
three thousand acres of fine
cultivated land in the heart
of the Uintah Basin

ROOSEVELT, UTAH

February 9, 1934

Mr. T. H. Humpherys
State Engineer
Capitol Building
Salt Lake City, Utah

Re: Montez Creek Reservoir

Dear Sir:

I acknowledge your favor of the Second inst. relating to the complaint of Ira S. Bryant concerning the Montez Creek reservoir.

Mr. Bryant is correct in that it is our intention to let whatever water is necessary to pass the reservoir through the outlet conduit and works. And I should estimate that the surface area of the water empounding before the water commences to flow out of the outlet conduit will be some five acres.

I am greatly surprised in the concern that Mr. Bryant has manifest in feeling that his rights on the Montez Creek are being jeopardised by the construction of the Montez Creek reservoir. In normal years there has been water going to waste down this creek and this will continue to be the case regardless of the construction of the Montez Creek reservoir. No doubt Mr. Bryant has used water greatly in excess of any right he has initiated. But during 1931 and again in 1933 this creek dried up until there was practically no water reaching Mr. Bryant in spite of the fact there there was practically no appropriation made above. The facts are that in normal years Mr. Bryant will always receive a flow at his point of diversion in excess of his needs, while in dry years there wont be any water for anyone along the creek.

I am sorry that I haven't an abstract of the filings on this creek before me for consideration. I have been under the impression that the filing assigned Mr. Bryant with an early priority lapsed and was reinstated with the priority placed at the date of reinstatement, thus placing his right

