



WATER-RIGHT DOCKET

Florissant Fossil Beds National Monument

Docket No: 2

WELL #2

Preliminary Docket Information

00-00-0000: water right record; well #2; location and description.

WATER RIGHT RECORD

Park: FLFO

Docket Number:

Federal #2

IDENTIFICATION NO: FLFO W 1 2 1 3 7 1 A F 0 2

DITCH/WATER SYSTEM: Well #2

SOURCE OF SUPPLY: Well

LOCATION: ~~SW 1/4, Sec. 12,~~ T13S, R71W
NE 1/4, NW 1/4, Sec. 13,

*As per Rick Inglis, field investigator
Confirmed by the WD-1 Court
Findings and Decree*

WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number: RN-591

Certificate Record Number:

Date of Priority: 1890

Quantity of Water: .011 c.f.s.

Purpose: Domestic and stock

Irrigated Land Description:

SUMMARY OF STATUS: This is a Federal water right consisting of a 12 ft. well. Acquired from Agnes R. Singer.

WATER RIGHT RECORD

Park:

Docket Number:

IDENTIFICATION NO: _ _ _ _ _

DITCH/WATER SYSTEM:

SOURCE OF SUPPLY:

LOCATION:

WATER RIGHT:

Appropriator:

Application/Permit Number:

Certificate Record Number:

Date of Priority:

Quantity of Water:

Purpose:

Irrigated Land Description:

SUMMARY OF STATUS:



U.S. Department of Justice

Land and Natural Resources Division

Denver Field Office

Federal Bldg., 1961 Stout Street

Drawer 3607

Denver, Colorado 80294

Commercial Number

(303) 844-3627

FTS/564-3627

January 3, 1989

Mr. Owen R. Williams,
Chief, Water Resources Division
National Park Service
Federal Building, 301 S. Howes Street
Fort Collins, Colorado 80521

Re: Water Division No. 1 - Case No. W-8796-77

Dear Owen:

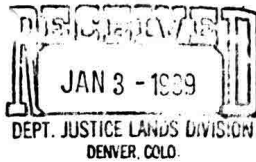
Enclosed please find a copy of FINDINGS AND RULING OF THE REFEREE AND DECREE OF THE WATER COURT in the above-captioned case. Please let us know by January 12, 1989, whether this Ruling is acceptable to your agency. We look forward to hearing from you.

Sincerely,

A handwritten signature in dark ink, appearing to be "John R. Hill, Jr.", written over a circular stamp or mark.

John R. Hill, Jr.
Attorney
General Litigation Section

cc: Ralph O. Canaday, Esq.
Regional Solicitor's Office
Department of the Interior
Denver, Colorado



FILED IN TELLER COUNTY

19 DEC 29 12:48

DISTRICT COURT, WATER DIVISION NO. 1, COLORADO
STOUT STREET
TELLER COUNTY COLO.

CASE NO. W-8796-77

FINDINGS AND RULING OF THE REFEREE AND DECREE OF THE WATER COURT

IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF
UNITED STATES OF AMERICA, FLORISSANT FOSSIL BEDS NATIONAL
MONUMENT,
IN TELLER COUNTY

THIS CLAIM was filed with the Water Clerk, Water
Division 1, on December 29, 1977 and the Referee being fully
advised in the premises, does hereby find:

All notice required by law of the filing of this
application have been fulfilled, and the Referee has
jurisdiction of this application.

Numerous Statements of Opposition and Entries of
Appearance were filed to all the USA cases. Upon agreement of
all counsel this case is to be ruled on as if no opposition had
been filed.

All matters contained in the application were reviewed,
and testimony was taken where such testimony was necessary and
such corrections made as are indicated by the evidence
presented.

IT IS HEREBY THE RULING OF THE WATER REFEREE:

1. The name and address of the claimant:

United States of America
Department of Justice
Land and Natural Resources Division
1961 Stout Street
P. O. Drawer 3607
Denver, CO 80294

2. The name of the structure:

USA Florissant Fossil Beds National Monument
Hornbuck Well No. 2 RN-591

W-8796-77

Page 2

3. The legal description of the structures:

NE1/4NW1/4 Section 13, Township 13 South, Range 71 West, 6th P.M., Teller County, at a point approximately 600 feet from the North line and 1,500 feet from the West line, Section 13.

4. The source of water:

Groundwater

5. The date of appropriation:

December 31, 1890

6. The amount of water:

0.011 cubic feet per second (5 gpm)

7. The use of the water:

Domestic in a single family dwelling and stockwater.

8. This water right, so long as uses are limited to those decreed herein, is exempt from administration by the State Engineer pursuant to CRS 37-92-602.

Dated: December 29, 1988


RAYMOND S. LIESMAN
Water Referee
Water Division No. 1

THE COURT FINDS: NO PROTEST WAS FILED IN THIS MATTER.

THE FOREGOING RULING IS CONFIRMED AND APPROVED, AND IS HEREBY MADE THE JUDGMENT AND DECREE OF THIS COURT.

Dated: _____

ROBERT A. BEHRMAN
Water Judge
Water Division No. 1

11/21/84

DISTRICT COURT, WATER DIVISION NO. 1, COLORADO

Case No. W-8439-76 (W-8798-77 through W-8803-77)

AMENDED APPLICATION FOR UNDERGROUND WATER RIGHTS

IN THE MATTER OF THE APPLICATION OF THE UNITED STATES OF AMERICA FOR
APPROPRIATIVE WATER RIGHTS IN FLORISSANT FOSSIL BEDS NATIONAL MONUMENT IN
TELLER COUNTY.

