

FILE COPY New Mexico Boating Accident Report

Agency Case Number

Гуре:	Commercial		2009-10-0094B
	☐ Government	☐ Injured beyond First Aid #	Estimate of total damages
	□ Recreational	Alcohol involved	\$ 12,000 +
	☐ Disappearance #	☐ Fatality #	, <u>12,000 </u>

Total Vessels Involved 3 Total Injured 0 Total Fatalities 0 Total Disappeared 0									
		General and G	eograp	phic Information					
Date of Accident 9/5/09 Tin	ne of Acci	dent 1715 Date/Tim	e Officer	Arrived 1735	No. of Vessels Involved 3				
Nearest City Elephant Butte		Name of Body of Wate	er Elepha	nt Butte Lake State Park	County Sierra				
Exact Location Dam Site D and	C Dock		Neare	st River Mile or Buoy Marker	Red 2				
Latitude: Deg Min	Sec		Longit	tude Deg Min S	ec				
Accident Site		Restricted Area		Temperature	Strong Current				
□ Creek □ Creek		☑ No Wake		Water 81 F.	☐ River Current				
☐ River ☐ Marina		Swimming Area		Air 91 F.	☐ Dam Generated				
☐ Below Dam ☐ Boat F☐ Agency Lake ☐ Other	Ramp	☐ Other☐ Boats "Keep Out"		y .					
Agency Lake Other		Special Event (Peri	mitted)	ų					
Weather	Visibili		Wind	4	Water Conditions				
☐ Cloudy	Daw	•		jht (0-6 mph)	☐ Calm (waves less than 6")				
☐ Rain ☐ Hazy	☐ Day		_	oderate (7-14 mph)	☐ Choppy (6" to 2')				
☐ Foggy ☐ Snow	☐ Dus	k 🗌 Poor	1	ong (15-25 mph)	☐ Rough (2' to 6')				
☐ Thunder storm	│ □ Nigh	nt	☐ Sto	orm (over 25 mph)	☐ Very Rough (more than 6')				
					☐ White Water (River)				
		Accident Events	and Co	ontributing Factors	-				
Accident Type (You may enter a primary, second	lary, and to	ertiary accident type for e	ach vesse	el by placing a 1, 2, or 3 in the ap	opropriate area.)				
V1 V2 V3	V1 V2 V		V1 V2	•					
Capsizing		Falls overboard							
Collision with fixed		Fall on PWC		Sinking					
object Collision with floating		Fire/Explosion (fuel)		Skier hit object	(person) Struck underwater object				
object or person		Fire/Explosion (non-fuel)		Skier mishap/fall	Vessel wake damage				
1 1 Collision with vessel		Flooding (swamping)			Other				
Fall in boat				l					
Contributing Factors (Your									
		Vessel/Injured		3 Vessel/Injured	V1 V2 V3 Vessel/Injured				
☐ ☐ Alcohol use ☐ ☐ ☐ Careless/Reckless		Failure to vent fumes		Machinery failure No proper look-out					
Congested waters		Hazardous waters		Operator inattention	behavior				
□ □ □ Dam or lock		Hull failure		Operator inexperience	☐ ☐ Viol. of Nav. Rule				
Drug use				Overloading	☐ ☐ Vision obstructed ☐ ☐ ☐ Off throttle steering				
☐ ☐ Equipment failure				•	jet				
☐ ☐ Excessive speed		Lack of proper lights		Standing/sitting of gun- whale, bow, or transom	□ □ Weather .				
Machinery Failure Explains (Enter every system that failed for				ent Failure Explains Contri	buting Factor				
	V1 V2 V3	i	V1 V2 V3	• •	V1 V2 V3 Vessel				
□ □ Unknown		Shift failure		Unknown	☐ ☐ PFDs				
☐ ☐ Electrical system				Auxiliary equipment	☐ ☐ ☐ Sail demasting				
☐ ☐ Engine failure		Throttle failure			☐ ☐ Seat broke loose				
☐ ☐ Fuel system				Fire extinguisher	Sound producing				
		Starting eng. in gear			☐ ☐ Visual distress				

			Vessel ar	ıd O	perat	tiona	l Info	rm	ation						
Type of Boat	V1 V2 V	/3 Vess			# of Engines P			Propulsion			Safe	ty Ec	quipmen	t	
V1 V2 V3 Vessel			Pontoon Boat	1	sel A 2			ij-	2 V3 Vesse	1		-	Vessel		
☐ ☐ ☐ Airboat			Mini Jet Boat	1	sel B 2			1	Air TI		[X] [X]	ব হো	Rea. PFD	s on bo	pard
☐ ☐ ☐ Cabin Motorboa			Rowboat (Jon)	Ves	sel C	2		_	☐ Manu				PFDs acc		
☐ ☐ ☐ Canoe/Kayak			Sail (Aux.	Tot	al H. I	P.							Fire ext. o		
			power)		sel A		1	□ □ □ Sail					Fire ext. u	sed	,•
☐ ☐ Open Motorboa	i L		Sail (only)	1	selB			ם ב] 🗌 Wate	r Jet			Nav. lights	s opera	itional
☐ ☐ Personal			Seaplane		sel C			ļ.	•				Nav. lights	s turne	d on
watercraft	Ц		Other										Current S	afety E	xam
Hull Material				Fue	 el		Е	ngi	ne		Ves	sel w	as-		
V1 V2 V3 Vessel	V1	V2 V3	Vessel	1	√2 √3	Vesse	1	ī	2 V3 Vesse	1	1		Vessel	•	
. Aluminum			Rigid hull infl.				1						Rented		
☐ ☐ ☐ Fiberglass			Steel	_		Electr	l	- 1			1		Borrowed	d (not	•
□ □ □ Plastic						Gaso		- 1					in househ		
☐ ☐ Rubber/Vinyl			Other						I ⊠ I/O				,	•	
Operation at Time of A	ccident				Acti	vity a	t Time	of A	Accident						
V1 V2 V3 Vessel		V2 V3	Vessel		1	-	/essel/In	- 2		<u>V1 V2</u>	V3 Ves	ssel/In	jured		
☐ ☐ ☐ At anchor			Docking/Undoc	kina					_ I purpose		□ Sc			•	
☐ ☐ ☐ Being towed .	-		Drifting	9	1			1.	reational)				urfing, etc	:.)	, '
☐ ☐ Towing a boat			Launching/Load	ling			Fueling	1	,			-	engine	,	
☐ ☐ ☐ Changing direc	tion 🔲		Rowing/Paddlin	g			Hunting	ì			□ Sv	vimmir	ng/snorkel	ing	
☐ ☐ ☐ Changing spee	d 🔲		Sailing				Making	repa	airs		□ То	urnam	nent (fishir	ng)	
☐ ☐ Cruising			Wake/Surf jum;	oing			Racing	*			.□ Bo	at pul	ling tube		
□ ⊠ ⊠ Docked (moore	d)		Other Water SI	kiing				, lt	ermitted)				ater sports	;	
							Recreati	ioḩa	al cruising		Ot	her _			
,	•		,	\	/esse	el # 1	<u> </u>	1							-
Reg. or Doc. No. 1096664			. EYE50107D00	Er			# unk	1		Docum	ented N		Bloody M	ary	
			useboat		M		Housebo	4			T= .		2000		
	No. Injured		No. Fatalit					· ir	Towed 0	7 04 00		lit and			
Estimated Speed: Not Federal Definition of Ves								4/1-					\$ 2000.0		
Operator Information	sei. Eg ive	creatio	inal Comme	ciai L			31 11	<u> </u>		ot. uam	age tim	5 DOG	Ψ 2000.0	<u> </u>	
Driver's Lic # 027688888	ST N	INA	Exp. date 2010		Ht. 6'	3"	Wt. 20) ()	Eye Br	n	Restr no	nne	Age 54		
Last Name Condit	1911	iivi	First Brian		1111.0		144.20	.	M.I. J	T			-24-1955		
Street 2649 Chelsea Ln.			City S		 -е		,		State NM		(11111111111111111111111111111111111111		87505		
Home Ph. 505-350-0975			1			Ph. 50	5-476-2	276					· · · · · · · · · · · · · · · · · · ·		
Operator Experience	(perate	or Education		E	3UI In	fo	s	tatus of C	p.	C	Other	Operato	r Info	
☑ Under 10 hours	□ uso	•	Red Cross			efused		6 -	Uninjured	`	Sender				
10-100 hours	Aux.	J G	☐ Ned Closs	,	B∈	een dri	nking		i Injured			☐ Fe			
Over 100 hours	☐ USF	PS .	Other		□ в	UI arre	st	1	Missing] PFD	used			
	☐ Stat	e			□ •Di	rugs		1	Fatality	[Perso	on can	swim		
No. of Other Boating Citation	ons <u>0</u>				BAC			·	•	[] Perso	on was	s ejected		
						1				<u> c</u>	Lany	ard us	ed		
Owner/Passenger Info	rmation		First Liste	d is Al	so Ow	ner 🛭	3	f							
Psgr. # 7								1			DOB	M/ F	Ejected?	PFD	Swim
1 Last Fay		First	Leon (Skip)		ΜI	С	Phone	50	05-720-125	1 13	2-9-47	М	no	no	unk
Str.1 1325 Viga Rd. SE		City	Rio Rancho	-	ST.	NM	ZIP	87	7124						
Fair		 	Brenda		Mi		Phone			9.	-17-62	F	no	no	yes
2 Last Fay		First	Dienda			,				1			1		4
Str 1 Same as #1		First City]	ST	ļ	ZIP					<u> </u>			
2 Last		1	Bill		ST MI .,		Phone					M	no	no	unk
Str 1 Same as #1 3 Last Str.1		City First City	Bill Santa Fe	_ '		NM	Phone ZIP	1			,				
Str 1 Same as #1 3 Last Richardson		City First City First	Bill Santa Fe Catherine	!	MI ST		Phone ZIP Phone	i			,	M	no	no	unk
Str 1 Same as #1 3 Last Str.1 Miller		City First City	Bill Santa Fe		MI ST	NM	Phone ZIP	4			,				

.

