



WATER-RIGHT DOCKET

Dinosaur National Monument

Docket No: 16

POOL CREEK (CHEW DITCH).

Preliminary Docket Information

00-00-0000: water right record chew ditch

WATER RIGHT RECORD

Park: DINO

Docket Number:
Federal #16

IDENTIFICATION NO: DINO R 0 6 0 6 1 0 3 B F 1 6

DITCH/WATER SYSTEM: Chew Ditch

SOURCE OF SUPPLY: Pool Creek

LOCATION: Whence the east quarter corner of Sec. 6, T6N, R103W, bears
N59°58'E 4543 ft.

WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number: Filing #M-140

Certificate Record Number:

Date of Priority: April 1, 1913

Quantity of Water: 1.6 c.f.s.

Purpose: Irrigation

Irrigated Land Description:

SUMMARY OF STATUS: This is a Federal water right consisting of a
headgate and ditch.

Mary E. Chew was former claimant.

State Water Rights Documentation

M-140

State of Colorado }
County of Moffat } ss In the District Court.

In the matter of the adjudication of
the right to the use of water for
irrigation purposes by the Chew Ditch
taking water from Pool Creek, in
Irrigation Division No. 5, Water
District No. 56, Moffat County, Colorado. } D E C R E E

Now on this 3rd day of June, 1925, same being on of the
regular juridical days of the May Term, 1925, of this Court, this
cause coming on to be heard upon the petition of Mary E. Chew for
adjudication of the right to the use of water for irrigation
purposes by the Chew Ditch taking water from Pool Creek, in Irrigation
Division No. 5, Water District No. 56, in Moffat County, Colorado,
comes the petitioner in person, and by her attorney J. F. Meador.
And thereupon this cause is taken up and submitted to the Court
upon the proofs adduced, and the Court, having heard the testimony
of the witnesses, and being now fully advised in the premises, doth
find:

That due and sufficient notice has been given to all
persons interested or entitled to notice of this application.

That the petitioner is the owner of the S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 6 North, Range 103 West,
6th P.M., in Moffat County, Colorado, containing 160 acres, of
a sandy, arid character, and requires artificial irrigation in
order to be properly farmed and made productive.

That the petitioner is the owner of the Chew Ditch, taking
water from Pool Creek, and using the same for the purpose of
irrigation upon the land above described, said ditch having its
headgate located at a point on the left bank of Pool Creek, a
tributary of Green River, whence the east quarter corner of Section
6, in said Township and Range, bears north 59 degrees, 58 minutes

east 4543 feet, of a depth of one foot, two feet wide on top and one foot wide at the bottom; of the carrying capacity of one and one-half cubic feet per second of time and in length of 5826 feet, and at a cost of approximately \$500.00.

That the construction work upon said ditch was commenced on April 1st, 1913, and was prosecuted with diligence to completion, and fully completed and used for the irrigation of ^{64.2} acres of the petitioner's land in the year 1913, and each and every year thereafter to the present time.

That on account of the sandy character of said land one cubic foot of water per second of time is necessary for the proper irrigation of each area of forty acres thereof.

That a proper ditch plat statement and claim of water right was duly filed by the petitioner in the office of the State Engineer of the State of Colorado, and a copy thereof in the County Clerk's office of Moffat County, Colorado, as the law requires.

That the waters of said Pool Creek have been beneficially used by the petitioner for the irrigation of her land above stated through and by means of said Chew Ditch, and to the extent, and during the time aforesaid.

Wherefore, it is ordered, adjudged and decreed, that there be allowed to flow into and through the headgate of said Chew Ditch ^{1/6} cubic feet of water per second of time for the use of the petitioner, or her assigns, for irrigation purposes; that the right to the use of such water be given a priority date of April 1st, 1913, that the same be numbered 10, with a priority number 10, subject to all prior vested water rights, if any, as by law provided, and that the petitioner pay the costs herein.

