

CHAPTER 6

IRRIGATION WORKS

SECTION:

- 5-6-1: *Interference With Ditches, Canals or Reservoirs*
- 5-6-2: *Obstruction of Overflow, Gauge or Waterway in Dam*
- 5-6-3: *Wrongful Diversion of Water*
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- 5-6-6: *Injury to Measuring Devices*
- 5-6-7: *Enclosed Headgate*

5-6-1: INTERFERENCE WITH DITCHES, CANALS OR RESERVOIRS: Every person who shall, without authority of the owner or managing agent, and with intent to defraud, take water from any canal, ditch, flume or reservoir, used for the purpose of holding or conveying water for manufacturing, agricultural, or domestic uses, or who shall, without like authority, raise, lower, or otherwise disturb, any gate or other appurtenance thereof used for the control or measurement of water, or who shall empty or place or cause to be emptied or placed, into any such canal, ditch, flume, or reservoir, any rubbish, filth, or obstruction to the free flow of water, is guilty of a misdemeanor.

5-6-2: OBSTRUCTION OF OVERFLOW, GAUGE OR WATERWAY IN DAM: Any person or persons who obstructs any overflow, gauge or waterway, placed in any dam by order of any water master, so as to impede the flow of water over such dam as regulated by the water master, is guilty of a misdemeanor.

5-6-3: WRONGFUL DIVERSION OF WATER: Any person who without the consent of the water master of the district, diverts any water from a ditch or channel where it has been placed, or caused or left to run by the water master or his deputies, or who shuts or opens any ditch, gate or dam, or in any way impedes or increases the flow of water in any stream or ditch diverting water from a stream, while the same is under the charge of a water master, or who cuts away any embankment of a stream, whereby the water of such stream is diverted, or who breaks, injures, or removes any gate, flume or other device used for the equitable distribution of the water of such stream by the water master, is guilty of a misdemeanor.

5-6-4: INTERFERENCE WITH HEADGATE--CUTTING BANKS OF STREAM: Any person who willfully and maliciously places any obstruction on any overflow gauge in

any stream of water which is used for irrigation and is under control of a water master, and such obstruction retards or impedes the free overflow of the water of such stream, thereby increasing the pressure against a headgate through which water is diverted by means of such dam, or who removes, breaks, injures or interferes with any headgate regulated by a water master so as to disturb the distribution of the water therein, or who cuts away any bank of the natural stream, the water of which is being used for irrigation and is being distributed by a water master, so as to decrease the flow of water from such stream, thereby interfering with the distribution of the water thereof is guilty of a misdemeanor.

5-6-5: INJURIES TO DITCHES AND APPURTENANCES: Any person who cuts, breaks, damages, or in any way interferes with any ditch, canal, headgate, or any other works in or appurtenant thereto, the property of another person, corporation, or association of persons, and whereby water is conducted to any place for beneficial use or purposes, and when said canal, headgate, ditch, dam, or appurtenance is being used or is to be used for said conduct of water, is guilty of a misdemeanor.

5-6-6: INJURY TO MEASURING DEVICES: Any person who cuts, breaks, injures, destroys, enlarges, changes, or alters any headgate, sluiceway, weir, water box, or other measuring device, the property of any irrigation district, corporation or association of persons, or in the possession of, or in the use of, said irrigation district, corporation, or association, or the property of another, is guilty of a misdemeanor.

5-6-7: ENCLOSED HEADGATE: Enclosed headgates and boxes for the diversion of irrigation waters, with openings at the top are recognized and declared to be attractive and dangerous to small children who are likely to play about the same and on occasion, to fall into the water therein contained. Any person who uses, maintains or operates an enclosed headgate or diversion box having an opening of a width of at least twelve inches (12") and a length of at least twelve inches (12") and for which no locked cover is placed thereon, is guilty of a misdemeanor.