Make Leverew Mode Leverew Mode Houseboat Year 2007	Reg. or Doc. No. NM21	43EC 1	IN No	LVG01621A	102	naine	Serial #	unk	ě	1	Doc	umente	i Nam	e n/a		LE (
10. of POB 4									at							
State Section Sectio	No. of POB 4	+		No. Fata	lities 0		, No	. of Skie	rs Tow	ed 0			Hit a	nd Run		
Sederal Definition of Vassets						21-4	40 mph	<u> 41-6</u>	0 mph		31-80	mph 🗀	Over	80 mph		
Process Proc																
Same Shaw First Carl JR Mail DoB (mm/od/yr), 4-10-1994 Vene 1716 Woodman Lin Ne	Operator Information	1							· .							
State	Driver's License #		Exp. o	date		Ht.	W	l.	Eye			Restr.		Age		
	ast Name Shaw			First Car	1 JR				M.I.		DC	B (mm/c	ld/yy)	4-10-1954	4	
Operator Experience	Street 11216 Woodmar	Ln NE		City	Albuquer	que			State	NM			Z	p 87111		
Under 10 hours	lome Ph. 505-292-8679	9				Work P	h. 505-2	63-0888	1				·			
Use Part Under Use Part U	Operator Experience	e Op	erator	r Éducation	1	В	UI Info		S tatus	of C	Dp.		Othe	r Operat	or Info	
3 Over 100 hours	Under 10 hours	□ uscg./	Aux.	☐ Red Cro	oss	□R	e f u s	e d	 Dnir	niured	ı	Gender	⊠ Ma	le		
Solution State Other Bull ansit		1		=				~	7	-			☐ Fe	male		
BAC	☑ Over 100 hours			Other _	<u> </u>				🗓 Miss	sing	İ	☐ PFD	used		1	
Person was ejected Person	La of Other Posting Cit	ntiana.		,			_		🗓 Fata	ality		☐ Pers	on can	swim		,
Sign # 3	No. of Other Boating Cita	ations		•		BAC _				•		— □ Pers	on was	eiected	**	
Segret S			•						ļ		-			•		
Sign	hunor/Passanger Inf	formation	,	First Listed i	s Also Ow	ner 🗆			9 .				414 40			
Manie Mani		Officialion		·	371100 011				1		D	ов	M/F	Ejected?	PFD	Can
Simple S	sgr.# o								Í		_			Y/N	Worn	Swim
Same as Owner	last Shaw	First	Jasor	n	MI			Phone	1				М	N	N/A	unk
Sit	2001	City			ST			ZIP	5 5							
Str.1	Last	First	L		MI			Phone	Ś							
Sit	Str.1	City			· ŝt			ZIP	Ì.							
Mil	Last .	First			MI			Phone	1							
Vessel 3	Str.1	City			ST			ZIP	<u>' </u>							
No. of POB 0 No. Injured 0 No. Fatalities 0 No. of Skiers Towed 0 Hit and Run	Last	First		,	MI			Phone	1							-
No. of POB 0 No. Injured 0 No. Fatalities 0 No. of Skeris # unk No. of Skeris * unk	Str.1	City			ST			ZIP	1				,			
No. of Doc. No. 1196672		•				\/			ŀ							
Make Surferset						Vess	el 3		2							
No. of POB 0	Pog or Dog No. 11066	372	IN No	SAO011084				unk	1		Doc	umente	d Nam	e The Flo	ating Iris	sh
Stimated Speed:		T:		SAQ01198		ngine S	Serial #				Doc	umente			ating Iris	sh
Septend September Septem	Length 92.2	Make Sumer	set		A707 E	ngine S	Serial # Model	Housebo	J!	o be	Doc		Y	ear 2007	ating Iris	sh
District Strict	Length 92.2 No. of POB 0	Make Sumer	set 0	No. Fat	A707 E	ngine S	Serial # Model No	Housebo	rs Tow				Y Hit a	ear 2007 nd Run	ating Iris	sh
Driver's License # Exp date Ht. Wt. Eye Restr. Age	Length 92.2 No. of POB 0 Estimated Speed: ⊠ N	Make Sumer No. Injured	set 0 Inder 10	No. Fat 0 mph . □ 10	A707 E	ngine \$	Serial # Model No. 40 mph	Housebo	rs Tow	Q	61-80	mph [Hit a Over	ear 2007 nd Run 80 mph		sh ,
Street 1999 Paseo Del Prado City El Paso State TX Zip, 79936	Length 92.2 No. of POB 0 Estimated Speed: ⊠ N Federal Definition of V	Make Sumer No. Injured Not Moving □ U essel: ☒ Recre	set 0 Inder 10	No. Fat 0 mph . □ 10	A707 E	ngine \$	Serial # Model No. 40 mph	Housebo	rs Tow	Q	61-80	mph [Hit a Over	ear 2007 nd Run 80 mph		sh
State 1999 Paseo Del Prado City El Paso State TX Zip, 79936	Length 92.2 No. of POB 0 Estimated Speed: ☑ N Federal Definition of V Operator Information	Make Sumer No. Injured Not Moving □ U essel: ☒ Recre	set 0 Inder 10 eational	No. Fat	A707 E	21- Gover	Model No. 40 mph	Housebo	rs Tow 60 mph		61-80	mph [amage t	Hit a Over	ear 2007 nd Run 80 mph at \$ 10,00		sh
Work Ph. 915-591-6319	Length 92.2 No. of POB 0 Estimated Speed: Federal Definition of Volume Operator Information Driver's License #	Make Sumer No. Injured Not Moving □ U essel: ☒ Recre	set 0 Inder 10 eational	No. Fat	A707 E	21- Gover	Model No. 40 mph	Housebo	rs Towe	E	61-80 E st. d a	mph [amage the Restr.	Hit a Over	ear 2007 nd Run 80 mph at \$ 10,00		sh
Operator Experience Under 10 hours USCG Aux. Red Cross 10-100 hours USPS None Dover 100 hours VSPS None State VSS None	Length 92.2 No. of POB 0 Estimated Speed: Federal Definition of Volume Operator Information Driver's License # Last Name O'Leary	Make Sumer No. Injured Not Moving Uessel: Recre	set 0 Inder 10 eational	No. Fat 0 mph ☐ 10 I ☐ Comm date First R	A707 E	21- Gover	Model No. 40 mph	Housebo	Fye M.I.	E	61-80 Est. da	mph [amage the Restr.	Hit a Overnis bo	ear 2007 nd Run 80 mph at \$ 10,00	0+	sh
Under 10 hours	Length 92.2 No. of POB 0 Estimated Speed: Federal Definition of Volume Operator Information Driver's License # Last Name O'Leary Street 1999 Paseo Del	Make Sumer No. Injured (Not Moving □ U essel: ☒ Recre n Prado	set 0 Inder 10 eational	No. Fat 0 mph ☐ 10 I ☐ Comm date First R	A707 E	Gover	Serial # Model No. 40 mph nment	Housebo	Eye M.I.	E	61-80 Est. da	mph [amage the Restr.	Hit a Overnis bo	ear 2007 nd Run 80 mph at \$ 10,00	0+	sh
10-100 hours	Length 92.2 No. of POB 0 Estimated Speed: Federal Definition of Volume Ph. 915-591-631	Make Sumer No. Injured Not Moving □ U essel: ☒ Recre n Prado	nder 10 eational	No. Fat mph 10 Comm date First R	alities 0 0-20 mph ercial andal ty El Pasa	Gover Ht. Work	Model Model No 40 mph nment	Housebo of Skie 41- Wt.	F Town 60 mph Eye M.I. Sta	E S Ste TX	61-80 E st. d a	mph mamage ti Restr.	Hit a Over his bo	ear 2007 nd Run 80 mph at \$ 10,00 Age //) Zip 79936	0+	sh ·
10-100 hours	Length 92.2 No. of POB 0 Estimated Speed: ☑ N Federal Definition of V Operator Information Driver's License # Last Name O'Leary Street 1999 Paseo Del Home Ph. 915-591-631	Make Sumer No. Injured (Not Moving U essel: Recrean Prado 9 Ce O	nder 10 Inder 10 Exp	No. Fat O mph	alities 0 0-20 mph ercial andal ty El Pase	Gover Ht. Work	Serial # Model No. 40 mph nment Ph. 915	Housebo of Skie 41- Wt.	Fye M.I. Sta	E S S te TX	61-80 Est. da	mphamage ti Restr.	Hit a Overnis bo	ear 2007 nd Run 80 mph at \$ 10,00 Age () Zip 79936	0+	sh
Over 100 hours	Length 92.2 No. of POB 0 Estimated Speed: Pederal Definition of V. Operator Information Driver's License # Last Name O'Leary Street 1999 Paseo Del Home Ph. 915-591-631 Operator Experience Under 10 hours	Make Sumer No. Injured Not Moving □ U essel: ☒ Recre n Prado 9 ce O □ USCO	set 0 Inder 10 eational Exp Derato	No. Fat O mph	alities 0 0-20 mph ercial andal ty El Pase	Gover Ht. Work	Serial # Model No. 40 mph nment Ph. 915 BUI Inferesced	Housebo . of Skie 41 . wt. -857-96	Eye M.I. Sta	E S te TX	61-80 Est. da	mphamage ti Restr.	Hit a Over his bo	ear 2007 nd Run 80 mph at \$ 10,00 Age //) Zip 79936	0+	sh
	Length 92.2 No. of POB 0 Estimated Speed: Federal Definition of Volume Ph. 915-591-631 Operator Experience Under 10 hours 10-100 hours	Make Sumer No. Injured Not Moving U essel: Recre n Prado U USCO USPS	set 0 Inder 10 eational Exp perato G Aux.	No. Fat O mph	alities 0 0-20 mph ercial andal ty El Paso	Gover Ht. Work	Model No. 40 mph nment Ph. 915 BUI Information Builer Buil	Housebo . of Skie 41 . wt. -857-96	Eye M.I. Statu Un	E S S te TX is of injure ured	61-80 Est. da	mph amage the Restr. OOB (mn) Othe Gende	Hit a Over his bo	ear 2007 nd Run 80 mph at \$ 10,00 Age //) Zip 79936 Prator Inf	0+	sh
Person was ejected Lanyard used	Length 92.2 No. of POB 0 Estimated Speed: Federal Definition of Volume Ph. 915-591-631 Operator Experience Under 10 hours 10-100 hours	Make Sumer No. Injured Not Moving U essel: Recre n Prado U USCO USPS	set 0 Inder 10 eational Exp perato G Aux.	No. Fat O mph	alities 0 0-20 mph ercial andal ty El Paso	Gover Ht. Work Bee	Model No. 40 mph nment Ph. 915 BUI Inference deep drinking arrest	Housebo . of Skie 41 . wt. -857-96	Eye M.I. Sta D5 Statu Un Inju Mis	E S S te TX injured ured ssing	61-80 Est. da	mph	Hit a Over his bo h/dd/yy r Ope	ear 2007 nd Run 80 mph at \$ 10,00 Age 7) Zip 79936 erator Inf	0+	sh
Dob M/F Ejected? PFD Swim Str.1 City ST ZIP ST ZIP ST ZIP ST City ST ZIP ST City ST ZIP ST City ST ZIP ST City City ST City ST City City ST City City ST City C	Length 92.2 No. of POB 0 Estimated Speed: No. of POB 0 Federal Definition of V. Operator Information Driver's License # Last Name O'Leary Street 1999 Paseo Del Home Ph. 915-591-631 Operator Experience Under 10 hours 10-100 hours Over 100 hours	Make Sumer No. Injured Not Moving U essel: Recre n Prado U U U State	set 0 Inder 10 eational Exp perato G Aux.	No. Fat O mph	alities 0 0-20 mph ercial andal ty El Paso	Ht. Work Be Be Company Compa	Model No. 40 mph nment Ph. 915 BUI Inference den drinking of the second of the secon	Housebo . of Skie 41 . wt. -857-96	Eye M.I. Sta D5 Statu Un Inju Mis	E S S te TX injured ured ssing	61-80 Est. da	mph	Hit a Over his bo n/dd/yy r Ope fr	ear 2007 nd Run 80 mph at \$ 10,00 Age // Zip 79936 erator Inf Male female an swim	0+	sh
DOB M/F Ejected? PFD Swim	Length 92.2 No. of POB 0 Estimated Speed: No. of POB 0 Federal Definition of V. Operator Information Driver's License # Last Name O'Leary Street 1999 Paseo Del Home Ph. 915-591-631 Operator Experience Under 10 hours 10-100 hours Over 100 hours	Make Sumer No. Injured Not Moving U essel: Recre n Prado U U U State	set 0 Inder 10 eational Exp perato G Aux.	No. Fat O mph	alities 0 0-20 mph ercial andal ty El Paso	Ht. Work Be Be Company Compa	Model No. 40 mph nment Ph. 915 BUI Inference den drinking of the second of the secon	Housebo . of Skie 41 . wt. -857-96	Eye M.I. Sta D5 Statu Un Inju Mis	E S S te TX injured ured ssing	61-80 Est. da	mph	Hit a Over his bo n/dd/yy r Ope fr	ear 2007 nd Run 80 mph at \$ 10,00 Age // Zip 79936 erator Inf Male female an swim	0+	sh
Last	Length 92.2 No. of POB 0 Estimated Speed: No. of POB 0 Federal Definition of V. Operator Information Driver's License # Last Name O'Leary Street 1999 Paseo Del Home Ph. 915-591-631 Operator Experience Under 10 hours 10-100 hours Over 100 hours	Make Sumer No. Injured Not Moving U essel: Recre n Prado U U U State	set 0 Inder 10 eational Exp perato G Aux.	No. Fat O mph	A707 E calities 0 0-20 mph ercial andal ty El Pase n oss	Ht. Work Re Be BBC BAC	Model No. 40 mph nment Ph. 915 BUI Inference deep drinking arrest ugs	Housebo . of Skie 41 . wt. -857-96	Eye M.I. Sta D5 Statu Un Inju Mis	E S S te TX injured ured ssing	61-80 Est. da	mphamage ti Restr. OOB (mn Othe Gende	Hit a Over his bo n/dd/yy r Ope T D used from carson carson was	ear 2007 nd Run 80 mph at \$ 10,00 Age //) Zip 79936 Aale Female In swim as ejected	0+	sh