1. Name and address of Applicant:

United States of America
c/o John E. Lindsfold
Attorney, Department of Justice
Land and Natural Resources Division
1961 Stout Street, Drawer 3607
Denver, Colorado 80294

2. The United States of America claims a total of 10 water rights including underground water rights situated on lands acquired for and located in Florissant Fossil Beds National Monument in Teller County.
3. The use of the water claimed in this amended application is domestic water for use in picnic areas, campgrounds, ranger stations, cabins under permit from the National Park Service in Florissant Fossil Beds National Monument.
4. Legal descriptions and data pertaining to each well or diversion (all descriptions refer to 6th P.M.):

Teller County

Name of Structure: NPS FLFO Well No. 1
Legal description: SW 1/4 SW 1/4, Section 13, T. 13 S., R. 71 W.
Source: South Platte River
Depth of Well: 100 feet
Date of appropriation: October 1951
How appropriation was initiated: Drilling well
Amount claimed: 0.04 cfs
Use: Domestic, recreation, fire fighting

*Original filed
Dec. 1977
Amended Dec. 1984
Status -
Does not have
water right with
no existing rights
at present time*

Name of Structure: NPS FLFO Well No. 2
Legal description: ~~SW 1/4 SW 1/4, Section 12~~, T. 13 S., R. 71 W.
Source: South Platte River *NE 1/4, NW 1/4, Sec 13, as per Rick Inglis
field Investigator.*
Depth of Well: 12 feet
Date of appropriation: 1890
How appropriation was initiated: Drilling of well
Amount claimed: 0.011 cfs
Use: Domestic, recreation, fire fighting

Name of Structure: NPS FLFO Well No. 3
Legal Description: SE 1/4 NE 1/4, Section 14, T. 13 S., R. 71 W.
Source: South Platte River
Depth of Well: 72 feet
Date of appropriation: May 1, 1955
How appropriation was initiated: Drilling of well
Amount claimed: 0.111 cfs
Use: Domestic, recreation, fire fighting

Name of Structure: NPS FLFO Well No. 4
Legal Description: NW 1/4 NE 1/4, Section 19, T. 13 S., R. 70 W.
Source: South Platte River
Depth of Well: 160 feet
Date of appropriation: Janaury 15, 1977
How appropriation was initiated: Drilling of well
Amount claimed: 0.002 cfs
Use: Domestic, recreation, fire fighting

Name of Structure: NPS FLFO Well No. 6
Legal Description: NE 1/4 NW 1/4, Section 24, T. 13 S., R. 71 W.
Source: South Platte River
Depth of Well: 59' 6"
Date of appropriation: April 30, 1960
How appropriation was initiated: Developing well
Amount claimed: 0.01 cfs
Use: Domestic, recreation, fire fighting

Name of Structure: NPS FLFO Well No. 8
Legal description: NE 1/4 NW 1/4, Section 24, T. 13 S., R. 71 W.
Source: South Platte River
Depth of Well: 26' 6"
Date of appropriation: April 1960
How appropriation was initiated: Drilling of well
Amount claimed: 0.01 cfs
Use: Domestic, recreation, fire fighting

Four Copies To Be Filed
Two copies of State Engineer well permit well registration must
be attached.

IN THE DISTRICT COURT IN AND FOR
WATER DIVISION NO.
STATE OF COLORADO
CASE NO. W- 8796-77

IN THE MATTER OF THE)
APPLICATION FOR)
WATER RIGHTS OF THE UNITED)
STATES OF AMERICA IN WATER)
DIVISION NO. 1)
IN THE SOUTH PLATTE)
RIVER OR ITS TRIBUTARIES)
IN TELLER COUNTY)

AMENDED
APPLICATION FOR
UNDERGROUND WATER RIGHT
(Well No. 2)

1. Name of Applicant: United States of America
Mailing Address: c/o Hank Meshorer, Trial Attorney
Department of Justice
Post Office Box 1656
Denver, Colorado 80201
2. Legal description of well location:
SW 1/4 SW 1/4 of Section 12, T. 13 S., R. 71 W., 6th P.M.
NE 1/4 NW 1/4 Section 13
3. Depth of well: 12 feet
4. Date of initiation of appropriation:
1890
5. Amount of water claimed in cubic feet per second of time:
.011 c.f.s.
6. Use of water: Historic use or proposed use (indicate which)
Domestic and Stock-- Historic
7. Number of well as registered in State Engineer's office or,
if a new well, the number on the permit:
RN-591
8. Land irrigated (description and acreage):
9. The United States claims priority dates earlier than the effective dates,
of priorities awarded by previous decrees, and seeks dates of priority
which will antedate the adjudication dates of earlier decrees and adjudica-
tions insofar as they, in conjunction with applicable statutes, appear or
purport to preclude this Court from awarding to the United States its
water rights bearing their true priority dates. JOSEPH F. DALL
By Hank Meshorer
HANK MESHORER (Reg. No. 6977)
Trial Attorney, Dept. of Justice
Post Office Box 1656
Denver, Colorado 80201
Telephone: 837-4961

CITY & STATE OF COLORADO)
COUNTY OF DENVER) ss.

HANK MESHORER, being first duly sworn
upon oath, deposes and says that he has read the foregoing
application, knows the contents thereof and that the same
is true.

Hank Meshorer

Subscribed and sworn to before me this 9th day of
June, 1978.

My commission expires: May 16, 1980

Dwain R. Roy
Notary Public

WELL INFORMATION DATA

CASE NO. W- 8639-26

Name of applicant: United States of America, Dept. of the Interior, National Park Service
 Billing Address: Hank Meshorer, Trial Attorney, Dept. of Justice, Land & Natural Resources
 Div., P.O. Box 1656, Denver, CO 80201
 Well Permit or Registration Number RN-591

Location of Well : SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 12

Section 12, Township 13 South, Range 71 West.

Give bearing and distance from Section corner or distance
 N - S and E - W from section lines. SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 12.

DATE: Date of current test: _____.

Depth of well 12 feet.

Depth to Static Water Level 8 feet.

Horsepower of electric motor _____.

Diameter - discharge pipe 1 $\frac{1}{2}$ inches.

Pressure at sprinkler head _____ per sq. inch.

DO NOT USE
 TEST DATA
 FROM WELL
 REGISTRATION
 FORM.

