WATER-RIGHT DOCKET

Rocky Mountain National Park

Docket No: 9

ASPENGLEN WELL. FALL RIVER ENTRANCE CAMPGROUND

Preliminary Docket Information

00-00-0000: water right record - id # romo w170573 af 09

WATER RIGHT RECORD

Park: ROMO

Docket Number:
Federal #9

IDENTIFICATION NO: ROMO W 1 7 0 5 7 3 A F 0 9

DITCH/WATER SYSTEM: Aspenglen Campground

SOURCE OF SUPPLY: Well

LOCATION: SE¼NE¼ of Sec. 17, T5N, R73W, 6th P.M., at a point whence the N 1/16 corner of Sec. 16 & 17 bears N67°39'E 1056.36 feet.

WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number: 23820, approved by State Engr., May 17, 1965.
Filing 22845, accepted in the office of the State Engr., August 11, 1966.
Certificate Record Number:

Date of Priority: June, 1965

Quantity of Water: .123 c.f.s. (55 gpm)

Purpose: Domestic and public campground use.

Irrigated Land Description:

SUMMARY OF STATUS: This is a Federal water right consisting of a 101 foot well, completed in June, 1965, 12 HP pump, reservoir and distribution system.

This well serves Aspenglen Campground.

00-00-0000: blank water right record

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:

WATER RIGHT RECORD

Park: ROMO

Docket Number:
Federal #9

IDENTIFICATION NO: ROMO, R, 0 8, 0 5, 7 3, A, F, 0 9,

DITCH/WATER SYSTEM: Fall River Entrance Pipe Line

SOURCE OF SUPPLY: Bighorn Creek

LOCATION: East bank of Bighorn Creek at a point whence the N 1/16 corner of Sec. 16 and 17, T5N, R73W, 6th P.M. bears S41°16'E 2432.34 ft. and the NE cor. of said Sec. 17 bears S70°49'E 1700.47 ft.

WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number: Filing 16528A - accepted in the office of the State Engineer, Sept. 1, 1966.
Certificate Record Number:

Date of Priority: Domestic Priority #36 - April 1, 1925,Decree 10077,11/14/39
Domestic Priority #37 & 38 - April 1, 1925, Decree 10077 - 11/14/39
Quantity of Water: 0.115 claimed. 0.015 c.f.s. Sunny Slope Pipeline, 0.010 c.f.s. Fall River Pipe Line.
Purpose: Domestic, recreation and fire protection.

Irrigated Land Description:

SUMMARY OF STATUS: This is a Federal water right consisting of headgates, pipeline, 60,000 gallon reservoir and distribution system.

This is a new point of diversion, constructed in 1960. As a result, the old Sunny Slope Pipeline and the old Fall River Pipeline points of diversion have been abandoned.

00-00-0000: blank water right record

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:

ROCKY MOUNTAIN NATIONAL PARK
WATER RIGHT DOCKET NO. 9
SUNNY SLOPE CAMP PIPE LINE
AND SUNNY SLOPE DITCH

OUTLINE OF ASSEMBLY

PART I - SUNNY SLOPE PIPE LINE

1. Copy, Map, Drawing No. NP-RM-DO-9105, Sunny Slope Camp Pipe Line and Sunny Slope Ditch.

2. Copy, Sunny Slope Pipe Line Proposed (Domestic Priority No. 36; Ditch--Pipe Line--No. 34) - Pages 179, 180 & 181 with Notation in pencil: 1 copy mailed Director; 1 copy mailed Regional Director, Region II - February 21, 1940.

3. Copy, Memorandum to Regional Director, Region Two from Superintendent - Option Offering to Sell to the Government, Tract 199A (Snyder), Rocky Mountain dated November 3, 1952.

4. Copy, Warranty Deed No. 659663 dated December 1, 1952 from Anna Frantz Snyder to United States of America.

PART II - FALL RIVER ENTRANCE PIPE LINE

5. Copy, Map, Drawing No. NP-RM-6989 Sunny Slope Camp Pipe Line and Fall River Entrance Pipe Line.

6. Copy, Statement of Claim of the United States of America for the Fall River Entrance Pipe Line - 4 Pages with Notation at bottom of Pages 1 & 4 - JUL 11 '39 99670.

7. Copy, Fall River Entrance Pipe Line (Domestic Priority Nos. 37 and 38, Conditional; Ditch--Pipe Line - Pages 182, 183, 184, 185 & 186.

8. Copy, Claim of the United States of America for the Fall River Entrance Pipe Line - PETITION - 2 Pages.

9. Copy, Final Decree as to Fall River Entrance Pipe Line No. 10077 dated September 23, A.D. 1940.

10. Copy, Statement by A. van V. Dunn dated April 9, 1953.

11. Copy, Statement by A. van V. Dunn dated April 8, 1953.

12. Copy, Form NOS-L-1, Land Ownership Record, Deed No. 59 dated November 23, 1943 by A. van V. Dunn.

PART III - FALL RIVER ENTRANCE WELL NO. 1

13. Copy, Form C Revi. 9-62/10M State of Colorado - Application For: Permit to Construct A Well - Bighorn Ranger Station and Aspenglen Campground.

14. Copy, Draft of Recovery Curve, Fall River Entrance Station Well, Rocky Mountain National Park.

15. Copy, Draft of Pumping Level Curve, with time in relation to the static water level and bottom of well.

16. Copy, Draft of Table 2 - Aquifer Test Data Cont'd., Page 2.

17. Copy, Draft of Table 2 - Aquifer Test Data, Page 1.

18. Copy, Draft of Graphic log and casing record of the well near Fall River Entrance.

19. Copy, Draft of Log of Well near Fall River Entrance (NW¼, SE¼, SE¼, Sec. 17, T. 5 N., R. 73 W.

20. Copy, Memorandum to George F. Baggley, Associate Regional Director, from District Geologist Edward D. Jenkins, Engineer, GW, USGS, Denver Colorado - Re: Fall River Entrance Test Well, Rocky Mountain National Park; 2 pages.

21. Copy, Log and History of Fall River Entrance Well, Permit No. 23820, (2 pages).

22. Copy, Letter from Superintendent Liles to Colorado State Engineer's Office dated August 23. 1965.

DOCKET INFORMATION SHEET

Docket Identity	ROMO W 17 05 73 A F 09
Region	ROCKY MOUNTAIN
Area	ROCKY MOUNTAIN NATIONAL PARK
Site	ASPEN GLEN CAMPGROUND - WELL
State	COLORADO
County	LARIMER
Docket	ROMO WATER RIGHT DOCKET 9
Location	T5N R73W SEC 17
Acquired by	
Application	23820 MAY 17 1965 22845 AUGUST 11 1966
Permit	
Certificate	
Priority	JUNE 1965 - .123 CFS
Reservation	JANUARY 26 1915
Status	ACTIVE FEDERAL
Source	GROUNDWATER
Use	DOMESTIC AND PUBLIC CAMPGROUND
Quantity	.123 CFS
Hydrologic Unit	10190006
Remarks	101 FOOT WELL COMPLETED IN JUNE 1965

ASPEN GLEN 2.
Why not Fall River
Entrance 2.

DOCKET INFORMATION SHEET

Docket Identity	ROMO R 08 05 73 A F 09
Region	ROCKY MOUNTAIN
Area	ROCKY MOUNTAIN NATIONAL PARK
Site	FALL RIVER ENTRANCE PIPE LINE
State	COLORADO
County	LARIMER
Docket	ROMO WATER RIGHT DOCKET 9
Location	T5N R73W SEC 8
Acquired by	
Application	16528A ON SEPTEMBER 1, 1966
Permit	36, 37 AND 38
Certificate	COURT DECREE 10077
Priority	APRIL 1, 1925 - 0.115 CFS
Reservation	JANUARY 26 1915
Status	ACTIVE FEDERAL NOVEMBER 14 1939
Source	SURFACE WATER
Use	DOMESTIC RECREATION AND FIRE PROTECTION
Quantity	0.115 CFS
Hydrologic Unit	10190006
Remarks	FEDERAL WATER RIGHT CONSISTING OF HEADGATES, PIPELINE 60,000 GALLON RESERVOIR AND DISTRIBUTION SYSTEM. THIS IS A NEW POINT OF DIVERSION CONSTRUCTED IN 1960. AS A RESULT THE OLD SUNNY SLOPE PIPELINE AND THE OLD FALL RIVER PIPELINE POINTS OF DIVERSION ARE ABANDONED.

State Water Rights Documentation

U.S. Department of Justice

Environment and Natural Resources Division

WMC:JDDraper
90-1-2-892

General Litigation Section
Denver Field Office

Julia D. Draper, Paralegal Specialist
U.S. Department of Justice
999 18th Street, Suite 945
Denver, CO 80202
Telephone: (303) 294-1944
Fax No: (303) 294-1931

June 5, 1995

Ralph O. Canaday, Esquire
U.S. DEPT. OF INTERIOR
Office of the Solicitor, Rocky Mtn. Region
P. O. Box 25007
Denver, CO 80225

Mr. Owen Williams
Chief, Water Resources Division
NATIONAL PARK SERVICE
1201 Oakridge Drive, Suite 250
Fort Collins, CO 80525

Mr. Kenneth Czarnowski, Hydrologist
NATIONAL PARK SERVICE
Division of Resources Management
Estes Park, CO 80517

Re: Water Division No. 1
Case No.: 94CW060

Gentlemen:

Enclosed please find a copy of the decree of the Water Court recently entered in connection with the above. We will now close our file on this matter.

Respectfully,

Julia D. Draper

Julia D. Draper
Paralegal Specialist

enclosure

DISTRICT COURT, WATER DIVISION 1, COLORADO

Case No. 94CW060

RULING OF THE REFEREE

CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE UNITED STATES OF AMERICA, in Larimer County

THIS MATTER, having come before the Water Referee upon the application of the United States and the Referee having considered the pleadings, the evidence, stipulations of the parties, and comments of the Division Engineer, and otherwise being fully advised, hereby finds and concludes as follows:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The applicant is United States of America, whose mailing address is c/o Department of Justice, 999 18th Street, Suite 945, Denver, Colorado 80202, (303) 294-1900.

2. The application herein was filed with the Water Clerk, Water Division No. 1 on May 11, 1994.

3. Notice of the application was timely given in the manner required by law, and the Court has jurisdiction over the subject matter of the application and over all persons and property affected hereby, irrespective of whether those persons or owners of property have appeared. The time for filing statements of opposition has expired.

4. A timely statement of opposition was filed by the Northern Colorado Water Conservancy District ("District"). The District has stipulated to entry of this Ruling.

5. The Division Engineer issued his Summary of Consultation dated August 31, 1994, which was duly served upon all parties on September 6, 1994. The Referee has given the Summary of Consultation due consideration.

6. The land and water rights involved herein are not included within the boundaries of any designated ground water basin.

7. Applicant seeks a decree approving a plan for augmentation by exchange, to allow pumping on a one for one, acre-foot by acre-foot exchange basis of a tributary well located in Rocky Mountain National Park.

Plan Of Augmentation By Exchange

8. Structure being augmented by the one for one, acre-foot by acre-foot exchange:

Aspenglen Well, Permit No. 42624-F.

a. Legal description of point of diversion: The Aspenglen Well is located 1670 feet from the North Section line and 890 feet from the East Section line of the SE1/4 of the NE1/4 of Section 17, Township 5 North, Range 17 West of the 6th P.M. Larimer County, Colorado.

b. Amount: 0.123 cfs maximum rate of diversion, which is 55 gpm maximum pumping rate, with a maximum amount of 2 acre-feet annually.

c. Beneficial use: Irrigation, culinary, domestic, or related purposes in Rocky Mountain National Park.

9. Water rights used in the plan for augmentation by exchange to augment the Aspenglen Well will be the water made available to Rocky Mountain National Park from the Colorado-Big Thompson project ("Project") pursuant to Article 24 of the Repayment Contract entered into on July 5, 1938 between the United States of America and the Northern Colorado Water Conservancy District.

a. Article 24 provides:

There is hereby understood and agreed that the United States shall have the right to permit the release of a sufficient amount of water made available by the Project works, without charge to the National Park Service, not to exceed a total of three second-feet of water at Granby Reservoir Pumping Plant No. 1 or other points on the Project works, said releases to be made to permit the use in Rocky Mountain National Park of a like amount of water for irrigation, culinary, domestic or related purposes; provided that additional project water shall be released at the same points without charge to permit the use of additional water if needed for culinary, domestic or related uses in said Park; and provided further that the United States through the National Park Service may make,

without objection by the District such additional nonconsumptive uses of water as it deems necessary so long as such use does not render the water unavailable to the Project, allowing for slight consumptive loss unavoidably incident to such nonconsumptive uses.

b. Appropriation date: August 1, 1935.

c. Adjudication dates: October 12, 1955 and April 16, 1964 in the Consolidated Cases-Civil Nos. 2782, 5016 and 5017.

d. Source: Colorado River and its tributaries transported through the Alva B. Adams Tunnel.

e. Legal description of points of diversion and places of storage: Willow Creek, Granby and Shadow Mountain Reservoirs, Grand Lake, Willow Creek Feeder Canal and Granby Pump Canal, transported to the East Slope through the Alva B. Adams Tunnel.

f. Decreed use: All of the purposes described in the Repayment Contract dated July 5, 1938. The water provided to the United States for use in Rocky Mountain National Park is for the uses described in Article 24 of the Repayment Contract.

10. Water from the water rights described in Paragraph 8 above will be provided by exchange to replace the amount pumped from the Aspenglen Well on a one for one, acre-foot by acre-foot basis by release at Lake Estes into the Big Thompson River, approximately five miles below Aspenglen Well.

a. Amount of water augmented by exchange: 0.123 cfs maximum rate of diversion, which is 55 gpm maximum pumping rate, with a maximum exchange amount of 2 acre-feet annually, absolute.

b. Date of appropriation for the exchange:

July 3, 1992.

c. How right of exchange was initiated and perfected: By approval of a Temporary Supply Plan for the Aspenglen Campground well by the State Engineer.

RULING OF THE REFEREE

11. The foregoing Findings of Fact and Conclusions of Law are incorporated herein.

12. The plan for augmentation by exchange described in the Findings of Fact and Conclusions of Law as set forth above is hereby confirmed and granted:

a. Structure being augmented by the one for one, acre-foot by acre-foot exchange:

Aspenglen Well, Permit No. 42624-F.

b. Exchange Appropriation Date: July 3, 1992.

b. Amount: 0.123 cfs maximum rate of diversion, which is 55 gpm maximum pumping rate, with a maximum amount of 2 acre-feet annually, absolute.

c. Beneficial Use: Irrigation, culinary, domestic, or related purposes in Rocky Mountain National Park.

d. Water rights used in the plan for augmentation by exchange: As described in Paragraph 9 above.

13. The Division Engineer shall not curtail Applicant's pumping of Aspenglen Well when said well is operating under the plan for augmentation by exchange decreed herein.

14. The pumping of water through Aspenglen Well and the plan for augmentation by exchange decreed herein shall be administered by the State or Division Engineer in accordance with applicable state statutes and decrees. Water will be released from Lake Estes into the Big Thompson River to account for water pumped through Aspenglen Well. Applicant shall install, maintain and operate such water measurement devices and recording devices as are deemed necessary by the Division Engineer to administer the exchange in a form and manner approved by the Division Engineer. Applicant shall keep records and make reports as reasonably requested by the Division Engineer.

15. The plan for augmentation by exchange approved herein was filed with the Water Court in the year 1994, and the exchange portion of the plan shall be administered as having been filed in that year and shall be junior to all priorities awarded based upon applications filed in previous years. As between all rights filed for adjudication in the same calendar year, priorities

shall be determined by historical dates of appropriation and shall not be affected by the date of entry of the ruling.

16. A copy of this Ruling shall be filed with the appropriate Division Engineer and with the State Engineer.

17. This Ruling shall be filed with the Water Clerk, subject to judicial review.

Dated this 7th day of April, 1995.

BY THE REFEREE:

Raymond S. Liccam
Water Referee
Water Division No. 1

No protest was filed in this matter. The foregoing Ruling is confirmed and approved, and is made the Judgment and Decree of this Court.

DATED: May 3, 1995

Water Judge

U.S. Department of Justice

Environment and Natural Resources Division

WMC:MDDeSalvo

General Litigation Section
Denver Field Office

999 Eighteenth Street, Suite 945
Denver, Colorado 80202

Telephone: (303) 294-1907
Telefacsimile: (303) 294-1931

APR 1995
RECEIVED
WRD - FT COLLINS

April 12, 1995

Ralph O. Canaday, Esq.
U.S. Department of Interior
Office of the Solicitor
Rocky Mountain Region
P.O. Box 25007
Denver, CO 80225

Ken Czarnowski
National Park Service
Division of Resources Management
Estes Park, CO 80517

Owen Williams
National Park Service
Water Resources Division
1201 Oakridge Drive #250
Fort Collins, CO 80525

Re: Water Division 1 - Case No. 94CW060

Dear Gentlemen:

Enclosed please find a copy of the Water Court Referee's Ruling in the above mentioned case.

If you have any problems or concerns with this ruling, please contact Lynn Johnson to discuss it prior to April 20. Thank you.

Sincerely,

Misty DeSalvo

MISTY DESALVO
Legal Technician

Encl.

04-11-1995: letter to dept. of justice from water clerk - water division 1 regarding the water rights ruling - case # 94cw060

WATER DIVISION NO. 1
STATE OF COLORADO

RECEIVED
APR 11 1995
DEPT. JUSTICE ENVIRONMENT DIV.
DENVER, COLO.

April 7, 1995
Date

TO: Lynn Johnson, Esq.
c/o Dept. of Justice
999 - 18th St., #945
Denver, CO 80202

Jennifer Russell, Esq.
1775 Sherman St., Suite 1300
Denver, CO 80203

STATE/DIV

The Water Court Referee for Division 1 has instructed me to forward this copy of his Ruling in Case No. 94CW060.

Please check your Ruling very CAREFULLY! If any errors are found, notify the Water Clerk's Office IMMEDIATELY.

You have twenty (20) days after the above date of mailing to file with the Water Clerk, any pleading in protest to or in support of the Referee's Ruling. Any such pleading to the Referee's Ruling must be filed on or before April 27, 1995, plus any additional time allowed by Rule 6(e) CRCP. In the absence of any pleading being received, the Judge of the Water Court will incorporate the Referee's Ruling in the Decree which will be entered after April 27, 1995.

Mary Crespin
Water Clerk, Water Division 1
P O Box C
Greeley, CO 80632
(303) 351-7300, Ext. 4550

DISTRICT COURT, WATER DIVISION 1, COLORADO

Case No. 94CW060

RULING OF THE REFEREE

CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE UNITED STATES OF AMERICA, in Larimer County

THIS MATTER, having come before the Water Referee upon the application of the United States and the Referee having considered the pleadings, the evidence, stipulations of the parties, and comments of the Division Engineer, and otherwise being fully advised, hereby finds and concludes as follows:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The applicant is United States of America, whose mailing address is c/o Department of Justice, 999 18th Street, Suite 945, Denver, Colorado 80202, (303) 294-1900.

2. The application herein was filed with the Water Clerk, Water Division No. 1 on May 11, 1994.

3. Notice of the application was timely given in the manner required by law, and the Court has jurisdiction over the subject matter of the application and over all persons and property affected hereby, irrespective of whether those persons or owners of property have appeared. The time for filing statements of opposition has expired.

4. A timely statement of opposition was filed by the Northern Colorado Water Conservancy District ("District"). The District has stipulated to entry of this Ruling.

5. The Division Engineer issued his Summary of Consultation dated August 31, 1994, which was duly served upon all parties on September 6, 1994. The Referee has given the Summary of Consultation due consideration.

6. The land and water rights involved herein are not included within the boundaries of any designated ground water basin.

7. Applicant seeks a decree approving a plan for augmentation by exchange, to allow pumping on a one for one, acre-foot by acre-foot exchange basis of a tributary well located in Rocky Mountain National Park.

Plan Of Augmentation By Exchange

8. Structure being augmented by the one for one, acre-foot by acre-foot exchange:

Aspenglen Well, Permit No. 42624-F.

a. Legal description of point of diversion: The Aspenglen Well is located 1670 feet from the North Section line and 890 feet from the East Section line of the SE1/4 of the NE1/4 of Section 17, Township 5 North, Range 17 West of the 6th P.M. Larimer County, Colorado.

b. Amount: 0.123 cfs maximum rate of diversion, which is 55 gpm maximum pumping rate, with a maximum amount of 2 acre-feet annually.

c. Beneficial use: Irrigation, culinary, domestic, or related purposes in Rocky Mountain National Park.

9. Water rights used in the plan for augmentation by exchange to augment the Aspenglen Well will be the water made available to Rocky Mountain National Park from the Colorado-Big Thompson project ("Project") pursuant to Article 24 of the Repayment Contract entered into on July 5, 1938 between the United States of America and the Northern Colorado Water Conservancy District.

a. Article 24 provides:

There is hereby understood and agreed that the United States shall have the right to permit the release of a sufficient amount of water made available by the Project works, without charge to the National Park Service, not to exceed a total of three second-feet of water at Granby Reservoir Pumping Plant No. 1 or other points on the Project works, said releases to be made to permit the use in Rocky Mountain National Park of a like amount of water for irrigation, culinary, domestic or related purposes; provided that additional project water shall be released at the same points without charge to permit the use of additional water if needed for culinary, domestic or related uses in said Park; and provided further that the United States through the National Park Service may make,

without objection by the District such additional nonconsumptive uses of water as it deems necessary so long as such use does not render the water unavailable to the Project, allowing for slight consumptive loss unavoidably incident to such nonconsumptive uses.

b. Appropriation date: August 1, 1935.

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d. Source: Colorado River and its tributaries transported through the Alva B. Adams Tunnel.

e. Legal description of points of diversion and places of storage: Willow Creek, Granby and Shadow Mountain Reservoirs, Grand Lake, Willow Creek Feeder Canal and Granby Pump Canal, transported to the East Slope through the Alva B. Adams Tunnel.

f. Decreed use: All of the purposes described in the Repayment Contract dated July 5, 1938. The water provided to the United States for use in Rocky Mountain National Park is for the uses described in Article 24 of the Repayment Contract.

10. Water from the water rights described in Paragraph 8 above will be provided by exchange to replace the amount pumped from the Aspenglen Well on a one for one, acre-foot by acre-foot basis by release at Lake Estes into the Big Thompson River, approximately five miles below Aspenglen Well.

a. Amount of water augmented by exchange: 0.123 cfs maximum rate of diversion, which is 55 gpm maximum pumping rate, with a maximum exchange amount of 2 acre-feet annually, absolute.

b. Date of appropriation for the exchange:

July 3, 1992.

c. How right of exchange was initiated and perfected: By approval of a Temporary Supply Plan for the Aspenglen Campground well by the State Engineer.

RULING OF THE REFEREE

11. The foregoing Findings of Fact and Conclusions of Law are incorporated herein.

12. The plan for augmentation by exchange described in the Findings of Fact and Conclusions of Law as set forth above is hereby confirmed and granted:

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Aspenglen Well, Permit No. 42624-F.

b. Exchange Appropriation Date: July 3, 1992.

b. Amount: 0.123 cfs maximum rate of diversion, which is 55 gpm maximum pumping rate, with a maximum amount of 2 acre-feet annually, absolute.

c. Beneficial Use: Irrigation, culinary, domestic, or related purposes in Rocky Mountain National Park.

d. Water rights used in the plan for augmentation by exchange: As described in Paragraph 9 above.

13. The Division Engineer shall not curtail Applicant's pumping of Aspenglen Well when said well is operating under the plan for augmentation by exchange decreed herein.

14. The pumping of water through Aspenglen Well and the plan for augmentation by exchange decreed herein shall be administered by the State or Division Engineer in accordance with applicable state statutes and decrees. Water will be released from Lake Estes into the Big Thompson River to account for water pumped through Aspenglen Well. Applicant shall install, maintain and operate such water measurement devices and recording devices as are deemed necessary by the Division Engineer to administer the exchange in a form and manner approved by the Division Engineer. Applicant shall keep records and make reports as reasonably requested by the Division Engineer.

15. The plan for augmentation by exchange approved herein was filed with the Water Court in the year 1994, and the exchange portion of the plan shall be administered as having been filed in that year and shall be junior to all priorities awarded based upon applications filed in previous years. As between all rights filed for adjudication in the same calendar year, priorities

shall be determined by historical dates of appropriation and shall not be affected by the date of entry of the ruling.

16. A copy of this Ruling shall be filed with the appropriate Division Engineer and with the State Engineer.

17. This Ruling shall be filed with the Water Clerk, subject to judicial review.

Dated this 7th day of April, 1995.

BY THE REFEREE:

Raymond S. Liesemann
Water Referee
Water Division No. 1

No protest was filed in this matter. The foregoing Ruling is confirmed and approved, and is made the Judgment and Decree of this Court.

DATED: _____

_____
Water Judge

U.S. Department of Justice

Environment and Natural Resources Division

WMC:JDDraper
90-1-2-898

General Litigation Section
Denver Field Office

Julia D. Draper, Paralegal Specialist
U.S. Department of Justice
999 18th Street, Suite 945
Denver, CO 80202
Telephone: (303) 294-1944
Fax No: (303) 294-1931

March 2, 1995

Honorable Ray Liesman, Water Referee
WATER DIVISION 1
P. O. Box C
Greeley, CO 80632

Re: WD 1 - Case No.: 94CW060
Aspenglen Well, Application for Augmentation by Exchange

Dear Mr. Liesman:

Enclosed for entry is a proposed ruling in connection with the above. Northern Colorado Water Conservancy District, the only objector in this matter, consents to the entry of this ruling. Please call if you have any questions. Thank you.

Respectfully,

Julia D. Draper

Julia D. Draper,
Paralegal Specialist

/jdd
enclosure
cc: Jennifer Russell, Esq.
Ralph Canaday, Esq.
Ken Czarnowski

DISTRICT COURT, WATER DIVISION 1, COLORADO

Case No. 94CW060

RULING OF THE REFEREE

CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE UNITED STATES OF AMERICA, in Larimer County

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2. The application herein was filed with the Water Clerk, Water Division No. 1 on May 11, 1994.

3. Notice of the application was timely given in the manner required by law, and the Court has jurisdiction over the subject matter of the application and over all persons and property affected hereby, irrespective of whether those persons or owners of property have appeared. The time for filing statements of opposition has expired.

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6. The land and water rights involved herein are not included within the boundaries of any designated ground water basin.

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9. Water rights used in the plan for augmentation by exchange to augment the Aspenglen Well will be the water made available to Rocky Mountain National Park from the Colorado-Big Thompson project ("Project") pursuant to Article 24 of the Repayment Contract entered into on July 5, 1938 between the United States of America and the Northern Colorado Water Conservancy District.

a. Article 24 provides:

There is hereby understood and agreed that the United States shall have the right to permit the release of a sufficient amount of water made available by the Project works, without charge to the National Park Service, not to exceed a total of three second-feet of water at Granby Reservoir Pumping Plant No. 1 or other points on the Project works, said releases to be made to permit the use in Rocky Mountain National Park of a like amount of water for irrigation, culinary, domestic or related purposes; provided that additional project water shall be released at the same points without charge to permit the use of additional water if needed for culinary, domestic or related uses in said Park; and provided further that the United States through the National Park Service may make,

without objection by the District such additional nonconsumptive uses of water as it deems necessary so long as such use does not render the water unavailable to the Project, allowing for slight consumptive loss unavoidably incident to such nonconsumptive uses.

b. Appropriation date: August 1, 1935.

c. Adjudication dates: October 12, 1955 and April 16, 1964 in the Consolidated Cases-Civil Nos. 2782, 5016 and 5017.

d. Source: Colorado River and its tributaries transported through the Alva B. Adams Tunnel.

e. Legal description of points of diversion and places of storage: Willow Creek, Granby and Shadow Mountain Reservoirs, Grand Lake, Willow Creek Feeder Canal and Granby Pump Canal, transported to the East Slope through the Alva B. Adams Tunnel.

f. Decreed use: All of the purposes described in the Repayment Contract dated July 5, 1938. The water provided to the United States for use in Rocky Mountain National Park is for the uses described in Article 24 of the Repayment Contract.

10. Water from the water rights described in Paragraph 8 above will be provided by exchange to replace the amount pumped from the Aspenglen Well on a one for one, acre-foot by acre-foot basis by release at Lake Estes into the Big Thompson River, approximately five miles below Aspenglen Well.

a. Amount of water augmented by exchange: 0.123 cfs maximum rate of diversion, which is 55 gpm maximum pumping rate, with a maximum exchange amount of 2 acre-feet annually, absolute.

b. Date of appropriation for the exchange:

July 3, 1992.

c. How right of exchange was initiated and perfected: By approval of a Temporary Supply Plan for the Aspenglen Campground well by the State Engineer.

RULING OF THE REFEREE

11. The foregoing Findings of Fact and Conclusions of Law are incorporated herein.

12. The plan for augmentation by exchange described in the Findings of Fact and Conclusions of Law as set forth above is hereby confirmed and granted:

a. Structure being augmented by the one for one, acre-foot by acre-foot exchange:

Aspenglen Well, Permit No. 42624-F.

b. Exchange Appropriation Date: July 3, 1992.

b. Amount: 0.123 cfs maximum rate of diversion, which is 55 gpm maximum pumping rate, with a maximum amount of 2 acre-feet annually, absolute.

c. Beneficial Use: Irrigation, culinary, domestic, or related purposes in Rocky Mountain National Park.

d. Water rights used in the plan for augmentation by exchange: As described in Paragraph 9 above.

13. The Division Engineer shall not curtail Applicant's pumping of Aspenglen Well when said well is operating under the plan for augmentation by exchange decreed herein.

14. The pumping of water through Aspenglen Well and the plan for augmentation by exchange decreed herein shall be administered by the State or Division Engineer in accordance with applicable state statutes and decrees. Water will be released from Lake Estes into the Big Thompson River to account for water pumped through Aspenglen Well. Applicant shall install, maintain and operate such water measurement devices and recording devices as are deemed necessary by the Division Engineer to administer the exchange in a form and manner approved by the Division Engineer. Applicant shall keep records and make reports as reasonably requested by the Division Engineer.

15. The plan for augmentation by exchange approved herein was filed with the Water Court in the year 1994, and the exchange portion of the plan shall be administered as having been filed in that year and shall be junior to all priorities awarded based upon applications filed in previous years. As between all rights filed for adjudication in the same calendar year, priorities

shall be determined by historical dates of appropriation and shall not be affected by the date of entry of the ruling.

16. A copy of this Ruling shall be filed with the appropriate Division Engineer and with the State Engineer.

17. This Ruling shall be filed with the Water Clerk, subject to judicial review.

Dated this ____ day of _____, 1995.

BY THE REFEREE:

_____
Water Referee
Water Division No. 1

No protest was filed in this matter. The foregoing Ruling is confirmed and approved, and is made the Judgment and Decree of this Court.

