

## HISTORY OF ROADWAY CROSSING MEDINA RIVER BELOW MEDINA DAM

County Road 271 crosses the Medina River just below Medina Dam on a bridge over the upper end of Diversion Lake. Established in 1911 as the "middle lake road," local landowners donated an 18 foot right-of-way to the county. In 1915 landowners donated additional land for a 50 foot wide first class road, but Medina Irrigation Company (owner of the land surrounding Diversion Lake) gave no additional land for the right-of-way.

In 1926 a group of men from San Antonio bought the land surrounding Diversion Lake and formed the Diversion Lake Club to be used for hunting and fishing by its members. A few years later there was a dispute over fishing rights by non-members. Litigation resulted, the case went all the way to the Texas Supreme Court, and the result was that the lake was state property but that the public had no right to cross private property to reach the waters of the lake (Diversion Lake Club v. Heath et al. No.6515).

In April 1940 the Diversion Lake Club dissolved and Medina Ranch, Inc. was formed. It is a private corporation with 25 shareholders. From time to time over the years the matter of public access to the lake has come up. Finally, in 1988 an agreement was struck with the Medina County attorney, Hunter Schuehle, that ranch fences which had been removed by the county would be put back as they were, with the exception that a 2 foot opening would be left between the fence and the bridge.

In 1999 plans were made to widen the bridge to 2 lanes, and Medina Ranch worked with the county and TexDot, giving a construction easement onto ranch land. The county agreed to replace the ranch fences torn down during construction of the new bridge, and this was done in October of 2001 after the new bridge was finished. The flood of July 2002 wiped out the fences and the approaches to the bridge, and it was 4 months before traffic again was allowed on the bridge. Medina Ranch replaced the fence as it had been before the flood with the approval of Commissioner Hartman.

Since the flood there have been some complaints by the public that the fences are illegal, so we hope that the recent visit by representatives of Texas Parks and Wildlife Department and the state Land Office will help clarify the issue for those in authority and the general public.