Last First MI Phone Str.1 City ST ZIP Last First MI Phone Str.1 City ST ZIP Last First MI Phone Str.1 City ST ZIP Last First MI Phone Last First MI Phone	Length 92.2 No. of POB 0 Estimated Speed: Federal Definition of Volumer's License # Last Name O'Leary Street 1999 Paseo Del Home Ph. 915-591-631 Operator Experience Under 10 hours 10-100 hours Over 100 hours No. of Other Boating Cit	Make Sumer No. Injured of the series of the	set 0 Inder 10 eational Exp perato G Aux.	No. Fat O mph	A707 E calities 0 0-20 mph ercial andal ty El Pase n oss	Ht. Work Re Be BBC BAC	Model No. 40 mph nment Ph. 915 BUI Inference deep drinking arrest ugs	Housebo . of Skie 41 . wt. -857-96	Eye M.I. Sta D5 Statu Un Inju Mis	E S S te TX injured ured ssing	61-80 Est. da	mphamage ti Restr. OOB (mn Othe Gende	Hit a Over his bo n/dd/yy r Ope r D used rson car rson w nyard t	ear 2007 nd Run 80 mph at \$ 10,00 Age /) Zip 79936 erator Inf Male female an swim as ejected used	0 + 6	
Str.1 City ST ZIP clast First MI Phone Str.1 City ST ZIP clast First MI Phone Str.1 City ST ZIP Last First MI Phone Last First MI Phone	Length 92.2 No. of POB 0 Estimated Speed: No. of POB 0 Estimated Speed: No. of PoB 0 Federal Definition of V. Operator Information Driver's License # Last Name O'Leary Street 1999 Paseo Del Home Ph. 915-591-631 Operator Experient Under 10 hours 10-100 hours Over 100 hours No. of Other Boating Cit	Make Sumer No. Injured of the series of the	set 0 Inder 10 eational Exp perato G Aux.	No. Fat O mph	A707 E calities 0 0-20 mph ercial andal ty El Pase n oss	Ht. Work Re Be BBC BAC	Model No. 40 mph nment Ph. 915 BUI Info	Housebo . of Skie 41 . wt. -857-96	Eye M.I. Sta D5 Statu Un Inju Mis	E S S te TX injured ured ssing	61-80 Est. da	mph	Hit a Over his bo n/dd/yy r Ope r D used rson car rson w nyard t	ear 2007 nd Run 80 mph at \$ 10,00 Age /) Zip 79936 erator Inf Male female an swim as ejected used	0 + 6	
Last First MI Phone	Length 92.2 No. of POB 0 Estimated Speed: ☑ No. of POB 0 Estimated Speed: ☑ No. of Poperator Information Informatio	Make Sumer No. Injured Not Moving □ U essel: ☒ Recre n Prado 9 ce O □ USCO □ USPS □ State ations formation	set 0 Inder 10 eational Exp perato GAUX.	No. Fat O mph	A707 E calities 0 0-20 mph ercial andal ty El Pase n oss	Ht. Work Re Be BR Dr BAC	Model No. 40 mph nment Ph. 915 BUI Info	Housebook. of Skie 41-	Eye M.I. Sta D5 Statu Un Inju Mis	E S S te TX injured ured ssing	61-80 Est. da	mph	Hit a Over his bo n/dd/yy r Ope r D used rson car rson w nyard t	ear 2007 nd Run 80 mph at \$ 10,00 Age /) Zip 79936 erator Inf Male female an swim as ejected used	0 + 6	
Str.1 City ST ZIP Last First MI Phone Str 1 City ST ZIP Last First MI Phone City ST ZIP	Length 92.2 No. of POB 0 Estimated Speed: Federal Definition of Volumer's License # Last Name O'Leary Street 1999 Paseo Dellome Ph. 915-591-631 Operator Experient Under 10 hours 10-100 hours Over 100 hours No. of Other Boating Citer Owner/Passenger In Pagr. # Last	Make Sumer No. Injured Not Moving U essel: Recre Prado USCO USPS USPS State formation	set 0 Inder 10 eational Exp oerato Aux.	No. Fat O mph	A707 E calities 0 0-20 mph ercial andal ty El Pase n oss	Ht. O Work Re Be Dr BAC	Model No. 40 mph nment Ph. 915 BUI Info	Housebook. of Skie 41-	Eye M.I. Sta D5 Statu Un Inju Mis	E S S te TX injured ured ssing	61-80 Est. da	mph	Hit a Over his bo n/dd/yy r Ope r D used rson car rson w nyard t	ear 2007 nd Run 80 mph at \$ 10,00 Age /) Zip 79936 erator Inf Male female an swim as ejected used	0 + 6	
Last First MI Phone Last First MI Phone City ST ZIP	Length 92.2 No. of POB 0 Estimated Speed: No. of POB 0 Federal Definition of V. Operator Information Driver's License # Last Name O'Leary Street 1999 Paseo Del Home Ph. 915-591-631 Operator Experient Under 10 hours 10-100 hours Over 100 hours Over 100 hours Over 100 hours No. of Other Boating Cit Owner/Passenger In Psgr. # Last Str. 1	Make Sumer No. Injured (Not Moving U essel: Recre Prado 9 Ce O USCO USPS USPS State attons formation	eational Exp Coerato	No. Fat O mph	A707 E calities 0 0-20 mph ercial andal ty El Pase n oss	Gover Ht. Work Be Be BAC Where BAC MI ST	Model No. 40 mph nment Ph. 915 BUI Info	Housebook of Skie 41- Wt857-96 o Phone ZIP	Eye M.I. Sta D5 Statu Un Inju Mis	E S S te TX injured ured ssing	61-80 Est. da	mph	Hit a Over his bo n/dd/yy r Ope r D used rson car rson w nyard t	ear 2007 nd Run 80 mph at \$ 10,00 Age /) Zip 79936 erator Inf Male female an swim as ejected used	0 + 6	
Last First MI Phone	Length 92.2 No. of POB 0 Estimated Speed: Definition of Volumer's License # Last Name O'Leary Street 1999 Paseo Del Home Ph. 915-591-631 Operator Experience Under 10 hours Over 100 hours Over 100 hours Over 100 hours No. of Other Boating Cite Description: De	Make Sumer No. Injured (Not Moving U essel: Recre Prado 9 Ce O USPS USPS USPS State ations formation	Exp Derato Aux. irst	No. Fat O mph	A707 E calities 0 0-20 mph ercial andal ty El Pase n oss	Gover Ht. Work Beac BAC MI ST MI	Model No. 40 mph nment Ph. 915 BUI Info	Housebook of Skie 41- Wt857-96 o ng Phone ZIP Phone	rs Toward Miles To	E S S te TX injured ured ssing	61-80 Est. da	mph	Hit a Over his bo n/dd/yy r Ope r D used rson car rson w nyard t	ear 2007 nd Run 80 mph at \$ 10,00 Age /) Zip 79936 erator Inf Male female an swim as ejected used	0 + 6	
Lasi Priorie ST ZID	Length 92.2 No. of POB 0 Estimated Speed: ☑ No. of POB 0 Estimated Speed: ☑ No. of PoB of Poperator Information I	Make Sumer No. Injured Not Moving U essel: Recre n Prado USCO USPS USPS State ations Formation	eational Exp Derato GAUX. irst City City City	No. Fat O mph	A707 E calities 0 0-20 mph ercial andal ty El Pase n oss	Cover Ht.	Model No. 40 mph nment Ph. 915 BUI Info	Housebook of Skie 41- Wt. -857-96 o Phone ZIP Phone ZIP Phone	rs Toward Miles To	E S S te TX injured ured ssing	61-80 Est. da	mph	Hit a Over his bo n/dd/yy r Ope r D used rson car rson w nyard t	ear 2007 nd Run 80 mph at \$ 10,00 Age /) Zip 79936 erator Inf Male female an swim as ejected used	0 + 6	
Str.1 City ST ZIP	Length 92.2 No. of POB 0 Estimated Speed: ☑ N Federal Definition of V Operator Information Driver's License # Last Name O'Leary Street 1999 Paseo Del Home Ph. 915-591-631 Operator Experience ☐ Under 10 hours ☐ 10-100 hours ☐ Over 100 hours No. of Other Boating Cit Owner/Passenger In Psgr. # 1 Last Str. 1 2 Last Str. 1 3 Last	Make Sumer No. Injured Not Moving U essel: Recre n Prado USCO USPS USPS State ations formation	Exp Derato GAUX. Gity Gity Gity Girst Gity Girst	No. Fat O mph	A707 E calities 0 0-20 mph ercial andal ty El Pase n oss	Ht. O Work Be Be BR Dr BAC MI ST MI ST	Model No. 40 mph nment Ph. 915 BUI Info	Housebook of Skie 41- Wt. -857-96 o ng Phone ZIP Phone ZIP Phone ZIP	rs Toward Miles To	E S S te TX injured ured ssing	61-80 Est. da	mph Restr. OOB (mn Othe Gende Pe Pe La	Hit a Over his bo n/dd/yy r Ope r D used rson car rson w nyard t	ear 2007 nd Run 80 mph at \$ 10,00 Age /) Zip 79936 erator Inf Male female an swim as ejected used	0 + 6	
	Length 92.2 No. of POB 0 Estimated Speed: ☑ N Federal Definition of V Operator Information Driver's License # Last Name O'Leary Street 1999 Paseo Del Home Ph. 915-591-631 Operator Experience ☐ Under 10 hours ☐ 10-100 hours ☐ Over 100 hours No. of Other Boating Cit Owner/Passenger In Psgr. # 1 Last Str. 1 2 Last Str. 1 3 Last	Make Sumer No. Injured of No. Injure	Exp Decrator Aux. City Cit	No. Fat O mph	A707 E calities 0 0-20 mph ercial andal ty El Pase n oss	Ht. Work Beac BAC MI ST MI ST MI	Model No. 40 mph nment Ph. 915 BUI Info	Housebook of Skie 41- Wt. -857-96 o ng Phone ZIP Phone ZIP Phone ZIP Phone	rs Toward Miles To	E S S te TX injured ured ssing	61-80 Est. da	mph Restr. OOB (mn Othe Gende Pe Pe La	Hit a Over his bo n/dd/yy r Ope r D used rson car rson w nyard t	ear 2007 nd Run 80 mph at \$ 10,00 Age /) Zip 79936 erator Inf Male female an swim as ejected used	0 + 6	
	Length 92.2 No. of POB 0 Estimated Speed: ☑ N Federal Definition of V Operator Information Driver's License # Last Name O'Leary Street 1999 Paseo Del Home Ph. 915-591-631 Operator Experience ☐ Under 10 hours ☐ 10-100 hours ☐ Over 100 hours No. of Other Boating Cit Owner/Passenger In Psgr. # 1 Last Str. 1 2 Last Str. 1 3 Last Str. 1 4 Last	Make Sumer No. Injured of No. Injure	Exp Decrator Aux. City Cit	No. Fat O mph	A707 E calities 0 0-20 mph ercial andal ty El Pase n oss	Ht. Work Beac BAC MI ST MI ST MI	Model No. 40 mph nment Ph. 915 BUI Info	Housebook of Skie 41- Wt. -857-96 o ng Phone ZIP Phone ZIP Phone ZIP Phone	rs Toward Miles To	E S S te TX injured ured ssing	61-80 Est. da	mph Restr. OOB (mn Othe Gende Pe Pe La	Hit a Over his bo n/dd/yy r Ope r D used rson car rson w nyard t	ear 2007 nd Run 80 mph at \$ 10,00 Age /) Zip 79936 erator Inf Male female an swim as ejected used	0 + 6	
• 1	ength 92.2 lo. of POB 0 stimated Speed: Pederal Definition of Volumer's License # ast Name O'Leary Street 1999 Paseo Del Home Ph. 915-591-631 Operator Experience Under 10 hours 10-100 hours Over 100 hours Over 100 hours It cast Owner/Passenger In Sgr. # Last Str. 1 Last Str. 1 Last Last Last Last Last Last Last Last	Make Sumer No. Injured of No. Injure	Exp Decrator Aux. City Cit	No. Fat O mph	A707 E calities 0 0-20 mph ercial andal ty El Pase n oss	Ht. Work Beac BAC MI ST MI ST MI	Model No. 40 mph nment Ph. 915 BUI Info	Housebook of Skie 41- Wt. -857-96 o ng Phone ZIP Phone ZIP Phone ZIP Phone	rs Toward Miles To	E S S te TX injured ured ssing	61-80 Est. da	mph Restr. OOB (mn Othe Gende Pe Pe La	Hit a Over his bo n/dd/yy r Ope r D used rson car rson w nyard t	ear 2007 nd Run 80 mph at \$ 10,00 Age /) Zip 79936 erator Inf Male female an swim as ejected used	0 + 6	

