



Boyd Davis of Orem, Bert Loper age 79, Rulon Doman-Utah National Parks executive. Taken during Bert's Boy Scout guiding days. (From Clifford L. Rayl- previously published in the Sunday Herald, June 13th, 1948)

More on the Colorado Riverbed Case

Excerpts from Bert Loper's testimony on the San Juan

To review, the Colorado River Case in 1929 was the US Government vs. Utah to determine who had jurisdiction of the River based on navigability. Navigable parts of the river would fall under the states' jurisdiction, and unnavigable would be federal responsibility. Previous issues of *The Confluence* have published some of this testimony-one of the best sources of early river runner history. This information is courtesy the University of Utah Marriott Library Special collections.

His next rip into the San Juan Canyon was made in 1921. (His first trip was in 1894-95 with Mr. Edmundson, Hamilton, Honaker, Jessup and Goodman- placer mining gold)

Q. "Now, while you were in there during the years 1894 and 1895, did you go up and down the canyon any?"

A. "I made a trip through the canyon, the first part of the canyon; the canyon breaks at Indian Farms or Clay Hill crossing, the canyon breaks and opens out there; we went on down past the Indian Farms down past the mouth of Copper canyon, and turned and came back."

Q. "You went from Honaker trail down to the mouth of Copper Canyon?"

A. "Yes sir."

Q."How did you make the trip?"

A. "There was three of us, George Edmundson, Bill Clark and myself; we had a little sixteen foot row boat, a very light boat, and we went down by boat; I don't think we

had a roll of beds for the three of us, and very little grub; I know we had a pennyweight and a half of gold in a button.

I got down there to one of the placer parties that was down there, and I gave this pennyweight and a half of gold for ten pounds of flour.

We came back up the river on that ten pounds of flour”

Q. “Just tell me about the progress down the river”:

A. :You know August is quite a warm month; we had very little water so it made no difference to us whether we was in the river or out of it. I know when we got to the Indian Farms we got out, we couldn’t ride, because the fire was so shallow, that we just had to drag the boat along. At Indian farms in 1895 the river was probably 300 feet wide and contained so little water that it had no channel that would float a boat, and there were places the three of us actually drug the boat.”

More excerpts taken out of context

A. The largest sand waves I ever saw in my life was above the Mendenhall cabin; I think it was about February, 1895. Just before these sand waves there was an ice gorge at the head of the canyon, which stopped the flow of the river.

I got out along in the bed of the river and went up and down panning, thinking probably I could find a pocket of gold in there. I crossed the river without getting my feet wet, because the river was dammed off. Finally, when this ice gorge broke, I know I moved my placer outfit twice, and then it carried part of it away, rose so high.

After the ice got through I went up about, I imagine, about a half a mile above the Mendenhall cabin; that is the last work I did, was at the Mendenhall cabin; I went up about half a mile above there, and the waves, if they was an inch, they was ten feet high; I believe you7 could heart them a mile and a half or two miles away, when they would break.

A.”I have been working the rocker along the river banks and not a cloud in the sky, and have seen the river rise eight feet.”

Q.”Did you see any changes in the San Juan river which occurred between your trip in there in 1895 and 1921(with the USGS survey)

A.”I told you about where the river bed at Indian Farms was, 3 or 400 feet wide. In 1921 the Indian Farms was completely gone, and Mr. Trimble measured the river, and it was thirty-three hundred feet wide at that point, and when we went down in the 1921 trip to the Indian Farms, just a trickling stream through the sand, so many sand bars and things, you know, three or four streams to the river; it was real low.

Q.”This three thousand foot spread Mr. Trimble found there, was that entirely covered with water?”

A. ”No sir; there was a time we was there that Mr. Trimble estimated the water was six feet deep over that 3300feet wide, that is one of the times I told you I wouldn’t cross....And while we was there this big flood come down; we had been having floods all the way down through there.”

Q. "How much help did you have"(on the 1921 survey)

A. "I didn't have any, ordinarily; I will tell you about the help; H.E. Blake, Jr. was a rod man; the first narrows, ten miles below Chinle creek, or one hundred and twenty-three miles above the junction, is the first place we had to break Mr. Blake in, because I was in the habit of taking a boat down the river and tying it up, and then coming back up the river to get the other boat and take it down and tie it up.

When we came to the Narrows I couldn't go down and come back up; there was no place to walk, there was no place to get around; that is where we broke Mr. Blake in to boating; he boated through there, and then he didn't boat any more until we struck the second narrows, which is about 27 or 28 miles below Chinle creek.

That was a long loop; the river made a long loop, must have been half a mile in there, there was no way to walk, at all, and big sand waves in there. Mr. Trimble had to climb these terraces up to the top of this hill, -and Mr. Blake, and I guess maybe Mr. Hyde and Hugh Miser, they had with them for a cool head, -Mr. Blake was a new boatman- they made that trip, filled the boat half full of water all around, to where Mr. Trimble could look and get his point.

A. "...we was running out of grub....So Mr. Trimble came to me and asked me what we had better do. I says, 'Have him come into Spencer canyon;'-that was where the pack train had met us the last time, 3 weeks before. We had to take the boat back up the river and get those supplies."

Q. "How did you get the boat back upriver?"

A. "We drug the boat up the river the next morning; they gave me the bulk of the grub they had left, and I stripped down to my B.V.D.'s and was preparing to go up and take the boat up the river; when I got up to where the boat was, Mr. Hugh Miser, the geologist in our company, was up there, also in his B.V.D.'s, if it hadn't been for Mr. Miser, I don't know how many days it would have taken me to get up.

That is what you call a heart breaking trip."