

CLAIMANT CONTACT

Wednesday, November 23, 2005

I met with Lynn Schodde today regarding his notice of error reply. I explained that, based on the additional evidence that accompanied his reply, I would not be able to adjust my recommendation. The additional evidence submitted failed to justify changes to the recommended acreage or the point of diversion.

Lynn said that he did not know how long it had been since the land east of the recommended pou in lots 2 and 3 and the NESW of section 15 had been irrigated by the Schodde river pump. He said that that land has not been irrigated by the river pump since at least 1978 or 1979, the time when he operated the farm. The land described above has instead been irrigated by MID. We called Ruth Bailes at MID and confirmed that MID was assessing 26.5 acres in the NESW of section 15, and 49.7 acres in lots 2 & 3 of section 15 and lot 1 in section 16. Based on the plat map dated September 1924, which shows the pump and the ditch used to irrigate 105.6 acres, it appears that the decree lists all of the land owned by Schodde, not just the irrigated acreage.

I told Lynn that since Water District 1 has no record of delivery of right no. 1-229 through MID's system, I was not planning on adding a point of diversion in my recommendation to the court.