

FROM: Allen Merritt

DATE: July 31, 1995

TO: ROCK CREEK WATER DISTRICT 47-0

SUBJECT: FIELD MEETINGS

On 7/25 Jim Stanton and I met with Chuck Helman, watermaster and David Funk, wateruser. Chuck had complained about a check dam Mr. Funk had placed in the creek. He indicated that he was having trouble getting water to a lower user. We met at the pump location and viewed what may be the problem. The P/D is that of record but Chuck indicated that it had not been used for many years. He indicated the water right had been allowed in the past by the previous watermaster to be diverted upstream at a different location. This right is subject to a pending transfer to move it upstream as it has been delivered in the past. The transfer is protested. The transfer was an effort by Mr. Funk to correct the record to allow him to do what reportedly been done in the past. The watermaster encouraged the transfer. At the meeting Chuck indicated that the priority of the downstream user would likely be shut off around 8/1. Since the right was being used as recorded and there was little question that the right was not good I told them I didn't feel that we could require Mr. Funk to remove the dam. We discussed possibilities of lowering the dam. Out of the discussion Mr. Funk agreed to attempt to lower his pump intake as soon as possible and at least by next season. I agreed to set a conference on the protested transfer. (Conference notice sent out 7/25).

On 7/28 Chuck Helman phoned the office again and indicated that he had a wateruser who refused to cease diverting water. The wateruser was Bruce Wojcik (423-4889). I called Mr. Wojcik and we arranged to met on Saturday 7/29. At the meeting was Mr. Wojcik, his wife and Chuck Helman. We looked at the pump and discussed the water district and the watermaster's responsibility. Mr. Wojcik had only within the last few years moved into the area and had built his house. He indicated that he was not aware of the water district and only thought the watermaster was just a nosy neighbor. I explained the function of the water district and the watermaster and asked that he cease diverting water. I further provided handouts about the watermaster's responsibility and if water was used illegally that the watermaster would approach the county sheriff. We then discussed Mr. Wojcik getting the SRBA claims in his name and I gave him a form to complete. I also left him a transfer application for moving the P/D from the old site to his pump. He asked about drilling a well and we discussed the moratorium but apparently he is watering trees in lots in a subdivision and may build more houses. I told him he could drill individual domestic wells for the lots or apply for a permit for a common well but the use would be limited to 42-111 for each lot and specifically less than 1/2 irrigation for each lot. He indicated he may be in the office to discuss this more later in the week.