DATED: _____

_____
Water Judge

02-17-1995: letter to us dept. of the interior from regarding an enclosed copy of the revised ruling

U.S. Departm t of Justice

Environment and Natural Resources Division

WMC:LAJohnson
90-1-2-892

General Litigation Section
Denver Field Office

Lynn A. Johnson, Trial Attorney
U.S. Department of Justice
999 18th Street
Suite 945
Denver, CO 80202

Telephone: *(303)294-1915*
Telefacsimile: *(303)294-1931*

February 17, 1995

Ralph O. Canaday, Esq.
U.S. Department of Interior
Office of the Solicitor
Rocky Mountain Region
P.O. Box 25007
Denver, CO 80225

Kenneth Czarnowski
Hydrologist
National Park Service
Division of Resources Management
Estes Park, CO 80517

Re: Case No. 94CW060 and Case No. 94CW039

Dear Ralph and Ken:

Enclosed is a copy of the revised Ruling of the Referee in Case No. 94CW060 which was drafted by Jenny Russell, counsel for Northern Colorado Water Conservancy District. This draft reflects our request to call this decree a Plan of Augmentation by Exchange rather than an appropriative right of exchange as was done in the previous draft. Please note that in paragraph 15 the priority date for the exchange is 1994 rather than 1992, the date of the approval of the Temporary Supply Plan. I doubt that this makes any difference, or that Northern would agree to change it, but you should let me know. Please provide me with any comments/suggested changes by February 28 so that the proposed Ruling can be filed with the Court prior to Term Day.

Kim Lawrence called me to request that we set a hearing date in front of the Referee on the diligence filing for Mirror Lake and to see if I had any objections to vacating the status conference set for February 28. He felt a Status Conference would be a waste of time so I agreed to a hearing setting. Kim has not confirmed that Ray Leisman has agreed to vacate the Status Conference, but I will let you know. We discussed the last week in July

and the first week in August as possible dates for a hearing. Please let me know if you have any conflicts during this two week period.

Sincerely,

LYNN A. JOHNSON
Trial Attorney

/mdd
Encl.

cc: Owen Williams

DRAFT - [February 16, 1995]

DISTRICT COURT, WATER DIVISION 1, COLORADO

Case No. 94CW060

RULING OF THE REFEREE

CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE UNITED STATES OF AMERICA, in Larimer County

---

THIS MATTER, having come before the Water Referee upon the application of the United States and the Referee having considered the pleadings, the evidence, stipulations of the parties, and comments of the Division Engineer, and otherwise being fully advised, hereby finds and concludes as follows:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The applicant is United States of America, whose mailing address is c/o Department of Justice, 999 18th Street, Suite 945, Denver, Colorado 80202, (303) 294-1900.

2. The application herein was filed with the Water Clerk, Water Division No. 1 on May 11, 1994.

3. Notice of the application was timely given in the manner required by law, and the Court has jurisdiction over the subject matter of the application and over all persons and property affected hereby, irrespective of whether those persons or owners of property have appeared. The time for filing statements of opposition has expired.

4. A timely statement of opposition was filed by the Northern Colorado Water Conservancy District ("District"). The District has stipulated to entry of this Ruling.

5. The Division Engineer issued his Summary of Consultation dated August 31, 1994, which was duly served upon all parties on September 6, 1994. The Referee has given the Summary of Consultation due consideration.

6. The land and water rights involved herein are not included within the boundaries of any designated ground water basin.

7. Applicant seeks a decree approving a plan for augmentation by exchange, to allow pumping on a one for one,

acre-foot by acre-foot exchange basis of a tributary well located in Rocky Mountain National Park.

Plan Of Augmentation By Exchange

8. Structure being augmented by the one for one, acre-foot by acre-foot exchange:

Aspenglen Well, Permit No. 42624-F.

a. Legal description of point of diversion: The Aspenglen Well is located 1670 feet from the North Section line and 890 feet from the East Section line of the SE1/4 of the NE1/4 of Section 17, Township 5 North, Range 17 West of the 6th P.M. Larimer County, Colorado.

b. Amount: 0.123 cfs maximum rate of diversion, which is 55 gpm maximum pumping rate, with a maximum amount of 2 acre-feet annually.

c. Beneficial use: Irrigation, culinary, domestic, or related purposes in Rocky Mountain National Park.

9. Water rights used in the plan for augmentation by exchange to augment the Aspenglen Well will be the water made available to Rocky Mountain National Park from the Colorado-Big Thompson project ("Project") pursuant to Article 24 of the Repayment Contract entered into on July 5, 1938 between the United States of America and the Northern Colorado Water Conservancy District.

a. Article 24 provides:

There is hereby understood and agreed that the United States shall have the right to permit the release of a sufficient amount of water made available by the Project works, without charge to the National Park Service, not to exceed a total of three second-feet of water at Granby Reservoir Pumping Plant No. 1 or other points on the Project works, said releases to be made to permit the use in Rocky Mountain National Park of a like amount of water for irrigation, culinary, domestic or related purposes; provided that additional project water shall be released at the same points without charge to permit the use of additional water if needed for culinary,

domestic or related uses in said Park; and provided further that the United States through the National Park Service may make, without objection by the District such additional nonconsumptive uses of water as it deems necessary so long as such use does not render the water unavailable to the Project, allowing for slight consumptive loss unavoidably incident to such nonconsumptive uses.

b. Appropriation date: August 1, 1935.

c. Adjudication dates: October 12, 1955 and April 16, 1964 in the Consolidated Cases-Civil Nos. 2782, 5016 and 5017.

d. Source: Colorado River and its tributaries transported through the Alva B. Adams Tunnel.

e. Legal description of points of diversion and places of storage: Willow Creek, Granby and Shadow Mountain Reservoirs, Grand Lake, Willow Creek Feeder Canal and Granby Pump Canal, transported to the East Slope through the Alva B. Adams Tunnel.

f. Decreed use: All of the purposes described in the Repayment Contract dated July 5, 1938. The water provided to the United States for use in Rocky Mountain National Park is for the uses described in Article 24 of the Repayment Contract.

10. Water from the water rights described in Paragraph 8 above will be provided by exchange to replace the amount pumped from the Aspenglen Well on a one for one, acre-foot by acre-foot basis by release at Lake Estes into the Big Thompson River, approximately five miles below Aspenglen Well.

a. Amount of water augmented by exchange: 0.123 cfs maximum rate of diversion, which is 55 gpm maximum pumping rate, with a maximum exchange amount of 2 acre-feet annually, absolute.

b. Date of appropriation for the exchange:

July 3, 1992.

c. How right of exchange was initiated and perfected: By approval of a Temporary Supply Plan for the Aspenglen Campground well by the State Engineer.

RULING OF THE REFEREE

11. The foregoing Findings of Fact and Conclusions of Law are incorporated herein.

12. The plan for augmentation by exchange described in the Findings of Fact and Conclusions of Law as set forth above is hereby confirmed and granted:

a. Structure being augmented by the one for one, acre-foot by acre-foot exchange:

Aspenglen Well, Permit No. 42624-F.

b. Exchange Appropriation Date: July 3, 1992.

b. Amount: 0.123 cfs maximum rate of diversion, which is 55 gpm maximum pumping rate, with a maximum amount of 2 acre-feet annually, absolute.

c. Beneficial Use: Irrigation, culinary, domestic, or related purposes in Rocky Mountain National Park.

d. Water rights used in the plan for augmentation by exchange: As described in Paragraph 9 above.

13. The Division Engineer shall not curtail Applicant's pumping of Aspenglen Well when said well is operating under the plan for augmentation by exchange decreed herein.

14. The pumping of water through Aspenglen Well and the plan for augmentation by exchange decreed herein shall be administered by the State or Division Engineer in accordance with applicable state statutes and decrees. Water will be released from Lake Estes into the Big Thompson River to account for water pumped through Aspenglen Well. Applicant shall install, maintain and operate such water measurement devices and recording devices as are deemed necessary by the Division Engineer to administer the exchange in a form and manner approved by the Division Engineer. Applicant shall keep records and make reports as reasonably requested by the Division Engineer.

15. The plan for augmentation by exchange approved herein was filed with the Water Court in the year 1994, and the exchange portion of the plan shall be administered as having been filed in

that year and shall be junior to all priorities awarded based upon applications filed in previous years. As between all rights filed for adjudication in the same calendar year, priorities shall be determined by historical dates of appropriation and shall not be affected by the date of entry of the ruling.

16. A copy of this Ruling shall be filed with the appropriate Division Engineer and with the State Engineer.

17. This Ruling shall be filed with the Water Clerk, subject to judicial review.

Dated this ____ day of _____, 1995.

BY THE REFEREE:

_____
Water Referee
Water Division No. 1

No protest was filed in this matter. The foregoing Ruling is confirmed and approved, and is made the Judgment and Decree of this Court.

DATED: _____

_____
Water Judge

02-16-1995: letter to water referee from the office of lind, lawrence and ottenhoff regarding canceling the status conference

RECEIVED
FEB 17 '95
DEPT. JUSTICE ENVIRONMENT DIV.
DENVER, COLO.

LIND, LAWRENCE & OTTENHOFF
ATTORNEYS AT LAW
THE LAW BUILDING
1011 ELEVENTH AVENUE
P.O. BOX 326
GREELEY, COLORADO 80632

GEORGE H. OTTENHOFF
KENNETH F. LIND
KIM R. LAWRENCE
JEFFREY R. BURNS

TELEPHONE
(303) 353-2323
(303) 356-9160
TELECOPIER
(303) 356-1111

February 16, 1995

Raymond S. Liesman
Water Referee
Water Division Nº 1
P.O. Box C
Greeley, Colorado 80632

Re: Mirror Lake Diligence, 94-CW-039

Dear Ray:

Lynn and I would like to cancel the status conference scheduled for February 28, 1995 at 9:30 a.m. Our clients have met to discuss settlement and while settlement has not yet been reached, a few possibilities remain. I would like to give our clients some additional time to discuss this matter but Lynn and I have agreed a hearing date needs to be set. Lynn would like some time for discovery, if she decides it is necessary.

Jean will obtain some additional dates from you because the dates we originally proposed did not work for Lynn or her clients. We will send a list of dates to Lynn and she proposes to agree on one upon return of the Parks official in charge of this matter in two weeks.

There is nothing much else to report at the status conference so Lynn and I thought it would be best to save her time and ours and set the matter for hearing as a deadline for ourselves and our clients to conclude any negotiations and any discovery. If this is acceptable please let me know.

Sincerely,

LIND, LAWRENCE & OTTENHOFF

Kim R. Lawrence

KRL/jeh
pc: Lynn Johnson
Mike Donaldson
Ray Moses
William Good

F:\KIM\NCP\LIESMAN1.LTR

02-16-1995: letter to us dept. of justice regarding appointment scheduling

RECEIVED
FEB 17
DEPT. JUSTICE ENVIRONMENT DIV.
DENVER, COLO.

LIND, LAWRENCE & OTTENHOFF
ATTORNEYS AT LAW
THE LAW BUILDING
1011 ELEVENTH AVENUE
P.O. BOX 326
GREELEY, COLORADO 80632

GEORGE H. OTTENHOFF
KENNETH F. LIND
KIM R. LAWRENCE

JEFFREY R. BURNS

TELEPHONE
(303) 353-2323
(303) 356-9160
TELECOPIER
(303) 356-1111

February 16, 1995

Lynn A. Johnson, Esq.
U. S. Department of Justice
Environment and Natural Resources
999 - 18th Street, Suite 945
Denver, CO 80202

Re: Mirror Lake Diligence, 94-CW-039

Dear Lynn:

My secretary checked with Ray Liesman regarding his calendar July 24, 1995 through August 4, 1995. After reviewing his calendar, and mine, the only day which is not available is August 1, 1995. Please advise me which days you would be available for a one day hearing on the above diligence application.

Sincerely,

LIND, LAWRENCE & OTTENHOFF

Kim R. Lawrence

KRL/jeh
pc: Mike Donaldson
Ray Moses
William Good

F:\KIM\NCP\JOHNSON9.LTR

11-16-1992: letter to us dept. of justice from a hydrologist regarding case nos. w-8789-77, w-8791-77(a)

United States Department of the Interior

NATIONAL PARK SERVICE
Rocky Mountain National Park
Estes Park, Colorado 80517

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:

Received NOV 16 1992
Water Rights Branch

November 13, 1992

Ms. Deirdre Hills
U.S. Department of Justice
Environment and Natural Resources Division
999 18th Street - Suite 945
Denver, CO 80202

Re: Water Division No. 1 - Case Nos. W-8789-77 and W-8791-77(A)

Dear Deirdre:

We have reviewed the above referenced cases and the findings and rulings of the water referee. They are acceptable as written.

Thank you for the opportunity to review these cases.

Sincerely,

S/L Gamble

for Kenneth Czarnowski
Hydrologist

cc: WRD - Williams
SOL - Canaday
RMR - Wise

DISTRICT COURT, WATER DIVISION NO. 1, COLORADO

FILED IN DISTRICT COURT
02 OCT 30 AM 9:48
IN DISTRICT COURT
WELD COUNTY, COLO.

CASE NO. W-8791-77(A)

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, IN LARIMER COUNTY

THIS CLAIM was filed with the Water Clerk, Water Division 1, on December 29, 1977 and amended on September 4, 1984 and October 4, 1984. The Referee being fully advised in the premises, does hereby find:

All notices required by law of the filing of this application were fulfilled, and the Referee has jurisdiction of this application.

Numerous Statements of Opposition and Entries of Appearance were filed in 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 were indicated by the evidence presented.

Moraine Park Well No. 2 and Moraine Park Well No. 3 have been bifurcated and will be adjudicated in case No. W-8791-77(B). The remaining 5 wells will be case No. W-8791-77(A).

IT IS HEREBY THE RULING OF THE WATER REFEREE:

1. The name and address of the claimant:

United States of America
Department of Justice
Environment and Natural Resources Division
999 - 18th St., #945
Denver, CO 80202

2. The name of the structures:

USA Rocky Mountain National Park:
Moraine Park Well 1-4019
Moraine Park Well 0-924-N
Bighorn Ranger Station Well 165966
Sprague Lake Recreation Area Well
Black Cabin Well

3. The legal description of the structure:

Moraine Park Well 1-4019: SE1/4 SW1/4, Section 33, Township 5 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 500 feet from the South line and 2100 feet from the West line, Section 33.

Moraine Park Well 0-924-N: SE1/4 SW1/4, Section 33, Township 5 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 520 feet North and 420 feet West of S1/4 Corner, Section 33.

Bighorn Ranger Station Well 165966: NE1/4 NE1/4, Section 17, Township 5 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 625 feet from the North line and 750 feet from the East line, Section 17.

Sprague Lake Recreation Area Well: SW1/4 SE1/4, Section 7, Township 4 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 750 feet from the South line and 2250 feet from the East line, Section 7.

Black Cabin Well: NE1/4 SW1/4, Section 32, Township 5 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 2375 feet from the South line and 1875 feet from the West line, Section 32.

4. The source of the water:

Groundwater for all five wells

5. The date of appropriation:

Moraine Park Well 1-4019: July 1, 1959

Moraine Park Well 0-924-N: August 31, 1957

Bighorn Ranger Station Well 165966:
May 31, 1982

Sprague Lake Recreation Area Well:
December 31, 1909

Black Cabin Well: December 31, 1937

6. The amount of water:

Moraine Park Well 1-4019: 0.22 cfs (99 gpm)

Moraine Park Well 0-924-N: 0.016 cfs (7 gpm)

Bighorn Ranger Station Well 165966:
0.018 cfs (8 gpm)

Sprague Lake Recreation Area Well:
0.011 cfs (5 gpm)

Black Cabin Well: 0.027 cfs (12 gpm)

7. The use of the water:

Moraine Park Well 1-4019: Municipal, including but not limited to domestic, limited irrigation of lawns, commercial in administrative and maintenance buildings, Visitor Center, museum and campground.

Moraine Park Well 0-924-N: Domestic for three single family dwelling.

Bighorn Ranger Station Well 165966: Domestic for two single family dwellings including irrigation of approximately 1000 square feet.

Sprague Lake Recreation Area Well: Commercial, drinking and sanitary uses at Sprague Lake. Uses limited to less than 1 acre foot annually.

Black Cabin Well: Domestic for one single family dwelling.

8. Moraine Park Well 0-924N, Bighorn Ranger Station Well 165966, Sprague Lake Recreation Area Well and Black Cabin Well - 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.

9. The Court finds that this application, assigned case No. W-8791-77 (A), is a timely amendment to the United States' claims originally filed in 1976, designated W-8439-76.

The water right for Moraine Park Well 1-4019 is entitled to antedation and shall be granted a priority date of July 1, 1959, and shall be subject to prior vested rights. (Pursuant to 79 SA 99 and 79 SA 100 dated November 29, 1982, 656, P. 2d 1.)

Dated: OCT 30 1992

Raymond S. Liesman

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
State of Colorado

L54
FWD

December 14, 1993

Ralph O. Canaday, Attorney
Office of the Solicitor
Rocky Mountain Region
P.O. Box 25007
Denver Federal Center
Denver, CO 80225

Dear Mr. Canaday:

Enclosed for your review are an original and three copies of an application for approval of a plan for augmentation by exchange for the Aspenglen Campground well. Please review this application, and if found acceptable, send it to the Department of Justice for transmittal to the Water Court, Water Division I. Since our original plan for augmentation issued by the State Engineer expires on December 31, we would appreciate your timely handling of this application.

If you have any questions regarding this application, please call Ken Czarnowski of my staff at 586-3563, ext,. 263.

Thank you for your assistance in this matter.

Sincerely,

Signed

Homer L. Rouse
Superintendent

Enclosures

cc:
CM
CRM
Wise-RMR
Williams-WRD

KCzarnowski:jim:12/13/93

Submit original plus 3 copies

Copy

DISTRICT COURT, WATER DIVISION 1, COLORADO

Case No._____

APPLICATION FOR APPROVAL OF PLAN FOR AUGMENTATION BY EXCHANGE

CONCERNING THE APPLICATION FOR WATER RIGHTS OF:

United States of America - Rocky Mountain National Park, in Larimer County.

---

1. Name, address, telephone number(s) (residence and business) of applicant(s)

   Rocky Mountain National Park
   Estes Park, CO 80517
   Phone: (303) 586-3565

2. Name(s) of structure(s) to be augmented:

   Aspenglen Well, Permit No. 036651-F

   Are there other water rights diverted from this structure(s) __Yes _X_ No

3. Previous decree(s) of water rights(s) to be used for augmentation:
   A. Date entered: July 5, 1938
   B. Case No. Contract between United States and Northern Colorado Water Conservancy Dist., Article 24
   C. Court: _____
   D. Type of water right (surface, underground storage): Transmountain from the Colorado River
   E. Legal description of point(s) of diversion or place of storage:
      Initial point of diversion on east slope in Alva B. Adams Tunnel.
   F. Source: Colorado River via Adams Tunnel
   G. Amount: 55 gpm limited to 2 acre feet annually
   H. Appropriation: _____
   I. Decreed use (if irrigation, include total acreage): Irrigation, culinary, domestic exchange use.

4. Historic use: (Include a description of all water rights to be used for augmentation, a map showing the approximate location of historic use of the rights and records or summaries of records of actual diversions of each right the applicant intends to rely on to the extent such records exist.)

   The United States acquired water rights for the Colorado Big-Thompson Project in a Federal District Court action in the nature of a quiet title suit, and the decrees were entered on October 12, 1955, and supplemented by a decree dated April 16, 1964.

   Water rights to be used for exchange purposes by the National Park Service are owned by the United States (USA) as referenced in Article 24 of the 1938 Contract between the United States and the Northern Colorado Water Conservancy District.

   Article 24 states: There is hereby understood and agreed that the United States shall have the right to permit the release of a sufficient amount of water made available by the project works, without charge to the National Park Service, not to exceed a total of three second-feet of water at Granby Reservoir pumping plant No. 1 or other points on the project works, said releases to be made to permit the use in Rocky Mountain National Park of a like amount of water for irrigation, culinary, domestic, or related purposes; provided that additional project water shall be released at the same points without charge to permit the use of additional water if needed for culinary, domestic, or related uses in said park; and provided further that the United States through the National Park Service may make, without objection by the District, such additional non-consumptive uses of water as it deems necessary so long as such use does not render the water unavailable to the project, allowing for slight consumptive loss unavoidably incident to such non-consumptive uses.

Water is pumped from Granby Reservoir pumping plant No. 1 to Shadow Mountain Lake thence to Grand Lake diverted through the Alva B. Adams Tunnel to Water Division No. 1.

5. Statement of plan for augmentation by exchange, covering all applicable matters under CRS 37-92-103(9), 302(1)(2) and 305(8). Give full details of plan, including a description of all water rights to be established or changed by the plan.

The United States has a water exchange plan that was approved on March 15, 1993, by the State Engineer for the Aspenglen Campground well. The Aspenglen Well (Permit No. 042624-F) is located 1670 feet from the North Section Line and 890 feet from the East Section line of the SE1/4 of the NE1/4 of Section 17, T5N, R17W, 6th P.M., approximately 560 feet from the Fall River, and has a maximum pumping rate of 55 gpm. The well is equipped with two totalizing flow meters. Approximately 2.0 acre-feet of water annually is used from the well at two employee residences and a 55-unit campground.

The United States has the capability and the intent to release an equal amount of Article 24 water described in (3) above at a time and location on the Big Thompson River system as determined by the Water Commissioner in exchange for water pumped at the well. Fall River joins Article 24 water in the Lake Estes approximately five miles below Aspenglen Well.

See attached Water Exchange Plan for more specific description.

6. Name(s) and address(es) of owner(s) of land on which structures are located:
United States of America
National Park Service
Rocky Mountain National Park
Estes Park, CO 80517

_____
Signature of Applicant (or Attorney)

_____
Address of Applicant (or Attorney)

_____
Telephone No.

_____
Attorney Registration No.

STATE OF COLORADO
COUNTY OF LARIMER

I, Kenneth Czarnowski, state under oath that I have read this application and verify its content.

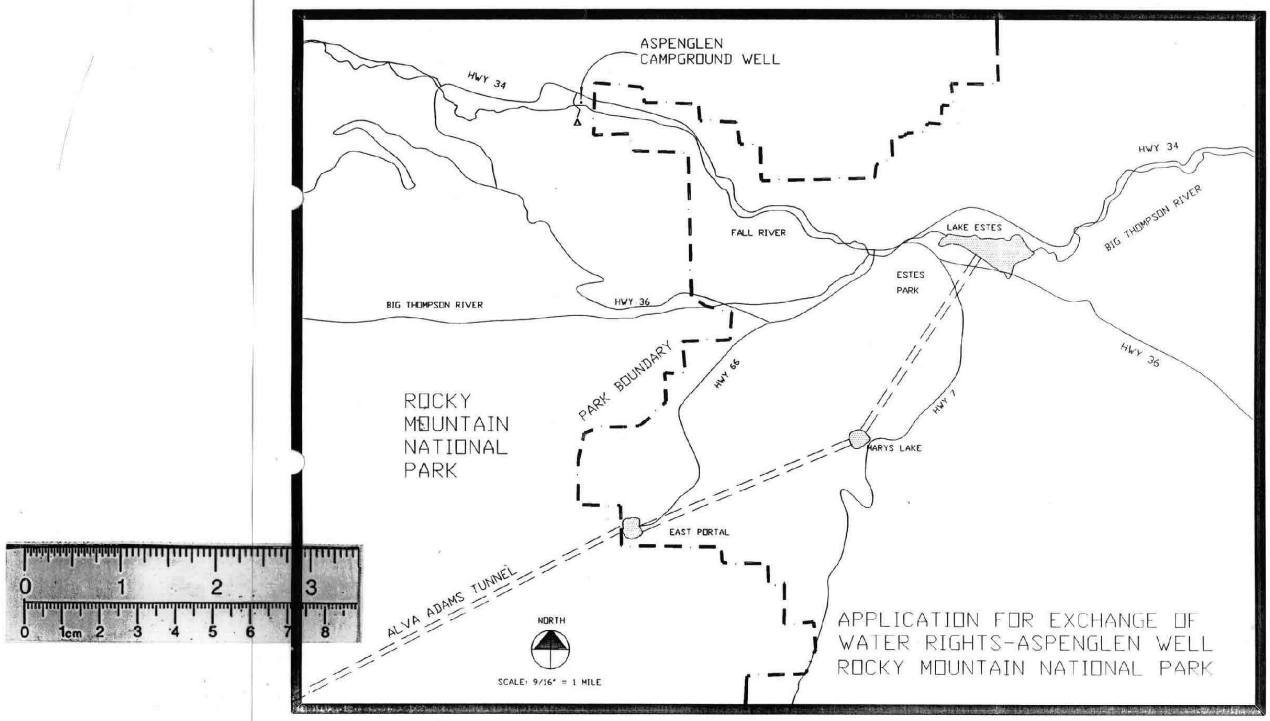
Kenneth Czarnowski
Applicant

Subscribed under oath before me on DECEMBER 14, 1993.

My commission expires: 10/27/97.

Mary M. Douglas
Notary Public

00-00-0000: map showing the location of the aspenglen campground - water rights



Water Exchange Plan

for

Aspenglen Campground
Rocky Mountain National Park

1. Location

Aspenglen Campground is located in Section 17, T. 5 N., R. 73 W., 6th P.M., just inside the Fall River Entrance of Rocky Mountain National Park (See attached map. Figure 1). This facility contains 55 campsites for park visitors, four comfort stations and an information kiosk. Two employee residences (known as the Smith Sisters Cabins) are also located on the 70 acre site.

2. Drainage Basin

Aspenglen Campground is located immediately adjacent to the Fall River. The well is located about 750 feet from the river and obtains water from alluvium of the Fall River.

3. Water Rights

Water rights associated with the existing well at Aspenglen Campground are owned by the United States, Case No. (W-8790-77) for well no. 23820. The United States has received permission to transfer the water rights associated with permit No. 23820 to permit No. 036651-F, the new well. The well associated with permit No. 23820 has been properly plugged and abandoned. A substitute water supply plan was approved by the State Engineer through January 31, 1993 pursuant to Section 37-80-120 C.R.S.

4. Source of Exchange Water

Water rights to be used for exchange purposes by the National Park Service are owned by the United States (USA) as referenced in Article 24 of the 1938 Contract between the United States and the Northern Colorado Water Conservancy District. Article 24 states:

00-00-0000: topographic map showing the location of aspenglen campground

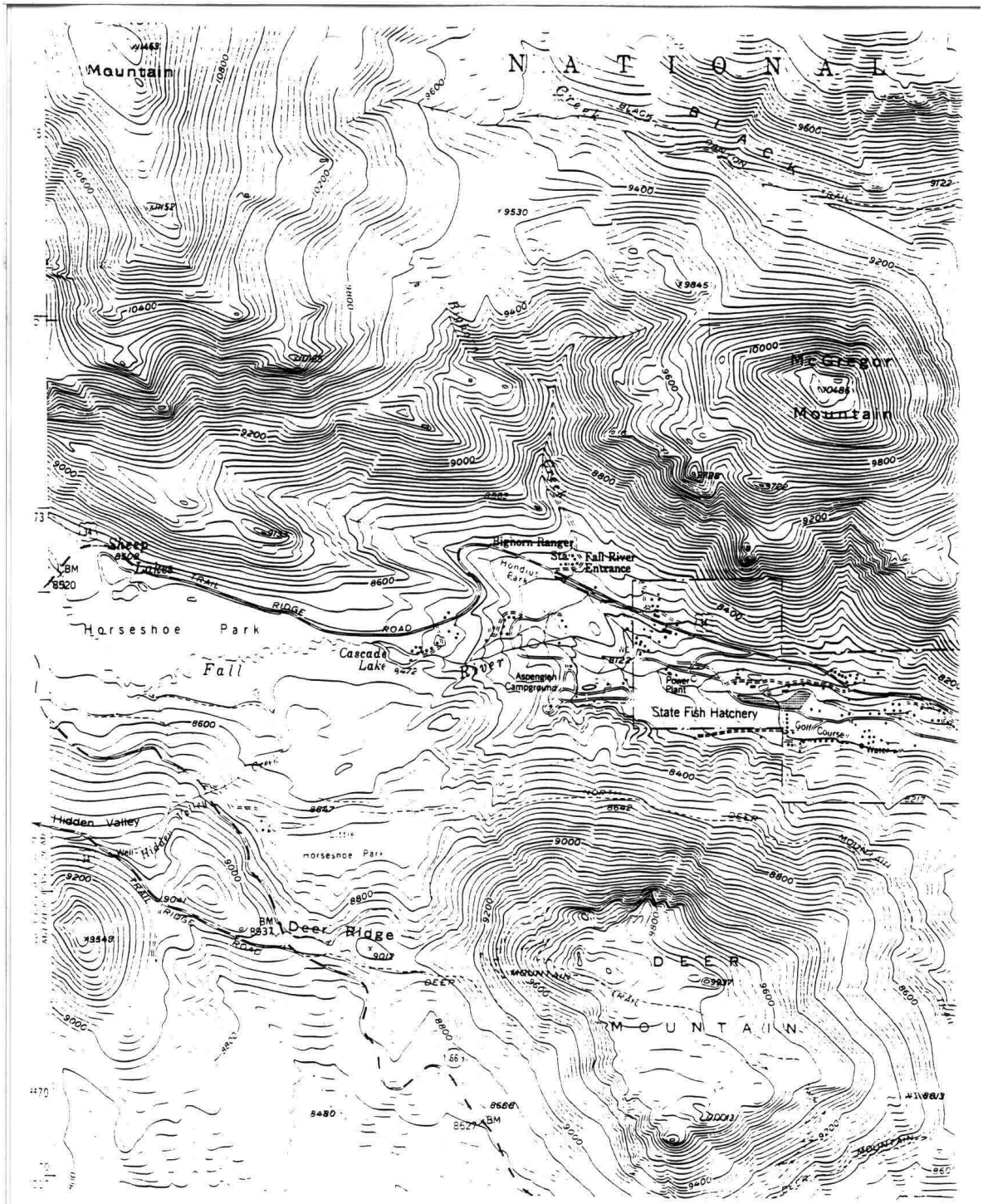


Figure 1. Aspenglen Campground, Rocky Mountain National Park.

> There is hereby understood and agreed that the United States shall have the right to permit the release of a sufficient amount of water made available by the project works, without charge to the National Park Service, not to exceed a total of three second-feet of water at Granby Reservoir pumping plant No. 1 or other points on the project works, said releases to be made to permit the use in Rocky Mountain National Park of a like amount of water for irrigation, culinary, domestic or related purposes; provided that additional project water shall be released at the same points without charge to permit the use of additional water if needed for culinary, domestic or related uses in said park; and provided further that the United States through the National Park Service may make, without objection by the District, such additional non-consumptive uses of water as it deems necessary so long as such use does not render the water unavailable to the project, allowing for slight consumptive loss unavoidably incident to such non-consumptive uses.

