



Docket No: 2
SANDERCOCK DITCH
Land History

Form NPS-L-1

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

State Wyoming - -

LAND OWNERSHIP RECORD

Tract No. _____

County Goshen

Deed No. 3 - - - -

Civil Subdivision _____

Area _____ acres Fort Laramie National Monument

Name of Park or Area

Right

Right
Area based on survey of Permit & license Date June 4, 1895 Land south of river
Section of Park or Area

Section of Park or Area

Legal Description: Water Right Permit 1011 as perfected

Method of Acquisition: Water right appropriation Appropriation or Source of funds: _____

Appropriation or Source of funds:

Cost (if purchased) or estimated value: Not yet valued

Acquired from: State of Wyoming

Accepted by Secretary () Opinion of Att'y. Gen.—title in U. S. () date:

Opinion of Att'y. Gen.-title in U. S. (____)

date:

Physical Characteristics: A perfected right to divert 0.281 sec. ft. of water from Deer Creek by the Sandercock ditch for irrigation purposes with priority of June 4, 1895.

Improvements on Land at time of Acquisition: _____

Existing or outstanding special use permits, reservations, rights, or rights of way: _____

Report Based on: Records of Water Rights Section

Prepared by: A. van V. Dunn, Hydraulic Engineer date: 11/11/43

date: 11/11/43

Map References: Original file map & NM-FL-6976 (in deed 2 file)

Remarks: Appurtenant to land covered by deed 1.
Amendment and active use needed to prevent lapse.

L. C. BISHOP, STATE ENGINEER
EARL LLOYD, DEPUTY
AUSTIN P. RUSSELL, ASSISTANT

State of Wyoming



STATE ENGINEER'S OFFICE

Cheyenne

October 6, 1943

JOHN S. DOWNEY, JR.
CHIEF HYDROGRAPHER
GEO. S. HARRIS, LAND SURVEYOR
RESIDENT ENGINEER, WATERWAYS

MR. C. O. DOWNING
Torrington, Wyoming

Dear Mr. Downings:

This will acknowledge receipt of your letter of October 4, 1943, requesting the descriptions of the lands under Permits Nos. 5889, 490 Res., and 1885 Enl., on Deer Creek.

Our records show the following:

Permit No. 5889 - 490 Res. (comb) 73.25 acres

8.75 A NE NW, Sec. 6

6.50 A SE SW, Sec. 31

15.50 A SW SW

8.50 A NW SW

25.0 A NE SW

9.0 A NW SE, Sec. 32, Twp. 26 N.R. 64 W.

Permit No. 1885 Enl., 39 acres

2 A SW SW

2 A NW SW

1 A NE SW, Sec. 32, T. 26 N., R. 64 W.

32 A SW SE, Sec. 29, " "

Yours very truly,

Earl Lloyd

EARL LLOYD,
Deputy State Engineer.

Cert of Appropriation

No. 30 -

Permit No. 5889 - Corns:

18A - NW 1/4 SW - 22-24-64

20A - NE 1/4 - 25-26-64

18A - SE 1/4 - 28-26-64

11A - NE 1/4 - 32-26-64

Other Supporting Information



UNITED STATES
DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE
Fort Laramie National Historic Site
Fort Laramie, Wyoming

IN REPLY REFER TO:
L1425 FOLA
(Gregg)

December 11, 1962

Reg. Director	
Admin. Asst.	
Asst. to R. D.	
Admin.	
Cons-Int-Use	
✓ Res. Planning	
Prog. Coord.	
Info. & Publ.	
Field Solic.	
✓ Action	
✓ Noted	
✓ Not	
Action taken	
File	

Memorandum

To: Regional Director, Midwest Region
From: Superintendent, Fort Laramie National Historic Site
Subject: Water Rights, 33 Acres U. S. Land, Fort Laramie National Historic Site

The enclosed copy of a letter to Mr. Gurney Gregg is self explanatory. The correspondence referred to is in L-54 FOLA-L, of February 10, 1953, from then Assistant Director Thomas J. Allen to Regional Director, of the then Region Two, subject "Federal Rights in Sandercock Ditch, Permit No. 1011, Dedreed Priority June 4, 1895, Docket No. 2, Fort Laramie National Monument".