°	•		· Ini	ury Inform	nation	2 to 10 to 1	FILE	COPY
Vessel		,				Admitted to hospital Refused to	reatment	
Status ☐ Injured ☐ Fata	lity Missing (bo	ody not fo	und)	Hospital Na		1		
Victim Information Ope				ock 🔲 Pass		kier		
Last Name			First			M.I. DOB (mm/dd/yy)	Age:	
Street				City		State Z	p	
Home Ph.	. N	ork Ph		···		Location of Injury	. ,	
Cause of Injury	Injury Classifi	cation	PFD			d d	· · · · · · · · · · · · · · · · · · ·	
☐ Impact with boat	Pri. Sec.		□ Туре	1		6	\supset	
☐ Impact with water	☐ ☐ Amputati	ion	☐ Type			(3)	1	[
☐ Impact with fixed	☐ ☐ Back Inju		□ Туре		· ·			
object	☐ ☐ Back Inju	•	□ Туре			AIIA	II Q	
☐ Impact with floating	☐ ☐ Burns	701103	□ Туре	V			11	
object ☐ Struck by boat	☐ ☐ Contusio	ns	☐ Inflata	able ·		MANJ DI	II M	
☐ Propeller or skeg	☐ ☐ Dislocati	ons ·	□ usc	G Approved	<i> </i>		MM	
Other	☐ ☐ Head Inj		USCG A	pproval #	<u> </u>	VIN MU AL	MIN	
Victim Activity	☐ ☐ Hypothe	•	<u></u>	\\\/	9,11			
Fishing	☐ ☐ Internal I		☐ PFD		- LIN	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	// /. ~~~	
☐ Hunting	☐ ☐ Laceration	on	☐ Buoy					,
Scuba diving	☐ ☐ Neck Inju	ury	_	orn but used	,	HM H	H	
☐ Scuba divilig ☐ Snorkeling	☐ ☐ Shock			orn not used Worn as		()()	11	
Swimming Swimming	☐ ☐ Spinal In	jury	result of a		,	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1/	
☐ Water skiing	☐ ☐ Sprain/S	train	☐ PFD	Worn prior to		DO A	A ·	
☐ Other	☐ ☐ Teeth/Ja	w	accident	•			П	
Victim Physical Co	ondition	Fatal S	Synopsis		Victim Cau	ise of Death and Recovery Info		
-	Under influence	Drug :		4	☐ Drowning			
	of alcohol/drugs	BAC :			☐ Hypother			
	Other		arent ,			Location Body Water D	epth epth	
Vessel				Treatment		Admitted to hospital Refused to		· ·
Status Injured Fatal	lity Missing (bo	dy not fo	und)	Hospital Na				
Victim Information Ope				ock 🗌 Pass		kier	· · · · · · · · · · · · · · · · · · ·	
Last Name			First		(M.I. DOB (mm/dd/yy)	,	Age.
Street				City		State Zi	p	
Home Ph.	- W	ork Ph.	-		Í	Location of Injury	· ·	
Cause of Injury	Injury Classifi		PFD		1			
☐ Impact with boat	Pri. Sec	•	□ Туре	j		63	7	
☐ Impact with water	☐ ☐ Amputati	ion	☐ Type		į.	\&/ \	1	
☐ Impact with fixed	Back Inju		☐ Type				Π\	
object	☐ ☐ Back Inje	-	Туре			HILA R		
Impact with floating	Burns	.01103	☐ Type				HI	
object	Contusio	ns .	☐ Inflata			MAMI M	IM	
☐ Struck by boat ☐ Propeller or skeg	Dislocation		☐ usc	G Approved	<i>I</i> .	11 11 17 17	MM	}
☐ Other	☐ ☐ Head Inj		USCG A	pproval#	<u> </u>	IN NU AL	MIN	
Victim Activity	☐ ☐ Hypothe	-			Tui	1 Y 1 1 2 2 1		
☐ Fishing	☐ ☐ Internal I		PFD		*10			
☐ Fishing ☐ Hunting	☐ ☐ Laceration	on	☐ Buoy	ant - /orn but used	"			
	☐ ☐ Neck Inju	ıry	·		1	MM H	H	,
☐ Scuba diving☐ Snorkeling	☐ ☐ Shock			/orn not used Worn as	;		11	
Swimming Swimming	☐ ☐ Spinal In		result of a			\Box	Ц	
☐ Water skiing	☐ ☐ Spṛain/S			Worn prior to	,	$D \cap B$	A	
Other	☐ ☐ Teeth/Ja	w ·	accident			W W		
Victim Physical C	ondition	Fatal S	Synopsis		Victim Cal	use of Death and Recovery Info		
_	Under influence	Drug :			☐ Drowning			
☐ Normal ☐ III	of alcohol/drugs	BAC :			☐ Hypothe			
☐ Handicapped ☐	Other	☐ App	arent			Location Body Water I	Depth	