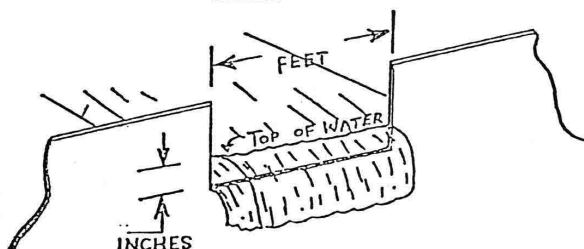
CAPACITY OF WELL:

1. Actual measurement 6 gpm (do not use pump-test data)

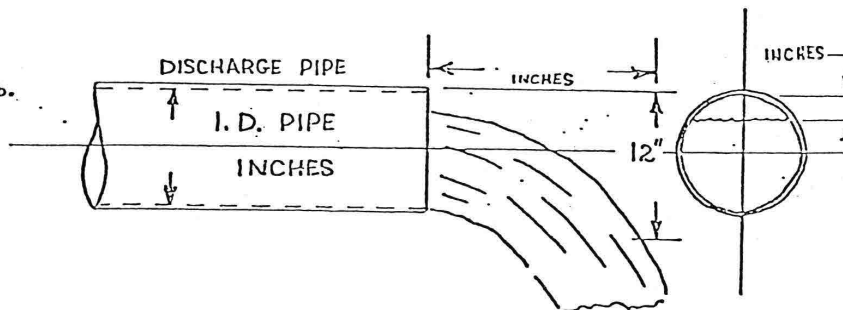
2. Or one of the following measurements:

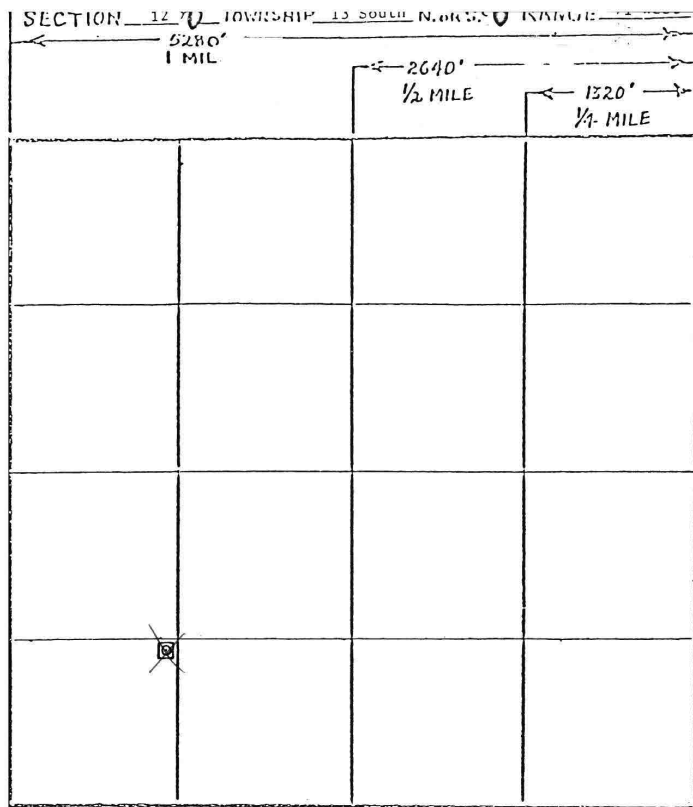
2a.

WEIR



2b.





See Field Report by Rick Inglis

SCALE 1" = 1000'

State of Colorado
County of

}

ss.

_____, being first duly sworn upon
oath, deposes and says that he has read the foregoing information, knows
the contents thereof and that the same is true.

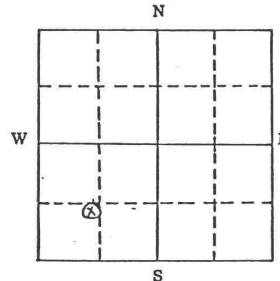
Subscribed and sworn to before me this _____ day of _____,
19____.

My commission expires: _____

Notary Public

DIVISION OF WATER RESOURCES
OFFICE OF THE STATE ENGINEER, GROUND WATER SECTION
REGISTRATION NO. 2 OF WELL #2 STATE ENGINEER

APR 29 1960

Registrant AGNES R. SINGER Date April 24 1960P.O. Address FLORISSANT, Colo., Colo.WELL DATA
Depth 12 ft. Diameter 48 in.Casing: Root ft. Plain; ✓ ft. Perfor.Static Water Level 8 ft. from topYield 6 (gpm)(cfs) from 10 ft.Used for Domestic & Stock on/atSW 1/4, SW 1/4, Sec. 12 Twp. 13 R. 21
(legal description of land or site)Water conveyed by 1 1/2 Pipe size 1 1/2PUMP DATA
Type HAND Size 1 1/2Driven by Not Apply at RPMWell was first used 1890, 19 cfsfor HOME using 5 gpmWell enlarged , 19 to
deepened (gpm)(cfs)(ft)LOG SHOULD BE GIVEN ON REVERSE
SIDE IF AVAILABLEWELL LOCATION
County TELLERSW 1/4, SW 1/4 Section 12 13Twp. 13 Rge. 71W, 21E PMWELL TO BE LOCATED AS ACCUR-
ATELY AS POSSIBLE WITHIN A
SMALL SQUARE WHICH REPRESENTS
40 ACRES; OR IF IN A TOWN OR
SUBDIVISION FILL IN THE FOLLOW-
ING:

Town or Subdivision

Street address or Lot and Block

The above well (has) (has not) been registered in the Office of the State Engineer prior
to May 1, 1957. If Registered give Filing No. .If NOT Registered prior to May 1, 1957, a \$5.00 filing fee accompanies this form.The above statements are true and correct to the best of my knowledge and belief.
Subscribed and Sworn before methis 29th day of April, 19 60My commission expires June 5, 1963(SEAL) Jane Van Schomaker
Notary PublicM. R. Singer
Registrant
Attorney for Agnes R. SingerFOR STATE ENGINEER'S USE
Located in 1-23 district, Teller County for DOMESTIC & StockRegistration No. 4 in 1-23, on APR 29 1960, 19 60

Four Copies To Be Filed
Two copies of State Engineer well permit or well registration may
be attached.