The United States acquired the project water rights in a Federal District Court action in the nature of a quiet title suit, and the decrees were entered on October 12, 1955, and supplemented by a decree dated April 16, 1964. A total of 3.0 cfs of foreign water is available for use, a portion of which will be made available as exchange water to be diverted by the Aspenglen well (Permit No. 036651-F). This water will be made available at Lake Estes or at another point on the system as determined by the Water Commissioner. Water will be released simultaneously with use or in aggregate as requested by the Water Commissioner.

5. Potential Injury to Downstream Water Right Users

According to the Colorado Division of Water Resources, there are approximately 50 water rights on the Fall River located between the Aspenglen well and Lake Estes. However, records of Water Division I, District 4, indicate that there has not been a call on the river by water right users located between the location of the Aspenglen well and the outlet of Lake Estes.

Since the well is located about 750 feet from the river, delayed impacts may result to downstream users from diversions by the Aspenglen well. However, to alleviate any potential injury, the USA has the capability and the intent to release an equal amount of Article 24 water referenced in (4) above, at a time and location on the project system as determined by the Water Commissioner.

6. Engineering Report

A map showing a description of the Aspenglen Campground and the associated water delivery system is attached. Features of the campground are "as built". An amount of water, not to exceed 2.0 acre-feet per year, will be used annually at the campground.

The Smith Sisters cabins are occupied seasonally from about May 8 through September 30. The cabins are one bedroom, one bathroom each. There are no laundry hookups or outside irrigation. A total of three people occupy the two cabins. Meters have just recently been installed on the two residences that receive water from the well. Waste water is discharged into two separate septic systems. A domestic well, which was located next to the larger cabin, originally provided water for the cabins but was properly abandoned when the Park Service acquired the property.

A standard rate of 75 gallons per person per day has been estimated for this use for the time period the residences are occupied. This is based on the U.S. Department of Health, Education and Welfare estimates for single family residences. Assuming that three people occupy the two residences for a total of 150 days, about 33,750 gallons of water (0.11 acre-feet) would be required annually at the Smith Sisters cabins, the majority of which would be returned to the Fall River via septic systems.

All wastewater from the campground, with the exception of the two residences mentioned above, is returned to the Upper Thompson Sanitation District (UTSD).

7. Return Flows and Depletion

The majority of the water used at the campground is returned to the river system via the Upper Thompson Sanitation District (UTSD) just below Lake Estes. However, in order to assure there will be no injury to downstream users the United States will make available to the river system, approximately 2.0 acre-feet at Lake Estes to coincide with the pumping of the well, or to compensate for possible delayed impacts, at a time and location to be determined by the Water Commissioner.

8. Proposed Monthly Accounting Form.

Accounting, using the following form, Table 2., or a similar form provided by the State Engineer, will be completed monthly and will be provided to the State Engineer's Office upon request.

00-00-0000: map of the aspenglen campground - water and sewer facilities

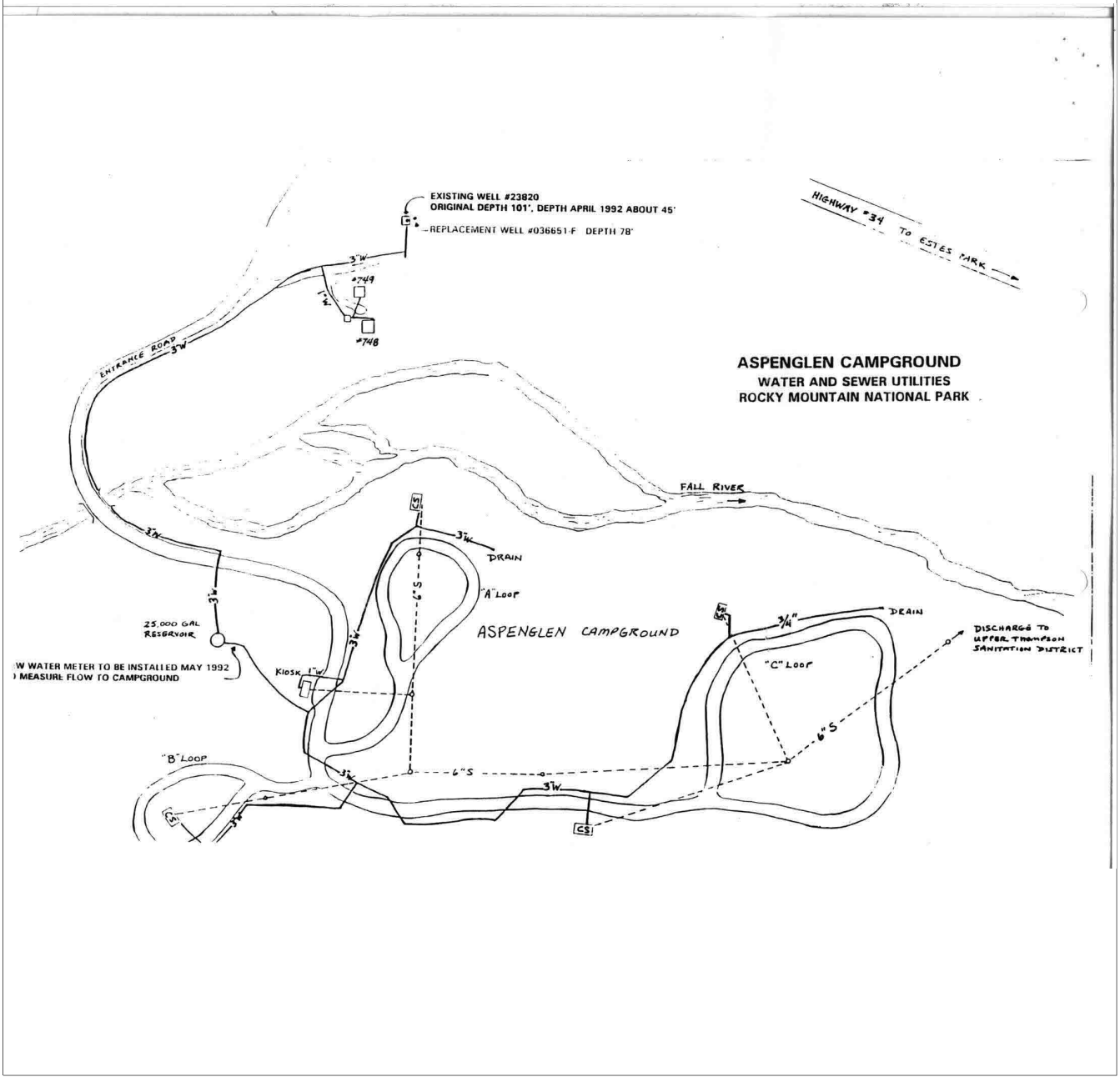


Table 2. Aspenglen Campground Well
(Permit No. 036651-F)

	May	June	July	August	Sept.
Water pumped at well					
Water to Smith Cabins					
Total					

9. Metering devices

The following metering devices have been or will be installed at the locations indicated on Table 3. for purposes of measuring water use at the campground.

Table 3. Water Measuring Devices
at Aspenglen Campground

Measuring Device	Location	Model (Badger)	Serial No.
Disc Meter 1"	old well (plugged and abandoned)	40	91507180
Disc Meter 3/4"	new well	25	33626-002
Disc Meter 5/8"	B-749 (Smith Sisters Cabin)	25	79552361
Disc Meter 5/8"	B-748 (Smith Sisters Cabin)	25	79532325
Turbo Meter 3"	Tank Discharge	11	09126297

05-04-1993: letter to us dept. of the interior from paralegal specialist regarding missing page and signature page from the decree -

U.S. Department of Justice

Environment and Natural Resources Division

WMC:JDDraper
90-1-2-892

#9

Denver Field Office
Suite 945
999 18th Street
Denver, Colorado 80202

Commercial Number
(303) 294-1900
FTS/330-1900
Telefax Number
(303) 294-1931
FTS/330-1931

May 4, 1993

Ralph O. Canaday, Esquire
U.S. DEPT. OF INTERIOR
Office of the Solicitor
Rocky Mtn. Region
P. O. Box 25007
Denver, CO 80225

Mr. Owen Williams
Chief, Water Resources Division
NATIONAL PARK SERVICE
1201 Oakridge Drive
Suite 250
Fort Collins, CO 80525

Mr. Kenneth Czarnowski, Hydrologist
NATIONAL PARK SERVICE
Division of Resources Management
Estes Park, CO 80517

Re: Water Division No. 1
Case No.: W-8791-77(A)

Gentlemen:

Enclosed please find a copy of the replacement page and signature page of the Decree entered in the above matter on April 29, 1993.

Respectfully,

Julia D. Draper

Julia D. Draper
Paralegal Specialist
General Litigation Section

enclosures

9. The Court finds that this application, assigned case No. W-8791-77 (A), is a timely amendment to the United States' claims originally filed in 1976, designated W-8439-76.

The water rights for Moraine Park Well 1-4019 and Sprague Lake Recreation Area Well are entitled to antedation and shall be granted a priority date of July 1, 1959 and December 31, 1909 respectively, and shall be subject to prior vested rights. (Pursuant to 79 SA 99 and 79 SA 100 dated November 29, 1982, 656, P. 2d 1.)

Dated: APR -8 1993

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: APR 29 1993

ROBERT A. BEHRMAN
Water Judge
Water Division No. 1
State of Colorado

Sprague Lake Recreation Area Well:
December 31, 1909

Black Cabin Well: December 31, 1937

6. The amount of water:

Moraine Park Well 1-4019: 0.22 cfs (99 gpm)

Moraine Park Well 0-924-N: 0.016 cfs (7 gpm)

Bighorn Ranger Station Well 165966:
0.018 cfs (8 gpm)

Sprague Lake Recreation Area Well:
0.011 cfs (5 gpm)

Black Cabin Well: 0.027 cfs (12 gpm)

7. The use of the water:

Moraine Park Well 1-4019: Livestock, domestic, limited irrigation of lawns and gardens, commercial in administrative and maintenance buildings, Visitor Center, museum and campground.

Moraine Park Well 0-924-N: Domestic for three single family dwellings.

Bighorn Ranger Station Well 165966: Domestic for two single family dwellings including irrigation of approximately 1000 square feet.

Sprague Lake Recreation Area Well: Domestic, commercial, drinking, sanitary and stockwater uses for livery/stable operation at Sprague Lake.

Black Cabin Well: Domestic for one single family dwelling.

8. Moraine Park Well 0-924N, Bighorn Ranger Station Well 165966 and Black Cabin Well - These water rights, so long as uses are limited to those decreed herein, are exempt from administration by the State Engineer pursuant to CRS, 37-92-602.

04-08-1993: letter to national parks dept. from paralegal specialist regarding revised findings and rulings of the referee

U.S. Department of Justice

Environment and Natural Resources Division

WMC:JDDraper
90-1-2-892

Denver Field Office
Suite 945
999 18th Street
Denver, Colorado 80202

Commercial Number
(303) 294-1900
FTS/330-1900
Telefax Number
(303) 294-1931
FTS/330-1931

April 12, 1993

Ralph O. Canaday, Esquire
U.S. DEPT. OF INTERIOR
Office of the Solicitor
Rocky Mtn. Region
P. O. Box 25007
Denver, CO 80225

Mr. Owen Williams
Chief, Water Resources Division
NATIONAL PARK SERVICE
1201 Oakridge Drive
Suite 250
Fort Collins, CO 80525

Mr. Kenneth Czarnowski, Hydrologist
NATIONAL PARK SERVICE
Division of Resources Management
Estes Park, CO 80517

Re: Water Division No. 1
Case No.: W-8791-77(A)

Gentlemen:

Enclosed please find copies of the REVISED FINDINGS AND RULING OF THE REFEREE . . . in the above-captioned case. Please let us know by **April 23, 1993,** whether these Rulings are acceptable. Please note that in paragraph 7, Sprague Lake Recreation Area Well, the reference to limitation of 1 acre foot annually should be eliminated.

Respectfully,

Julia D. Draper

Julia D. Draper
Paralegal Specialist
General Litigation Section

enclosures

COPY FOR YOUR INFORMATION

WATER DIVISION NO. 1
STATE OF COLORADO

APR - 8 1993
Date

RECEIVED
APR 12 1993
DEPT. JUSTICE ENVIRONMENT DIV.
DENVER, COLO.

TO: Lynn A. Johnson, Esq.
999 - 18th St., #945
Denver, CO 80202

Cliff Seigneur, Esq.
1525 Sherman St., 5th Fl.
Denver, CO 80203

STATE/DIV

The Water Court Referee for Division 1 has instructed me to forward this copy of his Revised Ruling in Case No. W-8791-77(A).

Please check your Ruling very CAREFULLY! If any errors are found, notify the Water Clerk's Office IMMEDIATELY.

You have twenty (20) days after the above date of mailing to file with the Water Clerk, any pleading in protest to or in support of the Referee's Ruling. Any such pleading to the Referee's Ruling must be filed on or before APR 28 1993, plus any additional time allowed by Rule 6(e) CRCP. In the absence of any pleading being received, the Judge of the Water Court will incorporate the Referee's Ruling in the Decree which will be entered after APR 28 1993.

Mary H. Cregin

Mary Cregin
Water Clerk, Water Division 1
P O Box C
Greeley, CO 80632
(303) 356-4000, Ext. 4550

DISTRICT COURT, WATER DIVISION NO. 1, COLORADO

CASE NO. W-8791-77(A)

REVISED 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, IN LARIMER COUNTY

THIS CLAIM was filed with the Water Clerk, Water Division 1, on December 29, 1977 and amended on September 4, 1984 and October 4, 1984. The Referee being fully advised in the premises, does hereby find:

All notices required by law of the filing of this application were fulfilled, and the Referee has jurisdiction of this application.

Numerous Statements of Opposition and Entries of Appearance were filed in 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 were indicated by the evidence presented.

Moraine Park Well No. 2 and Moraine Park Well No. 3 have been bifurcated and will be adjudicated in case No. W-8791-77(B). The remaining 5 wells will be case No. W-8791-77(A).

IT IS HEREBY THE RULING OF THE WATER REFEREE:

1. The name and address of the claimant:

United States of America
Department of Justice
Environment and Natural Resources Division
999 - 18th St., #945
Denver, CO 80202

2. The name of the structures:

USA Rocky Mountain National Park:
Moraine Park Well 1-4019
Moraine Park Well 0-924-N
Bighorn Ranger Station Well 165966
Sprague Lake Recreation Area Well
Black Cabin Well

3. The legal description of the structure:

Moraine Park Well 1-4019: SE1/4 SW1/4, Section 33, Township 5 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 500 feet from the South line and 2100 feet from the West line, Section 33.

Moraine Park Well 0-924-N: SE1/4 SW1/4, Section 33, Township 5 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 520 feet North and 420 feet West of S1/4 Corner, Section 33.

Bighorn Ranger Station Well 165966: NE1/4 NE1/4, Section 17, Township 5 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 625 feet from the North line and 750 feet from the East line, Section 17.

Sprague Lake Recreation Area Well: SW1/4 SE1/4, Section 7, Township 4 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 750 feet from the South line and 2250 feet from the East line, Section 7.

Black Cabin Well: NE1/4 SW1/4, Section 32, Township 5 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 2375 feet from the South line and 1875 feet from the West line, Section 32.

4. The source of the water:

Groundwater for all five wells

5. The date of appropriation:

Moraine Park Well 1-4019: July 1, 1959

Moraine Park Well 0-924-N: August 31, 1957

Bighorn Ranger Station Well 165966:
May 31, 1982

Sprague Lake Recreation Area Well:
December 31, 1909

Black Cabin Well: December 31, 1937

6. The amount of water:

Moraine Park Well 1-4019: 0.22 cfs (99 gpm)

Moraine Park Well 0-924-N: 0.016 cfs (7 gpm)

Bighorn Ranger Station Well 165966:
0.018 cfs (8 gpm)

Sprague Lake Recreation Area Well:
0.011 cfs (5 gpm)

Black Cabin Well: 0.027 cfs (12 gpm)

7. The use of the water:

Moraine Park Well 1-4019: Livestock, domestic, limited irrigation of lawns and gardens, commercial in administrative and maintenance buildings, Visitor Center, museum and campground.

Moraine Park Well 0-924-N: Domestic for three single family dwelling.

Bighorn Ranger Station Well 165966: Domestic for two single family dwellings including irrigation of approximately 1000 square feet.

Sprague Lake Recreation Area Well: Domestic, commercial, drinking, sanitary and stockwater uses for livery/stable operation at Sprague Lake. Uses limited to less than 1 acre foot annually.

Black Cabin Well: Domestic for one single family dwelling.

8. Moraine Park Well 0-924N, Bighorn Ranger Station Well 165966 and Black Cabin Well - These water rights, so long as uses are limited to those decreed herein, is exempt from administration by the State Engineer pursuant to CRS, 37-92-602.

9. The Court finds that this application, assigned case No. W-8791-77 (A), is a timely amendment to the United States' claims originally filed in 1976, designated W-8439-76.

The water rights for Moraine Park Well 1-4019 and Sprague Lake Recreation Area Well are entitled to antedation and shall be granted a priority date of July 1, 1959 and December 31, 1909 respectively, and shall be subject to prior vested rights. (Pursuant to 79 SA 99 and 79 SA 100 dated November 29, 1982, 656, P. 2d 1.)

Dated: APR -8 1993

Raymond S. Liesman
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
State of Colorado

02-22-1993: letter to a water resource geologist from a hydrologist regarding application for a new well

L54

February 22, 1993

Richard Bell
Water Resource Geologist
Division of Water Resources
1313 Sherman Street, Room 818
Denver, CO 80203

RE: Well Permit No. 36651-F

Dear Mr. Bell:

Enclosed is an application form for a new well permit for the above referenced well. According to your letter of February 8, 1993, the permit expired on May 2, 1991 and a new permit is required. A $60 filing fee is included to cover the cost of the new permit.

If additional information is needed, please call me at (303) 586-3565, ext. 263.

Sincerely,

Kenneth Czarnowski

Kenneth Czarnowski
Hydrologist

Enc.

cc:
FWD No. 26
WRD

KCzarnowski:jim:2/22/93

-5-Rev. 76

CO[illegible]RADO DIVISION OF WATER RESOUR[illegible]S
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in BLACK INK. No overstrikes or erasures unless initialed.

FOR: ( ) A PERMIT TO USE GROUND WATER
( ) A PERMIT TO CONSTRUCT A WELL
( ) A PERMIT TO INSTALL A PUMP
(X) REPLACEMENT FOR NO. 036651-F
( ) OTHER _____
WATER COURT CASE NO. _____

(1) APPLICANT - mailing address

NAME United States of America, National Park Service, Rocky Mountain National Park

STREET Rocky Mountain National Park

CITY Estes Park CO (State) 80517 (Zip)

TELEPHONE NO. (303) 586-3565

(2) LOCATION OF PROPOSED WELL

County Larimer

SE ¼ of the NE ¼, Section 17

Twp. 5 N (N,S), Rng. 73 W (E,W), 6 P.M.

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 55

Average annual amount of ground water to be appropriated (acre-feet): 1.5

Number of acres to be irrigated: None

Proposed total depth (feet): 100

Aquifer ground water is to be obtained from:

alluvium, Fall River

Owner's well designation Aspenglen Campground

GROUND WATER TO BE USED FOR:

( ) HOUSEHOLD USE ONLY - no irrigation (0)
(X) DOMESTIC (1)
( ) LIVESTOCK (2)
( ) COMMERCIAL (4)
( ) INDUSTRIAL (5)
( ) IRRIGATION (6)
( ) MUNICIPAL (8)
(X) OTHER (9) Public Campground

DETAIL THE USE ON BACK IN (11)

(4) DRILLER

Name Licensed

Street _____

City _____ (State) _____ (Zip)

Telephone No. _____ Lic. No. _____

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. _____ / _____

Basin _____ Dist. _____

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

APPLICATION APPROVED

PERMIT NUMBER _____

DATE ISSUED _____

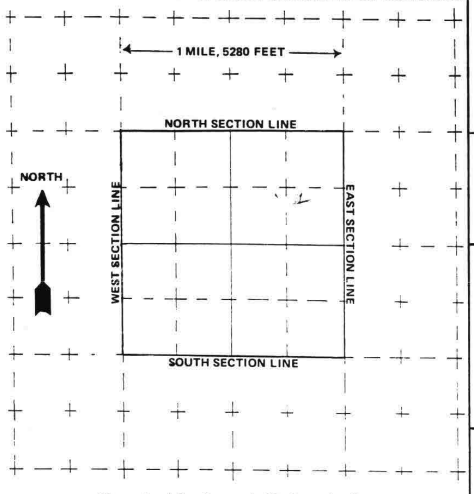
EXPIRATION DATE _____

_____
(STATE ENGINEER)

BY _____

I.D. _____ COUNTY _____

(5) THE LOCATION OF THE PROPOSED WELL and the area on which the water will be used must be indicated on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)
An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year.
1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

(6) THE WELL MUST BE LOCATED by distances from section lines.

1,670 ft. from North (north or south) sec.

890 ft. from East (east or west) sec. line

LOT _____ BLOCK _____ FILING # _____

SUBDIVISION _____

(7) TRACT ON WHICH WELL WILL BE LOCATED Owner: United States of Amer

No. of acres 40 . Will this be the only well on this tract? Yes

(8) PROPOSED CASING PROGRAM

Plain Casing

6 5/8 in. from 0 ft. to 40 ft.

_____ in. from _____ ft. to _____ ft.

Perforated casing

6 5/8 in. from 40 ft. to 100 ft.

_____ in. from _____ ft. to _____ ft.

(9) FOR REPLACEMENT WELLS give distance and direction from old well and plans for plugging it:

From old well, N67°39'E, 40 feet.
Plugging: Clean sand and gravel to static water level, concrete for the last 12-15 feet.

(10) LAND ON WHICH GROUND WATER WILL BE USED:

Owner(s): United States of America, National Park Service No. of acres: 70, more or less

Legal description: SW¼ of the SE¼NE¼ and E½ of the NW¼SE¼ and NE¼SE¼ Sec.17, T5N, R73W, 6PM

(11) DETAILED DESCRIPTION of the use of ground water: **Household use and domestic wells must indicate type of disposal system to be used.** This is a public non-community system open from about May 1 to Oct. 1 serving two employee residences and a 55 unit public campground. The two employee houses are on septic systems, the campground sewage flows to the Upper Thompson Sanitation District.

(12) OTHER WATER RIGHTS used on this land, including wells. Give Registration and Water Court Case Numbers.

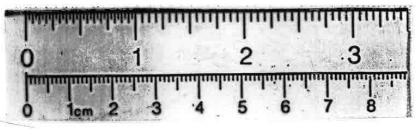
Type of right	Used for (purpose)	Description of land on which used

(13) THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.

Acting Superintendent 2/22/93

SIGNATURE OF APPLICANT(S)

Use additional sheets of paper if more space is required.



01-14-1993: letter to office of the state engineer from the acting superintendent regarding an application for a water exchange plan

United States Department of the Interior

NATIONAL PARK SERVICE
Rocky Mountain National Park
Estes Park, Colorado 80517

IN REPLY REFER TO:

January 14, 1993

Mr. Hal D. Simpson, State Engineer
Office of the State Engineer
Colorado Division of Water Resources
Centennial Building
1313 Sherman Street
Denver, CO 80203

Attention: Julie Kraus

Dear Mr. Simpson:

Enclosed is an application for a Water Exchange Plan for a well (permit no. 036651-F) located at the Aspenglen Campground in Rocky Mountain National Park. This water exchange plan is intended to replace the Temporary Substitute supply plan approved by your office on May 19, 1992. This exchange plan has been reviewed by the Division Engineer, Alan Berryman, and his comments have been incorporated.

Please note that our estimates of use of 1.5 acre feet at the campground were exceeded. The actual amount of water produced by the well and used at the campground last year was 1.7 acre feet. Therefore, we have increased the average amount of water to be appropriated to 2.0 acre feet. This is reflected in the Statement of Beneficial Use for the well and the water exchange plan.

If you have any questions regarding this water exchange plan, please call Dr. Ken Czarnowski of my staff at 586-3565, ext. 263.

Thank you for your assistance in this matter.

Sincerely,

Sheridan Steele
Acting Superintendent

cc: Berryman
Brazelton
Wise - RMR
Williams - WRD
Simpson - NCWCD
Johnson - DOJ
Canaday - SOL

FORM NO. GWS-10 10/89

STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

For Office Use only

FOR INSTRUCTIONS, SEE REVERSE SIDE

STATEMENT OF BENEFICIAL USE

WELL PERMIT NUMBER 036651-F

1. WELL OWNER
NAME(S) USA/National Park Service
Mailing Address Rocky Mountain National Park
City, St. Zip Estes Park, CO 80517
Phone (303) 586-3565

2. WELL LOCATION: COUNTY Larimer OWNER'S WELL DESIGNATION Aspenglen Campground
(Address) (City) (State) (Zip)
SE 1/4 of the NE 1/4, Sec. 17 Twp. 5 [X] N. or [ ] S., Range 73 [ ] E. or [X] W. 6 P.M.
Distances from Section Lines 1,670 Ft. from [X] N. or [ ] S. Line. 890 Ft. from [X] E. or [ ] W. Line.

3. The well is being used for the following purpose(s): Domestic and public campground.

4. Water from the well was first used beneficially for the above purpose(s) on July 3, 19 92

5. The pumping rate claimed is 55 gallons per minute.

6. The average annual amount of water diverted is 2.0 acre feet.

7. The land area irrigated (watered) by water from this well is: 0 (Number) [0] Acres or [ ] Square feet,
described as: (Legal Description)
or as Subdivision Lot(s) Block Filing/Unit

8. Well drilled by: Ingram Drilling Lic. No: 1099
Pump installed by: Thomas O'Neil, Water Treatment Plant Operator, NPS Lic. No: A-1813

9. Meter Mfg. by Badger disc #25 Serial No.: 33626-002 Date Installed: 05/19/92

I (we) have read the statements made herein, know the contents thereof, and state that they are true to my (our) knowledge. [Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a Class 1 misdemeanor.]

10. Name/Title (Please type or print)	Signature	Date
Kenneth Czarnowski Hydrologist	Kenneth Czarnowski	1/13/93

FOR OFFICE USE ONLY

State Engineer By Date

Court Case No. Div. Co. WD Basin MD Use

Water Exchange Plan

for

Aspenglen Campground
Rocky Mountain National Park

1. Location

Aspenglen Campground is located in Section 17, T. 5 N., R. 73 W., 6th P.M., just inside the Fall River Entrance of Rocky Mountain National Park (See attached map. Figure 1). This facility contains 55 campsites for park visitors, four comfort stations and an information kiosk. Two employee residences (known as the Smith Sisters Cabins) are also located on the 70 acre site.

2. Drainage Basin

Aspenglen Campground is located immediately adjacent to the Fall River. The well is located about 750 feet from the river and obtains water from alluvium of the Fall River.

3. Water Rights

Water rights associated with the existing well at Aspenglen Campground are owned by the United States, Case No. (W-8790-77) for well no. 23820. The United States has received permission to transfer the water rights associated with permit No. 23820 to permit No. 036651-F, the new well. The well associated with permit No. 23820 has been properly plugged and abandoned. A substitute water supply plan was approved by the State Engineer through January 31, 1993 pursuant to Section 37-80-120 C.R.S.

4. Source of Exchange Water

Water rights to be used for exchange purposes by the National Park Service are owned by the United States (USA) as referenced in Article 24 of the 1938 Contract between the United States and the Northern Colorado Water Conservancy District. Article 24 states:

00-00-0000: topo map of the area surrounding aspenglen campground

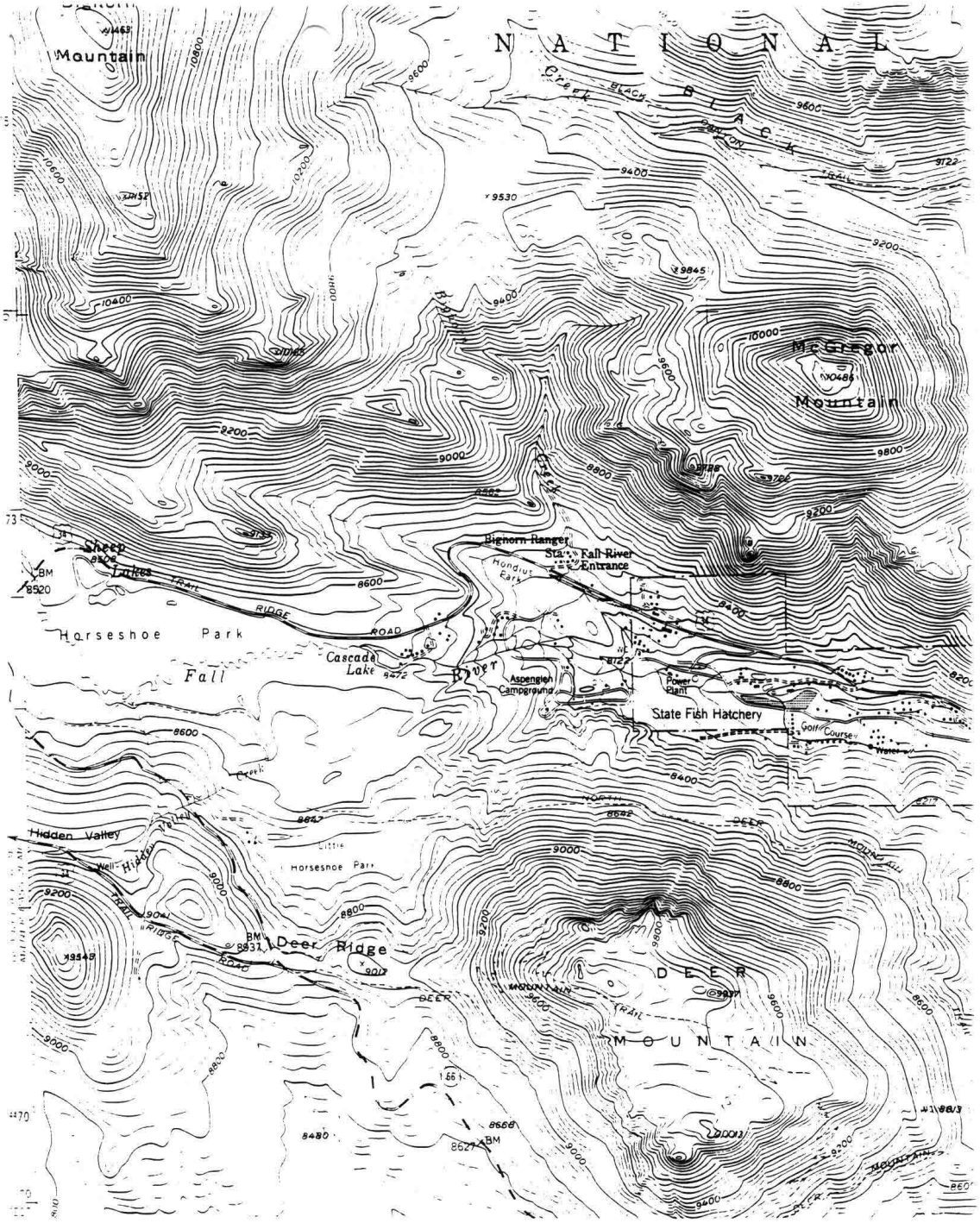


Figure 1. Aspenglen Campground, Rocky Mountain National Park.