3	Diagram	FILE COPY
Diagram of the area is not provid in which the accident occurred is	ed due to the fact that Vessel #1 had been medocumented within attached accident photos	noved and slipped prior to our arrival. The area
		1
	•	7 b
		3
·	•	।
		, , , , , , , , , , , , , , , , , , ,
	•	
. ,		
		9 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
		9
	·	
For the Boat Accident Diagram:	Indicate the location of all damaged areas on the	oat configuration in the diagram. Indicate if damage
was only Below Waterline, [Lower Unit, Mindshield, Sunk, or Ini	ured no Damage. Indicate Vessel A, B, or C in the
diagram. On the vessel configuration number of the passenger from the	ation, indicate the location of persons involved usi	ng "O" for Operator and "P" for Passenger (use the
number of the passenger from the	e vesser A, B, or C sections).	4
	Synopsis of Accident	
See Supplemental Narrative		1
Oso Supplemental National		, d
		To the state of th
	,	
	•	
		, ,
		10 m
•		,
	•	
,		•
_	•	
		·
	· · · · · · · · · · · · · · · · · · ·	
		•

.

Was there damage to property excluding the vessels and their contents? ✓ Yes ✓ No ✓ Estimated Amount Describe Property Damage PWC docked on Vessel 3 TX 2494KA Sea Doo (damage to both sides) PWC 2 docked on Vessel 3 Unnumbered Polaris Genisis (damage to both sides) Underwater structures of Dam Site Marina (3 sections of tri truss)	\$ 3000.00
PWC docked on Vessel 3 TX 2494KA Sea Doo (damage to both sides) PWC 2 docked on Vessel 3 Unnumbered Polaris Genisis (damage to both sides)	
PWC docked on Vessel 3 TX 2494KA Sea Doo (damage to both sides) PWC 2 docked on Vessel 3 Unnumbered Polaris Genisis (damage to both sides)	
Underwater structures of Dam Site Marina (3 sections of tri truss)	
The state of the s	
Non Vocasi Branarty Owner Information	
Non Vessel Property Owner Information Last Name Vessel #3 owner and Rio Lago Inc First M.I. Ph. #	
	Zip
Violations	
Vessel Priority Vessel # Stand On Vessel # Give Way Hit and Run Vessel # Common	
Violator's Name Statute or Name of the	Citation
	Case #
1 Operator 66-12-11 (a) Prohibited Operation	00610151439
☐ Operator ☐ Citation ☐ No Action	
☐ Warning ☐ Pending	
☐ Operator ☐ Citation ☐ No Action ☐ No Action ☐ December ☐ Decemb	
☐ Warning ☐ Pending ☐ Operator ☐ Citation . ☐ No Action	
□ Sperator □ No Action □ Warning □ Pending	
☐ Operator ☐ Citation ☐ No Action	
□ Warning □ Pending	
☐ Operator ☐ No Action ☐ Warning ☐ Pending	
☐ Operator ☐ Citation ☐ No Action	
☐ Warning ☐ Pending	
Officer Completing Report	
Officer Signature Supervisor Signature Investigation	n Status
	rending
Print Officer Name, Badge #, and Radio #	1
Last Bolen First Chris M.I. W Causes Bas	sed On
Badge # 384 Radio # Butte 24 ⊠ Investigation	
Address 1 PO Box 13	
Address 2 Reviewer Interpretation	,
City Elephant Butte State NM Zip 87935 Ph # 575	5-744-5998
Print Supervisor Name and Radio #	
Last Zuni First Harold M.I. P. Radio # Butte 2	
Investigative Time (Include total hours for reports, search & rescue, and investigation)	
Officer Hours Supervisor Hours Investigator Hours Admin. Hours Total Hours Date Investigation Complete	d (MM/DD/YY)
8 2 1 2 9/9/2009	
Date Report Received (MI	M/DD/YY) 09/09/2009
·	
Do Not Complete Below This Line – State Safety Review Only	
Date Review Completed (MM/DD/YY) 09/09/2009	
Federal Accident Classification (For Statistical Use)	
☑ Recreational ☐ Commercial ☐ Government ☐ Non-Reportable	e ·
Primary Type Secondary Type Tertiary Type Primary Cause Secondary Cause Tertiary Cause Reviewed by	ID Badge #
Collision Operator Operator Sharp Turn T. Velasquez W/Vessel Inattention Inexperience	#372
1	ng

	· •	TILE WWI A
Notes:		
	•	
	1	
	*	
	·	
		· · · · · · · · · · · · · · · · · · ·
	1	
	1	
,	•	
	1	
	·	• • • • • • • • • • • • • • • • • • • •
		٠,
·	1	5
· · · · · · · · · · · · · · · · · · ·		
	<u> </u>	
		•
		•
A A DATE OF THE BAPT		3

	Additional Information/Witnesses	
Name (Last, First, MI)	Address (Street, City, State, ZIP)	Phone #'s Home/Bus
Tingwell, Steve	Passenger on Vessel 1	
Arteaga, Manaces (Mo)	Passenger on Vessel 1	,
Shaw, Carl	11216 Woodmar Ln. NE Albuquerque, NM 87111	505-263-0888
Camilli, Sam	6800 Bright View Las Cruces, NM 88001	575-525-8323 (mother's #)
Rabon, Cheri	540 Springcrest El Paso, Tx. 79915	575-430-7709
	,	·
	:	
		•
- ,		

Supplemental Narrative

CASE # 2009-10-0094B

On Saturday September 5, 2009 at approximately 1715 hrs, MEO Kevin Wilcox and I were called by Sierra County Regional Dispatch Authority in reference to a vessel collision at the Dam Site Marina. We arrived at 1735, but were called away to an injury accident shortly after. At approximately 1830 hrs, we returned to Dam Site Marina to continue our investigation. Upon arrival MEO Wilcox and I met with several individuals that were either witnesses of the accident or owner's of vessels involved. I found that there were 3 vessels involved in the accident. Vessel #1 is an 81 foot houseboat that goes by the name of "Bloody Mary" and is owned by Mr. Leon Fay. Vessel # 2 is a 59 foot houseboat, owned by Mr. Carl Shaw. Vessel #3 is a 92 foot houseboat that goes by the name of "The Floating Irish", owned by Randy O'Leary.

I first made contact with Mr. Sam Camilli who was on his houseboat located in slip D-8 near the scene of the accident. Mr. Camilli stated that while he was sitting on the rear of his vessel, he heard yelling and a crash coming from the rear of the slip where he was moored. Mr. Camilli then felt and heard a loud impact in the slip next to his. Mr. Camilli said it seemed to shake the whole marina. When he went to the back of his vessel, he observed a vessel known to him as the "Bloody Mary" backing away from the vessel known to him as the "Floating Irish". Mr. Camilli states that it appeared that the Bloody Mary was heading back to its slip located east of the accident scene. Mr. Camilli saw Mr. Fay at the upper helm of the Bloody Mary while the vessel was backing away and returning to his slip. Mr. Camilli then noticed that the back of The Floating Irish had sustained damage as a result of the collision. Mr. Camilli did state that it was not like Mr. Fay to overshoot his slip which was 5 slips away to the east, from the impacted boat. Mr. Camilli provided me with a written statement and will be attached.

I next interviewed Ms. Cheri Rabon who stated that she was watching their children swim at the rear of their house boat located in slip D-5. Ms. Rabon stated that she observed, the Bloody Mary traveling close to C-dock, and then heard someone on the C-dock yell at the vessel "that they were going to hit." Ms. Rabon stated that the Bloody Mary struck a green PWC and the vessel it was tied to in slip C-30. The Bloody Mary then turned toward their direction and accelerated. Ms. Rabon started gathering her children out of the water, fearing the boat would hit her houseboat as well. Ms. Rabon then watched as the Bloody Mary collided with The Floating Irish that was docked next to her houseboat. Ms. Rabon saw Mr. Fay and another person described as a tall male with gray hair, at the upper helm of the Bloody Mary when it collided with The Floating Irish. Ms. Rabon provided me with a written statement.

Mr. Carl R. Shaw was interviewed next on his vessel located at C-30. Mr. Shaw stated that he watched the Bloody Mary enter the slip area about 10 feet away from the end of C-dock. As the Bloody Mary started to turn he yelled at the operator and owner to look out because he knew they (Bloody Mary) were going to hit his houseboat that was slipped at C-30. When he yelled, the Bloody Mary turned, increased speed, and struck the rear port side of his houseboat and a PWC that was tied to the rear of Mr. Shaw's vessel. Mr. Shaw saw Mr. Fay take over control of the helm from the operator shortly after the initial impact. The Bloody Mary then traveled across the slip area and struck the rear of The Floating Irish. Mr. Shaw told me that they were creating a wake as it accelerated away from his houseboat and began heading towards the D-dock. Mr. Shaw provided me with a written statement. Several other members of the Shaw party relayed to me the same chain of events as reported by Mr. Shaw.