IN THE DISTRICT COURT IN AND FOR

WATER DIVISION NO. 1

STATE OF COLORADO

CASE NO. W- 8439-76

IN THE MATTER OF THE
APPLICATION FOR
WATER RIGHTS OF THE UNITED STATES
OF AMERICA IN WATER DIVISION NO. 1

IN THE SOUTH PLATTE
RIVER OR ITS TRIBUTARIES

IN TELLER COUNTY

APPLICATION FOR
UNDERGROUND WATER RIGHT
(Well No. 2)

1. Name of Applicant: United States of America, Dept. of the Interior,
National Park Service, Florissant Fossil Beds National Monument
Mailing Address: Hank Meshorer, Trial Attorney, Dept. of Justice,
Land & Natural Resources Div., P.O. Box 1656, Denver, CO 80201
2. Legal description of well location:
~~SW 1/4 of Sec. 12, T13S, R71W, 6th P.M.~~
NE 1/4, NW 1/4, Sec 13
3. Depth of well:
12 feet
4. Date of initiation of appropriation:
1890
5. Amount of water claimed in cubic feet per second of time:
.011 c.f.s.
6. Use of water: Historic use or proposed use (indicate which
Domestic and Stock - Historic
7. Number of well as registered in State Engineer's office or,
if a new well, the number on the permit:
RN-591
8. Land irrigated (description and acreage):

Attorney for Applicant

Address:

Telephone:

WELL INFORMATION DATA

CASE NO. W- 8439-76

Name of applicant: United States of America, Dept. of the Interior, National Park Service

Mailing Address: Hank Meshorer, Trial Attorney, Dept. of Justice, Land & Natural Resources
Div., P.O. Box 1656, Denver, CO 80201Well Permit or Registration Number RN-591.Location of Well : SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 12Section 12, Township 13 South, Range 71 West.Give bearing and distance from Section corner or distance
N - S and E - W from section lines. SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 12.

DATA: Date of current test: _____.

Depth of well 12 feet.Depth to Static Water Level 8 feet.

Horsepower of electric motor _____.

Diameter - discharge pipe 1 $\frac{1}{2}$ inches.

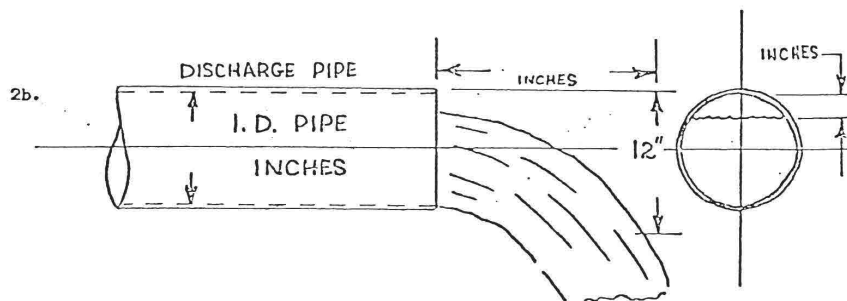
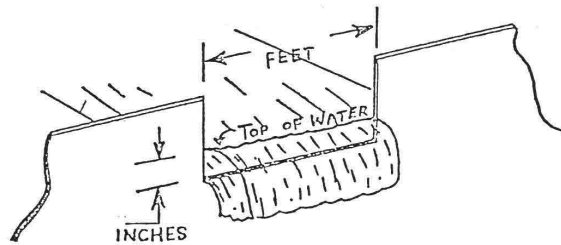
Pressure at sprinkler head _____ per sq. inch.

DO NOT USE
TEST DATA
FROM WELL
REGISTRATION
FORM.

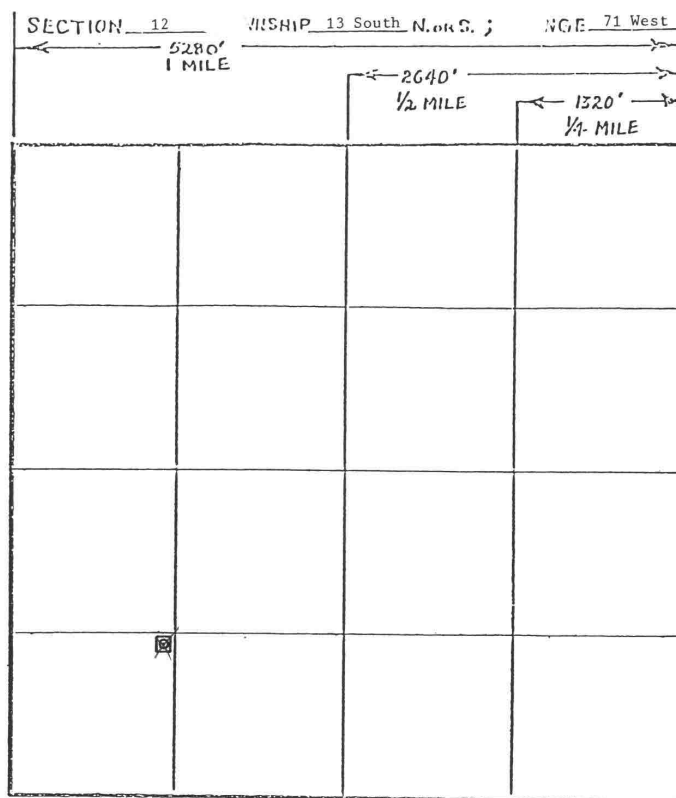
CAPACITY OF WELL:

1. Actual measurement 6 gpm (do not use pump-test data)

2. Or one of the following measurements:

2a. WEIR

MAP SHOWING WELL LOCATION



See Field Report by Rick Inglis.

SCALE 1" = 1000'

State of Colorado)
 County of) ss.

_____, being first duly sworn upon
 oath, deposes and says that he has read the foregoing information, knows
 the contents thereof and that the same is true.

Subscribed and sworn to before me this _____ day of _____,

19____.

My commission expires: _____

 Notary Public

7-57/5M
601 3118-3

STATE OF COLORADO
DIVISION OF WATER RESOURCE
OFFICE OF THE STATE ENGINEER, GROUND WATER SECTION
KN-591
REGISTRATION NO. 2 OF WELL #12
STATE ENGINEER

APR 29 1960

Registrant Agnes R. Singer Date April 26 1960

P.O. Address Florissant, Colo., Colo.

WELL DATA
Depth 12 ft. Diameter 48 in.

Casing: Root ft. Plain; ☒ ft. Perfor.