Deer Creek is a short little stream, the ditch was a small one of chief value to those farming or growing hay on the 33 acres in Section 29 in the present old boundary, and the Monument never had use for it, I would assume. I do not know that this would require any further action, but it perhaps should be checked with Dave Hieb as he is familiar with the area. Mr. Gregg could presumably file for whatever water was available from Deer Creek if he feels that it would be of value.

Charles C. Sharp
Charles C. Sharp
Superintendent

In duplicate
enclosure

C.C. MAILED TO
BY
DATE

Fort Laramie National Historic Site
Fort Laramie, Wyoming

L1425 FOLA
(Gregg)

December 11, 1962

Mr. Gurney Gregg
Fort Laramie, Wyoming

Dear Mr. Gregg:

In connection with the trade of 33 acres of Government land as a part of your option-contract, in our discussion last week you mentioned water rights on the 33 acres from the old Sandercock Ditch, which obtained water from Deer Creek at one time.

The last reference to this in our files as far as I have found appears in correspondence between our Washington Office and the Regional Director of this region, dated February 10, 1953. This cites 1950 correspondence which had recommended that the rights be allowed to lapse since the water had not been used since 1942 and the portion of the ditch which crossed private land was largely obliterated by 1950. The Washington office approved the plan to consider such rights as abandoned.

I would believe from this that we do not have an active water right for the 33 acres, from Deer Creek, and know of no other water rights for that tract. A copy of this is being sent to the Regional Office in case they wish to comment or have further information.

Sincerely yours,

Charles C. Sharp
Superintendent

Copy to: Regional Director,
Midwest Region



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:

L54 FOIA-1

2/1/53

Memorandum

To: Regional Director, Region Two

From: Assistant Director

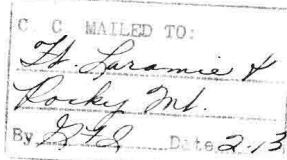
Subject: Federal Rights in Sandercock Ditch, Permit 1011, Decreed
Priority June 4, 1895, Docket No. 2, Fort Laramie National
Monument

As a result of Mr. Carnes' inquiry of December 15, 1952, you have quoted, in your memorandum of January 23, from memoranda exchanged in 1950 between the Superintendent and the Resident Landscape Architect, to the effect that the Federal rights in the Sandercock Ditch have not been exercised since 1942, that the portion of the ditch across adjacent private land which formerly served the Monument area has been largely obliterated, and that the cost of restoration and maintenance would be far in excess of the benefits which the United States would derive at the Monument. You concur in the recommendations of the Superintendent and Mr. Canfield that the rights be allowed to lapse. For this reason, you are also omitting any reference to the ditch and rights in drawing LAR-2003-C of the Master Plan.

Sec. 121-421 of the Wyoming Irrigation Laws provides that:

" * * * in case the owner or owners of any such ditch, canal, or reservoir shall fail to use the water therefrom for irrigation or other beneficial purposes during any five successive years, they shall be considered as having abandoned the same, and shall forfeit all water rights, easements, and privileges appurtenant thereto, and the water formerly appropriated by them may be again appropriated * * * the same as if such ditch, canal, or reservoir had never been constructed; * * * ".

During the war, and for five years thereafter, many proofs were suspended in connection with the perfection of water rights. While we have not had occasion to determine whether Wyoming, like California for instance, actually granted such a moratorium, or



whether it also applied to the use of water under decreed rights, we do know that the State Engineer is granting us some time in which to clarify the status of rights at Grand Teton. Accordingly, we have not attempted to obtain a hasty decision concerning the rights in the Sandercock Ditch.

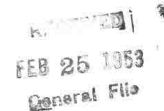
However, since most moratoriums expired in 1951, and you still believe that the rights under Permit 1011 are not needed at Fort Laramie, this memorandum is to be considered as our approval of the plan to consider such rights as abandoned.