MEO Kevin Wilcox interviewed Mr. Leon C. Fay, the owner of The Bloody Mary. Mr. Fay stated that Mr. Brian Condit was driving his houseboat "Bloody Mary" into the slip. As Mr. Condit came in, he got too close to C-dock and people started yelling. Mr. Condit "gunned" the boat as it hit a houseboat on C-dock and his houseboat headed across the slip area towards D-dock. Mr. Fay took over the helm of his houseboat, but it was too late, his houseboat collided with the rear of a houseboat "The Floating Irish." Mr. Fay then regained control of his boat and returned it to his slip without further incident. There were no injuries reported on Mr. Fay's vessel, or additional damage to the interior. Mr. Fay provided MEO Wilcox with a written statement. Officer Wilcox asked Mr. Fay if he had been drinking alcohol that day. Mr. Fay stated that he had not been drinking alcohol and he did not show any signs of intoxication during the in person interview with Officer Wilcox.

Mr. Brian Condit contacted me on 9/7/09 and I took the following statement. Mr. Condit was driving the houseboat "Bloody Mary," attempting to enter the slip. As he started to turn, he tapped a boat with the rear of Mr. Fay's boat and yelled for Mr. Fay to come and take over. Mr. Fay took over the helm after the impact, and at some point the vessel accelerated. Mr. Fay was able to slip the boat after the impact. During the interview Mr. Condit provided me with a list of names of the passenger's aboard. I then asked Mr. Condit if he had been drinking alcohol that day. Mr. Condit stated that he had not been drinking alcohol and was not under the influence of alcohol prior to or during operation of Vessel #1.

I observed the following damage to Mr. Fay's vessel, The Bloody Mary. The front starboard railing and canvas was damaged with scratches to the metal railing and a hole in the canvas. The black rubber rub rail and surrounding metal had scratches and gouges for about 1 foot on either side of the starboard corner. The upper deck was damaged in the front starboard corner as well. The upper deck damage consisted of removal of the white gel coat and exposure of the fiberglass underneath in an area about 8" round on the corner. White paint chips and wood splinters were also observed on the carpet of the lower deck adjacent to the canvas area that was damaged. The seam in the hull under at the damaged corner had a 8" plastic transfer on it. The rear port area of the vessel had a 3' scratch and depression beneath the rub rail on the hull.

I observed the following damage to Mr. Carl Shaw's vessel, NM2143EC. There was a 6" scratch in the aluminum rub rail around the rear port corner. No other damage was noted or reported on this vessel. The Kawasaki PWC that was floating to the rear of Mr. Shaw's vessel had no observable damaged to it.

I observed the following damage to The Floating Irish. The rear of the top deck had an 8' area of damage in the middle of the deck where the end of the deck was pushed in and under the upper deck flooring. Areas under the damaged top deck were buckled from the crushing damage adjacent to the spiral stair case. The starboard PWC ramp had been damaged, and both PWCs were pushed to the port side. The PWCs received damage being pushed into each other. The port PWC pushed a rear gate into the refrigerated air condenser unit. A gate support between the PWCs was broke off. The strap

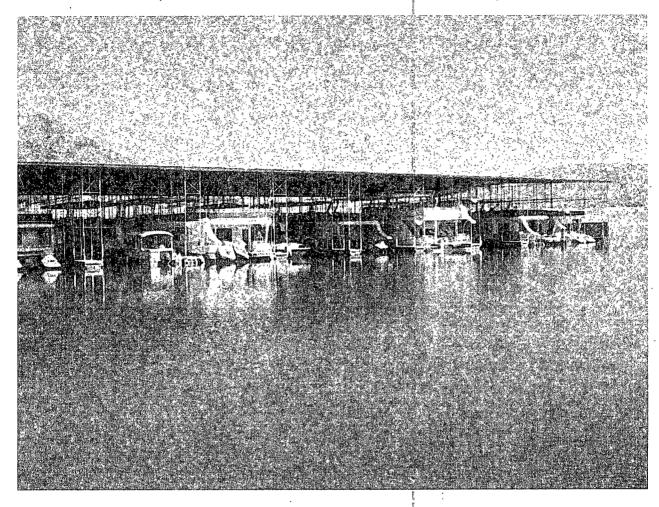
securing the starboard PWC was broken. A plastic coated hand rail on the starboard rear was bent inward. The port rear rub rail was pushed in adjacent to a marina support. The owners of this vessel were not present, any additional interior damage is unknown at this time.

The owners of Dam Site Marina reported to me that the underwater structures below D-dock were also damaged as a result of the impact. It is beyond my capabilities at this time to confirm this damage.

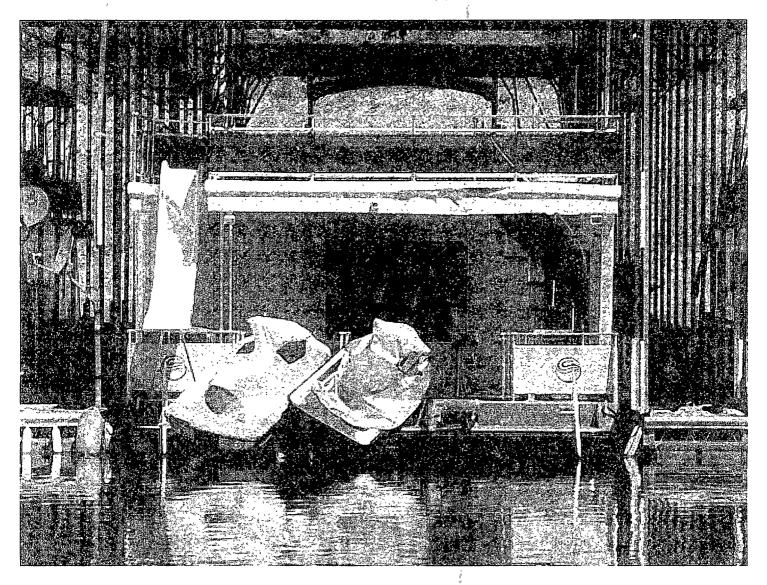
Based on the damage that I observed statements from the operators, and witness statements, Vessel #1 "Bloody Mary" struck the rear of Vessel #2 in slip C-30. This was done as the "Bloody Mary" was turning away from C-Dock. This impact caused the damage to the starboard rear of the "Bloody Mary." Once vessel #1 began to turn and the impact was realized, Mr. Condit accelerated the vessel #1 to get away from C-dock. Mr. Fay took over the controls, but was unable to prevent the vessel #1 "Bloody Mary" from impacting with vessel #3 " The Floating Irish", due to the speed Vessel #1 had, and the limited maneuvering area between C and D docks (160' approx). The two vessels did collide causing the noted damage to both vessel #1 and #2 and damage caused to the marina when Vessel #3 "The Floating Irish" was pushed into the side of its slip.

In conclusion, Mr. Brian Condit will be charged with 66-12-11 (A), Prohibited operation for operating a vessel in a negligent manner and damaging another person's property. On the morning of 09/09/2009 I mailed a citation to Mr. Condit by certified mail to the address that he provided during the interview. In addition, I filed the citation within the Sierra County Magistrate Court on 09/09/2009. A copy of this citation (#00610151439) is attached to this report.

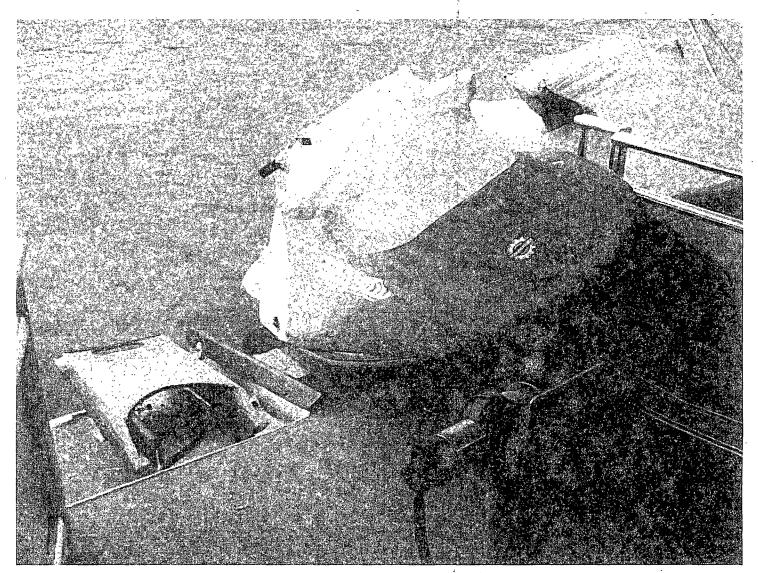
End of report.