Static Water Level 8 ft. from top

Yield 6 (gpm)(cfs) from 10 ft.

Used for Domestic on/at

SW 1/4, SW 1/4 Sec 12 Twp 13 R 71
(legal description of land or site)

Water conveyed by 1 1/2 in size 1 1/2

PUMP DATA
Type Hand Size 1 1/2

Driven by not Apply at RPM

Well was first used 1990, 19 cfs

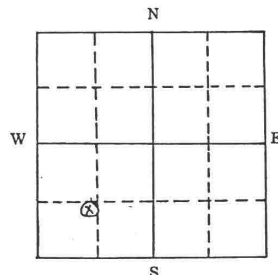
for Home using 5 gpm

Well enlarged , 19 to
deepened (gpm)(cfs)(ft)

LOG SHOULD BE GIVEN ON REVERSE
SIDE IF AVAILABLE

WELL LOCATION
County Teller

SW 1/4, SW 1/4 in Section 12 13
NE SW
Twp. 13 Rge. 71W, 26 PM



WELL TO BE LOCATED AS ACCUR-
ATELY AS POSSIBLE WITHIN A
SMALL SQUARE WHICH REPRESENTS
40 ACRES; OR IF IN A TOWN OR
SUBDIVISION FILL IN THE FOLLOW-
ING:

Town or Subdivision

Street address or Lot and Block

The above well (has) (has not) been registered in the Office of the State Engineer prior
to May 1, 1957. If Registered give Filing No.

If NOT Registered prior to May 1, 1957, a \$5.00 filing fee accompanies this form.

The above statements are true and correct to the best of my knowledge and belief.
Subscribed and Sworn before me

this 28th day of April, 19 60

My commission expires June 5, 1963

(SEAL) Jan. J. J. J. J.
Notary Public

M. R. Singer
Registrant
Attorney for Agnes R. Singer

FOR STATE ENGINEER'S USE

Located in 1-23 district, Teller County for DOMESTIC & Stock

Registration No. 4 in 1-23, on APR 29 1960, 19

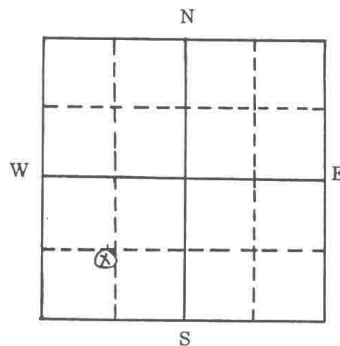
Form F (Rev.)

7-57/5M

601 311900

STATE OF COLORADO
DIVISION OF WATER RESOURCES
OFFICE OF THE STATE ENGINEER, GROUND WATER SECTION
KN-591
REGISTRATION NO. 2 OF WELL #12

STATE ENGINEER

Registrant AGNES R. SINGER Date April 26 1960P.O. Address FLORISSANT, Colo., Colo.WELL DATA
Depth 12 ft. Diameter 48 in.Casing : Root ft. Plain; ☒ ft. Perfor.Static Water Level 8 ft. from topYield 6 (gpm)(cfs) from 10 ft.Used for Domestic Stock on/atSW 1/4, SW 1/4 Sec 12 Twp 13 R 71
(legal description of land or site)Water conveyed by 1 1/2 Pipe size 1 1/2PUMP DATA
Type Hart Size 1 1/2Driven by not Apply at _____ RPMWell was first used 1890, 19 _____ cfsfor Home using 5 gpmWell enlarged _____, 19 _____ to
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SIDE IF AVAILABLEWELL LOCATION
County TellerNE 1/4, SW 1/4 Section 12 13Twp. 13 Rge. 71W 26 PMWELL TO BE LOCATED AS ACCUR-
ATELY AS POSSIBLE WITHIN A
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40 ACRES; OR IF IN A TOWN OR
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ING:

Town or Subdivision _____

Street address or Lot and Block _____

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this 29th day of April, 19 60My commission expires June 5, 1963(SEAL) Jane VanDusen Lyon
Notary PublicM. R. Singer
Registrant
Attorney for Agnes R. SingerFOR STATE ENGINEER'S USE
Located in 1-23 district, Teller County for DOMESTIC & StockRegistration No. 4 in 1-23, on APR 29 1960, 19 _____.

7-57/5M
\$118.25

STATE OF COLORADO
DIVISION OF WATER RESOURCE
OFFICE OF THE STATE ENGINEER, GROUND WATER SECTION
KN-591
REGISTRATION NO. 2 OF WELL #2
STATE ENGINEER

APR 29 1960

Registrant Agnes R. Singer Date April 26 1960

P.O. Address FLORISSANT, Colo, Colo.

WELL LOCATION

WELL DATA
Depth 12 ft. Diameter 48 in.

County TELLER

Casing: Root ft. Plain; ☒ ft. Perfor.

SW 1/4, SW 1/4, Sec 12

Static Water Level 8 ft. from top

Twp. 13S Rge. 71W, 26 PM

Yield 6 (gpm)(cfs) from 10 ft.

Used for Domestic Stock on/at

SW 1/4, SW 1/4, Sec 12 Twp 13S R 71W
(legal description of land or site)

Water conveyed by 1 1/2" pipe size 1 1/2"

PUMP DATA

Type HANT Size 1 1/4"

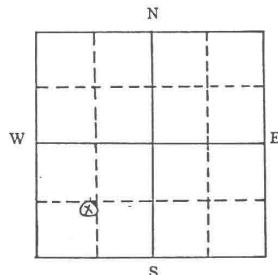
Driven by not Apply at RPM

Well was first used 1990, 19 cfs

for HOME using 5 gpm

Well enlarged , 19 to
deepened (gpm)(cfs)(ft)

LOG SHOULD BE GIVEN ON REVERSE
SIDE IF AVAILABLE



WELL TO BE LOCATED AS ACCUR-
ATELY AS POSSIBLE WITHIN A
SMALL SQUARE WHICH REPRESENTS
40 ACRES; OR IF IN A TOWN OR
SUBDIVISION FILL IN THE FOLLOW-
ING:

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Street address or Lot and Block

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to May 1, 1957. If Registered give Filing No. .