> There is hereby understood and agreed that the United States shall have the right to permit the release of a sufficient amount of water made available by the project works, without charge to the National Park Service, not to exceed a total of three second-feet of water at Granby Reservoir pumping plant No. 1 or other points on the project works, said releases to be made to permit the use in Rocky Mountain National Park of a like amount of water for irrigation, culinary, domestic or related purposes; provided that additional project water shall be released at the same points without charge to permit the use of additional water if needed for culinary, domestic or related uses in said park; and provided further that the United States through the National Park Service may make, without objection by the District, such additional non-consumptive uses of water as it deems necessary so long as such use does not render the water unavailable to the project, allowing for slight consumptive loss unavoidably incident to such non-consumptive uses.

The United States acquired the project water rights in a Federal District Court action in the nature of a quiet title suit, and the decrees were entered on October 12, 1955, and supplemented by a decree dated April 16, 1964. A total of 3.0 cfs of foreign water is available for use, a portion of which will be made available as exchange water to be diverted by the Aspenglen well (Permit No. 036651-F). This water will be made available at Lake Estes or at another point on the system as determined by the Water Commissioner. Water will be released simultaneously with use or in aggregate as requested by the Water Commissioner.

5. Potential Injury to Downstream Water Right Users

According to the Colorado Division of Water Resources, there are approximately 50 water rights on the Fall River located between the Aspenglen well and Lake Estes. However, records of Water Division I, District 4, indicate that there has not been a call on the river by water right users located between the location of the Aspenglen well and the outlet of Lake Estes.

Since the well is located about 750 feet from the river, delayed impacts may result to downstream users from diversions by the Aspenglen well. However, to alleviate any potential injury, the USA has the capability and the intent to release an equal amount of Article 24 water referenced in (4) above, at a time and location on the project system as determined by the Water Commissioner.

6. Engineering Report

A map showing a description of the Aspenglen Campground and the associated water delivery system is attached. Features of the campground are "as built". An amount of water, not to exceed 2.0 acre-feet per year, will be used annually at the campground.

The Smith Sisters cabins are occupied seasonally from about May 8 through September 30. The cabins are one bedroom, one bathroom each. There are no laundry hookups or outside irrigation. A total of three people occupy the two cabins. Meters have just recently been installed on the two residences that receive water from the well. Waste water is discharged into two separate septic systems. A domestic well, which was located next to the larger cabin, originally provided water for the cabins but was properly abandoned when the Park Service acquired the property.

A standard rate of 75 gallons per person per day has been estimated for this use for the time period the residences are occupied. This is based on the U.S. Department of Health, Education and Welfare estimates for single family residences. Assuming that three people occupy the two residences for a total of 150 days, about 33,750 gallons of water (0.11 acre-feet) would be required annually at the Smith Sisters cabins, the majority of which would be returned to the Fall River via septic systems.

All wastewater from the campground, with the exception of the two residences mentioned above, is returned to the Upper Thompson Sanitation District (UTSD).

7. Return Flows and Depletion

The majority of the water used at the campground is returned to the river system via the Upper Thompson Sanitation District (UTSD) just below Lake Estes. However, in order to assure there will be no injury to downstream users the United States will make available to the river system, approximately 2.0 acre-feet at Lake Estes to coincide with the pumping of the well, or to compensate for possible delayed impacts, at a time and location to be determined by the Water Commissioner.

8. Proposed Monthly Accounting Form.

Accounting, using the following form, Table 2., or a similar form provided by the State Engineer, will be completed monthly and will be provided to the State Engineer's Office upon request.

00-00-0000: map of aspenglen campground - water and sewer facilities

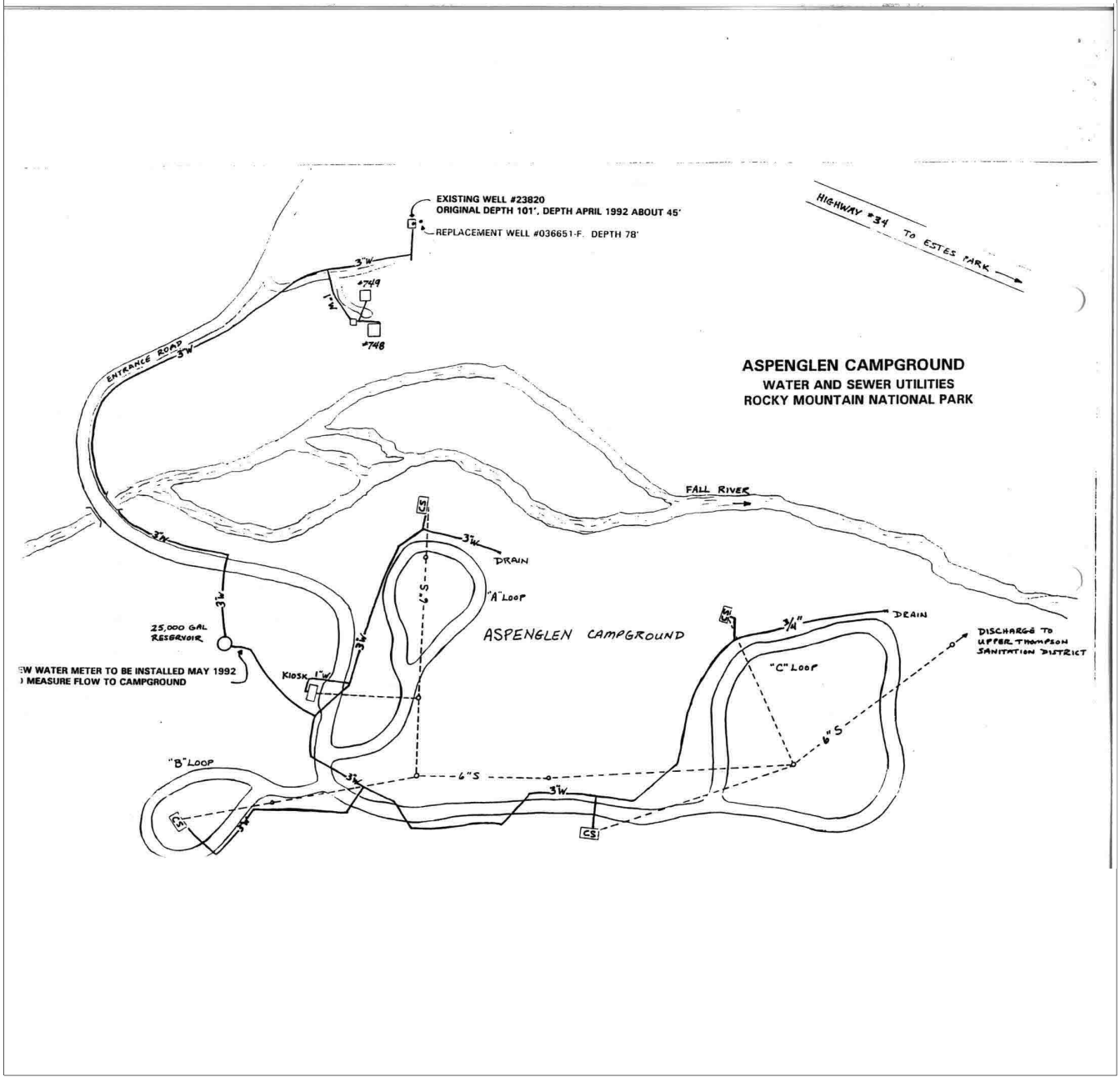


Table 2. Aspenglen Campground Well
(Permit No. 036651-F)

	May	June	July	August	Sept.
Water pumped at well					
Water to Smith Cabins					
Total					

9. Metering devices

The following metering devices have been or will be installed at the locations indicated on Table 3. for purposes of measuring water use at the campground.

Table 3. Water Measuring Devices
at Aspenglen Campground

Measuring Device	Location	Model (Badger)	Serial No.
Disc Meter 1"	old well (plugged and abandoned)	40	91507180
Disc Meter 3/4"	new well	25	33626-002
Disc Meter 5/8"	B-749 (Smith Sisters Cabin)	25	79552361
Disc Meter 5/8"	B-748 (Smith Sisters Cabin)	25	79532325
Turbo Meter 3"	Tank Discharge	11	09126297

09-03-1992: well permit # 165966

Form No. GWS-25

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

EXST

WELL PERMIT NUMBER 165966 - ____ - __

DIV. 1 CNTY. 35 WD 4 DES. BASIN MD

Lot: Block: Filing: Subdiv:

APPLICANT

US NATIONAL PARK SERVICE RKY MTN

ESTES PARK CO 80517

(303)586-3565

APPROVED WELL LOCATION
LARIMER COUNTY

NE 1/4 NE 1/4 Section 17
Twp 5 N RANGE 73 W 6th P.M.

DISTANCES FROM SECTION LINES
625 Ft. from North Section Line
750 Ft. from East Section Line

PERMIT TO USE AN EXISTING WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT
CONDITIONS OF APPROVAL

1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
2) The construction of this well shall be in compliance with the Water Well Construction and Pump Installation Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 17.
3) Approved pursuant to CRS 37-92-602(3)(b)(II)(A) for the use of an existing well constructed in 1982 and as the only well on a tract of land of 40 acres described as the NE 1/4 of the NE 1/4 of Sec. 17, Twp. 5 N., Rng. 73 W. of the 6th P.M., Larimer County.
4) The use of ground water from this well is limited to fire protection, ordinary household purposes inside 2 single family dwellings, the irrigation of not more than 1,000 square-feet of home gardens and lawns, and the watering of domestic animals.
5) The maximum pumping rate shall not exceed 15 GPM.
6) The return flow from the use of the well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
7) This well shall have been constructed not more than 200 feet from the location specified on this permit.

M. M. 9-2-92

OWNER'S COPY

APPROVED
MAM

Hal D. Simpson
State Engineer

M. A. Malby
By

Receipt No. 0333418D DATE ISSUED SEP 03 1992 EXPIRATION DATE SEP 03 1994

Arapaglen well — has temp. permit

Bighorn Ranger Station well — Permit for Exempt Well

#9

Form No. GWS-25

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

EXST

WELL PERMIT NUMBER 165966 - ____ -__

APPLICANT

DIV. 1 CNTY. 35 WD 4 DES. BASIN MD

Lot: Block: Filing: Subdiv:

US NATIONAL PARK SERVICE RKY MTN

ESTES PARK CO 80517

(303)586-3565

APPROVED WELL LOCATION
LARIMER COUNTY

NE 1/4 NE 1/4 Section 17
Twp 5 N RANGE 73 W 6th P.M.

DISTANCES FROM SECTION LINES
625 Ft. from North Section Line
750 Ft. from East Section Line

PERMIT TO USE AN EXISTING WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
2) The construction of this well shall be in compliance with the Water Well Construction and Pump Installation Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 17.
3) Approved pursuant to CRS 37-92-602(3)(b)(II)(A) for the use of an existing well constructed in 1982 and as the only well on a tract of land of 40 acres described as the NE 1/4 of the NE 1/4 of Sec. 17, Twp. 5 N., Rng. 73 W. of the 6th P.M., Larimer County.
4) The use of ground water from this well is limited to fire protection, ordinary household purposes inside 2 single family dwellings, the irrigation of not more than 1,000 square-feet of home gardens and lawns, and the watering of domestic animals.
5) The maximum pumping rate shall not exceed 15 GPM.
6) The return flow from the use of the well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
7) This well shall have been constructed not more than 200 feet from the location specified on this permit.

M. M. 9-2-92

PUMP INSTALLER'S COPY

APPROVED
MAM

Hal D. Simpson
State Engineer

M. A. Malley
By

Receipt No. 0333418D DATE ISSUED SEP 03 1992 EXPIRATION DATE SEP 03 1994

Docket No. 9.

MAY 8 1957

SUNNY SLOPE PIPE LINE

Pipe Line No. 34, Water District No. 4.

USE

Domestic. Supplies water to the Indian Cabins and to Fall River Entrance area.

HEADGATE

Point of Diversion is on the East bank of Big Horn Creek approximately 500 feet North of the Entrance Station, at a point whence the Northeast Corner of Section 17, Township 5 North, Range 73 West, bears North 57° 09' East 1318.8 feet.

PRIORITY

Domestic Priority No. 36, Water District No. 4, April 1, 1925, in accordance with Decree of District Court in Case No. 10077, November 14, 1939.

AMOUNT OF DECREE

0.015 cubic feet of water per second of time permitted to flow from Big Horn Creek at said point of diversion through a 2 inch pipe. (6.73 gallons per minute)

OWNERSHIP and OPERATION

Owned by United States and acquired by purchase from Anna Frantz Snyder in December 1952. Operated by Park Service.

MAPS

Filing No. 16528, by the United States, accepted by State Engineer of Colorado on February 24, 1939.

Filing No. 15042, by Pieter Hondius, accepted by State Engineer of Colorado on November 26, 1928.

Northern Ranger District. Fall River Entrance Area.

05-17-1965: application for a permit to build a well - permit # 23820

Form D (Rev.)
11/62

STATE OF COLORADO
DIVISION OF WATER RESOURCES
OFFICE OF THE STATE ENGINEER
GROUND WATER ADMINISTRATION

PERMIT

NOTE: This permit is issued for the purposes indicated in the application.

Form C Rev.
9-62/10M

STATE OF COLORADO

RECEIVED
MAR 5 1965
WATER SECT.
COLORADO
STATE ENGINEER

APPLICATION FOR: [ ] A PERMIT TO USE GROUND WATER
[x] A PERMIT TO CONSTRUCT A WELL

Applicant National Park Service
Rocky Mountain National Park

P.O. Address Box 1080, Estes Park, Colorado

Quantity applied for 30 gpm or
AF Storage

Used for Domestic and Public Campground Purposes

on/at Bighorn Ranger Station and Aspenglen Campground, Rocky Mountain National Park
(legal description of land site)

Total acreage irrigated and other rts.

ESTIMATED DATA OF WELL

Hole size: 6 in. to 100 ft.
____ in. to ____ ft.

Casing Plain 6 in. from 0 to 75 ft.
____ in. from ____ to ____ ft.

Open or Perf. 6 in. from 75 to 100 ft.
____ in. from ____ to ____ ft.

PUMP DATA: Type Submersible HP ____ Size ____ Outlet
Discharge head unknown at present
Use initiation date ____ 1966.
(Use Supplemental pages for additional data)

Driller to furnish Log and History (Form E) within 30 days after completion of well.

LOCATION OF WELL

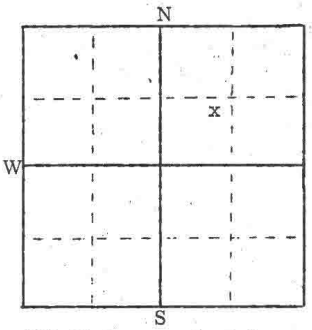
County Larimer

SW ¼ of NE ¼ of Sect. 17, Twp. T5N,

Rge. R73W, 6 P.M. OR

Street Address or Lot & Block No.

Town or Subdivision



Locate well in 40 acre (small) square as near as possible.
Large square is one section.

$25.00 fee required for uses other than Domestic or Livestock.

Applicant Rocky Mountain National Park
Agent or Granville B. Liles
Driller Superintendent No. ____

Address P. O. Box 1080, Estes Park, Colorado

THIS APPLICATION APPROVED
PERMIT NO. 23820
ISSUED:
DATE MAY 17 1965 19____

NOTE — SATISFACTORY COMPLETION REQUIRED FOR APPROVAL OF APPLICATION

THE ABOVE APPLICATION, BEING A PART OF THIS PERMIT, IS APPROVED AS INDICATED.

SEAL

Ralph Cornell
DEP. STATE ENGINEER

By Geo W. Colburn
Authorized Agent

05-18-1965: stamp - received

ROCKY MTN. NATL. PARK

MAY 18 11 02 AM '65

FORM E (REV.) 10M 10-65

Index No. ..... IDWR ..... Use ..... Registered .....

(For State Engineer's Use)

STATE OF COLORADO
DIVISION OF WATER RESOURCES
OFFICE OF THE STATE ENGINEER
GROUND WATER SECTION

LOG AND HISTORY OF WELL

PERMIT NO. 23820

WELL LOCATION

Driller Harry J. Young Lic. No. 24

Owner National Park Service - Rocky Mountain National Park Larimer County

Street P. O. Box 1080 City Estes Park, Colorado SE ¼ of NE ¼ of Sect. 17

Tenant NA Twp. 5N, Rge. 73W, 6 PM

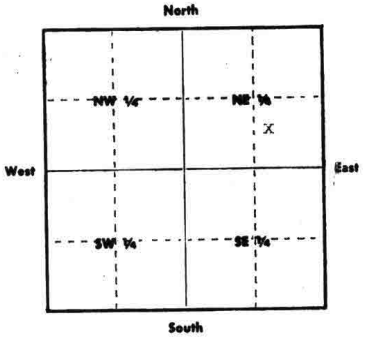
Use of Water Domestic Purposes - Residential Area Fall River Entrance

On or By Rocky Mountain National Park No. Acres
(description of site or land)

Date Started May 6, 1965

Date Completed June 25, 1965

Yield 55 GPM or CFS



ABOVE DIAGRAM REPRESENTS ONE FULL SECTION. LOCATE WELL ACCURATELY IN SMALL SQUARE REPRESENTING 40 ACRES.

or

If the above is not applicable fill in:

No. Street

City or Town

or

Lot ____, Block ____

Subdivision
(include filing or number)

WELL DESCRIPTION:

Depth to Water 18 ft. Total Depth 101 ft.
(measured from ground surface)

Hole Diameter
- in. 6 from 0 ft. to 101 ft.
- in. ____ from ____ ft. to ____ ft.
- in. ____ from ____ ft. to ____ ft.

TEST DATA:

How Tested Submersible Pump or - Bailed

Date Tested 6/22 & 23, 1965 Length 12½ hrs.

Rate 55 GPM Drawn Down 12 ft.

PUMP DATA:

Pump Type Submersible Outlet Size unknown in.

Driven by unknown HP unknown

CASING RECORD:

Plain Casing

Size 6 in., Kind Steel 19#/ft. from 0 ft. to 48' ft.

Size 6 in., Kind Steel 19#/ft. from 68 ft. to 70 ft.

Size 5 in., Kind galv. liner from 0 ft. to 49' ft.

5 in Kind galv. liner 92 ft. to 101 ft.

Perforated Casing

Size 6 in., Kind Steel 19#/ft from 48 ft. to 68 ft.
1/8" to 3/16" by 2" long vertical slots-8 vertical rows

Size ____, Kind ____ from ____ ft. to ____ ft spaced 6" center to

Size 5 in., Kind galv. liner from 49 ft. to 92 ft. center
1/16" by 1" long vertical slots-18 vertical rows with 10 slots per row per lineal foot.

FOR WELL LOG USE REVERSE SIDE

TO BE MADE OUT IN QUADRUPLICATE:

Original Blue (both sides) and Duplicate Green Copy must be filed with the State Engineer within 30 days after well is completed. White copy is for the Owner and Yellow copy for the Driller. **SIGN BLUE COPY**

WELL LOG

Ground Elevation 8,235 approximately (if known) How Drilled Cable tool

FROM FEET	TO FEET	TYPE OF MATERIAL	REMARKS (such as Cementing, Packing, Shut off, etc.)	Indicate Water Bearing Formation	Indicate Perforated Casing Location
0	5	Soil, silt, sand-medium to coarse			
5	40	Soil, silt, sand-fine to coarse		18'	
		boulders			
40	68	Sand-fine to medium and boulders	Outer casing		48 to 68
				Liner	49 to 103
68	103	Crystalline rocks	Outer casing ends at		
			68 feet.		

(if more space is required use additional sheet)

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed Harry J. Young

By Ernest C. Young

Dated June 25, 1965

8 Copies delivered to DOJ 9/28/84 ARI

Docket #9

DISTRICT COURT, WATER DIVISION NO. 1, COLORADO

Case No. W-8439-76 (W-8789-77 through W-8794-77)

AMENDED APPLICATION FOR SURFACE AND UNDERGROUND WATER RIGHTS

IN THE MATTER OF THE APPLICATION OF THE UNITED STATES OF AMERICA FOR APPROPRIATIVE WATER RIGHTS IN ROCKY MOUNTAIN NATIONAL PARK IN LARIMER AND BOULDER COUNTIES.

---

1. Name and address of Applicant:

United States of America
c/o John E. Lindskold
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 ten water rights including four additional surface and underground water rights (diversions, pipelines and wells) situated on lands acquired for and located in Rocky Mountain National Park in Larimer 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 the Rocky Mountain National Park.

4. Legal descriptions and data pertaining to each well or diversion (all descriptions refer to 6th P.M.):

Larimer County

Name of Structure: Bighorn Ranger Station Well
Legal description: In the NE 1/4 NE 1/14, Section 17, T. 5 N., R. 73 W.
Source: Bighorn Creek, tributary to Big Thompson River
Depth of Well: 128 feet
Date of appropriation: June, 1982
Date water applied to beneficial use: August, 1982
How appropriation was initiated: Drilling well
Amount claimed: 20 gpm Absolute
Use: Domestic, recreation, fire fighting

Name of Structure: Sprague Lake Picnic Area Well
Legal description: In the SW 1/4 SE 1/4, Section 7, T. 4 N., R. 73 W, whence the SW corner of Section 7, T. 4 N., R. 73 W., bears S. 74° 30' W, 3100 feet.
Source: Glacier Creek, tributary to Big Thompson River
Depth of Well: 63 feet
Date of appropriation: August, 1982
Date water applied to beneficial use: September, 1982
How appropriation was initiated: Drilling of well
Amount claimed: 13 gpm Absolute
Use: Domestic, recreation, fire fighting

Name of Structure: Black Cabin Well
Legal description: In the NW 1/4 SE 1/4, Section 32, T. 4 N., R. 73 W.
Source: Big Thompson River
Depth of well: Alluvium
Date of initiation of appropriation: October, 1964
Date water applied to beneficial use: October, 1964
How appropriation was initiated: Drilling of well
Amount claimed: 10 gpm Absolute
Use: Domestic, recreation, fire fighting

Name of Structure: Hallowell Park Well
Legal description: In the SE 1/4 NW 1/4 of Section 6, T. 4 N., R. 73 W., whence the monumented corner common to lots 6, 7, 10, 8 and 11, of said Section 6 bears N 2° 24' E, 1335.60 feet.
Source: Glacier Creek, tributary to Big Thompson River
Depth of well: 122 feet
Date of appropriation: April, 1965
Date water applied to beneficial use: June, 1965
How appropriation was initiated: Drilling of well
Amount claimed: 50 gpm Absolute
Use: Domestic, recreation, fire fighting

Name of Structure: Aspenglen Campground Well
Legal description: In the SE 1/4 NE 1/4 of Section 17, T. 5 N., R. 73 W., at a point whence the N. 1/16 corner of Sections 16 and 17, T5N, R73W, bears N 67° 39' E., 1056.36 feet.
Source: Fall River, tributary to Big Thompson River
Depth of well: 101 feet
Date of appropriation: June, 1965
Date water applied to beneficial use: August, 1965
How appropriation was initiated: Drilling of well
Amount claimed: 55 gpm Absolute (.123 cfs)
Use: Domestic, recreation, fire fighting

Name of Structure: NPS Fall River Entrance Pipeline
Legal description: At a point whence the NE corner of Section 17, T. 5 N., R. 73 W. bears S 70° 49' E, 1700.47 feet.
Source: Bighorn Creek, tribuary to Big Thompson River
Description of Structure: Surface diversion
Date of Reservation: January 26, 1915
Use of Water: Domestic, Recreation, Fire Fighting
Amount claimed: 56 gpm

Name of Structure: NPS Endovalley Fish Pond Pipeline
Legal description: At a point whence the SE corner of Section 11, T. 5 N., R. 74 W. bears S 65° 58' E, 4883.2 ft.
Source: Fall River, tributary to Big Thompson River
Description of Structure: Surface diversion
Date of Reservation: January 26, 1915
Use of Water: Recreation, Fire Fighting
Amount claimed: 420 gpm

Name of Structure: NPS Rocky Mountain Boys Camp Pipeline
Legal description: In the SW 1/4 SW 1/4 of Section 6, T. 4 N., R. 73 W.
Source: Mill Creek, tributary to Big Thompson River
Description of Structure: Surface diversion
Date of Reservation: January 26, 1915
Use of Water: Domestic, Recreation, Fire Fighting
Amount claimed: 6 gpm

Name of Structure: NPS Aspenglen Campground
Legal description: At a point whence the NW corner of Section 21, T. 5 N., R. 73 W. bears N 79° 06' W, 1236.12 ft.
Source: Fall River, tributary to Big Thompson
Description of Structure: Surface diversion
Date of Reservation: January 26, 1915
Use of Water: Domestic, Recreation, Fire Fighting
Amount claimed: 30 gpm

Name of Structure: NPS Forest Inn Pipeline
Legal description: At a point whence the SE corner of Section 35, T. 5 N., R. 74 W., bears N 81° 46'E, 3956.1 ft.
Source: Fern Creek, tributary to Big Thompson River
Description of Structure: Surface diversion
Date of Reservation: January 26, 1915
Use of Water: Domestic, Recreation, Fire Fighting
Amount claimed: 40 gpm

SUNNY SLOPE PIPE LINE.

(Domestic Priority No. 36; Ditch--Pipe Line--No. 34)

1. The claimant of this ditch or pipe line, which is named Sunny Slope Pipe Line, is Anna Snyder, whose address is Estes Park, Colorado.

2. This pipe line was constructed and it has been maintained and operated for the diversion of water for domestic purposes.

3. The natural stream from which water has been diverted by this pipe line is Big Horn Creek, which is a tributary of the Big Thompson River, through Fall River.

4. The headgate of said pipe line is located in the east bank of said Big Horn Creek at a point whence the northeast corner of Section seventeen (17), township five (5) north, range seventy-three (73) west of the 6th P. M., bears north 57° 09' east 1318.80 feet.

5. The size and dimensions of said pipe line are: diameter of pipe at largest part 2 inches, diameter at lower end 1 inch, length approximately 2000 feet, capacity at upper end .1 cubic foot of water per second, capacity at lower end .015 cubic feet of water per second.

6. The work of construction of this pipe line was commenced on the 1st day of April, 1925, and was prosecuted to completion with reasonable diligence.

7. That in a reasonable time after the completion of this pipe line water was thereby diverted to the extent of its carrying capacity and was applied to the purpose above mentioned.

8. That .015 cubic feet of water per second is reasonably required for the purposes hereinabove described in paragraph 2.

9. As a matter of law, the claimant is entitled to a decree to the effect that there be permitted to flow out of the said Big Horn

Creek, a tributary of said Big Thompson River, and into this pipe line under and by virtue of appropriation as by original construction .015 cubic feet of water per second for the use and benefit of the party or parties entitled to the enjoyment thereof for use for domestic purposes, with Domestic Priority No. 36, as of the 1st day of April, 1925, Provided, that as between this priority and priority of like date, numbered Domestic Priority No. 37, awarded to Fall River Entrance Pipe Line, the waters in said stream shall be so divided that there shall at all times be permitted to be diverted into said Sunny Slope Pipe Line the full amount of .015 cubic feet of water per second for the uses to which it is entitled, except that when the total volume of water available in said stream is less than .05 cubic feet per second, the water shall be divided between said priorities equally.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the Court, that for domestic purposes, under and by virtue of appropriation as by original construction, and for the benefit of the party or parties entitled to the enjoyment thereof, there be permitted to flow out of said Big Horn Creek, a tributary of said Big Thompson River, and into this pipe line, so much water as will flow into a pipe line having the dimensions found and stated in paragraph 5 of these findings, estimated at .015 cubic feet of water per second, with DOMESTIC PRIORITY NO. 36, subject to the general and paramount provisions of this decree, the appropriation of which water may be deemed to have taken effect on, and said Domestic Priority No. 36 to date from the 1st day of April, 1925; Provided, that as between this priority and Domestic Priorities of like date, numbered 37 and 38 Conditional, awarded to Fall River Entrance Pipe Line, the waters in said stream shall be so divided that there shall at all times be permitted to be diverted into

said Sunny Slope Pipe Line the full amount of .015 cubic feet of water per second for the uses to which it is entitled, except that when the total volume of water available in said stream is less than .05 cubic feet per second, the water shall be divided between this Sunny Slope Pipe Line and the said Fall River Entrance Pipe Line, equally.

Land History

Case No. 8791-77

BIGHORN RANGER STATION

The Bighorn Ranger Station is located near the Fall River Entrance Station to Rocky Mountain National Park on Highway 34. Drinking water is supplied by a well which serves two single family dwellings, permanent residence #44, and a seasonal trailer. Approximately 1,000 square feet of lawn and garden are irrigated. It is the only well on a 40-acre tract of land located north of Highway 34.

The well is 171 feet deep and produces about 8 gpm according to tests taken with the permanent pump installed. It was drilled in May 1982, and is located in the NE1/4 NE1/4, Section 17, T. 5 N., R. 73 W., 6th P.M. (see attached map). This was a new well, and was not a replacement for well No. 1429, which serves the Aspenglenn Campground located south of Highway 34.

Water is discharged into a septic system.

Application for a well permit has been made with the State Engineer's Office (copy Attached).

Based on the above, it is believed that the Bighorn Ranger Station well should be deemed exempt as provided for in Colorado Statutes, Section 37-92-602(1)(b).

00-00-0000: permit application to install a pump

WRJ-5-Rev. 76

COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in BLACK INK. No overstrikes or erasures unless initialed.

FOR: (X) A PERMIT TO USE GROUND WATER
(X) A PERMIT TO CONSTRUCT A WELL
(X) A PERMIT TO INSTALL A PUMP

( ) REPLACEMENT FOR NO. _____
( ) OTHER _____
WATER COURT CASE NO. _____

(1) APPLICANT - mailing address

NAME USA/Rocky Mountain National Park

STREET _____

CITY Estes Park, CO (State) 80517 (Zip)

TELEPHONE NO. (303) 586-3565

(2) LOCATION OF PROPOSED WELL

County Larimer

NE ¼ of the NE ¼, Section 17

Twp. 5 N (N,S), Rng. 73 W (E,W), 6th P.M.

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 8

Average annual amount of ground water to be appropriated (acre-feet): 1

Number of acres to be irrigated: 1000 sq. ft.