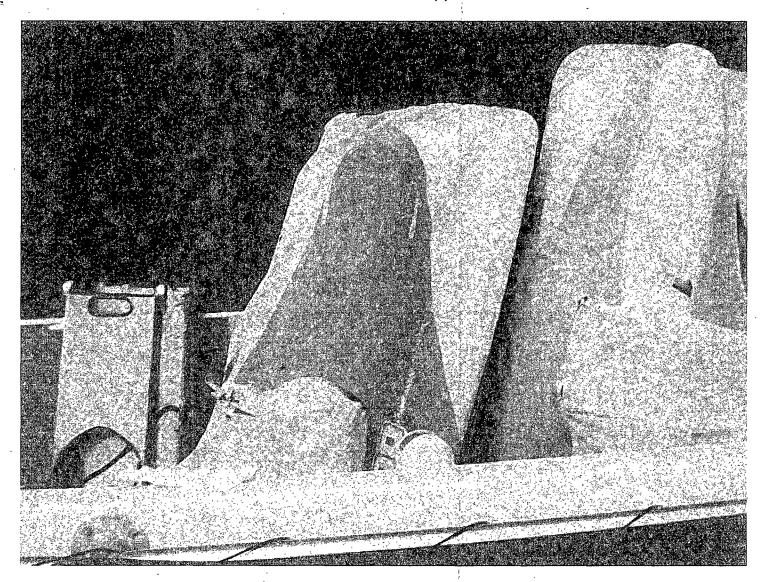
C-Dock looking towards D-dock



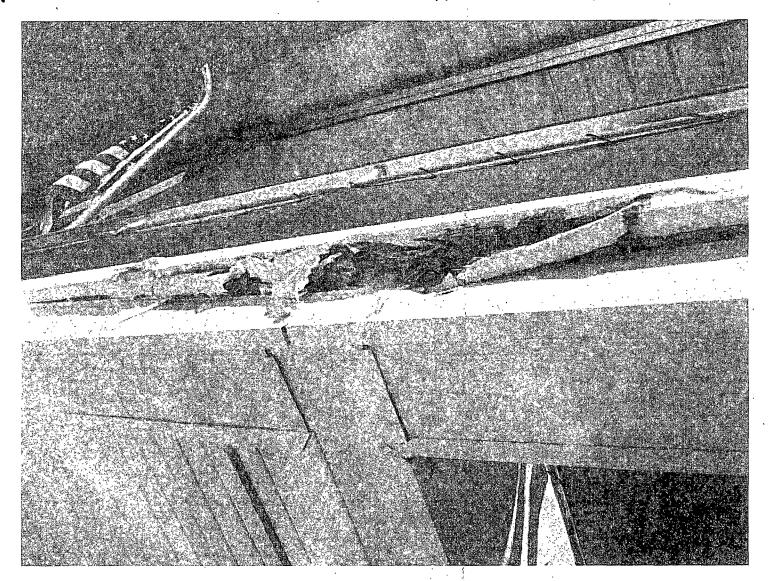
Rear of Vessel #3 The Floating Irish



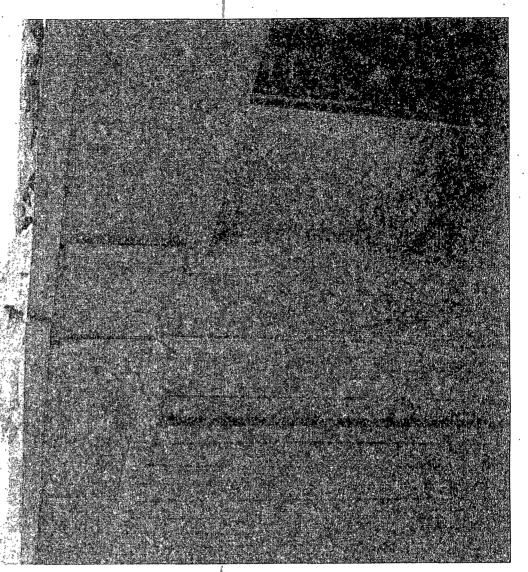
Rear of Vessel #3 and PWC Dock



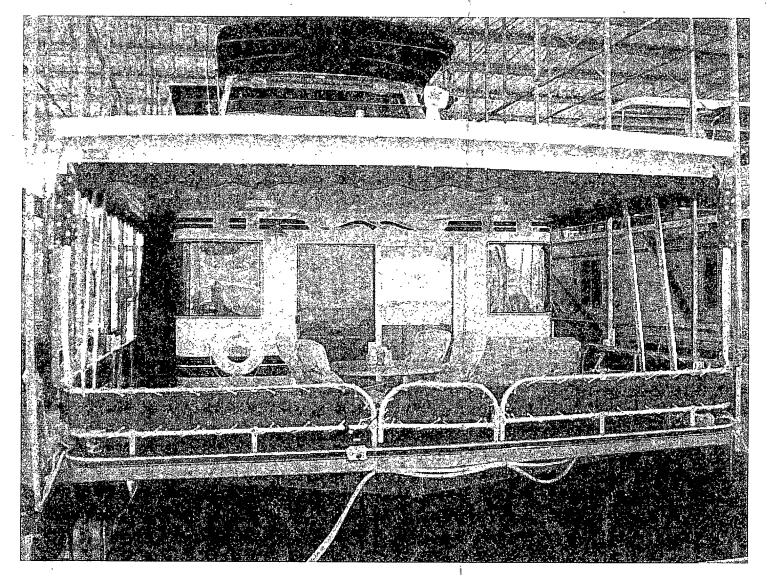
Vessel #3 PWC positions



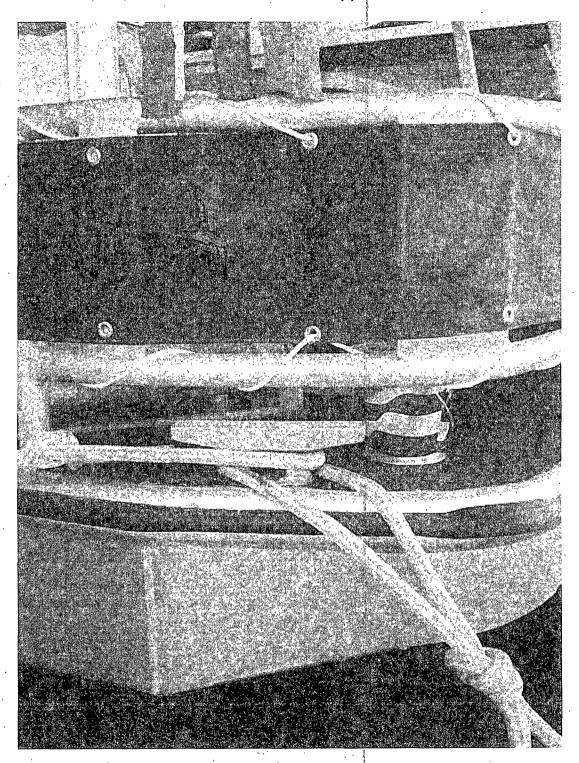
Vessel #3 upper deck damage



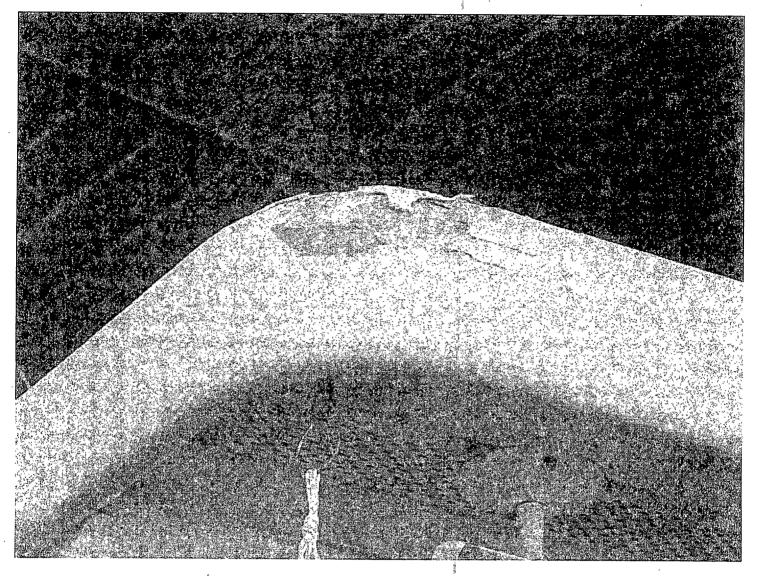
Vessel #3 upper deck damage



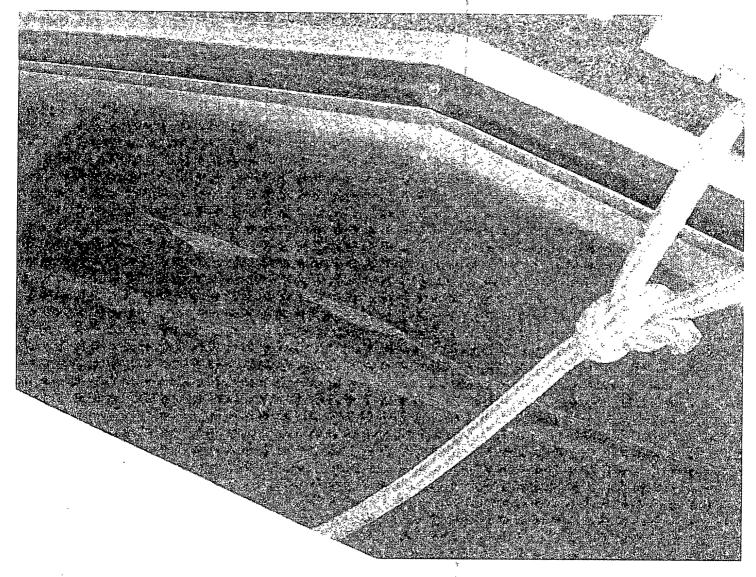
Front of Vessel #1 Bloody Mary



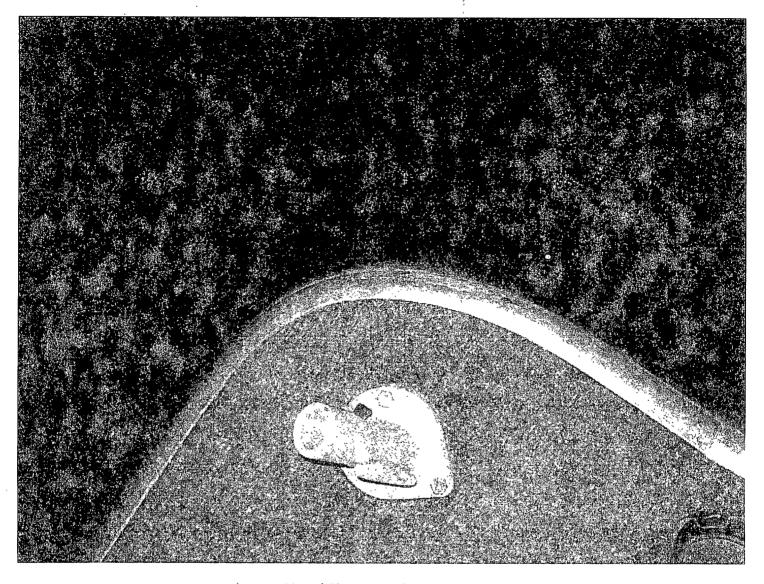
Vessel #1 Starboard front corner



Vessel #1 Upper deck Damage



Vessel #1 Port rear hull damage



Vessel #2 Port rear impact area

VIVD-11015					MICROFILM	NUMBER, DO NOT P	PINT ABOVE T	HIS LINE
REV. 04/02						STATE	OF NE	W MEXICO
ENERGY, MI	NERALS &	COUNTY COME TO S	A CHICK CODE SAN	ANAEA	A2 0	INTEORM	TRAF	FIC CITATION
STATE PARK	SOUNCES (2110	0 0 6	TOTOT	43 3	OTAR ORGANIA		
NAME (LAST)					on the Armonda of the			
$\mathbb{I}(\mathbb{I}O)$	IN D	LIT	R 5					and the same of th
MAME WHENT						E I		7
BK	HA	N	A THE STREET OF THE STREET		. वि. वि. सम्बद्धाः स्टब्स्टर्गा			AND LODE
XODAVA	发生物以表示和	经产品的	The second second		TO GRADE POLICE SERVICES	A The state of the	ALIENT CLASS ME TO SEL	NM 87505
\$ Z644	<u>Chie</u>	Isea	Lane	व्यक्तान्यास्य विकास स्थापना । स्थापना विकास स्थापना स्थापना ।		Santa Fe		
STATE OF THE STATE	DHIVER LICENSE	NOMBER			Si the same of the			
			51818			155		WEIGHT
DATE OF BRILL			CINESECOLULY NOWE		20	2 m (. 2	200 Brn
1018	214			5.0.0		T VPE / VAKE / N		
LICENSE PLATE	GNUMBER 1		d l lal	M	Horachan	t Bloody	Mary	· · · · · · · · · · · · · · · · · · ·
Toronto a series	1 6	0 0			COTNUMBER	THE RESIDENCE OF		
	BICENSH TYPE		P C V	MWN	Br. O			
Y		The state of the s			Many Comment	ACCIDENT A PARTY		
THAT IS	(WEATH	EC BN 9	DS D	WIS	M DS D	KXN		
LI SIVE	HVIOL	E FO LINE						
A CONTRACTOR OF THE CONTRACTOR	STATUTE	66-7-301	Tel Williams Strategies and Allenda	cz ST	ATUTE 66-5-20 INSURANC	5 STATUTE	E , *	ORDINANCE
		DING	· <u>L</u>		PASORAIO			
	MPH	INA	ZONE	AH NO	SEAT BELT	s 66-12-11	A STATE OF THE STA	
STRATES WEST			MESSAGE	HOERTIMEATION	100	MICT	POBYES	
A		100	18561	5 3	8 4	31		
						7-13-5-CA (4-13-3-1-17-3-3-5-17-3-3-5-17-3-3-5-17-3-3-5-17-3-3-5-17-3-3-5-17-3-3-5-17-3-3-5-17-3-3-5-17-3-3-5		
n e	10 _ h	15.0	4	Pro all		a El PDE	DOO	CK
				allage gather than the second	OPPICER E SIGNATU	NE CONTRACTOR OF THE PARTY OF T		
	ns Ba	1.			CQ	- Boz		
A CONTRACTOR OF A	HAMAN PARK B Z SPE	2942年2月1日 12 11 12 12 12 12 12 12 12 12 12 12 12	ट दिश्लाक सम्मादक प्रकार के प्रमान के प्	TO PARTY THE PROPERTY OF THE	<u> </u>	Olice Bergeller British British	ANGELES STREET, STATE OF	Application of the second seco
EBSENTIAL FA	ACTS DO FOR	Anost - DI	d opera	le the v	esse	pian 1	POLY CH	in a manner
11.4	1 1000	4	f.,	damage		another	V 4 35 P	I and
				1 2009-10			:	
5/1	the two	<u> </u>	<u> </u>	4 2007-10		1		
	·							
1 101	DNATTWAS	CESSMENT:	1 acknowledge	my guilt of the off	ense charged an	d my options as exp	plained to me	by
the	e officer. I a	pree to remit by	mail the penal	ty assessment of	O		Ω	
1		•	officer may	NOT ACCEPT P				
TT	RAFFIC AR	RAIGNMENT	l: You are here	by ordered to appe	ar in METROPO	OLITAN COURT		
	, ,	• •						AM O
0	n .					, 20	_ at	PM O
N	My failure to	appear will res	sult in the issue	ance of a warrant f	or my arrest, n	y license being sug	pended and I	will be 5
Te	equired to pa	iy <u>an additiona</u>	al \$100.00 war	rant fee. I acknow	ledge receipt o	f this citation and	WILLIOUT ACITE	
		ppear as order						pura.
N. C.	COURT APP	EARANCE: I	acknowledge r	eccipt of this notice	and without ac	dmitting guilt agree	to appear in	\ \mathcal{G} \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
	MAGISTR	ATE MET	RO 🌑 MUNI	CIPAL or 🐯 IKU	BAL court.	A con	_	13050
	Address	155	<u> </u>	arter 51.	Tor	Will a		AMILIA
	on (or by) _	October	6 6	Tuesday		, 20 <u>09</u>	_ at <u>83</u>	PM
1			_,		nd agree that a	violation of the lay	w has been co	mmitted.
	WARNING I	NOTICE: I ack	mowiedge 1 000 d.	ibt or rurs nonce a		violation of the lav		