If NOT Registered prior to May 1, 1957, a \$5.00 filing fee accompanies this form.

The above statements are true and correct to the best of my knowledge and belief.
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this 28th day of April, 19 60

My commission expires June 5, 1963

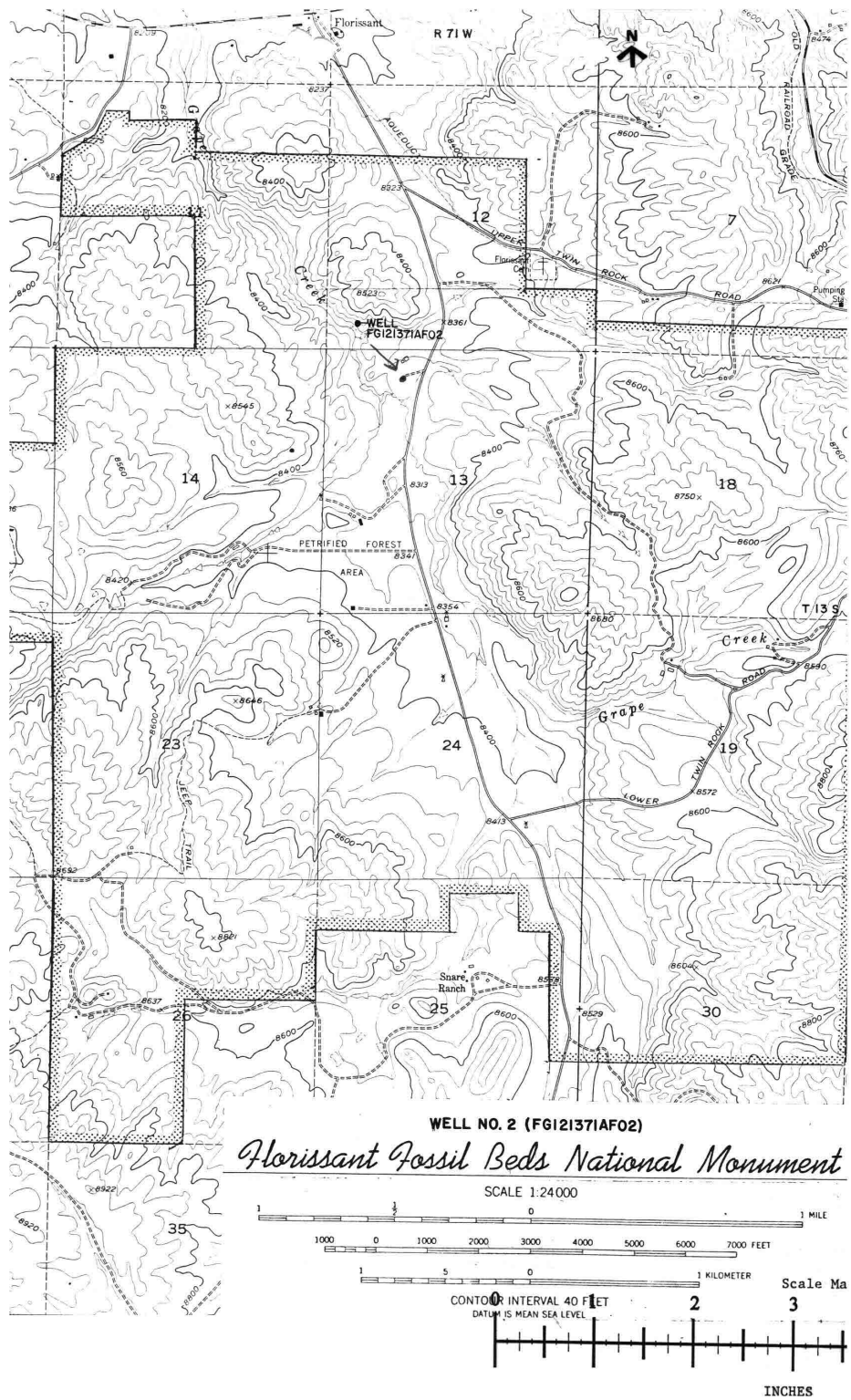
(SEAL) Jane Sanborn-Lyon
Notary Public

M. Keith Singer
Registrant
Attorney for Agnes R. Singer

FOR STATE ENGINEER'S USE

Located in 1-23 district, Teller County for DOMESTIC & Stock

Registration No. 4 in 1-23, on APR 28 1960, 19 60.



Other Supporting Information

CONFIRMATION OF WD-1 ADJUDICATION INFORMATION
FOR FLORISSANT FOSSIL BEDS NATIONAL MONUMENT
AND ROCKY MOUNTAIN NATIONAL MONUMENT

Water Rights Branch
Water Resources Division
National Park Service
301 S. Howes Street
Fort Collins, Colorado 80521

Prepared By:

Wm. R. Olsen
Hydrologist

2/1/89
Date

Approved By:

O. R. Wilkin
Branch Chief

2/2/89
Date

ACTION PLANConfirmation of WD-1 Adjudication
Information for FLFO and ROMO

BACKGROUND - Amended applications were filed for adjudication procedures in District Court, Water Division No. 1, Colorado in 1984 for Florissant Fossil Beds National Monument (FLFO) and Rocky Mountain National Park (ROMO). The Findings and Ruling of the Referee and Decree of the Water Court were received from the Department of Justice (DOJ) on January 6, 1989. The DOJ asked the NPS to review and confirm acceptance of the Courts Decree. The case numbers reviewed were:

<u>Case Number</u>	<u>Name of Structure</u>
W-8795-77	FLFO - Visitors Center Well No. 1
W-8796-77	FLFO - Hornbuck Well No. 2
W-8799-77	FLFO - Maytag Red Barn Well No. 6
W-8800-77	FLFO - Maytag Domestic Well No. 8
W-8801-77	FLFO - Nelson Domestic Well No. 9
W-8802-77	FLFO - Ghist Domestic Well No. 10
W-8803-77	FLFO - A-Frame Domestic Well No. 11
W-8790-77	ROMO - Aspenglen CG Well No. 23820
W-8792-77	ROMO - Hallowell Park Well No. 23819
85 CW 374	ROMO - Hallowell Park Pipeline No. 3
85 CW 375	ROMO - Hallowell Park Ditch No. 2
	Mill Creek Minimum Flow

Each Ruling was reviewed for accuracy and compared with the Service filings filed in 1984. Each review considered name of structure, location, source, date of appropriation, amount of water and use (see attached summary sheets for FLFO and ROMO).

