

## TESTIMONY ON IRRIGATION.

The Senators constituting the Irrigation Committee and party arrived in this city August 18th and met next morning at the Governor's office for business. They consist of Senator Wm. M. Stewart, of Nevada, chairman; Senator J. R. Reagan, of Texas; Senator P. B. Plumb, of Kansas; Senator Jas. K. Jones, of Arkansas; Major J. W. Powell, of the U. S. Geological Survey (who is the guest of the party, and to whose familiarity with the topography of the country the party will doubtless be indebted for much of their information); Col. R. J. Hinton, irrigating engineer of the Geological Survey, whose work is mainly organizing the working force; Mr. Boswell, official stenographer, and Dr. J. M. Hines.

Accompanying the party proper are also the following named gentlemen: Mr. Warman, private secretary to Major Powell, Captain Clarence E. Dutton, U. S. A., Chief engineer of the Irrigation Survey; Mr. Newell, assistant engineer of the Utah Basin, who has been stationed here in the Territory for some months; and A. D. Foote, civil engineer in charge of the Snake River Basin work.

The party left St. Paul on the 1st inst., and since then have visited the two Dakotas, Montana, Washington, Oregon and Idaho, and held at least twenty sessions and examined 200 witnesses, besides collecting a vast fund of documentary evidence bearing upon the important subject which they are investigating. After collecting all the information available here, they propose to proceed to Nevada, stopping on the way at Elko, Carson and Reno and inspecting Lake Tahoe on the way to California, in which latter State they will remain ten days. They will then return eastward by way of Arizona, New Mexico, Northwestern Texas, Southwestern Kansas, Colorado and Eastern Wyoming, in all of which places they will pursue their investigation and finally adjourn at Cheyenne.

During their tour of investigation they will travel about 14,000 miles, hold about 200 sessions and probably take the testimony of 1500 witnesses, besides collecting all the official data available for future consideration, from which it may be inferred that it is not much of a junketing tour, but one of serious application and real hard work which they are on. Of course, in this connection it will be understood that the present labors of the party are largely of a preliminary nature, the more difficult part of the labor before them being to evolve or formulate from the vast fund of information which they are collecting a comprehensive report embodying all the facts and presenting them in such a shape that they can be made use of in the enactment of laws upon this most important subject.

Governor Thomas on August 19th filed with the committee for future reference the laws of the Territory on the subject of irrigation and the organization of companies for the

construction of canals and control of streams, after which the committee went into session, calling before them as the first witness Judge Elias A. Smith. He was closely catechised in regard to the system of irrigation followed in this County and the manner in which water rights had been obtained. He explained that originally, having no laws to govern them in the matter, the people associated themselves together by mutual agreement, diverted the streams from their natural courses and irrigated their land therewith. In the absence of statutes providing for the distribution of the water, the Probate Courts in an early day granted charters for utilizing streams for irrigation, but that system was superseded on the passage of laws on the subject by the organization of corporate companies who built canals and then controlled the streams, the stock usually being held by owners of land for their personal use, but sometimes being rented out. In no instance, however, had companies rented out the water or built the canals for speculative purposes. The only instance thus far to his knowledge of a company being organized in the Territory with a view to appropriating streams and renting water was that now constructing what is known as the Bothwell canal to bring water out of Bear River, and there was a question as to their right to appropriate that stream. The largest number of shares in a canal he had ever known of one man owning in Salt Lake County was 209; that was in the Utah & Salt Lake Canal, which was thirty miles in length, and which had been largely constructed by county funds, as had also some other canals in the county. The County officials had used the public fund in that way with a view to bringing more land under cultivation, and rendering it possible to utilize the resources of the country, the farmers as individuals not being able to do so. In some instances the County had taken stock in the incorporations for the means thus expended and then disposed of it to land owners for work on roads etc.

Being asked if he had known of any trouble arising from a monopoly of water or excessive charges being made for a rental of the fluid, he replied that he had never known of but one case of a man claiming more water than his land required and then the Court decided that he was only entitled, notwithstanding his prior claim, to what he actually needed for his land.

The questions asked by Judge Smith covered a wide range of subjects aside from irrigation proper, including the character and relative value of land in different parts of this county and other portions of the Territory and the average yield and value of agricultural products, etc., to all which satisfactory answers were given. As to the average size of farms in Salt Lake County, he thought they would not exceed 15 acres, and the largest cultivated farm in the Territory owned by one man, so far as his

knowledge extended, was only 210 acres in extent. That was in Cache County. Others owned far more land than that, but only cultivated a portion of it. He thought the cultivated land in the Territory might be increased one-third by the storage of water in reservoirs.

At the close of Judge Smith's testimony he proffered to make arrangements for taking the committee out for a drive to any portion of the county they might choose to visit, and it was agreed that they would go upon such a drive some time the next day.

Jesse W. Fox, Sen., who was introduced as a former Territorial Surveyor general, was the next witness, and in answer to the numerous questions propounded to him gave the result of his past forty years' experience in the business of constructing canals and irrigating land. He gave it as his opinion that 25 per cent more land might be cultivated in the Territory by the construction of reservoirs. Also that persons having small farms in the Territory had as a rule prospered more than those attempting to cultivate a greater area. In locating farms originally he had aimed to allot to a lone man not more than twenty acres and to one with several boys to help him from forty to sixty acres. Since the land had come into market, of course, larger areas of land had been obtained by individuals.

C. H. Wilcken, the city water-master, was the next witness, who explained how the irrigating fluid was distributed throughout the corporate limits, as well as in the country districts. He gave it as his opinion that Utah Lake was the most feasible source of water supply for Salt Lake City for irrigation purposes, but explained that it was not suitable for household use. That body of water was about 15 by 25 miles in extent, but had been subsiding for several years past, and a large number of settlers had crowded down upon its shores, who objected to its surface being raised.

Senator Stewart explained that the Utah Lake had now been set apart by Congress as a reservoir, so that question would be settled.

The flowing wells, 60 in number, lately obtained near the Point of the Mountain, and which were now yielding 6,000,000 gallons per day, were alluded to as a hopeful source of future supply, and it was agreed that the committee would take a run down on the Utah Central, starting at 2 o'clock, to see them and take observations on the subject in hand.

James A. Little, of Kanab, was the next witness, and explained the difficulties which had been met with in the extreme southern portion of the Territory, and on the Kanab Creek in particular, in making and keeping in repair irrigating canals. He was prompted several times by Major Powell, who seemed to be thoroughly familiar with all the circumstances attending the settlement of southern Utah. The committee seemed greatly surprised at learning that the tax on town