L 1	DE LOLDIEDT OF L	Total and Andreas	- A (alalisa	A amon' to the obo	ve marked dete	emination.



D-1)

concerning the following matter.	`) ,	oluntarily wri	
		y.		
		9-6.	OCI	
Signature		Date		Time
Signature 5		,	,	111116
On mi		9/5/09) /·	9158
Receiving Officer Signature		Date		Time
				,,,,,
		ä 🎤	1.	
On(date) 4-5-01, 200	Plat approximat	alu(tima) KiB	D-6 the foll	owing ha
Λ `		1		
My BAGE	WAS BE	ims br	curn by	COM
GOLY KLSK,		e GAME		
	1	/	_	
LATUR AND W	MS UN	ABURIT	o chot	THE
COLLISION.	De T	HZ OWN	KR AND	CAN
T ARKE OF B		r < man	7 1 2 1/ +	1 1 A
I ACCEPT F	THIL R	rspons	SIBILT	TY -
I ACCEPT F	nic R	rspons	SIBILT	<u> </u>
I ACCEPT F	Full R	RSPONS	SIBILT	14-
	ENIL R	RSPONS	S)B167	ry -
I ACCEPT F	nu R	RSPONS	SIBILT	TY -
I ACCEPT F	Full R	RSPONS	SIBILT	TH =
TACCEPT	Full R	RSPONS	SIBILT	TY -
TACKPT	Full R	RSPONS	SIBILT	TY -
TACCEPT	Full R	RSPONS	SIBILT	TY -
TACKPT	Full R	RSPONS	SIBILT	T. 4 -
TACCEPT	Full R	RSPONS	SIBILT	TY -
TACKPT	Full R	RSPONS	SIBILT	T. 4 -
TACCEPT	Full R	RSPONS	SIBILT	TY -
TACKPT	Full R	RSPONS	SIBILT	TY -
TACCEPT	Full R	RSPONS	SIBILT	
TACKPT	Full R	RSPONS	SIBILT	



C-30

(print full name) ARL R SHAW concerning the following matter.	choose to volum	ntarily write a statement	
Signature Straw	9 \$ 09 Date	Zoocs	r
Receiving Officer Signature	9/5/09 Date	Zovo Time	. •
N - 1 N 1		_ the following happened:	
Marina toward on away and beginning to	A		. /
	only not be to we held	able to turn	<u></u>
a turn into their shi	p. The left	0.00	9
across the marine st	un boat and a hon	sebast-	
MM 2143 EC Shaw's Sk: C-30			
	1		,



D-8

\cap \wedge	
I (print full name) SAM CAMILLI choos	se to voluntarily write a statement
concerning the following matter.	se to voluntarily write a statement
concerning the following fracter,	
20/5/1	100
01/8/	07 1.13 pm
Signature Date	e Time
9/5/09	7:20pm
Receiving Officer Signature Date	e Time
	· ·
1. /	į.
On(date) $\frac{09}{409}$, 2009 at approximately(time)	7 ilspin the following happened:
I WAS SITTING TOWARDS	
MY PARENTS BOAT (MUELISH	7
THE OTHER BONT HEADING IN	
I HEARD A LOUD SLAMMING	NOISE / THUO, AT
THAT POILUT & SOMEWIED !	BACK TO SEE
THAT THAT GAR WHOEVER WAS	PHOTING THE RED
SUMMERSET HOWSEDOMT HAD COL	
REAREND OF ANDY + RANDY OF	
two IFT-SKS ON THE REA	
40 DO SEE WHO was in	
BURT ON THAT COLUDED W/	· · · · · · · · · · · · · · · · · · ·
AND NOTIKED THE OWNER	SKIP Driving AT HE
HERM (STEPRING WHELL ON RIDE) I T DID NOT HUSEVER
SEE WHO WAS INSIDE AT	THE HELM ON THE
WWEN FLOOR I BRURLE	THAT SOMEONE ELSE
OTHER THAN SIUP WAS 1	
FACT THAT THEY MISSED GIL	1PS SLID by 5 22'
"WIDE Slips. which Slug	2 WOULD MOST LILLEY,
not be at	DAINING



D.5

P-1 0= Z

I (print full name) heri tabou choose to voluntarily write a statement
concerning the following matter.
Signature 9-5-09 1905 Date Time
Signafure Date Time
Q:BZ 9-5-09 1975
Receiving Officer Signature Date Time
575-430-7709
On(date) 9. , 2009at approximately(time) 4:30 the following happened:
We were sitting on our pontoon boat watches
my grandkeds & niece Stipe of the stide
Swaining in our Slip. We saw the
- Fayes boat coming into The Canal to.
fair in their Slip. They over shot their
Sup + tried to tura - got too close to
The other side of the canal (bock () turned
North & Clipped a green let SKI & possibly
The slide on one boat. It appeared the
driver tried to turn turtler Nouth to
Correct + go out of the Canal but
instead headed surechly toward Dock
Space 6, toward us. O We immildiately
got out Rids out of the water or
at that time saw the boat hit
the O'Leavis boat & jet skil. The
Jayes total boat was going Very
fast toward us prior to hitting the
O'Learn boat.

-	Voluntary Statement Pg. 2 of 2				
A 1.	· · ·	· · · · · · · · · · · · · · · · · · ·			
The het mo		····	Stock	Sen	exal
feet toward	પક		heep	bac	Ked
() ()	u p	LOCE	eded cr 56	u'f	parki
their boat	CM	The	cr 56	cp.	·· •••••••••••••••••••••••••••••••••••
	,		, .		
			*1		
			}	·	
			1		
			į		
			11 14 4		
		,	· · · · · · · · · · · · · · · · · · ·		
			10		
			<u> </u>		<u> </u>
					.
				,	<u> </u>
			ji .		1
					i
			l .		<u> </u>
Y					. !
	,				
				-	i