

MEETING January 24, 2006 Adjudication

1. A priority date of 1888 has been used for Powers and Scism.

Priority date of 1888 is only applicable to the E1/2 SW1/4 and W1/2 SE1/4 Sec. 11, T 18 N, R 3 W (Powers property). This includes water from Crooked River and Moonshine Creek. Other filings, Scism has erroneously used an 1888 Priority Date. (I see a date of 1910 is used for Rubelt.)

orig. 7
STATUTORY CLAIM

No recorded information has been found to substantiate an 1888 priority date for any other land in the Crooked River basin.

RUBELT
SUBMITTED
1888 CLAIM
AFFIDAVIT

AFFIDAVITS
SENT IN

2. Diversion Point:

The Diversion Point is about 3500 feet from the place of use. The ditch to transport the water to the place of use is in gravel and sand and is rather tortuous. To make up for the losses from seepage, percolation, evaporation, vegetation uptake and stock water usage either a larger than 0.02 cfs per acre irrigated should be allotted or the measuring point should be located near the place of use.

OK
DITCH LOSS
CALC.
NEEDED

3. Measuring Point:

From a practical operational point of view a measuring point should be placed near the Diversion Point and another near the place of use. This provides an easy measure of the water diverted and of the amount of water received near the place of use. This is for a quick and easy check on any change of water flow. In the past this has been a problem. A little experience would soon determine the amount of water to be diverted at the Diversion Point to provide the proper amount of water delivered for use.

WHEW
DECEIVED

4. Note:

The Diversion Point on section 15 and the ditch to transport the water to the place of use is largely on Scism land. This ditch was included in Clifton's water filing; however, at that time of Clifton's filing this was not private land as it is today.

Permission to trespass is needed and it is hoped that this is not a problem with the present

APP. FOR
TRANSFER
SHOULD BE
FILED



land owners or the future owners. The Diversion Point may well be one unit, divided for individual use.

5. Bypass of Trespass:

If the above need for trespass is or becomes an intolerable problem it is feasible to solve the problem by changing the diversion point to the point where Crooked River enters section 10. Mr. Rubelt would probably give a trespass for a Diversion Point on his land. What are the problems of making such a change?

TRANSPER
APP.

6. Floodwater

Scism is not identifying his water filing as floodwater. All the water that Scism has filed on is Floodwater. The Water Right filing that Clara Harrington made of 40 acres in section 14 is illegal. This is an illegal enlargement of the Clifton water right.

RECOMMENDED
AND RTS 01/11/16
4-1 TO 10-31
INCLUDES FLOOD
SEASONS.

7. Why is the water right of 69-4016 used for the water right on Moonshine Creek instead of 69-4014? 69-4016 is Floodwater.

ASK AG ABOUT
WARRANTY DEED
(IF FLOODWATER
EXISTS)

69-4015A } POWERS - DISALLOW - OK
* 4016A }

69-4103A - POWERS - 4-1-1888 - CROOKED R.

69-4103B - SCISM - 4-3-1888 - CROOKED R.

* 69-^{REC.}4104A - POWERS - 4-1-1888 - MOONSHINE

69-4104B - SCISM - 4-1-1888 - MOONSHINE

69-4122 - RUBENT - 4-2-1888 - CROOKED R.

SEND LETTER TO CLAIMANTS - NOTICE FOR
CHANGE IN PRIORITY PENDING ADDITIONAL
INFORMATION ON PRIORITY DATE EVIDENCE.

* RENUMBER 69-4103 TO 69-4103B + 69-4104B.
(ON 2-14-06)