

MEMORANDUM

TO: WATER DISTRICT FILE #61C
THROUGH: JOHN WESTRA
FROM: MEL SCHULTE *MS.*
DATE: MARCH 26, 1996
RE: DISCREPANCY IN RECORDS FOR WATER RIGHT 61-00277

A REVIEW OF THE BENNETT CREEK DECREE, THE WATER RIGHT RECORD AND THE ADJUDICATION RECORD FOR THE ABOVE REFERENCED RIGHT REVEALED A DISCREPANCY IN THE PRIORITY DATE. THE DECREED PRIORITY DATE IS APRIL 1, 1879 BUT THE WATER RIGHT RECORD AND ADJUDICATION RECORD SHOW A PRIORITY DATE OF APRIL 1, 1897. I HAVE NOT FOUND ANY EVIDENCE THAT THE DECREE WAS AMENDED OR A SUPPLEMENTAL DECREE ISSUED TO CHANGE THE PRIORITY FROM 1879 TO 1897.

AT THIS TIME IT APPEARS A SCRIVENERS ERROR WHEN THE DECREE WAS ORIGINALLY DATA ENTERED CHANGED THE YEAR OF PRIORITY FROM 1879 TO 1897. IF NO ADDITIONAL EVIDENCE IS FOUND TO CORRECT THIS APPARENT ERROR IT IS MY INTENTION TO HAVE THE ADJUDICATION CLAIMANT, BENNETT CREEK FARMS, AMEND THEIR CLAIM TO REFLECT THE 1879 DATE.

MTS