Proposed total depth (feet): 171

Aquifer ground water is to be obtained from:

Alluvium, Fall River

Owner's well designation Bighorn Ranger Station

GROUND WATER TO BE USED FOR:

( ) HOUSEHOLD USE ONLY - no irrigation (0)
(X) DOMESTIC (1) exempt
( ) LIVESTOCK (2)
( ) COMMERCIAL (4)
( ) INDUSTRIAL (5)
( ) IRRIGATION (6)
( ) MUNICIPAL (8)

( ) OTHER (9) _____

DETAIL THE USE ON BACK IN (11)

(4) DRILLER

Name Ernest C. Young, Ltd.

Street P.O. Box 692

City Estes Park, CO (State) 80517 (Zip)

Telephone No. (303)586-3646 Lic. No. 1099-1102

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. _____ / _____

Basin _____ Dist. _____

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

APPLICATION APPROVED

PERMIT NUMBER _____

DATE ISSUED _____

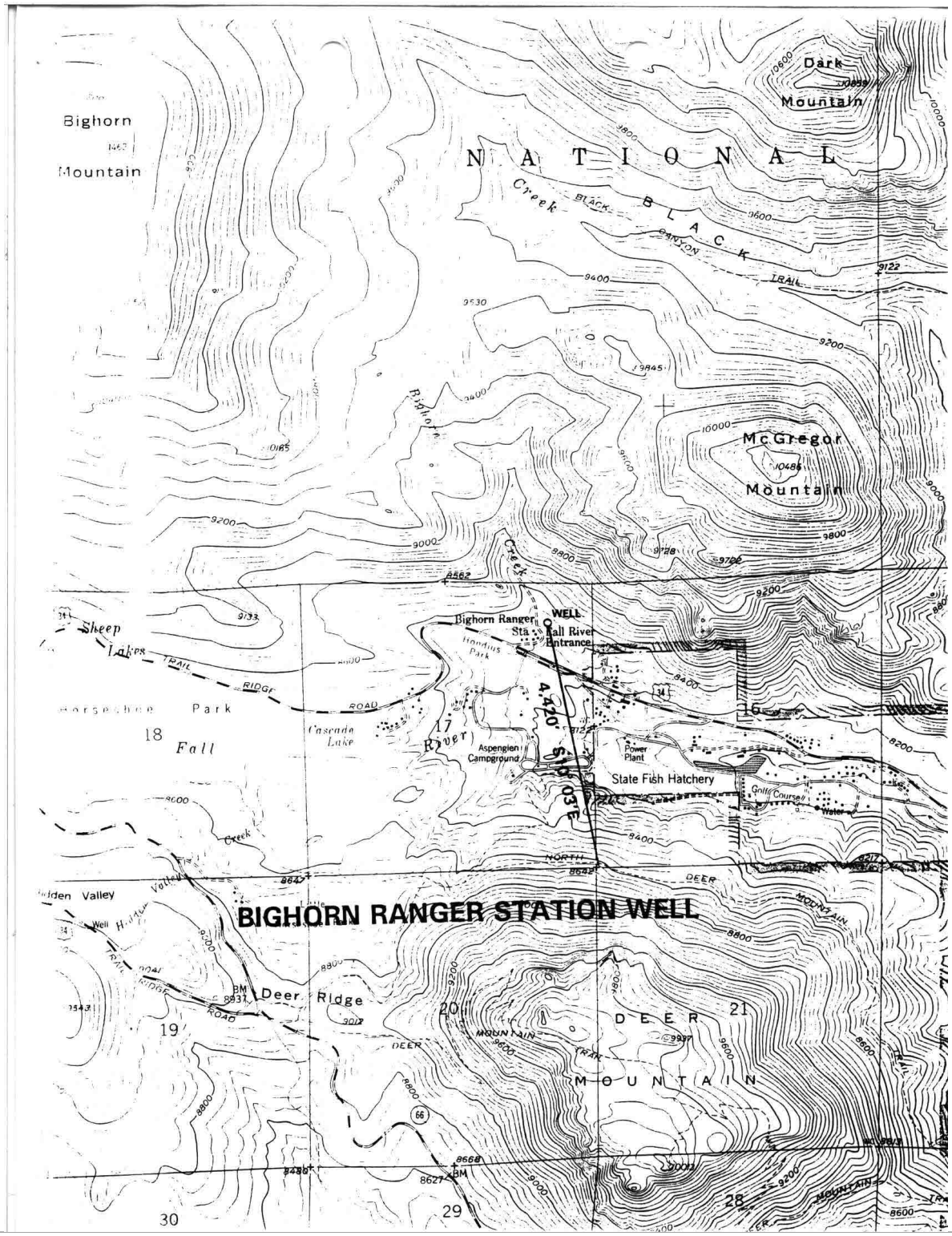
EXPIRATION DATE _____

_____
(STATE ENGINEER)

BY _____

I.D. _____ COUNTY _____

00-00-0000: topographic map showing the location of the bighorn ranger station well



BOOK 941 PAGE 102 Deed-126

Recorded 2:51 o'clock P. M. DEC 1 1952

Reception No. 559663 C. Recorder.

THIS DEED, Made this 1st day of December in the year of our Lord one thousand nine hundred and fifty two, between Anna Frantz Snyder of the County of Larimer and State of Colorado, of the first part, and The United States of America and/or its assigns, ~~Grantee~~ of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of - - - - - - - - - Twelve Thousand Five Hundred DOLLARS, to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the said party of the second part, its heirs and assigns forever, all the following described lot or parcels of land, situate, lying and being in the County of Larimer and State of Colorado, to-wit:

Beginning at East Quarter Corner of Section 17, Township 5 North, Range 73 West of 6th P.M.; thence North 0° 12' West along section line 970 feet, thence South 73° 05' West 150 feet, thence South 22° 58' West 227.2 feet, thence North 72° 39' West 160 feet, thence North 43° 50' West 155 feet, thence North 62° 08' West 125 feet, thence North 71° 25' West 210 feet, thence South 58° 15' West 35 feet, thence South 3° 48' East 90 feet, thence South 36° 27' West 187 feet, thence North 77° 03' West 100 feet, thence South 89° 28' West 55 feet, thence South 65° 27' West 54.2 feet, thence South 56° 04' East 244 feet, thence South 0° 08' West 301 feet to center of Fall River, thence Southeasterly along center line of Fall River to intersection with East section line of Section 17, thence North 0° 07' East along said section line 310 feet to point of beginning; except the 100 feet in width U. S. Higway No.34 right-of-way formerly deeded to United States. Subject to a 10 feet in width right-of-way for the Estes Park Hydro-electric Penstock where now constructed. Together with the right to divert 0.066 cubic feet of water per second of time from Big Horn Creek through the Sunny Slope Pipe Line, Domestic Priority 36 in Decree of November 14, 1939, including all pipe and structures appurtenant to said pipe line.

RTS.

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said party of the second part, its heirs and assigns forever. And the said party of the first part, for herself, her heirs, executors, and administrators, does covenant, grant, bargain, and agree to and with the said party of the second part, its heirs and assigns, that at the time of the ensealing and delivery of these presents, she is well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and encumbrances of whatever kind or nature soever,

1535



and the above bargained premises in the quiet and peaceable possession of the said party of the second part, its heirs and assigns against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

Anna Frantz Snyder (SEAL)

Anna Frantz Snyder (SEAL)

(SEAL)

STATE OF COLORADO }
County of Larimer. } ss.

The foregoing instrument was acknowledged before me this 1st day of December, A. D. 1952, by Anna Frantz Snyder.

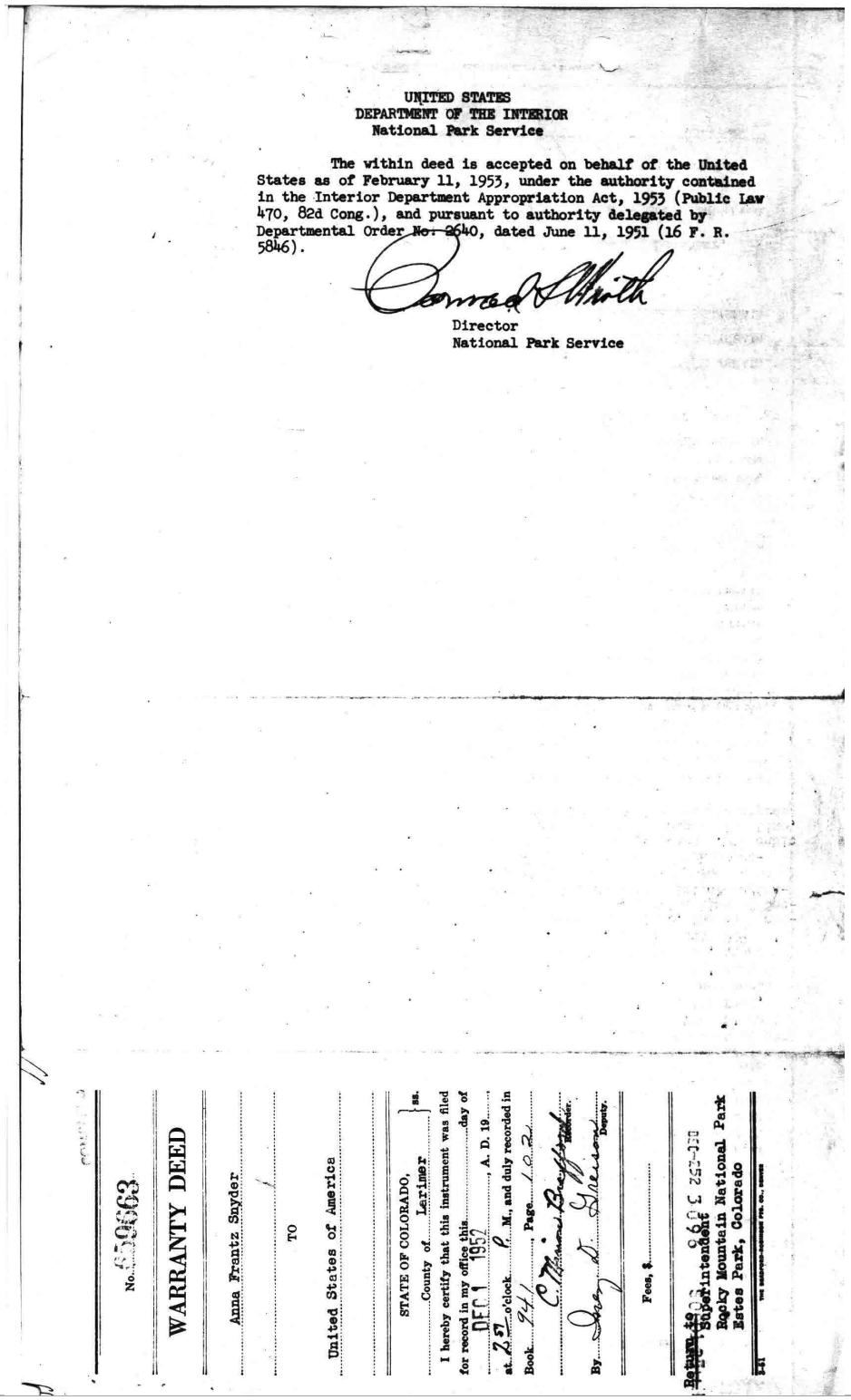
My commission expires June 21, 1953. Witness my hand and official seal.

ELSIE M. WATTS NOTARY PUBLIC LARIMER COUNTY, COLO.

Elsie M. Watts
Notary Public.

No. 932. WARRANTY DEED.—For Photographic Record.
—The Bradford-Robinson Ptg. Co., Mfrs. Robinson's Legal Blanks, 1846 Stout St., Denver, Colo.

02-11-1953: us acceptance of deed



UNITED STATES
DEPARTMENT OF THE INTERIOR
National Park Service

The within deed is accepted on behalf of the United States as of February 11, 1953, under the authority contained in the Interior Department Appropriation Act, 1953 (Public Law 470, 82d Cong.), and pursuant to authority delegated by Departmental Order ~~No. 2640~~, dated June 11, 1951 (16 F. R. 5846).

Conrad L. Wirth
Director
National Park Service

No. 45863

WARRANTY DEED

Anna Frantz Snyder

TO

United States of America

STATE OF COLORADO, County of Larimer } ss.

I hereby certify that this instrument was filed for record in my office this ... day of DEC 1 1952 ..., A. D. 19..., at 2:57 o'clock P. M., and duly recorded in Book 94 Page 102.

C. Thomas Brayton, Recorder.
By Dorothy L. Shriver, Deputy.

Fees, $.....

Return to Superintendent
Rocky Mountain National Park
Estes Park, Colorado

DEC-52 3 96

12-01-1952: site deed

BOOK 941 PAGE 102 Deed-126

Recorded ... 2 51 o'clock P. M. DEC 1 1952

Reception No. 559663 ... Recorder.

THIS DEED, Made this 1st day of December in the year of our Lord one thousand nine hundred and fifty two, between Anna Frantz Snyder of the County of Larimer and State of Colorado, of the first part, and The United States of America and/or its assigns, ~~State of Colorado~~ of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of - - - - - - - - - Twelve Thousand Five Hundred DOLLARS, to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the said party of the second part, its heirs and assigns forever, all the following described lot or parcels of land, situate, lying and being in the County of Larimer and State of Colorado, to-wit:

Beginning at East Quarter Corner of Section 17, Township 5 North, Range 73 West of 6th P.M.; thence North 0° 12' West along section line 970 feet, thence South 73° 05' West 150 feet, thence South 22° 58' West 227.2 feet, thence North 72° 39' West 160 feet, thence North 43° 50' West 155 feet, thence North 62° 08' West 125 feet, thence North 71° 25' West 210 feet, thence South 58° 15' West 35 feet, thence South 3° 48' East 90 feet, thence South 36° 27' West 187 feet, thence North 77° 03' West 100 feet, thence South 89° 28' West 55 feet, thence South 65° 27' West 54.2 feet, thence South 56° 04' East 244 feet, thence South 0° 08' West 301 feet to center of Fall River, thence Southeasterly along center line of Fall River to intersection with East section line of Section 17, thence North 0° 07' East along said section line 310 feet to point of beginning; except the 100 feet in width U. S. Higway No.34 right-of-way formerly deeded to United States. Subject to a 10 feet in width right-of-way for the Estes Park Hydroelectric Penstock where now constructed. Together with the right to divert 0.066 cubic feet of water per second of time from Big Horn Creek through the Sunny Slope Pipe Line, Domestic Priority 36 in Decree of November 14, 1939, including all pipe and structures appurtenant to said pipe line.

RTS.

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said party of the second part, its heirs and assigns forever. And the said party of the first part, for herself, her heirs, executors, and administrators, does covenant, grant, bargain, and agree to and with the said party of the second part, its heirs and assigns, that at the time of the ensealing and delivery of these presents, she is well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and encumbrances of whatever kind or nature soever,



and the above bargained premises in the quiet and peaceable possession of the said party of the second part, its heirs and assigns against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

Anna Frantz Snyder (SEAL)

Anna Frantz Snyder (SEAL)

(SEAL)

STATE OF COLORADO } ss.
County of Larimer.

The foregoing instrument was acknowledged before me this 1st day of December, A. D. 1952, by Anna Frantz Snyder.

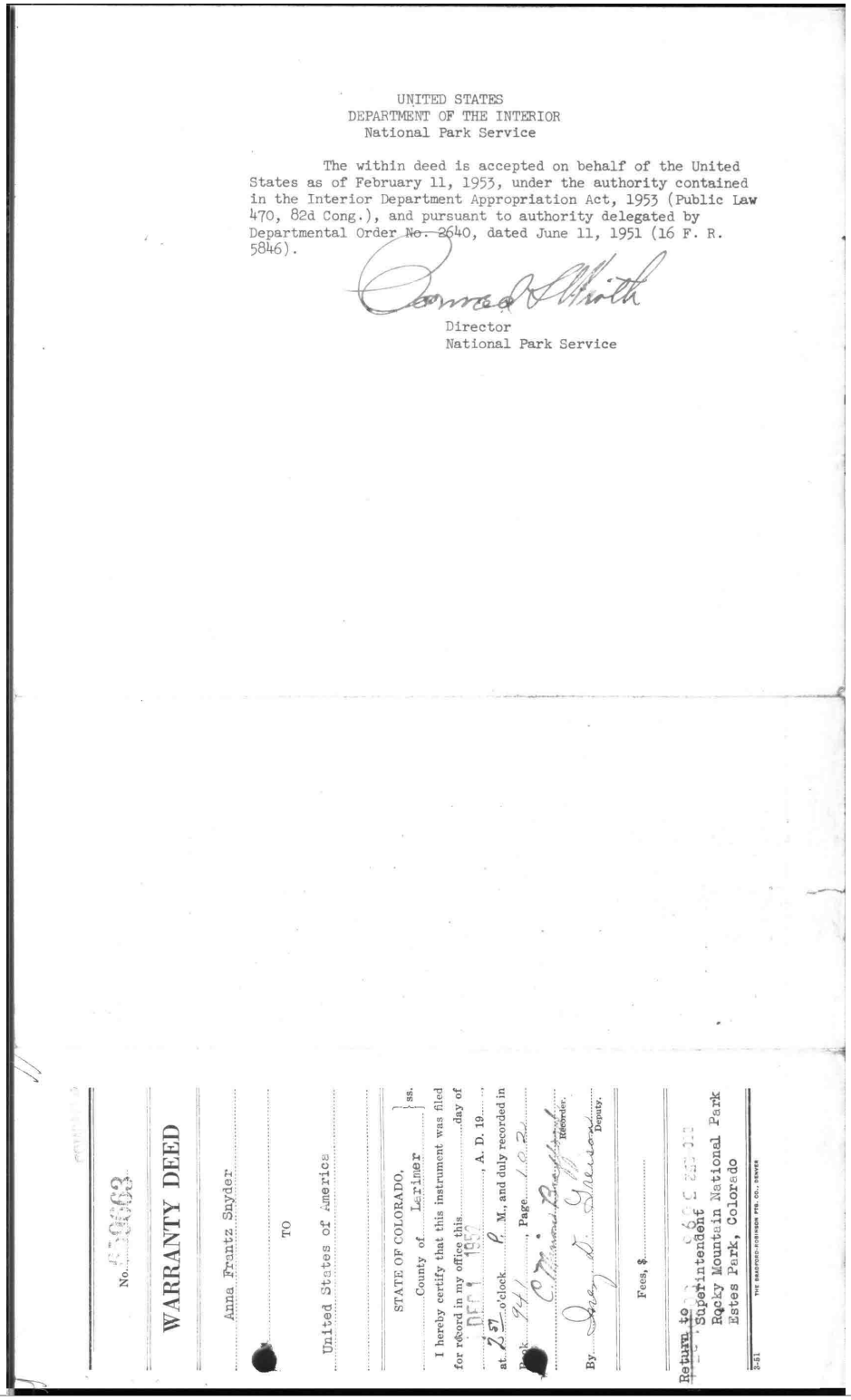
My commission expires June 21, 1953. Witness my hand and official seal.

ELSIE M. WATTS NOTARY PUBLIC LARIMER COUNTY, COLO.

Elsie M. Watts
Notary Public.

No. 932. WARRANTY DEED.—For Photographic Record.
—The Bradford-Robinson Ptg. Co., Mfrs. Robinson's Legal Blanks, 1846 Stout St., Denver, Colo.

02-11-1953: us acceptance of deed



UNITED STATES
DEPARTMENT OF THE INTERIOR
National Park Service

The within deed is accepted on behalf of the United States as of February 11, 1953, under the authority contained in the Interior Department Appropriation Act, 1953 (Public Law 470, 82d Cong.), and pursuant to authority delegated by Departmental Order No. 2640, dated June 11, 1951 (16 F. R. 5846).

Director
National Park Service

No. 53662

WARRANTY DEED

Anna Frantz Snyder

TO

United States of America

STATE OF COLORADO, } ss.
County of Larimer }

I hereby certify that this instrument was filed for record in my office this day of DEC 1 1952, A. D. 19..., at 2:57 o'clock P. M., and duly recorded in Book 741, Page 124.

Recorder.

By Deputy.

Fees, $...

Return to
Superintendent
Rocky Mountain National Park
Estes Park, Colorado

THE RANDOLPH-WEBSTER PTG. CO., DENVER

Other Supporting Information

Alan Williams
Rocky Mountain National Park
Estes Park, CO 80517

Chuck,

Here are our preliminary efforts at the replacement well applications. I didn't type them up on original forms because there will no doubt be some changes or additions to be included. Some questions and comments:

Aspenglen Campground: While our records show a permit number for a well supplying domestic and public campground use, they do not show a court case number.

Mill Creek Ranger Station: Straightforward (I hope) except for being in an irregular section. Included is a USGS topo with approximate locations. Hopefully this will satisfy the engineers' office.

Green Pipeline: More problems. Apparently our decree is for domestic use. Since this supply has been in reality a municipal system for a great number of years, it should have been changed in water court in the 1970's to a municipal decree. It would appear that we have an illegal use of this well. What do your people think?

I will be in training all day Wednesday and Thursday of this week, but you can leave messages for me at the park number, 586-2371 ext. 250. If no messages, then I will call you on Friday.

Thank you,

WRJ-5-Rev. 76

COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in BLACK INK. No overstrikes or erasures unless initialed.

FOR: ( ) A PERMIT TO USE GROUND WATER
( ) A PERMIT TO CONSTRUCT A WELL
(X) A PERMIT TO INSTALL A PUMP
(X) REPLACEMENT FOR NO. Filing No. 22845
( ) OTHER _____
WATER COURT CASE NO. _____

(1) APPLICANT - mailing address

NAME UNITED STATES OF AMERICA, NATIONAL PARK SERVICE, ROCKY MOUNTAIN NATIONAL PARK

STREET ROCKY MOUNTAIN NATIONAL PARK

CITY ESTES PARK (State) CO (Zip) 80517

TELEPHONE NO. (303) 586-2371

(2) LOCATION OF PROPOSED WELL

County LARIMER

SE ¼ of the NE ¼, Section 17

Twp. 5 N (N,S), Rng. 73 W (E,W), 6 P.M.

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 55,X

Average annual amount of ground water to be appropriated (acre-feet): 1.5

Number of acres to be irrigated: none

Proposed total depth (feet): 100

Aquifer ground water is to be obtained from:

alluvium, Fall River

Owner's well designation Aspenglen Campground

GROUND WATER TO BE USED FOR:

( ) HOUSEHOLD USE ONLY - no irrigation (0)
(X) DOMESTIC (1)
( ) LIVESTOCK (2)
( ) COMMERCIAL (4)
( ) INDUSTRIAL (5)
( ) IRRIGATION (6)
( ) MUNICIPAL (8)
(X) OTHER (9) Public campground

DETAIL THE USE ON BACK IN (11)

(4) DRILLER

Name Licensed

Street _____

City _____ (State) _____ (Zip)

Telephone No. _____ Lic. No. _____

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. _____ / _____

Basin _____ Dist. _____

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

APPLICATION APPROVED

PERMIT NUMBER _____

DATE ISSUED _____

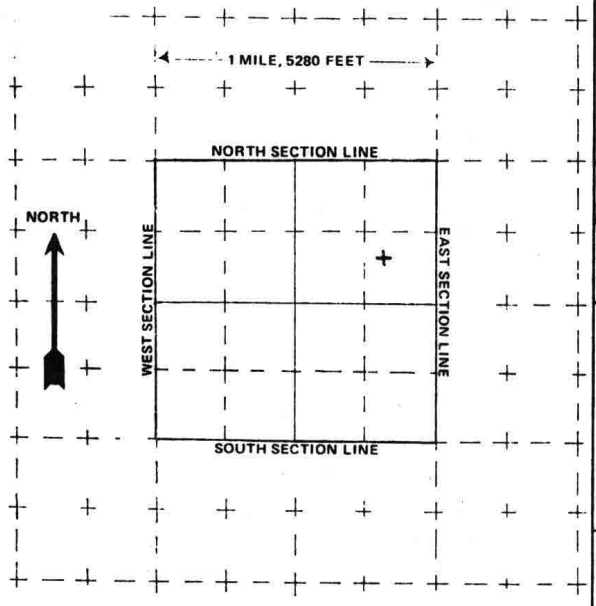
EXPIRATION DATE _____

_____ (STATE ENGINEER)

BY _____

I.D. _____ COUNTY _____

(5) THE LOCATION OF THE PROPOSED WELL and the area on which the water will be used must be indicated on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)
An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year.
1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

(6) THE WELL MUST BE LOCATED BELOW by distances from section lines.

1,670 ft. from North (north or south) sec. line

890 ft. from East (east or west) sec. line

LOT _____ BLOCK _____ FILING # _____

SUBDIVISION _____

(7) TRACT ON WHICH WELL WILL BE LOCATED Owner: United States of Amer

No. of acres 40. Will this be the only well on this tract? yes

(8) PROPOSED CASING PROGRAM

Plain Casing

6 5/8 in. from 0 ft. to 40 ft.

_____ in. from _____ ft. to _____ ft.

Perforated casing

6 5/8 in. from 40 ft. to 100 ft.

_____ in. from _____ ft. to _____ ft.

(9) FOR REPLACEMENT WELLS give distance and direction from old well and plans for plugging it:

From old well, N 67°39'E, 40 fee
Plugging: Gravel and sand to static water level, concrete for last 12-15 feet.

(10) LAND ON WHICH GROUND WATER WILL BE USED:

Owner(s): United States of America, National Park Service No. of acres: 40

Legal description: SE 1/4 NE 1/4, Section 17, T5N, R73W, 6 PM

(11) DETAILED DESCRIPTION of the use of ground water: **Household use and domestic wells must indicate type of disposal system to be used.** This is a non-community public system serving two employee residences and a 55 unit public campground. The two employee houses are on septic systems and the campground sewage flows to the Upper Thompson Sanitation District.

(12) OTHER WATER RIGHTS used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used

(13) THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.

SIGNATURE OF APPLICANT(S)

Use additional sheets of paper if more space is required.

12-17-1991: letter to us dept. of justice from superintendent regarding answers to posed questions

DEC 1991
RECEIVED
WRD - FT COLLINS

L54

December 17, 1991

Lynn A. Johnson, Attorney
U.S. Department of Justice
Environment and Natural Res. Division
999 18th Street
Suite 945
Denver, CO 80202

Dear Ms. Johnson:

Enclosed are statements responding to questions raised by the Water Referee, Water Division 1, regarding selected claimed water rights in the park. Please transmit this information along with the attached copies of well permit applications and late registrations to the Water Referee. A draft transmittal letter has been prepared for your consideration.

If you have any questions, please call Ken Czarnowski at 586-3565, ext. 263. Your assistance in this matter is very much appreciated.

Sincerely,

(Sgd) James B. Thompson

James B. Thompson
Superintendent

Enclosures

cc:
SOL - Canaday
WRD - Williams
RMR - Chaney

00-00-0000: letter to water referee from attorney regarding posed questions

DRAFT

Raymond A. Leisman
Water Referee
Water Division No. 1
P.O. Box C
Greeley, Co 80632

Re: W-8789-77 RMNP Deer Haven Well
W-8791-77 RMNP Moraine Park et. al.
W-8794-77 RMNP Bear Lake Pipeline No. 3

Dear Mr. Leisman:

As requested in your letter of October 3, 1991, attached are statements prepared by staff at Rocky Mountain National Park responding to the questions you raised. We have also included copies of applications for well permits or late registration of wells as appropriate.

We request that you defer any decision on Moraine Park Wells Nos. 2 and 3 at this time. Your assistance and patience in these matters is very much appreciated. If you have any questions or need additional information, please call me at 294-1900 or Ken Czarnowski at 586-0131, ext. 263.

Sincerely,

Lynn A. Johnson
Attorney

12-17-1991: letter to office of the state engineer from superintendent regarding applications for permits

United States Department of the Interior
NATIONAL PARK SERVICE
Rocky Mountain National Park
Estes Park, Colorado 80517

IN REPLY REFER TO:
L54

December 17, 1991

Office of the State Engineer
Colorado Division of Water Resources
Centennial Building
1313 Sherman Street
Denver, Co. 80203

Dear Sir:

Enclosed are applications for permits for the use of groundwater for the Deer Haven Ranger Station, Sprague Lake Recreation area, the Bighorn Ranger Station, plus the late registration of an existing well at Sprague Lake Recreation area, all within Rocky Mountain National Park. Also enclosed is a third party draft in the amount of $180 to cover the cost of the filing fees. We understand that since the late registation for the Sprague Lake Well is accompanied by a permit for a replacement well in the same aquifier, there will not be an additional fee.

If you have any questions regarding these applications, please call Dr. Ken Czarnowski of my staff at 586-3565, ext. 263.

Thank you for your assistance in this matter.

Sincerely,

(Sgd) James B. Thompson

James B. Thompson
Superintendent

Enclosures

01-09-1992: letter to water referee from attorney regarding answers to posed questions and permit applications

Environment and Natural
Resources Division

~~WMC:LAJohnson~~
90-1-2-1377

Denver Field Office
999 - 18th Street
Suite 945
Denver, Colorado 80202

Commercial Number
(303) 294-1900
FTS/330-1900

Telefax Number
(303) 294-1931
FTS/330-1931

January 9, 1992

Raymond A. Leisman
Water Referee
Water Division No. 1
P. O. Box C
Greeley, CO 80632

Re: W-8789-77 RMNP Deer Haven Well
W-8791-77 RMNP Moraine Park, et al
W-8794-77 RMNP Bear Lake Pipeline No. 3

Dear Ray:

As requested in your letter of October 3, 1991, attached are statements prepared by staff at Rocky Mountain National Park responding to the questions you raised. Also included are copies of applications for well permits or late registration of wells as appropriate.

We request that you defer any decision on Moraine Park Wells Nos. 2 and 3 at this time. Your assistance and patience in these matters is very much appreciated. If you have any questions or need additional information, please call me at 294-1900 or Ken Czarnowski at 586-0131, ext. 263.

Sincerely,

Lynn A. Johnson
Attorney
General Litigation Section

Enclosures

cc: Mr. Owen Williams (w/encls.)
Mr. Ken Czarnowski (w/encls.)
Mr. Ralph Canaday (w/encls.)

01-09-1992: letter to office of the state engineer from superintendent regarding aspenglen campground water exchange plan

L54
XFWD-26

March 24, 1993

Hal D. Simpson, State Engineer
Office of the State Engineer
Colorado Division of Water Resources
Centennial Building
1313 Sherman Street, Room 818
Denver, Co. 80203

Re: Aspenglen Campground Water Exchange Plan

Dear Mr. Simpson:

This is in response to your letter of March 15 notifying us of approval of the water exchange plan for the Aspenglen campground well. We accept all of the conditions outlined in your letter. With respect to item 1, a new application for Well Permit No. 036651-F and appropriate fees were submitted to Mr. Richard Bell of your office on February 22, 1993.

Thank you for your timely approval of the water exchange plan. If you have any further questions, please call Dr. Ken Czarnowski of my staff at 586-3565, ext. 263.