An initial review revealed that the Court's Findings were acceptable with the exception of conflicting legal locations for FLFO - W-8799-77, and ROMO - W-8792-77. A letter dated 1/11/89 was sent to John Hill (DOJ) confirming such (attached).

After further file review it was determined that the Court's Findings for FLFO - W-8799-77 were accurate. Review revealed that location conflicts occurred on case numbers ROMO - W-8792-77, ROMO - 85 CW 374, FLFO - W-8796-77. This results in a need to accurately identify legal locations for these cases.

Discussions with Rick Inglis concerning FLFO - Hornbuck Well No. 2 (W-8796-77) confirmed the Court's Findings. Rick conducted a intensive field reconnaissance of the water developments in FLFO and specifically remembered the conflict in question. He is positive that the correct legal location is NE1/4, NW1/4, Section 13, T13S, R71W. Based upon Rick's field review, FLFO - W-8796-77 will be dropped from further review. Location changes in FLFO-Docket #2 were made on 1/19/89.

After a file review and discussions with Rick Inglis, there continues to be a need to confirm the legal locations for ROMO-W-8792-77 and ROMO - 85 CW 374. The following actions items are required to complete this review of the Court's Findings:

ACTION ITEMS

- 1) Field review the legal locations for the point of diversion for Hallowell Pipeline No. 3 and for Percival Well (85 CW 374). Utilize and investigate the Deed survey from the Singer property.
- 2) Field review the legal location for the Hallowell Park Well No. 23819 (W-8792-77). Utilize land acquisition survey drawing no. 2759.
- 3) Confirm legal locations and submit State forms for correcting clerical errors.
- 4) Update docket information.

Review of Court's Findings and Decree
in Water District No. 1

Florissant Fossil Beds National Monument

- * Visitors Center Well No. 1 (W-8795-77) - Location, source, date, and amount were correct. Court granted use for drinking and sanitation facilities at Visitor Center. Our amended claim (1984) requested use for domestic, recreation, and fire fighting (see below).
- * Hornbuck Well No. 2 (W-8796-77) - Source, date, and amount were correct. A conflict in location was noted between the Court's Findings and the Water Right Record. Discussions with Rick Inglis who conducted an intensive field review indicate that the correct location is the NE, NW, Sec. 13, T13S, R71W. Docket #2 data is incorrect and has been changed. Court granted use for domestic and stockwater. Our amended claim (1984) requested use for domestic, recreation and fire fighting (see below).
- * Maytag Red Barn Well No. 6 (W-8799-77) - Location, source, date and amount were correct. Court granted use for stockwater. Our amended claim (1984) requested use for domestic, recreation and fire fighting (see below).
- * Maytag Domestic Well No. 8 (W-8800-77) - Location, source, date and amount were correct. Court granted use for domestic and stockwater. Our amended claim (1984) requested use for domestic, recreation and fire fighting (see below).
- * Nelson Domestic Well No. 9 (W-8801-77) - Location, source, date and amount were correct. Court granted use for domestic. Our amended claim (1984) requested use for domestic, recreation and fire fighting (see below).
- * Ghist Domestic Well No. 10 (W-8802-77) - Location, source, date and amount were correct. Court granted use for domestic. Our amended claim (1984) requested use for domestic, recreation and fire fighting (see below).
- * A-Frame Domestic Well No. 11 (W-8803-77) - Location, source, date and amount were correct. Court granted use for domestic. Our amended claim (1984) requested use for domestic, recreation and fire fighting (see below).

Conflicts in Use - The Court granted our domestic use in all cases except the Maytag Red Barn Well No. 6. Well No. 6 has historically been used as a livestock and wildlife water. Because the well has a windmill and has not been used for domestic purposes the Court's Findings are acceptable. Recreational uses can be met through domestic water supplies and fire fighting uses will be met during any emergency situation using domestic water. Therefore, the Court's Findings on use are acceptable to the NPS.

Summary prepared by Wm. R. Hansen on 1/19/89

Review of Court's Findings and Decree
in Water District No. 1

Rocky Mountain National Park

- * Hallowell Park Ditch No. 2 (85 CW 375) - Location, source, date, amount and use were correct. Abandonment of 0.7 cfs correct.

- * Hallowell Park Pipeline No. 3 (85 CW 374) - Source, date, and amount were correct. Court granted use for domestic in 2 seasonable residences for government purposes. Our amended request (1984) requested use for domestic and fire fighting (see below). Conflicts in location of point of diversion (Pipeline No. 3) and location of new use at Percival Well were found.

Conflict - Point of diversion Pipeline No. 3

- Amendment (1984) - NW,SW, Sec. 5, T4N, R73W
- Court Finding (1989) - SW,NW, Sec. 5, T4N, R73W

Conflict - Location of Percival Well

- Amendment (1984) - NE,SE, Sec. 27, T5N, R73W
- Court Finding (1989) - SE,SE, Sec. 28, T5N, R73W
- Deed survey suggests location in SW,SE, Sec. 28, T5N, R73W.

- * Hallowell Park Well No. 23819 (W-8792-77) - Source, date, and amount were correct. Court granted use for drinking and sanitary facilities for Job Corps Camp. Our amended request (1984) requested use for domestic, recreation, and fire fighting (see below). Conflicts in legal location.

Conflict

- Water Right Record - NE,SW, Sec. 6, T4N, R73W
- Court Finding (1989) - SE,NW, Sec. 6, T4N, R73W
- Water Quality Report - SW,NE, Sec. 6, T4N, R73W
- Survey confirms SW,NW, Sec. 6, T4N, R73W - Drawing No. 2759.

- *Aspenglenn Campground Well No. 23820 (W-8790-77) - Source, date, location were correct. Court granted use for drinking and sanitary facilities in campground with 61 camp sites. Our amended request (1984) requested use for domestic, recreation, and fire fighting (see below). There were differences in amounts claimed and amounts granted by the Court.