Done in open Court by the Court:

Chas E. Knick
JUDGE

*Filed this 29th day of
August, 1925*

*Ralph S. Whitton
Clerk*

M-140

STATE OF COLORADO }
COUNTY OF MOFFAT } ss In the District Court.

In the Matter of the Adjudication of
the Right to the Use of Water for Irrigation
Purposes, by the Chew Ditch, taking Water from
Pool Creek, in Irrigation Division No. 5,
Water District No. 56, in Moffat County, Colorado.

Mary E. Chew, Petitioner.

PETITION AND STATEMENT OF CLAIM.

Comes now Mary E. Chew, the petitioner, and for her cause
of action, says:

I

That she is the owner of the S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of
Section 6, Township 6 North, Range 103 West, 6th P.M., con-
taining 160 acres, in Moffat County, Colorado, all which is
dry in character, and requires to be irrigated in order to be
properly farmed and tilled, and made productive.

II

That she is the owner of the Chew Ditch, taking water from
Pool Creek, and conveying such water for irrigation purposes
upon her lands above described.

III

That on August 14th, 1913, she began the construction of
said ditch, and on October, 1913, she caused a map and statement
thereof to be filed in the office of the State Engineer, and a
copy thereof in the office of the County Clerk and Recorder
of Moffat County, Colorado, on November, 1913.

IV

That the statement of the claim for said ditch is as
follows:

Headgate: Located at a point on the left bank of Pool Creek, a
tributary of Green River, from which it derives its supply of

water, whence the east $\frac{1}{4}$ corner of Section 6, Township 6 N. Range 103 West, 6th P.M., bears north $59^{\circ} 58'$ east 4543 feet. The depth of the ditch is 1 foot; the width is 2 feet on top, and one foot on bottom. Grade is 4 feet per 1000 feet, and length is 5626 feet.

The carrying capacity is $1\frac{1}{2}$ cu. ft. per second of time.

The estimated cost is \$150.00.

Work was commenced August 14th, 1913.

That of the land above described she has irrigated 45 acres, using water from said Pool Creek, through said ditch, and has been using it for the past 11 years.

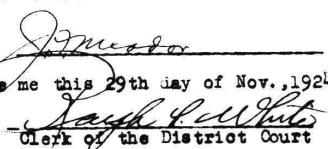
Wherefore she prays that she be decreed the right to the use of waters of said Pool Creek, to the extent of $1\frac{1}{2}$ cubic feet per second of time, for irrigation purposes through said Chew Ditch, and that her priority be fixed as of August 14, 1913.


Attorney for the petitioner.

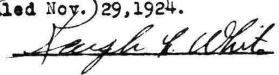
State of Colorado }
County of Moffat } ss

J. F. Meador being duly sworn upon his oath says that he is the attorney for March E. Chew, and that said Mary E. Chew is absent from this county; that the matters and things set forth in the above petition are true of his own knowledge, except as to those matters and things stated on information and belief, and as to those matters he believes them to be true.

Subscribed and sworn to before me this 29th day of Nov., 1924.


Clerk of the District Court

Filed Nov. 29, 1924.


Clerk of the District Court.

Other Supporting Information



IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Dinosaur National Monument
Dinosaur, Colorado 81610

ALIEN WATER RIGHTS
within
DINOSAUR NATIONAL MONUMENT

Filing Number: M-140

Applicant: Mary E. Chew

Quantity; Use Period: $1\frac{1}{2}$ Cu. ft. per second,
No use period stated

Source: Pool Creek

Point of Diversion: The ditch headgate is located at a point on the left bank of pool creek, a tributary of Green River, whence the east quarter corner of Section 6, Township 6 North, Range 103 West, bears north 59 degrees, 58 minutes east 4543 feet.

James E. Jones
Acting Superintendent

Docket Information

Number of Documents in Docket 7

Documents Dated from to

Docket Compiled: 3/9/2011