Sincerely,

Homer L. Rouse

Homer L. Rouse
Superintendent

cc:
Larry Simpson, NCWCD
Alan Berryman, Division Engineer
Don Brazelton, Water Commissioner
Wise, RMR
Williams, WRB
Jack Garner, USBR

08-13-1965: letter to associate regional director from district geologist regarding fall river entrance test well

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
FEDERAL CENTER, DENVER 25, COLORADO

IN REPLY REFER TO
Leonard A. Wood
Ground Water Branch

August 13, 1965

1.51

Memorandum

To: Mr. George F. Baggley, Associate Regional Director, National Park Service, 1709 Jackson Street, Omaha, Nebraska 68102

From: District Geologist, GW, Denver, Colorado

Subject: Fall River Entrance Test Well, Rocky Mountain National Park

This memorandum reports the results of drilling and test pumping at the Fall River Entrance area of the Rocky Mountain National Park. A test well was drilled at a site recommended by the administrative report of January 15, 1965, on "Prospects for obtaining a water supply in the Fall River entrance area of Rocky Mountain National Park, Colorado," by Donald L. Coffin.

Test drilling with a cable tool rig began in May 1965. Large boulders were encountered at a depth of about 40 feet and the drive casing broke. A new hole was drilled about 50 feet from the first to a depth of 103 feet below land surface. Details of the completed well are shown on figure 1.

The glacial deposits penetrated by the well consist of clay, silt, sand, gravel, and boulders from the land surface to 65 feet. Fine to coarse sand and quicksand were encountered between 65 and 68 feet. Crystalline rocks were between 68 feet and the total depth of 103 feet. The driller's log and a description of drill cuttings are in table 1 and are shown graphically in figure 1.

A 6-inch drive casing was driven to a depth of about 68 1/2 feet. It was slotted with a torch (slots 1/8 inch wide) from 48 to 68 feet. The casing was driven a few inches into the crystalline rock. From 68 1/2 to 103 feet is open hole.

After the well was drilled it was developed by bailing and surging for several hours. During this development, sand filled the well to a depth of 72 feet. This indicated that the slots in the drive casing were too large to allow the fine sand and gravel to bridge the slots. To prevent sand from entering the well during pumping, an inner casing or liner was placed from the surface to 103 feet (fig. 1). The liner is 5 inches inside diameter, 20-gage galvanized steel, perforated with machine-made vertical louver slots from 49 to 103 feet, and has threaded joints. Should enough fine sand and silt eventually accumulate between the two casings to cause the yield to decrease, the liner can possibly be withdrawn and the well cleaned.

The well was test pumped on June 22, 1965 (see table 2 and figure 2) for 12 1/2 hours at a rate which varied slightly between 54 to 58 gpm, but averaged 55 gpm. The static water level before pumping was 18 feet below land surface and the pumping level at the end of the test was 39 feet below land surface. The projected curve on figure 2 shows that at the end of the pumping period the drawdown, (21 feet) was still less than one-half the saturated thickness (50 feet) of the glacial deposits. The curve also indicates that continuous pumping at 55 gpm could continue for long periods of time without seriously lowering the water level. The yield of the well should be adequate as about 30 gpm is desired for the camp. After water-level recovery measurements were made it was suggested that the test pump be used for pumping the well several hours on an intermittent schedule to further develop the well.

Interpretation of water level and discharge measurements (table 2 and fig. 2) made before, during, and after pumping indicates that the specific capacity of the well after 24 hours pumping is 2.5 gpm per foot of drawdown and that the coefficient of transmissibility is about 3,500 gallons per day per foot.

It is suggested that access be left into the well for further water-level measurements as was suggested in our memorandum on the Job Corps well in Hallowell Park.

Field tests of the water show that the dissolved solids and iron content is low and that the water is soft, and should be of excellent quality for domestic use. A sample was collected and the results of the chemical analysis will be forwarded to you as soon as they become available. The Park Service should collect a sample for bacteriological analysis to determine the sanitary properties of the water.

For the District Geologist:

Edward D. Jenkins

Edward D. Jenkins
Engineer

cc: Bill Jensen

Table 1.--Log of well near Fall River Entrance (NW¼, SE¼, SE¼, Sec. 17, T. 5 N., R. 73 W. About 3,450 feet N. 15° W. of S.E. corner Sec. 17. Land surface elevation about 8,235 above mean sea level).

Descriptions underlined are from drillers log, descriptions not underlined are from microscopic examinations of samples collected.

	Thickness	Depth
Soil, Silt, Sand, and Boulders:		
Sand, dark gray brown (SYR3/2) 1/, medium to coarse, angular to subangular; contains 20% very coarse sand, 10% very fine to fine gravel, 5% very fine to fine sand, and 1% medium gravel.....	5	5
Sand, gray brown (5YR4/1) 1/, fine to coarse, angular to subangular; contains 25% very coarse sand, 10% very fine to fine gravel, 5% silt and very fine sand, 1% medium gravel, and boulders (water level, 18 ft).....	20	25
Boulders and Sand:		
Sand, gray brown (5YR5/2) 1/, fine to medium, angular to subrounded; contains 30% coarse to very coarse sand, 10% very fine sand and silt, 1% very fine gravel and boulders.....	40	65
Sand:		
Sand, gray brown (5YR5/2) 1/, medium to coarse, angular to subangular; contains 15% very coarse sand, 10% fine sand, 5% very fine sand, 5% very fine gravel, and 5% silt.....	3	68
Crystalline Rocks:		
Quartz, feldspar, and micas.....	35	103

1/ Symbols from Rock-Color Chart distributed by the Geological Society of America.

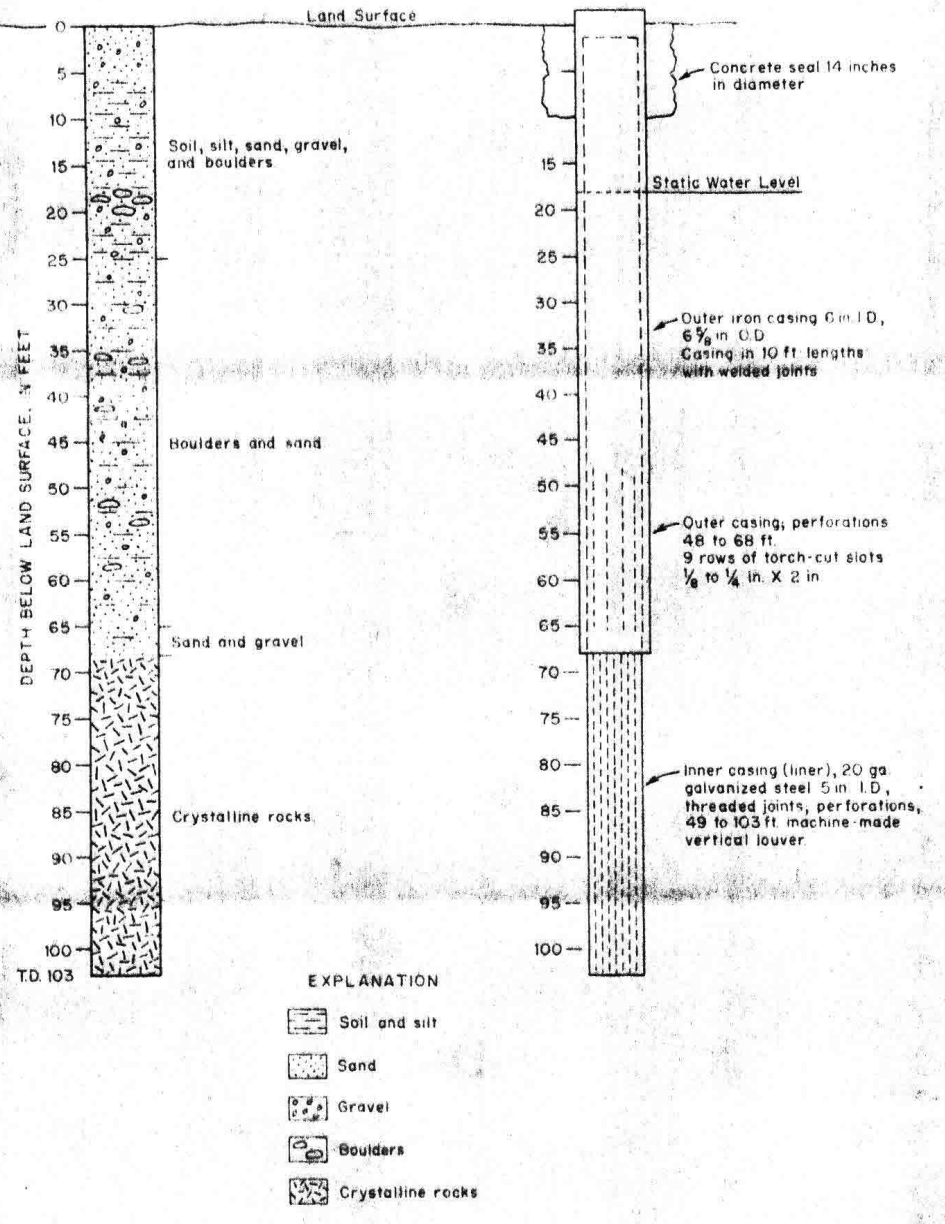
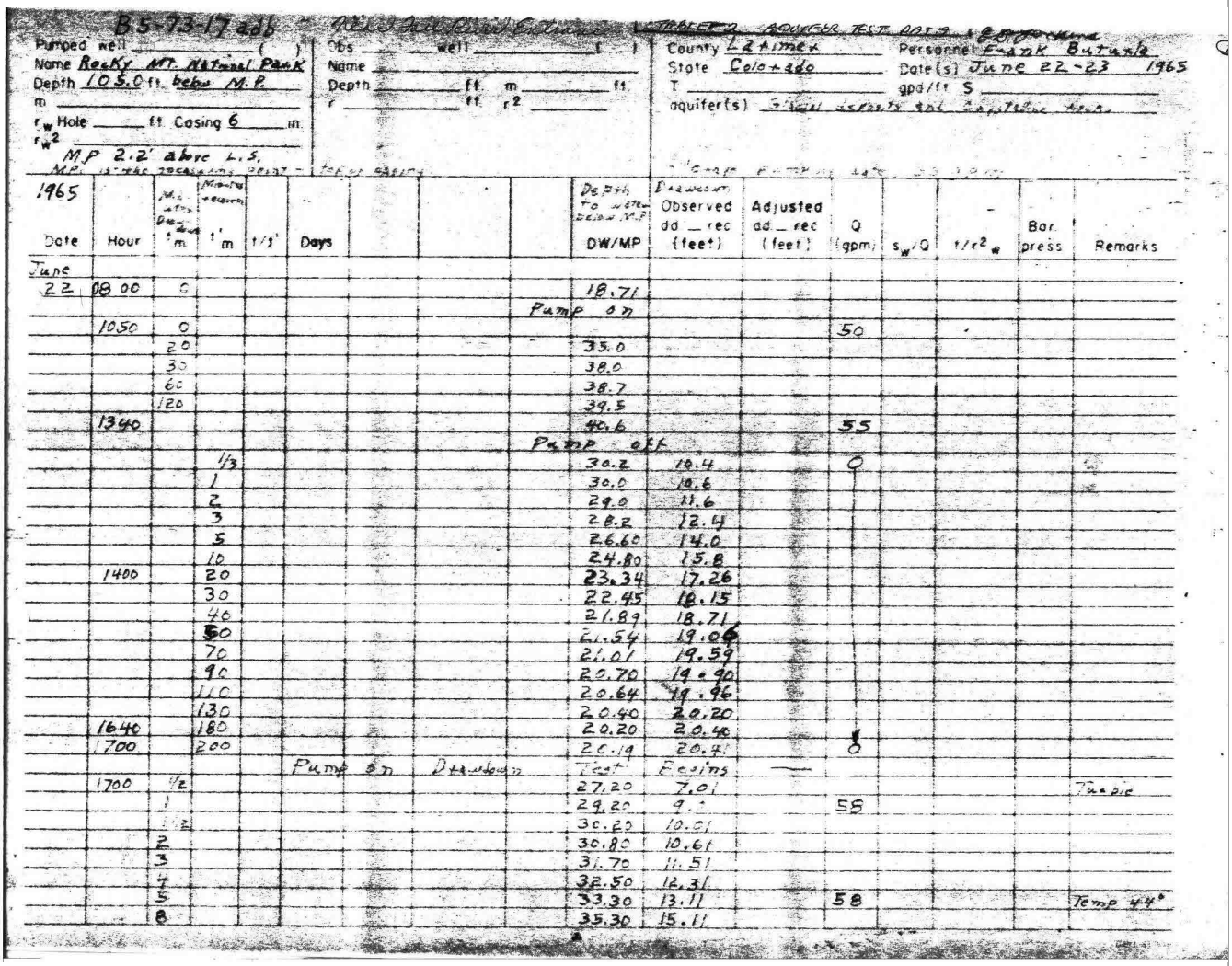


FIGURE 1 - Graphic log and casing record of the well near Fall River Entrance.

00-00-0000: letter to associate regional director from district geologist regarding fall river entrance test well, page 5cont



B5-73-17 adb — [illegible] — TABLE 2 AQUIFER TEST DATA — [illegible]

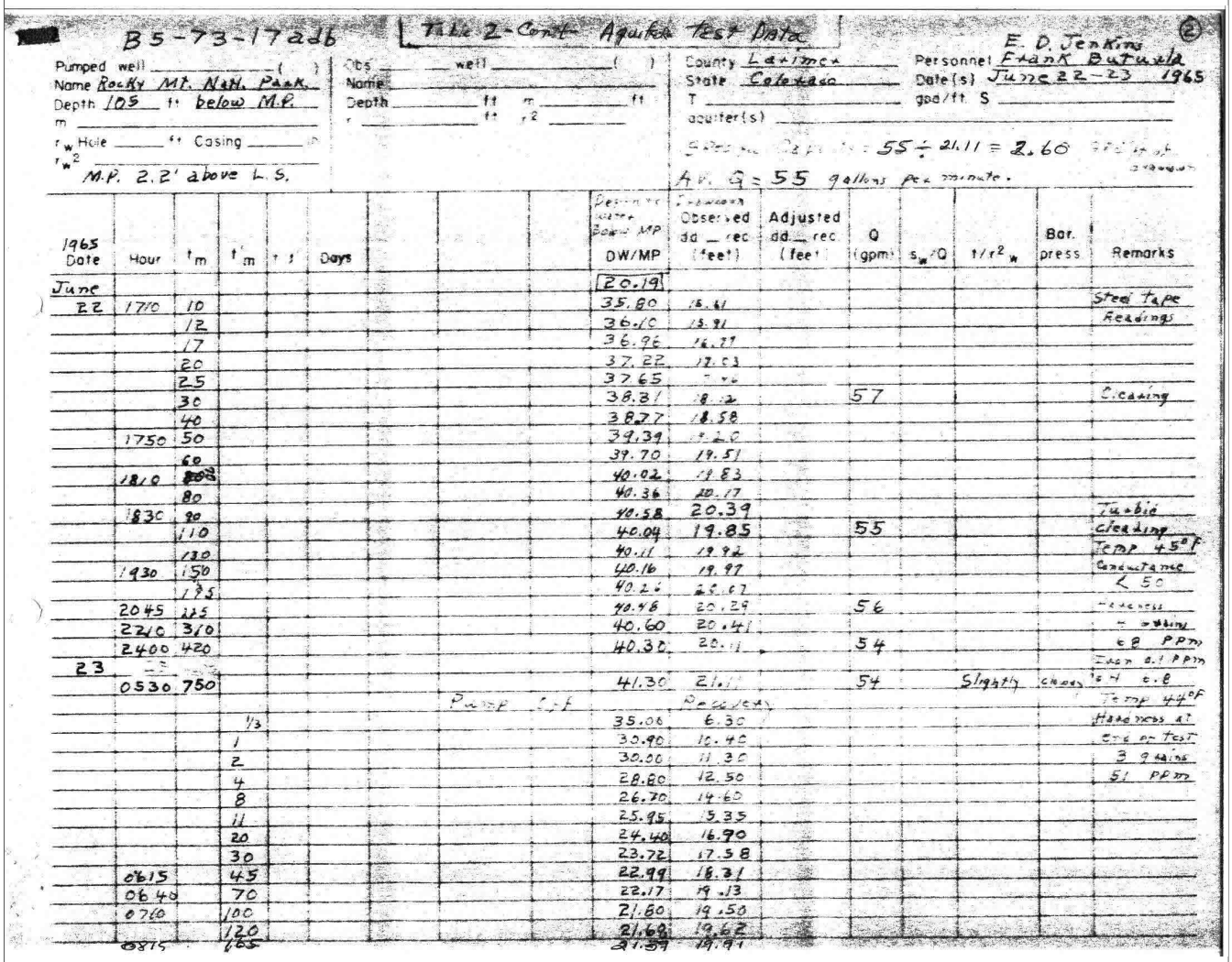
Pumped well ( )
Name Rocky Mt. National Park
Depth 105.0 ft. below M.P.
m
r_w Hole ____ ft. Casing 6 in.
r_w^2
MP 2.2' above L.S.
MP is [illegible] datum

Obs well ( )
Name
Depth ____ ft. m ____ ft.
r ____ ft. r^2 ____

County Larimer — Personnel Frank Butler
State Colorado — Date(s) June 22-23 1965
T ____ gpd/ft S ____
aquifer(s) Glacial deposits and Precambrian rocks

1965 Date	Hour	Min. after Pump on t'm	Minutes recovery t'm	t/t'	Days				Depth to water below M.P. DW/MP	Drawdown Observed dd rec (feet)	Adjusted dd rec (feet)	Q (gpm)	s_w/Q	t/r^2_w	Bar. press	Remarks
June																
22	08 00	0							18.71							
									Pump on							
	1050	0										50				
		20							35.0							
		30							38.0							
		60							38.7							
		120							39.5							
	1340								40.6			55				
									Pump off							
			1/3						30.2	10.4		0				
			1						30.0	10.6						
			2						29.0	11.6						
			3						28.2	12.4						
			5						26.60	14.0						
			10						24.80	15.8						
	1400		20						23.34	17.26						
			30						22.45	18.15						
			40						21.89	18.71						
			50						21.54	19.06						
			70						21.01	19.59						
			90						20.70	19.90						
			110						20.64	19.96						
			130						20.40	20.20						
	1640		180						20.20	20.40						
	1700		200						20.14	20.46		0				
					Pump on		Drawdown		Test	Ended						
	1700	1/2							27.20	7.01						Tunnel
		1							29.20	9.01		55				
		1/2							30.20	10.01						
		2							30.80	10.61						
		3							31.70	11.51						
		4							32.50	12.31						
		5							33.30	13.11		58				
		8							35.30	15.11						Temp 44°

00-00-0000: letter to associate regional director from district geologist regarding fall river entrance test well, page 6cont



B5-73-17adb

Table 2-Cont Aquifer Test Data

E. D. Jenkins

Pumped well ( )
Name Rocky Mt. Nat. Park
Depth 105 ft below M.P.
m
r_w Hole ft Casing in
r_w^2
M.P. 2.2' above L.S.

Obs well ( )
Name
Depth ft m ft
r ft r^2

County Larimer
State Colorado
T
aquifer(s)

Personnel Frank Butwell
Date(s) June 22-23 1965
gpd/ft S

Specific Capacity = 55 ÷ 21.11 = 2.60
A.P. Q = 55 gallons per minute.

1965 Date	Hour	t_m	t'_m	t/t'	Days	Depth to water below MP DW/MP	Drawdown Observed dd rec (feet)	Adjusted dd rec (feet)	Q (gpm)	s_w/Q	t/r^2_w	Bar. press	Remarks
June						20.19							
22	1710	10				35.80	15.61						Steel tape
		12				36.10	15.91						Readings
		17				36.96	16.77						
		20				37.22	17.03						
		25				37.65	[illegible]						
		30				38.31	18.12		57				C.casing
		40				38.77	18.58						
	1750	50				39.39	19.20						
		60				39.70	19.51						
	1810	~~80~~				40.02	19.83						
		80				40.36	20.17						
	1830	90				40.58	20.39						Turbid
		110				40.04	19.85		55				clearing
		130				40.11	19.92						Temp 45°F
	1930	150				40.16	19.97						Conductance
		175				40.26	20.07						250
	2045	195				40.48	20.29		56				Hardness
	2210	310				40.60	20.41						[illegible]
	2400	420				40.30	20.11		54				68 PPm
23													Iron 0.1 PPm
	0530	750				41.30	21.11		54		Slightly	cloudy	pH 6.8
						Pump Off	Recovery						Temp 44°F
			1/3			35.06	6.30						Hardness at
			1			30.90	10.40						end of Test
			2			30.00	11.30						3 grains
			4			28.80	12.50						51 PPm
			8			26.70	14.60						
			11			25.95	15.35						
			20			24.40	16.90						
			30			23.72	17.58						
	0615		45			22.99	18.31						
	0640		70			22.17	19.13						
	0710		100			21.80	19.50						
			120			21.69	19.62						
	0815		165			21.39	19.91						

00-00-0000: pumping level curve

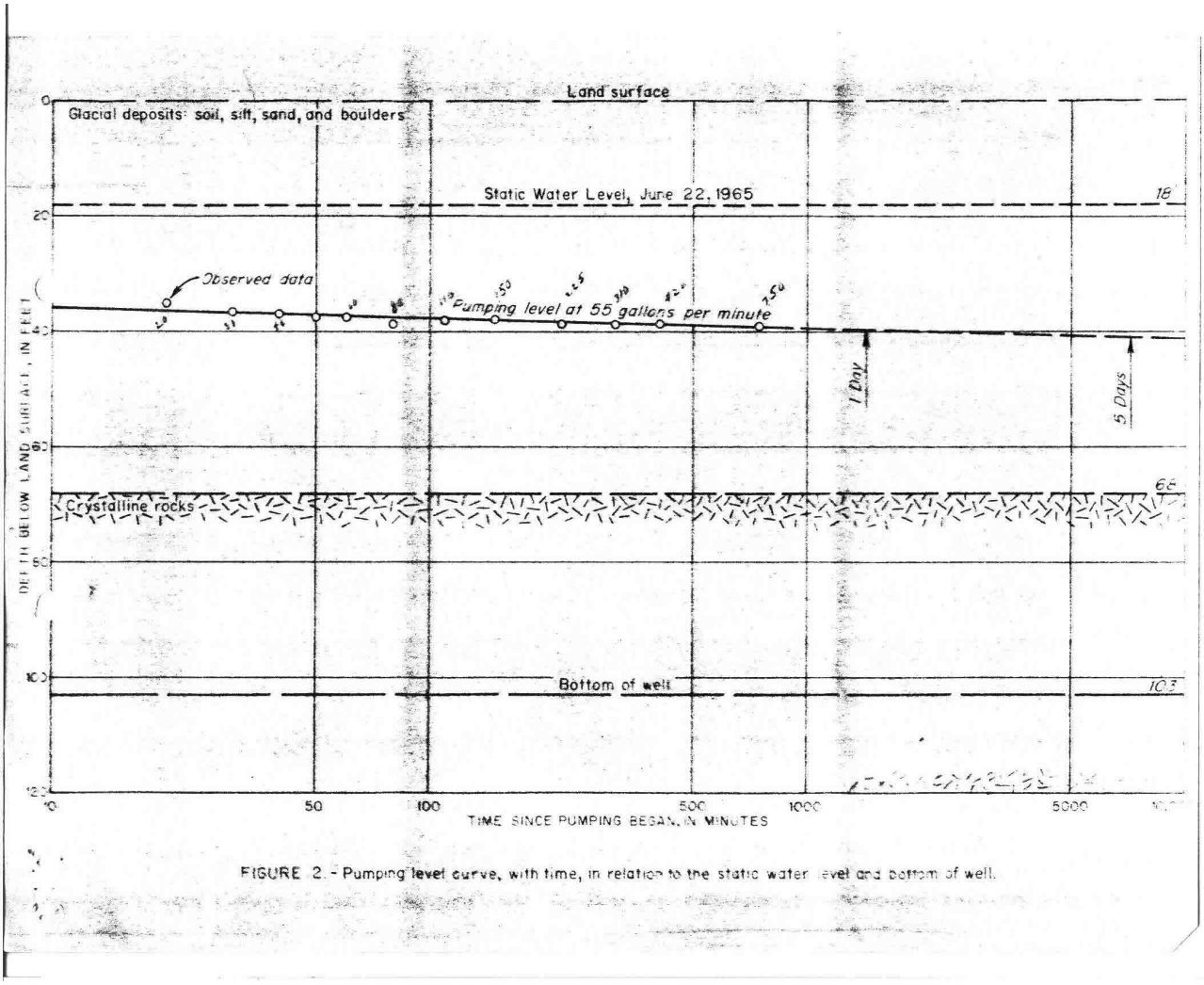
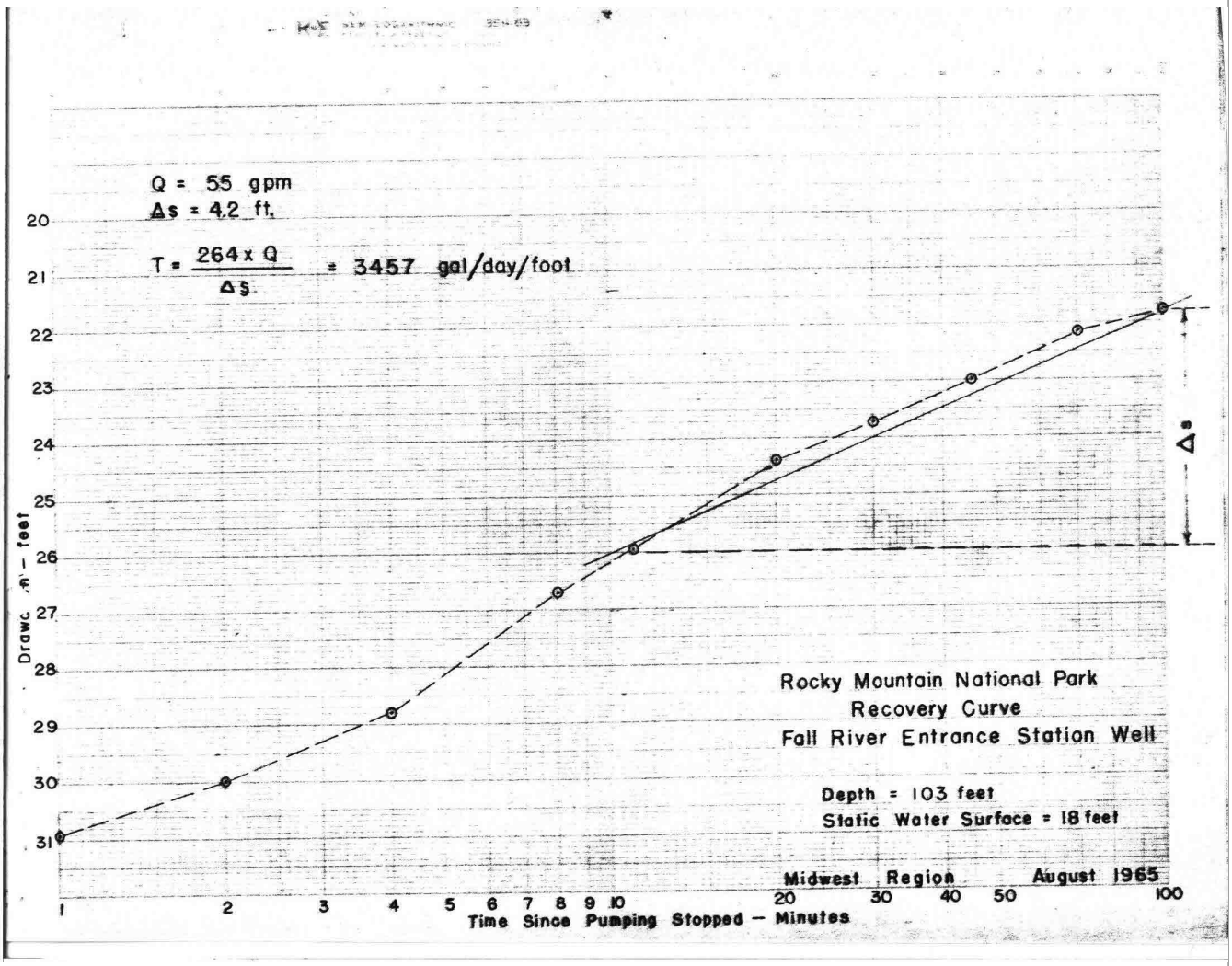
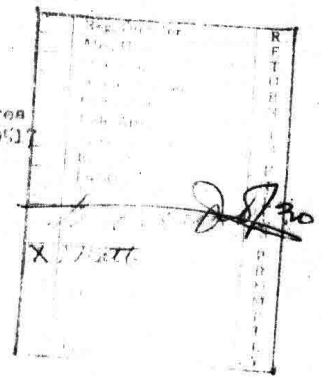


FIGURE 2.- Pumping level curve, with time, in relation to the static water level and bottom of well.

00-00-0000: recovery curve



08-23-1965: letter to state engineer from superintendent regarding well data



Rocky Mountain National Park
and
Shadow Mountain National Recreation Area
P. O. Box 1080, Estes Park, Colorado 80517

L54

August 23, 1965

J. E. Whitten, State Engineer
232 State Services Building
1525 Sherman Street
Denver 3, Colorado

Attention: George W. Colburn, Senior Engineer
Ground Water Section

Dear Mr. Whitten:

Enclosed are two copies of the Log and History of Well which was drilled under Permit No. 23820.

Sincerely yours,

[Sgd.] Granville B. Liles

Granville B. Liles
Superintendent

Enclosures 2

cc:
Chief of Water Resources, WASO w/ encl. 2
Regional Director, Midwest Region w/ encl.

08-23-1965: permit no. 23820

Index No. .....
DWD .....
Use .....
Registered .....
(For State Engineer's Use)

STATE OF COLORADO
DIVISION OF WATER RESOURCES
OFFICE OF THE STATE ENGINEER
GROUND WATER SECTION

LOG AND HISTORY OF WELL

PERMIT NO. 23820

Driller Harry J. Young Lic. No. 24

Owner National Park Service - Rocky Mountain National Park Larimer County

Street P. O. Box 1080 City Estes Park, Colorado SE ¼ of NE ¼ of Sect. 17

Tenant NA Twp. 5N, Rge. 73W, 6 PM

Use of Water Domestic Purposes - Residential Area Fall River Entrance

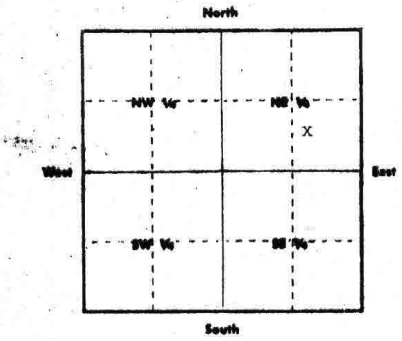
On or By Rocky Mountain National Park (description of site or land) No. Acres

Date Started May 6, 1965

Date Completed June 25, 1965

Yield 55 GPM or CFS

WELL LOCATION



ABOVE DIAGRAM REPRESENTS ONE FULL SECTION. LOCATE WELL ACCURATELY IN SMALL SQUARE REPRESENTING 40 ACRES.

or

If the above is not applicable fill in:

No. Street

City or Town

or

Lot ____, Block ____

Subdivision (include filing or number)

WELL DESCRIPTION:

Depth to Water 18 ft. Total Depth 101 ft. (measured from ground surface)

Hole Diameter: in. 6 from 0 ft. to 101 ft.; in. ____ from ____ ft. to ____ ft.; in. ____ from ____ ft. to ____ ft.

