

495.2579

CONVERSATION MEMORANDUM

DATE 3/4/97

FILE 57R

NAME OF PARTY Connie Brandon

EMPLOYEE Cindy Hodges

RE: Junayo Ranches, @ McKee Diversion (Cottle Creek)

Tom Benson called me on Feb 26. He was concerned that Junayo Ranches (~~sub~~ Orndorff) was diverting natural flow from Cottle Creek to ^{new} ponds in the Mackes Ck drainage, for irrigation on Junayo's lands (Orndorff leases the McKee lands and using the existing P/O). I researched to find that the McKee property has 2 rights from Cottle Creek, but the Junayo property has ^(only from Mackes Ck) none. There is also no right to store from Cottle Creek. Mr. Benson was concerned primarily about an established easement, but the issue appears to be more of illegal use of rights. I phoned Connie to see if she had been apprised of the situation. She had, and had additional concerns regarding Mr Benson's interest in the McKee property (he has an interest by marriage but Connie is not sure how directly or who actually manages the lease agreement w/ Orndorff) Also, because she is not yet appointed as WM, Connie does not have the authority to stop an illegal diversion.

I have prepared some WR reports to send to Mr Benson, w/ Connie's knowledge. I will try & let him know that either ① The Watermaster must be called to duty or ② he must make formal complaint to IDWR, before any action may be taken. Option ③ will likely result in the WM being placed on duty by IDWR.