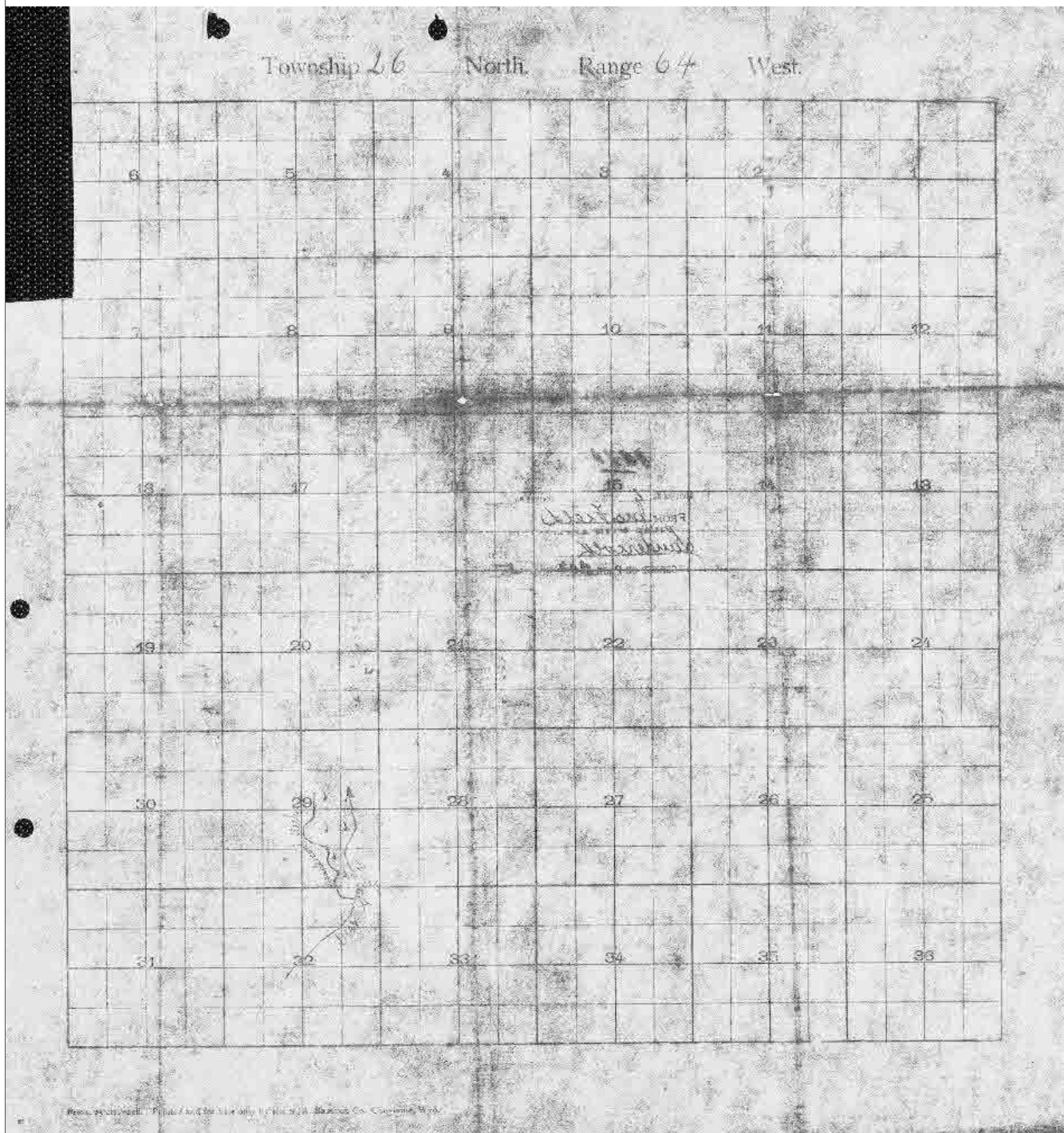
This memorandum is submitted with five carbon copies. Three of the extra copies are to be filed in the assemblies of Docket No. 2, in your office, at Rocky Mountain, and at Fort Laramie, as a record of action taken.


Assistant Director

In sextuple

*Mountain
perm. files*


FEB 25 1953
General File



Docket Information

Number of Documents in Docket 8
Documents Dated from 10/6/1943 to 12/11/1962
Docket Compiled: 3/22/2011