TEST DATA:

How Tested Submersible Pump or - Bailed

Date Tested 6/22 & 23, 1965 Length 12½ hrs.

Rate 55 GPM Drawn Down 12 ft.

PUMP DATA:

Pump Type Submersible Outlet Size unknown in.

Driven by unknown HP unknown

CASING RECORD:

Plain Casing

Size 6 in., Kind Steel 19#/ft. from 0 ft. to 48' ft.

Size 6 in., Kind Steel 19#/ft. from 68 ft. to 70 ft.

Size 5 in., Kind galv. liner from 0 ft. to 49' ft.

5 in. Kind galv. liner 92 ft. to 101 ft.

Perforated Casing

Size 6 in., Kind Steel 19#/ft. from 48 ft. to 68 ft.

1/8" to 3/16" by 2" long vertical slots-8 vertical rows spaced 6" center to center

Size ____, Kind ____ from ____ ft. to ____ ft.

Size 5 in., Kind galv. liner from 49 ft. to 92 ft.

1/16" by 1" long vertical slots-18 vertical rows with 10 slots per row per lineal foot.

FOR WELL LOG USE REVERSE SIDE

TO BE MADE OUT IN QUADRUPLICATE:

Original Blue (both sides) and Duplicate Green Copy must be filed with the State Engineer within 30 days after well is completed. White copy is for the Owner and Yellow copy for the Driller. **SIGN BLUE COPY**

WELL LOG

Ground Elevation 8,235 approximately (if known) How Drilled Cable tool

FROM FEET	TO FEET	TYPE OF MATERIAL	REMARKS (such as Cementing, Packing, Shut off, etc.)	Indicate Water Bearing Formation	Indicate Perforated Casing Location
0	5	Soil, silt, sand-medium to coarse			
5	40	Soil, silt, sand-fine to coarse		18'	
		boulders			
40	68	Sand-fine to medium and boulders	Outer casing		48 to 68
				Liner	49 to 103
68	103	Crystalline rocks	Outer casing ends at		
			68 feet.		

(If more space is required use additional sheet)

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed Harry J. Young

By Ernest C. Young

Dated June 25, 1965

02-19-1962: memorandum to superintendent from regional chief of lands regarding reconstruction of fall river entrance water syste

ROCKY MTN. NATL. PARK

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Region Two Office
307 Federal Office Building
106 South 15th Street
Omaha 2, Nebraska

FEB 20 2 54 PM '62

2	Supt.
1	Asst. Supt.
	Mgmt. Asst.-E
	Mgmt. Asst.-W
3	Engineer
	Adm. Officer
	Chief Ranger
	Naturalist
	Idscp. Arch.
4	
	Action Taken
5	Files

IN REPLY REFER TO:

L54

FEB 19 1962

Memorandum

To: Superintendent, Rocky Mountain National Park

From: Regional Chief of Lands

Subject: Reconstruction of Fall River Entrance Water System, Docket 9, Rocky Mountain National Park

Mr. Dunn suggests in his memorandum of July 27, 1960, copy to you, that a new section subdivision be added to Docket 9, labeled "Water Right Amendment."

As some discrepancy appears to have occurred between Drawing 6989 and Drawing 3523 resulting from the employment of different azimuths, he outlines a procedure for preparation of a revision of Drawing 3523. He suggests that a reproducible ozalid print of sheet No. 1 of RM 3523 might have the most compatable section subdivision added from Drawing RM 6989, using the traverse of the old pipeline as control. The revised map should show the portion of the Sunny Slope pipeline which falls within the drawing. Dates of abandonment of both the old Fall River entrance and Sunny Slope pipelines should also be noted on the drawing, if they are abandoned. The drawing should also show the decreed right appurtenant to each existing or abandoned point of diversion, and the notation that all rights have been exercised through the new pipeline since a specified date, if true.

We suggest you prepare a revision of Drawing 3523 as above modified, and file it in Docket 9 under the new section subdivision "Water Right Amendment."

We would appreciate receiving a copy of the revised map. Distribution will be made from this office to the other water right dockets.

John F. Aiton
Regional Chief of Lands

April 8, 1953.

STATEMENT

Partial interest in the Sunny Slope Pipe Line and Filing 15042 were acquired by the United States as an appurtenance to land conveyed by Peter Hondius by deed, of which a copy is filed in Docket No. 4. Federal rights were transferred to Fall River Entrance Pipe Line (Part II of this Docket 9). Decreed rights to Sunny Slope Pipe Line (Part I of this Docket 9) were then privately owned and adjudicated. Federal acquisition by Deed No. 126, of December 1, 1952, accepted by the Director on February 11, 1953, eliminates decreed conflict with Fall River Entrance Pipe Line.

(SGD.) A. VAN V. DUNN.

A. van V. Dunn
Chief, Water Resources Branch

April 9, 1953

STATEMENT

For general conditions relating to adjudication and decree, see Rocky Mountain National Park Docket No. 13.

(SGD.) A. VAN V. DUNN.

A. van V. Dunn
Chief, Water Resources Branch

COPY

November 3, 1952

Memorandum

To: Regional Director, Region Two

From: Superintendent, Rocky Mountain National Park

Subject: Option offering to sell to the Government, Tract 159-A (Snyder), Rocky Mountain National Park

Enclosure is made of three signed and three conformed copies of a 40-day option offering to sell the 20.7-acre Tract 159-A to the United States, signed by the owner, Anna Frantz Snyder, Route 2, Box 57, Loveland, Colorado. This tract is located immediately Southeast of the present Fall River Entrance to Rocky Mountain National Park. Also enclosed is a proposed warranty deed conveying title to the United States submitted for your approval as to its sufficiency.

The offered selling price of $12,500 is $1,503 less than the value assigned by approved appraisers, George M. McCaslin and S. M. Hurd, in their appraisal report of September 24, 1952, which was forwarded to your office with our memorandum of September 24. The original appraisal covered all of Mrs. Snyder's holdings on that date and was valued at $15,048 but, since then, she has sold approximately 2.3 acres to the Smith Sisters, owners of Tract 159-B. This 2.3 acres was appraised at $1,045, leaving the appraised value of the 20.7 acres included in this purchase at $14,003. The Smith Sisters paid $1,320 plus all expenses, including surveying, new abstract, recording and taxes, for this 2.3 acres in order to keep park visitors away from their summer home.

The Town of Estes Park's Penstock right-of-way across this property, used to carry water to their Hydroelectric Plant, is not desirable but we know of no procedure by which it could be acquired. About four years ago the pipe was replaced by a new welded steel pipe line and should be good for another 40 years. Under these conditions we can not offer any administrative objections.

Mrs. Snyder states that the only water used on this property through the years has been that from the Sunny Slope Pipeline and that she has no other water right to convey. She failed to perfect the conditional water right awarded in the Water Adjudication of 1939 and consequently she can only convey the 0.066 cubic feet per second of time which was decreed for diversion from Big Horn Creek through the Sunny Slope Pipeline, Domestic Priority No. 36 in the Decree of November 14, 1939. No part of this water has ever been used to supply other than the property

now being offered for sale and no interest in this water right was conveyed to the owners of Tract 159-B. It is difficult to place a separate value on this water right but we are reasonably certain that several new developments immediately East and down-stream from this property would be glad to pay $1,250 for this established right. The City of Boulder, Colorado, has recently offered $15,000 per second foot for domestic water rights and was unable to buy any up-stream water resulting in very costly negotiations for Big Thompson Diversion Project water.

Authority to negotiate for this purchase was obtained in the Acting Director's memorandum of August 29, 1952. Acquisition is urgent to prevent a very costly and extensive development of this property. It is needed in part for a much-needed picnic area in conjunction with adjacent Aspen Glen Campground, and for the revamping of Fall River Entrance.

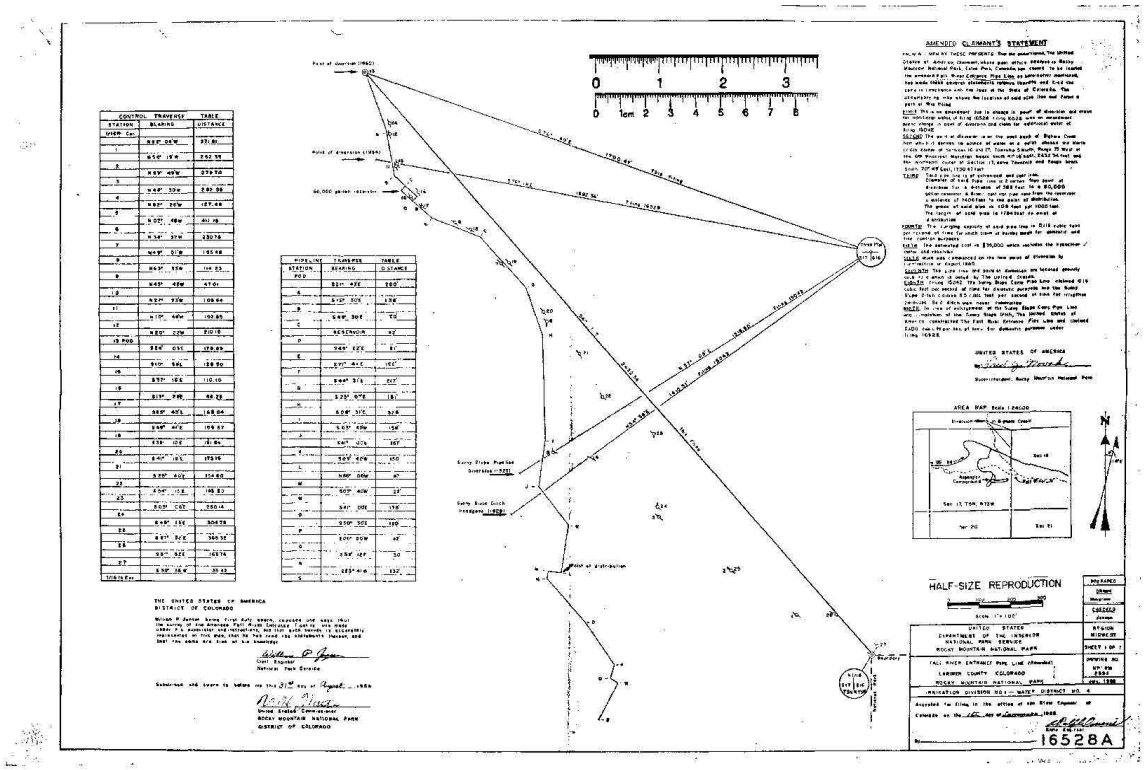
This office recommends the approval of this option and the very earliest possible completion of this transaction in order that we may proceed with the rebuilding of the Fall River Entrance and Exit traffic lanes.

/s/ David H. Canfield

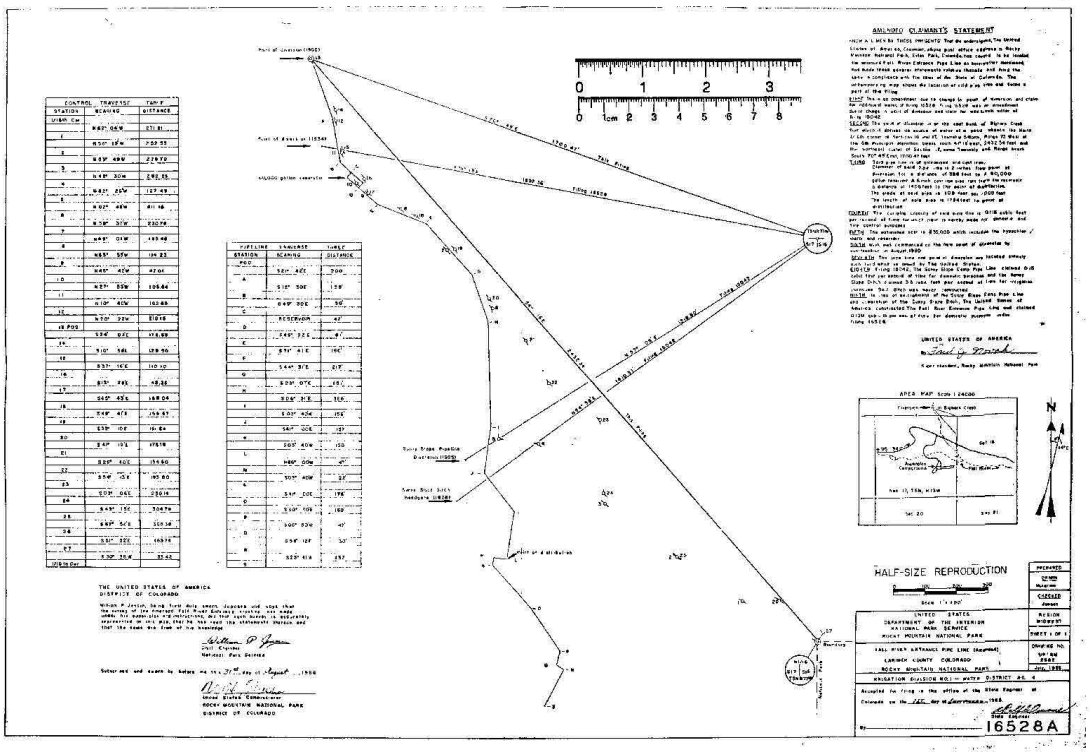
David H. Canfield
Superintendent

Enclosures 2 (one in sextuple)

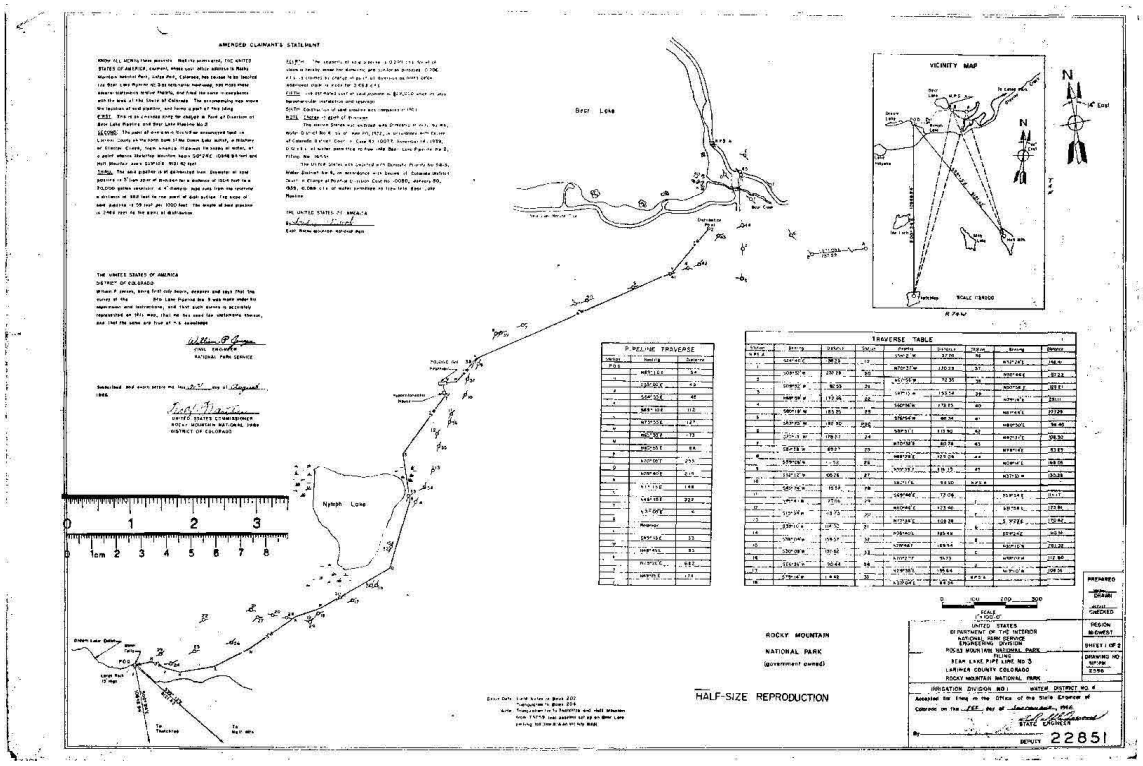
09-12-1966: map of the fall river entrance pipeline



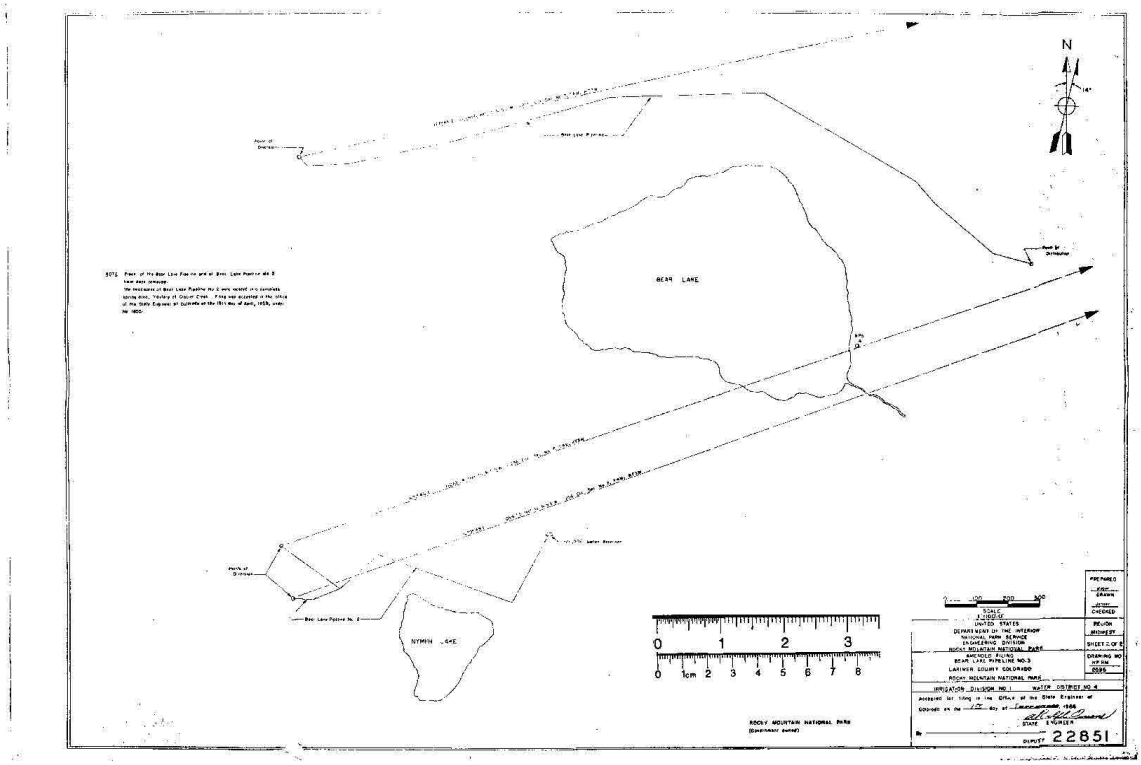
09-12-1966: map of the fall river entrance pipeline



09-18-1966: map of the bear lake pipeline no. 3



09-18-1966: map of the bear lake pipeline no. 3



01-24-1967: memorandum to chief, water rights branch from acting supervisory hydraulic engineer regarding material for water do

L 54 LWSSC

SAN FRANCISCO PLANNING AND SERVICE CENTER
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
San Francisco, California 94102

January 24, 1967

Memorandum

To: Assistant Director Specialized Services
Attention: Chief, Branch of Water Resources

From: Acting Supervisory Hydraulic Engineer

Subject: Material for Water Docket Nos. 9 & 34, Rocky Mountain

Enclosed for insertion in your dockets is one copy each of the following drawings, which have been reproduced from blue-line prints at half size for convenience in filing.

NP: RM 2582 Fall River Entrance Pipeline (amended)
(file in Docket # 9)

NP: RM 2596 Bear Lake Pipeline No. 3 (amended)
(file in Docket # 34)

By copy of this memorandum we are sending these maps to Superintendent, Rocky Mountain for his dockets.

William E. Fields

Enclosures
cc:
Supt. Rocky Mountain w/ encls.

RW/ep

11-29-1966: memorandum to chief of water resources from superintendent regarding water rights filings

RECEIVED
San Francisco Planning and Service Center
Office of Land and Water Rights
NATIONAL PARK SERVICE
DEC 1 - 1966

ACT.	INFO.		INITIALS	DATE
		CHIEF		
		ASS'T. CHIEF		
		SUPV. APPR.		
	✓	SUPV. Hyd. Eng.		12/1

Rocky Mountain National Park
and
Shadow Mountain National Recreation Area
L54 P. O. Box 1080, Estes Park, Colorado 80517

November 29, 1966

Memorandum

To: Chief of Water Resources, WASO

From: Superintendent, Rocky Mountain

Subject: Water Rights Filings

Enclosed for your files are two copies of each of the following drawings which have been accepted for filing in the Office of the State Engineer of Colorado:

NP:RM 2582 Fall River Entrance Pipeline (Amended) — Docket 9
NP:RM 2596 Bear Lake Pipeline No. 3 (Amended) — Docket 34

By copy of this memorandum we are sending four copies of each of these drawings to the SSC Chief of Land and Water Rights.

Superintendent

Enclosures 4

cc:
Chief, Land and Water Rights, SSC, w/ encl. 8

08-22-1966: letter to civil engineer from bill regarding pipeline plans

L54

August 22, 1966

William P. Jensen, Civil Engineer
Southwest Regional Office
National Park Service
P. O. Box 728
Santa Fe, New Mexico 87501

Dear Bill:

First, Bill, let me assure you that we did proof the drawings Nos. NP:RM 2582 and 2596 before sending them to you. It may not have seemed that way to you! The pipeline bearings for Bear Lake were scaled off of the magnetic north instead of true north. I did not do it, but I should have caught it. I do take full responsibility for leaving off the area map on the Fall River pipeline. We will make the corrections you have noted before sending them to the State Engineer.

As for the apparent discrepancy on the amount of water claimed at Fall River, this is the situation as I understand it: The original Sunny Slope pipeline filing claimed a capacity of 0.150 c.f.s. The adjudicated right on this line, however, moved the decimal over to the left and we have a right of 0.015 c.f.s. The Fall River Entrance pipeline, which was built in lieu of enlargement of the Sunny Slope pipeline, claimed 0.10 c.f.s., and this is the amount of the adjudicated right. The amended Fall River pipeline thus claimed the total of the two adjudicated rights, or a total of 0.115 c.f.s. So we really never did have a total amount of 0.250 c.f.s. as it would seem to appear. Further, I believe that because of the wording "in lieu of enlargement...." on the Fall River filing, the courts would hold that the claim to the Sunny Slope pipeline was given up in favor of the Fall River Entrance pipeline.

Regarding the claim for additional water in the amount of 0.093 c.f.s. for Bear Lake pipeline, I believe it would be inappropriate for us to make any statement about transferring from our surplus on Glacier Creek or Thompson River. The reason for this is that the State Engineer has nothing to do with adjudication or transfer of water rights. This is a matter for the District Court. In fact, the State Engineer requested that we remove from one of our drawings the statement, "Priority claimed as of _____," because they do not establish priority dates.

They accept only filings. To accept the drawing with the statement on it would indicate their tacit approval of something that they have no right to approve. It might also lead us into the false assumption that we had established such priority or transfer by having the filing accepted. Now, you and I both know that the State Engineer has accepted our drawings with such priority statements on them.

Our complete water needs for the very long range development is presently under review. Manny Morris, Supervisory Hydraulic Engineer from the San Francisco office has been here twice this summer to discuss our water rights and problems. We are entering into an agreement with USGS to make a systematic long-term study of the water resources throughout the entire park wherever there may be a need. The trend seems to be for wells whenever possible.

The information you asked for:

1. The stainless steel toilet stools for toilet model 2325 are seat and cover No. 1789-11. Cost is $30 each, and they were obtained from Monogram Industries, Inc., 8557 Higuera Street, Culver City, California.

2. The urinals were ordered from Denver Brass and Copper Company, 2734 Walnut Street, Denver, Colorado. They are #200 wall-hung urinals and the cost is $15.40 each. Fred says that they have not been satisfactory from an installation point of view. It seems that you must bring the top of your tank (vault) up to the bottom of the concrete floor to seal out the surface moisture. When the urinals are hung according to the instructions, there is not enough slope to drain into the tank. It is necessary to go down with a pipe and enter the tank below the top. This necessitates cutting through the side of the tank.

Fred says that we did not install the rotary ventilators and that the Forest Service has not been doing so recently. He also said that they are easily found and that many hardware stores have them. I'm sure that you can obtain them from Sears or Wards.

I'll pass your information about the emblem paint on to Bill Matteson and Byrum.

Yes, in my opinion Frosty was working too hard this summer, as he did last summer and the summer before, ever since Bob Haraden left. But you know too that Frosty always did too many things himself and did not delegate duties to the extent that he probably should have. There was, however, no indication that he was in ill health. He was only 51.

You cannot (or perhaps you can) imagine how hectic things have been around here with so many new people and so many old problems. I do believe that everything is under control and will last until Labor Day.

Sure hope you get that boy you want in September. If not this time, then the third one for sure will be a boy.

Good luck in Coolidge. Give my best regards to Mur.

Sincerely yours,

Cleon Musgrave

08-22-1966: letter regarding toilet purchases

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

August 12, 1966

IN REPLY REFER TO:

Mr. Cleon Musgrove
Rocky Mountain National Park
P.O. Box 1080
Estes Park, Colorado 80517

Dear Cleon:

As soon as plans NP-RM-2596 and 2582 show up on my desk, I will certainly sign and send them back to you. Was glad to hear that they are being accepted with no L.S. or P.E. seal. I took the Colorado Land Surveying examination in July and will hear at the end of this month if I made the grade. However, I will sign these plans without the seal as the work was done before I will get my L.S. License anyway.

I certainly was shocked to hear that Frosty passed away. Jim O'Shea called me the next day, but I couldn't make it to the funeral. We are setting up a one-man maintenance field office in Coolidge, Arizona to which I have been assigned and had to go down there and get the office set up. Will be transferred down there permanently this fall after Mur has a baby boy in September.

Was Frosty working too hard this summer? Although I knew he had a heart condition I belive he was only in his early fifties. Rocky Mountain is certainly going to miss his guiding hand.

Cleon, if you have time, there are a couple of things I would like to have you send me. some information [redacted] Howard Grey can probably supply it for you. which

(1) On the Forest Service type vault pit toilets built last year for Endovalley C.G., I would like the brand name, company name and address, and the cost of the stainless steel stools and urinals installed in these toilets.

(2) For these same toilets what type and from what company was the rotary ventilator purchased? If Howard doesn't have the answer for this--see Fred Calendar.

(3) Does Rocky get their arrowhead emblem paint from Blue Ridge Parkway? If not, Bill Matteson and Byrum Waller

may be interested in the article contained in the Purchasing Handbook-Chapter 8, Section P, Page 1, Paint for Arrowhead Emblems. According to this, the paint can be obtained free of charge including transportation to any National Park Field area. The SWRO is now checking into the possibility of having Grand Canyon handle the disbursing of this paint to all field areas west of the Mississippi River.

Sorry I missed seeing you in June, but if you get down to Sunny Arizona this winter, stop by --- we will only be living a few miles from Phoenix.

Sincerely,

William P. Jensen

William P. Jensen

00-00-0000: memorandum to superintendent from civil engineer regarding fall river entrance drawings

Engineer's Copy

Supt.
Mgmt. Asst.
Naturalist
Chief Ranger
Adm. Officer
Engineer
Lesee
Wes st.

or Taken

Southwest Region
Santa Fe, New Mexico 87501

L54

Memorandum

To: Superintendent, Rocky Mountain

From: Civil Engineer, Southwest Regional Office

Subject: Drawings Nos. NP-RM-2582, Fall River Entrance Pipe Line (Amended), and NP-RM-2596, Bear Lake Pipe Line No. 3

Enclosed are the original linens and one set of prints of the subject drawings.

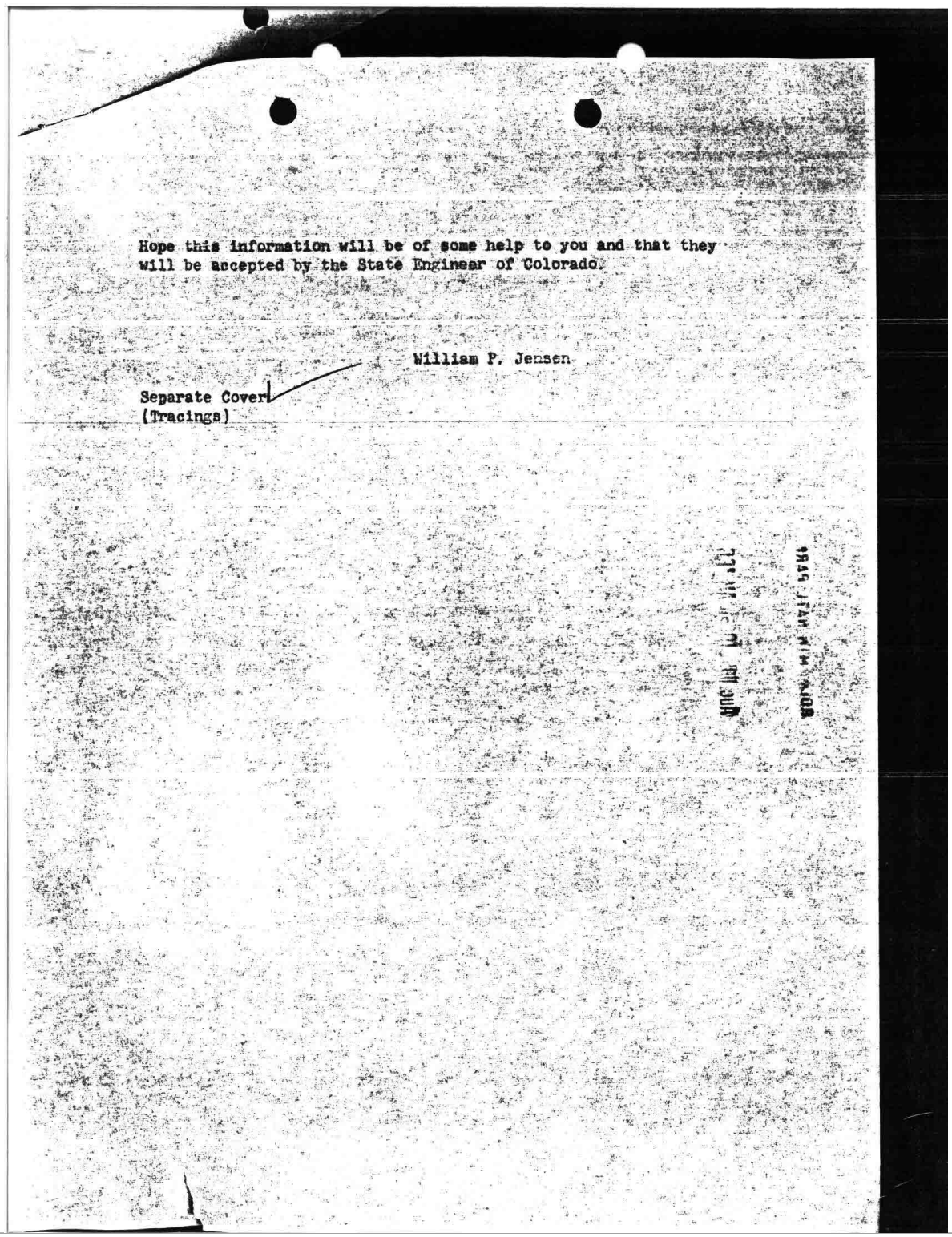
I have signed the tracings but have shown a few suggested changes on the prints.