Conflict

- Amendment dated 9/28/84 - Claimed 55 gpm (Appropriative).
- Amendment for W-8788-77 - Claimed 30 gpm (Reserved).
- Court Finding - 30 gpm limited to 1 ac-ft/yr.
- O. Williams confirmed that 30 gpm was acceptable.

Conflicts in Use - In all cases our primary need for domestic use was met. Recreational uses can and will be met with domestic water and fire fighting uses will be met during any emergency situation using domestic water. Therefore, the Court's Findings on use are acceptable to the NPS.

Summary prepared by Wm. R. Hansen on 1/19/89

January 11, 1989

LS4(479)
RCHO/Water Rights
X FLFO/Water Rights

Mr. John Hill, Jr.
Attorney, General Litigation Section
U.S. Department of Justice
Land and Natural Resources Division
Denver Field Office
Federal Building, 1961 Stout Street
Drawer 3607
Denver, Colorado 80294

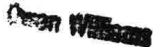
Re: Water Division No. 1 - Case Numbers 85CW374; 85CW375; W-8792-77;
W-8790-77; W-8795-77; W-8796-77; W-8799-77; W-8800-77; W-8801-77;
W-8802-77; W-8803-77 - Your letter of January 3, 1989.

Dear Mr. Hill:

We have reviewed the copies of FINDINGS AND RULING OF THE REFEREE AND DECREE OF THE WATER COURT in the above captioned cases. We have verified our claims and the courts findings and find the Rulings to be acceptable. During our review we identified conflicting legal locations for W-8792-77 and W-8799-77. We will investigate these conflicts and if found to be in error in the Ruling, will make the appropriate changes in legal location at a later date.

If you have any questions, please call me.

Sincerely,

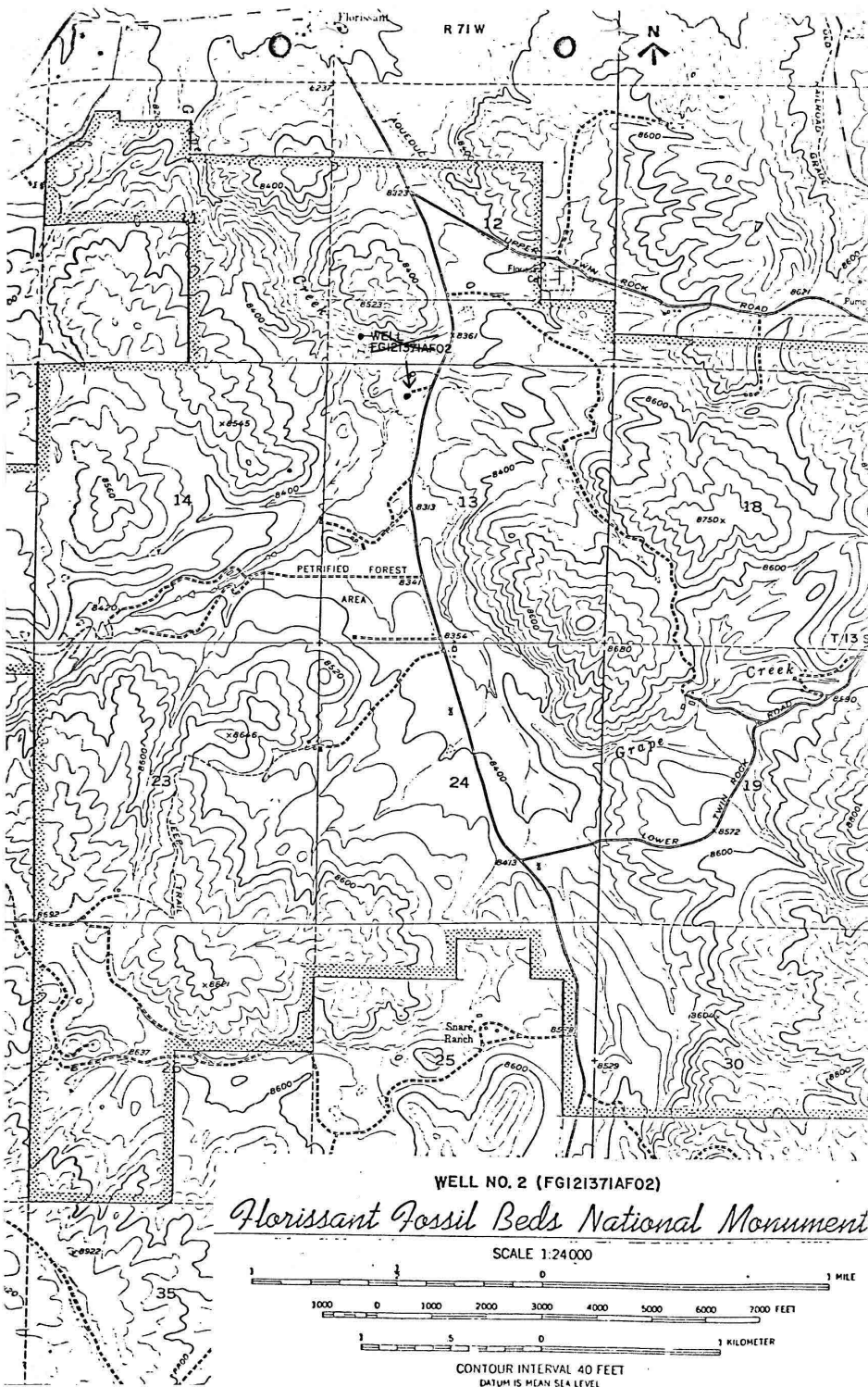


Owen R. Williams
Chief, Water Rights Branch

cc: RMR - Rouse, Hermance
ROMO - Superintendent
FLFO - Superintendent
EGOLRMR - Cannaday
WRD - Ponce

FNP:WHansen:scp:1/11/89:221-8302:WANG#496

Maps and Miscellaneous Information



Scale Made July 1998 (Not Part of Image)



Docket Information

Number of Documents in Docket 28

Documents Dated from 4/26/1960 to 2/2/1989

Docket Compiled: 3/10/2011