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Department of Water Resources
Eastern District Office

In 1987 we applied for a transfer of water rights #3345 and #3346 on South Hooper creek. At this time Mr. J. D. Williams assisted us with these applications and the project leading to Mr. J. D. Williams. This transfer point of use also involved a change in the point of diversion. For information and understanding was that it was to be an addition to the point of diversion on our water right #11-0600 (1.1 cfs priority date Sept 1875) and that the .22 cfs was designated to show the number of acres (ie 1 hectare) involved. This transfer went through numerous processes until the fall of 1991 when an amended final memorandum and order was issued.

In 1994 when I began to irrigate this land as I had since 1991 by diverting a stream of water not exceeding 1.1 cfs Whites complained. Because we had irrigate we divert this much to get the water across the field. Since the flow of South Hooper creek did not exceed our water rights and none of it was Whites neither Chris Bartholme or Pete Peterson, the watermasters had any problem with us using it as we were. Whites persisted and finally got a Mr. Young to order the watermaster that we were to only get .22 cfs at this upper diversion and that if we want more water we will have to make another transfer.

Our position is that Mr. Young was in error, that he was mis-informed. Much of the reasoning Mr. White used in his protests was mis-information. We feel that we should not have to make any more change or de-water anymore land to be able to water the ground involved and also be put through more years of hearings and appeals requiring your time as well as ours.

A question we have also about this water is that prior to 1991 Mr. White used the area where we divert our water as a pasture. Now it is a feed yard for over 200 cows + calves. Between the cattle drinking and his bulldozing brush along the creek the streambed continues to erode and change and the water we get is of poor quality.

Another complaint of Whites was that I watered ground from North Hoopes creek that was behind his in priority without sending his amount downstream. The reason I did not was that at the time he was irrigating land that his creek water is not decreed to by pumping uphill onto land not previously irrigated.

Also the point of diversion used by White is not the ones recorded or even close to the location. He has been told by Mr. Petersen to

File for changes, which he has not done,
neither does he measure the flow that he
does get thereby allowing question.

We think we have complied by the rules
set forth by the dept. of Water Resources and
wish to continue to manage our water as we
have in the past.

If you have any questions contact either
Pete Petersen or Lawrence Fox