In regard to Plan NP-RM-2582, a claim of .115 cfs. has been made for this filing. The two previous filings provide for a total of .250 cfs. The statements as given may provide an opening for someone farther on downstream to claim the difference of .135 cfs. To make sure that the park retains this difference, I suggest that the Regional Solicitor in Denver be contacted for his comments.

In regard to Plan NP-RM-2596, an additional claim has been made for 0.093 cfs. A water rights study was made by Cleon Musgrave in the Summer of 1965. I think this study shows park-owned water rights which are no longer being used on the Moraine Park and Glacier Creek Drainages. If this is true, statements should be made on the Bear Lake Pipe Line No. 3 Filing which would transfer these water rights to the Bear Lake P.O.D., to help cover the .093 cfs. difference.

Bearings for the pipeline traverse and those for the survey traverse do not seem to correspond. They are much closer if the bearings shown for the pipeline traverse were magnetic bearings. The method used in plotting may have had some effect and for this many traverse points I suggest that the method of plotting by coordinates be used.

00-00-0000: memorandum to superintendent from civil engineer regarding fall river entrance drawings, page 2cont

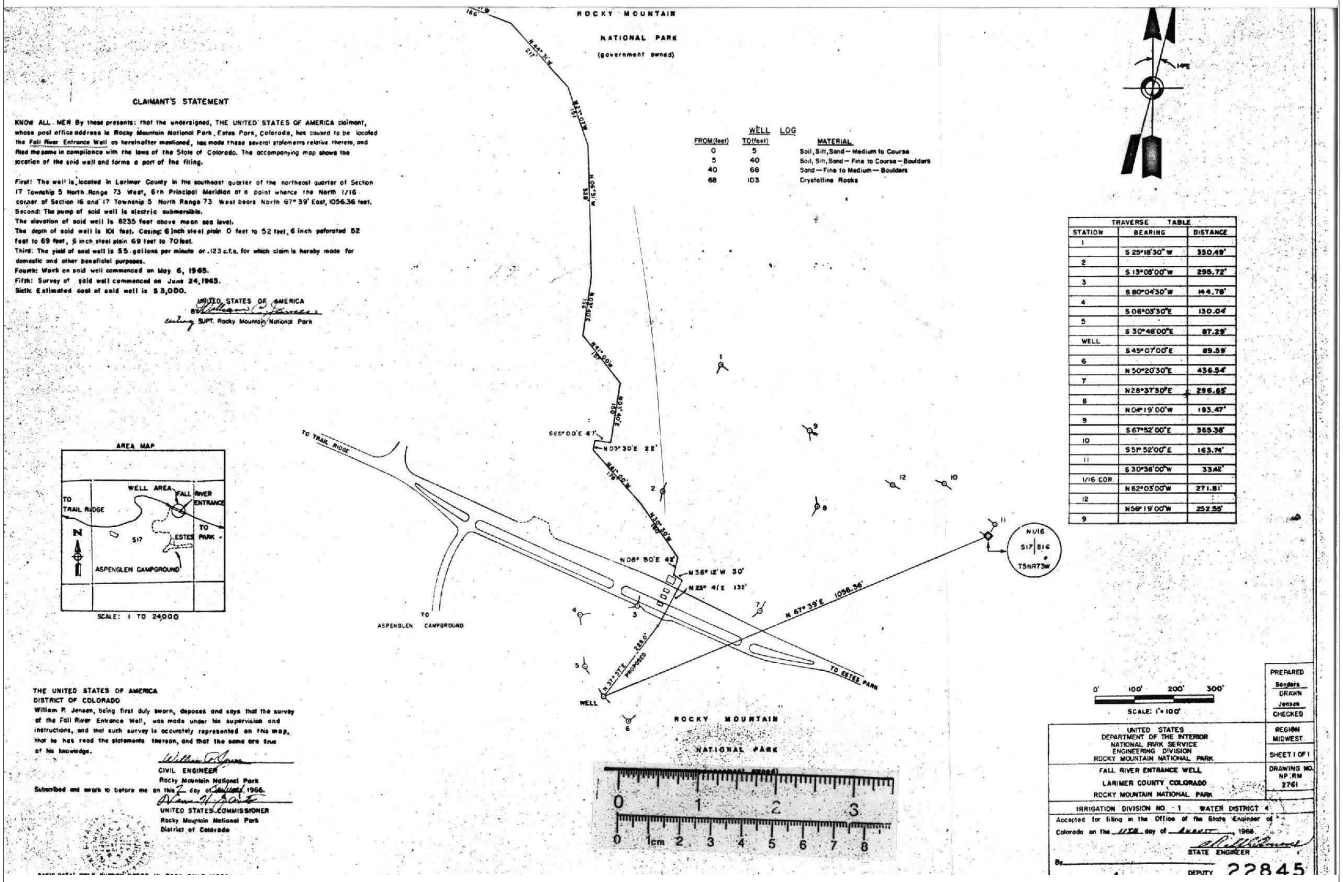


Hope this information will be of some help to you and that they will be accepted by the State Engineer of Colorado.

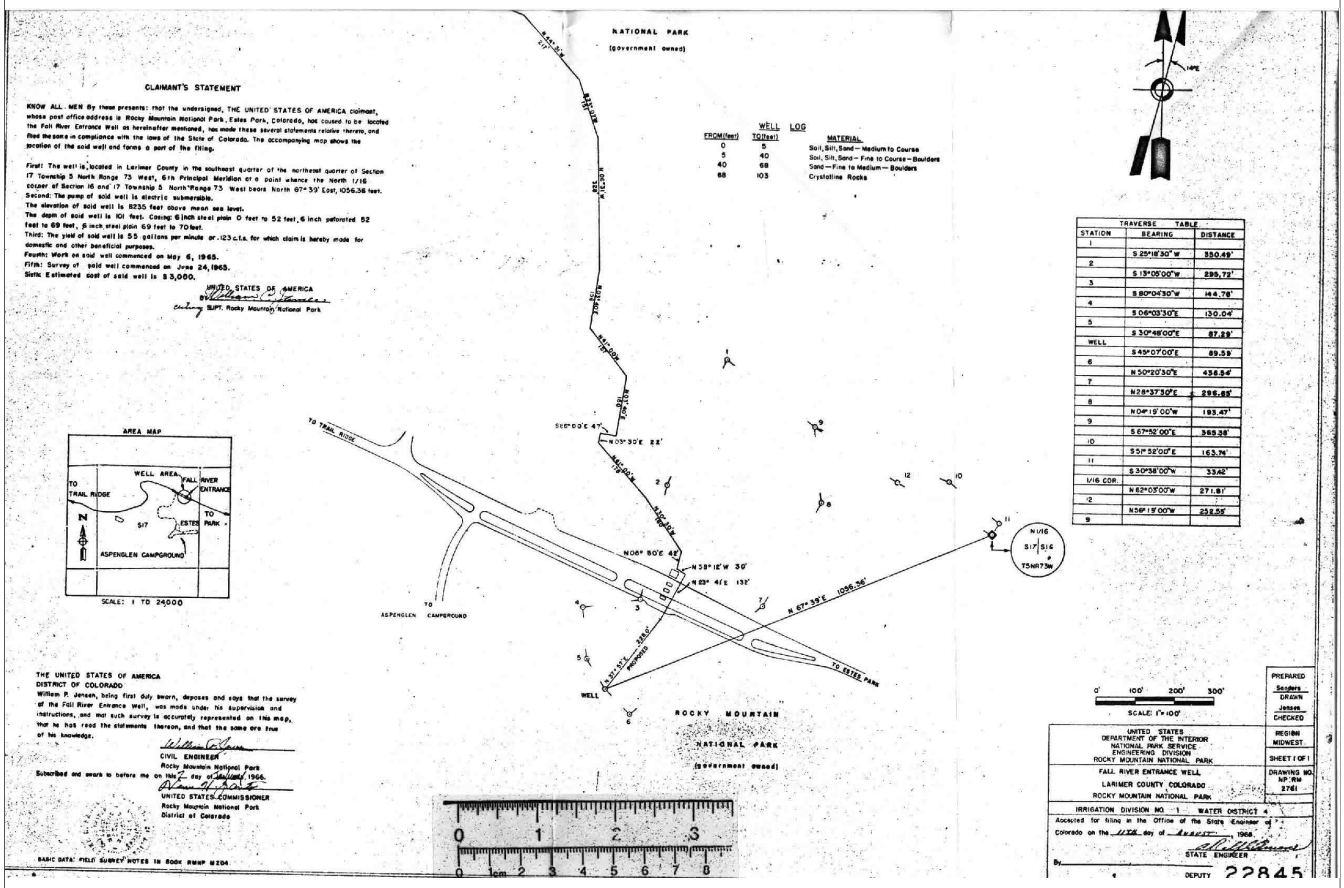
William P. Jensen

Separate Cover
(Tracings)

08-11-1964: map of the fall river entrance well and surrounding area



08-11-1964: map of the fall river entrance well and surrounding area



00-00-0000: application for a permit to construct a well

Form C Rev.
9-62/10M

STATE OF COLORADO

APPLICATION FOR: ☐ A PERMIT TO USE GROUND WATER
☒ A PERMIT TO CONSTRUCT A WELL

Applicant National Park Service
Rocky Mountain National Park

P.O. Address Box 1080, Estes Park, Colorado
Quantity applied for 30 gpm or
AF Storage
Domestic and Public
Used for Campground Purposes
Bighorn Ranger Station and
on/at Aspenglen Campground, Rocky
(legal description of land site)
Mountain National Park
Total acreage irrigated and other rts.

ESTIMATED DATA OF WELL

Hole size: 6 in. to 100 ft.
____ in. to ____ ft.

Casing Plain 6 in. from 0 to 75 ft.
____ in. from ____ to ____ ft.
Open or Perf. 6 in. from 75 to 100 ft.
____ in. from ____ to ____ ft.
PUMP Outlet
DATA: Type Submersible HP Size ____
Discharge head unknown at present
Use initiation date 1966.
(Use Supplemental pages for additional data)

Driller to furnish Log and History (Form E) within 30 days after completion of well.

THIS APPLICATION APPROVED

PERMIT NO. _____
ISSUED:
DATE _____ 19____

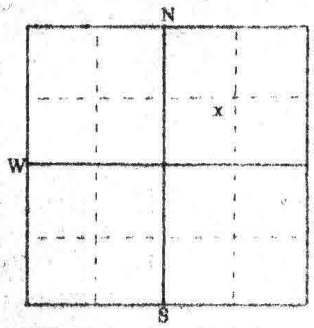
LOCATION OF WELL

County Larimer

SW ¼ of NE ¼ of Sect. 17, Twp. T5N
Rge. R73W, 6 P.M. OR

Street Address or Lot & Block No.

Town or Subdivision



Locate well in 40 acre (small) square as near as possible
Large square is one section.

$25.00 fee required for uses other than Domestic or Livestock.

Applicant Rocky Mountain National Park
Agent or Granville B. Liles
Driller Superintendent No. ____

Address P. O. Box 1080, Estes Park, Colorado

NOTE — SATISFACTORY COMPLETION REQUIRED FOR APPROVAL OF APPLICATION

00-00-0000: purchase order to contract out test well drillers

Form 10-174
(June 1962)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

FACE SHEET FOR COMPLETION REPORT

Work Order No.	2-WR-65B (2nd Rev.)
Fund Symbol	14X1035 (0343)
Year Programmed	1965
PCP No.	--
Master Plan No.	NP-RM 3445-A
Master Plan Corrected By	--
As Built Drawings By	--
Date Started	May 6, 1965
Date Completed	June 25, 1965

Park: Rocky Mountain National Park	Region: Midwest	
Location in Park: Fall River Entrance	State(s): Colorado	
	County or Counties: Larimer	
[X] Contract and/or [ ] Day Labor		
Work Order Title: Drill test well		

DESCRIPTION OF FIXED ASSETS (For completion by employee in charge of project)	TOTAL COSTS (For completion by FFO)
100.8 - Utilities	
1. Water System	
TOTAL	$

DISTRIBUTION No.	To
1	WASO
1	MW Region
1	WODC
1	Engr. ROMO
2	Fiscal
1	Files

THE FIXED ASSET DESCRIBED ABOVE HAS BEEN COMPLETED IN ACCORDANCE WITH APPROVED DRAWINGS, SPECIFICATIONS, AND AUTHORIZED CHANGES

Submitted By: William P. Jensen — Title: Civil Engineer — Date: 10-8-65

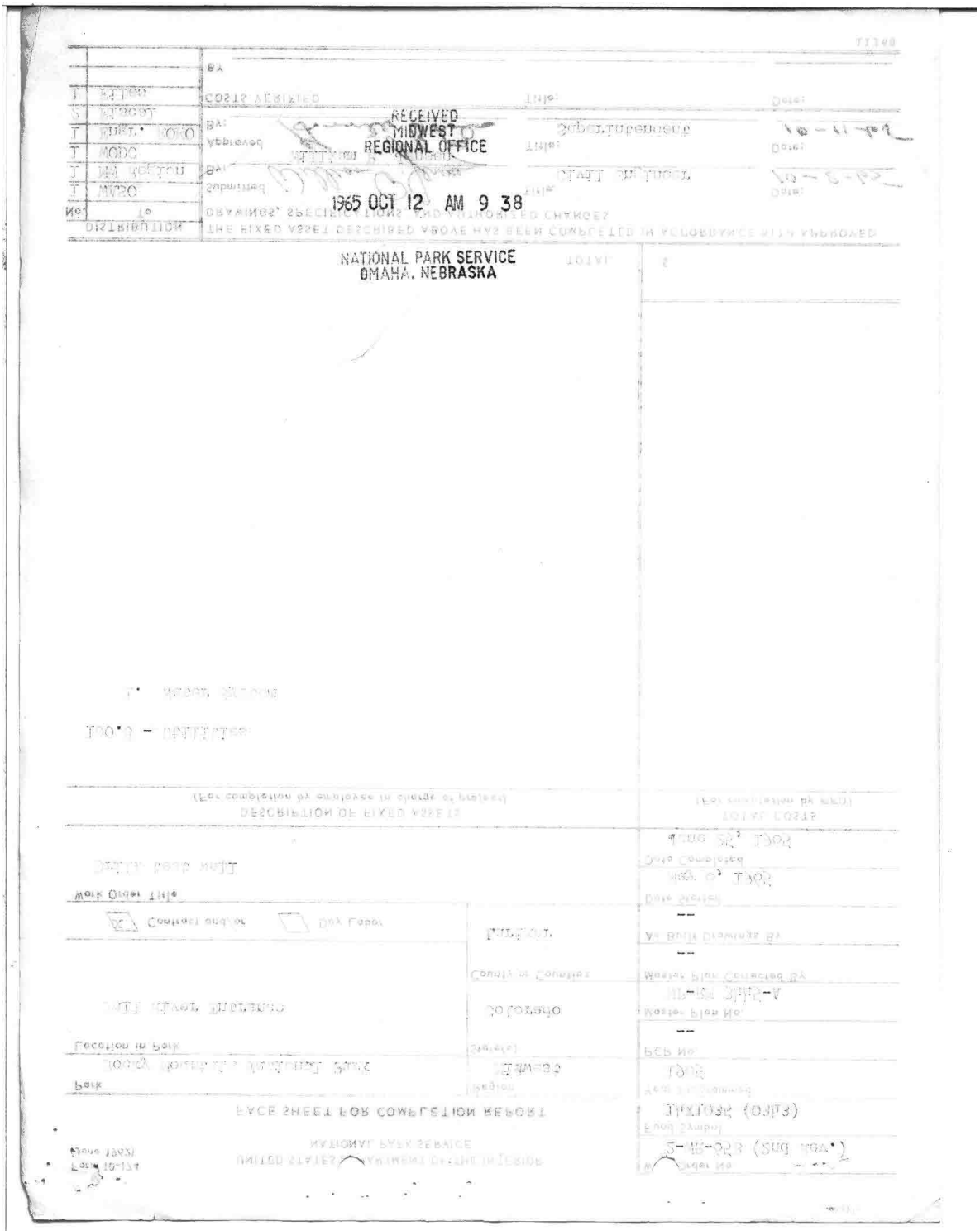
Approved By: William P. Jensen — Title: Superintendent — Date: 10-11-65

COSTS VERIFIED — Title: — Date:

BY

11360

10-12-1965: stamp - received



10-12-1965: cost of drilling a test well

Form 10-174A
(June 1962)

UNITED STATES L ...RTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

COMPOSITION OF COST FOR COMPLETION REPORT

Work L... r Number: 2-WR-65B (2nd Rev.)
Fund Symbol: 14X1035 (0343)
Year Programmed: 1965

Park: Rocky Mountain National Park
Region: Midwest
Location in Park: Fall River Entrance
Work Order Title: Drill Test Well

COMPOSITION OF COST

COSTS CHARGED TO FUNDS ALLOTTED TO FIELD FINANCE OFFICE		
(1) Personal Services	$	
(2) Travel		
(3) Contract Work		
(4) Supplies and Materials		
(5) Other Direct Expenses		
(6) Operation of Equipment		
(7) Depreciation of Equipment		
(8) Purchase of Construction Equipment		
(9) Purchase of Other Accountable Equipment		
(10) Other Costs: _____		
(11) TOTAL COST CHARGED TO FFO FUNDS	xxxxxxxxxx	$
OTHER COSTS:		
(12) PS&S, AP, and/or Facilitating Services @ _____ %	$	
(13) Inventory and Other Non-Fund Costs		
(14) GROSS WORK ORDER COSTS	xxxxxxxxxx	$
LESS:		
(15) Residual Value of Construction Equipment on Line 8	$	
(16) Other Credits		
(17) NET COST OF FIXED ASSETS	xxxxxxxxxx	$

Identify other costs and other credits by line item entry, on an attached schedule, or explain in narrative.

11561

NARRATIVE STATEMENT
Drill Well - Fall River Entrance
Contract No. 14-10-0232-927
Harry J. Young
Rt. 3, Box 178C, Longmont, Colorado
Account No. 2-WR-65B (2nd Rev.)

This project consisted of drilling a well at Fall River Entrance to supplement the flow of water coming from a surface intake on Bighorn Creek. At the present time, the surface intake supplies sufficient water for the Fall River Entrance development. However, in the 1968 FY Construction Program, it is proposed that additional housing will be constructed in this area. At that time additional water will be necessary.

The Invitation for Bids was dated March 9, 1965. One bid was received and opened March 30, 1965, with Harry J. Young being the bidder in the amount of $2,470.00 for work authorized and completed.

The Notice of Award was mailed on April 16, 1965, and the beginning date of the contract was established as May 6 with a contract termination date of July 4, 1965.

The well was drilled to a depth of 103 ft. and cased with 6" (19#/ft.) steel pipe to a depth of 68 ft. Log of the well drilled is attached.

The well produced a yield of sufficient quantity to supply a flow of 55 g.p.m. This is more than what would be necessary for the Fall River Entrance development. The USGS report recommended a pumping rate of less than 30 g.p.m. so as to eliminate any silt or sand problems in the pump.

At the time the well was being surged and bailed, small sand particles kept entering the well. It was decided that it would be beneficial to the government to place a 5" diameter 20 ga. galvanized steel liner inside of the main casing and gravel pack around the outside of the casing. Change Order No. 1 was issued to cover the expense of the liner and gravel pack. After some additional surging and pumping, no more sand was detected inside of the well casing.

This was a unit price contract in the amount of $3,054.50. The contract consisted of the following items:

		Quantity	Unit Price	Amount
1.	Drilling 6" diameter well	100 ft.	$ 18.00	$1,800.00
2.	Furnishing and installing 6" ID (19#/ft.) casing	53 ft.	3.25	172.25

		Quantity	Unit Price	Amount
3.	Testing for yield and drawdown	16½ hr.	40.00	660.00
4.	Furnish and install 6" ID perforated casing, field perforated (19#/ft.)	17 ft.	4.25	72.25

Change Order No. 1

1.	Gravel Pack around well	Lump Sum	200.00	200.00
2.	Furnish and install a 5 inch perforated galv. metal liner	100 ft.	1.50	150.00
	Total amount			3,054.50

There were no unobligated funds remaining in this account.

Permit No. 23820 was issued for drilling the well.

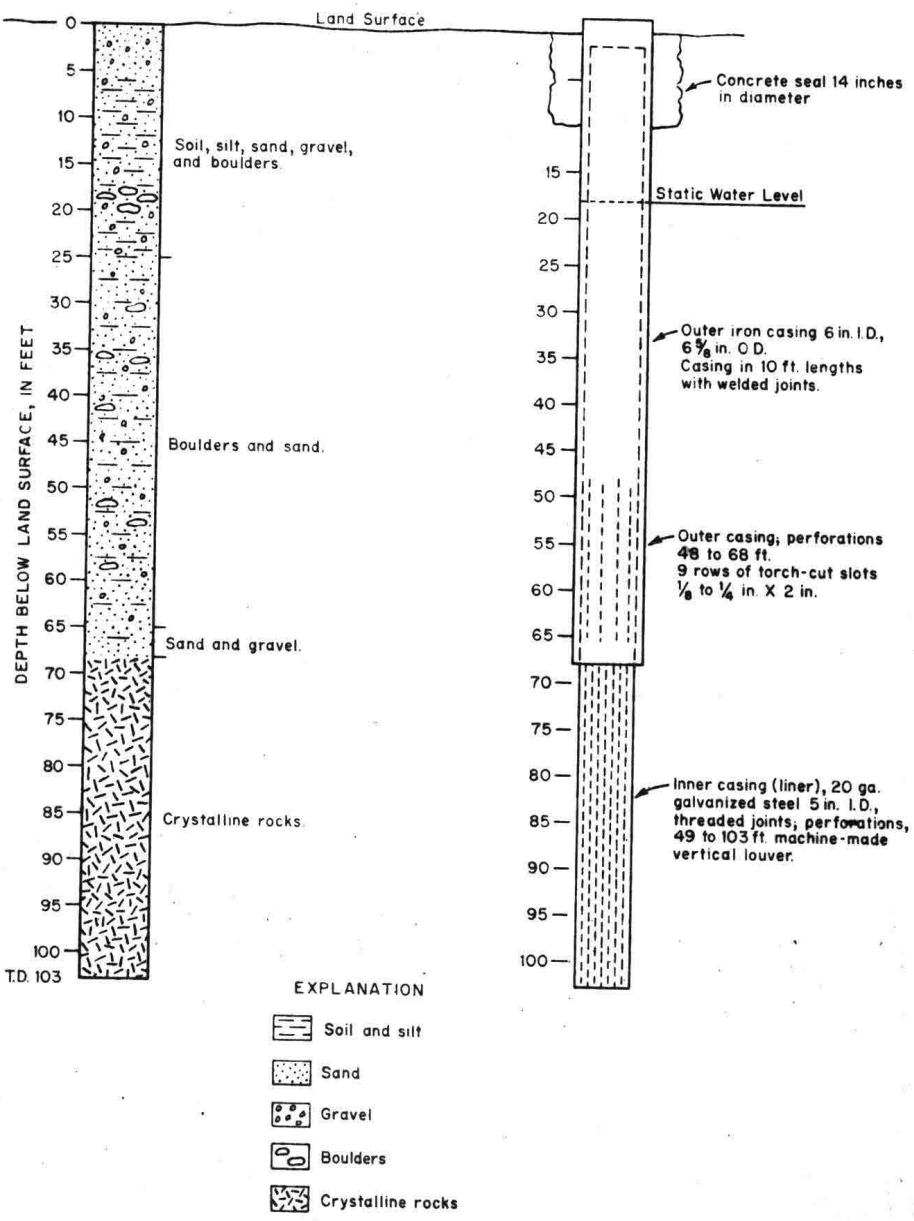


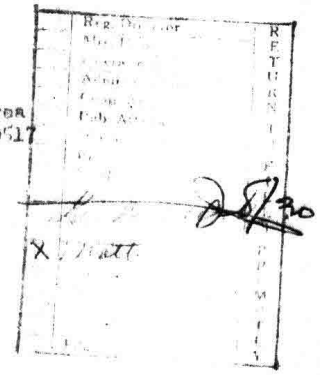
FIGURE 1. - Graphic log and casing record of the well near Fall River Entrance.

08-25-1965: letter to state engineer from superintendent regarding well data

Rocky Mountain National Park
and
Shadow Mountain National Recreation Area
P. O. Box 1080, Estes Park, Colorado 80517

L54

August 25, 1965



J. E. Whitten, State Engineer
232 State Services Building
1525 Sherman Street
Denver 3, Colorado

Attention: George W. Colburn, Senior Engineer
Ground Water Section

Dear Mr. Whitten:

Enclosed are two copies of the Log and History of Well which was drilled under Permit No. 23820.

Sincerely yours,

[Sgd.] Granville B. Liles

Granville B. Liles
Superintendent

Enclosures 2

cc:
Chief of Water Resources, WASO w/ encl. 2
Regional Director, Midwest Region w/ encl.

filed in well + pit permit 8/8

STATE OF COLORADO
DIVISION OF WATER RESOURCES
OFFICE OF THE STATE ENGINEER
GROUND WATER SECTION

Index No.
WDWD.
Use
Registered
(For State Engineer's Use)

LOG AND HISTORY OF WELL

PERMIT NO. 23820

WELL LOCATION

Driller Harry J. Young Lic. No. 24

Owner National Park Service - Rocky Mountain National Park Larimer County

Street P. O. Box 1080 City Estes Park, Colorado SE ¼ of NE ¼ of Sect. 17

Tenant NA Twp. 5N, Rge. 73W, 6 PM

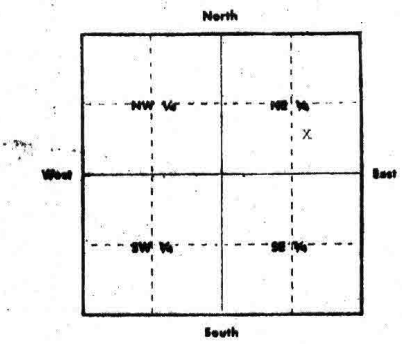
Use of Water Domestic Purposes - Residential Area Fall River Entrance

On or By Rocky Mountain National Park No. Acres
(description of site or land)

Date Started May 6, 1965

Date Completed June 25, 1965

Yield 55 GPM or CFS



ABOVE DIAGRAM REPRESENTS ONE FULL SECTION. LOCATE WELL ACCURATELY IN SMALL SQUARE REPRESENTING 40 ACRES.

or

If the above is not applicable fill in:

No. Street

City or Town

or

Lot, Block

Subdivision
(include filing or number)

WELL DESCRIPTION:

Depth to Water 18 ft. Total Depth 101 ft.
(measured from ground surface)

Hole Diameter: in. 6 from 0 ft. to 101 ft.; in. from ft. to ft.; in. from ft. to ft.

TEST DATA:

How Tested Submersible Pump or - Bailed

Date Tested 6/22 & 23, 1965 Length 12½ hrs.

Rate 55 GPM Drawn Down 12 ft.

PUMP DATA:

Pump Type Submersible Outlet Size unknown in.

Driven by unknown HP unknown

CASING RECORD:

Plain Casing

Size 6 in., Kind Steel 19#/ft. from 0 ft. to 48' ft.

Size 6 in, Kind Steel 19#/ft. from 68 ft. to 70 ft.

Size 5 in, Kind galv. liner from 0 ft. to 49' ft.

5 in Kind galv. liner 92 ft. to 101 ft.

Perforated Casing

Size 6 in, Kind Steel 19#/ft. from 48 ft. to 68 ft.

1/8" to 3/16" by 2" long vertical slots-8 vertical rows

Size , Kind galv. from ft. to ft. spaced 6" center to center

Size 5 in., Kind liner from 49 ft. to 92 ft.

1/16" by 1" long vertical slots-18 vertical rows with 10 slots per row per lineal foot.

FOR WELL LOG USE REVERSE SIDE

TO BE MADE OUT IN QUADRUPLICATE:

Original Blue (both sides) and Duplicate Green Copy must be filed with the State Engineer within 30 days after well is completed. White copy is for the Owner and Yellow copy for the Driller. **SIGN BLUE COPY**

WELL LOG

Ground Elevation 8,235 approximately (if known) How Drilled Cable tool

FROM FEET	TO FEET	TYPE OF MATERIAL	REMARKS (such as Cementing, Packing, Shut off, etc.)	Indicate Water-Bearing Formation	Indicate Perforated Casing Location
0	5	Soil, silt, sand-medium to coarse			
5	40	Soil, silt, sand-fine to coarse		18'	
		boulders			
40	68	Sand-fine to medium and boulders	Outer casi[illegible]		48 to 68
				Liner	49 to 10
68	103	Crystalline rocks	Outer casing ad[illegible] t		
			68 feet.		

(If more space is required use additional sheet)

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed Harry J Young

By Ernest C Young

Dated June 25, 1945

08-13-1965: memorandum to associate regional director from district geologist regarding fall river entrance test well

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
FEDERAL CENTER, DENVER 25, COLORADO

IN REPLY REFER TO
Leonard A. Wood
Ground Water Branch

Action taken
File

August 13, 1965

1.5.1

Memorandum

To: Mr. George F. Baggley, Associate Regional Director, National Park Service, 1709 Jackson Street, Omaha, Nebraska 68102

From: District Geologist, GW, Denver, Colorado

Subject: Fall River Entrance Test Well, Rocky Mountain National Park

This memorandum reports the results of drilling and test pumping at the Fall River Entrance area of the Rocky Mountain National Park. A test well was drilled at a site recommended by the administrative report of January 15, 1965, on "Prospects for obtaining a water supply in the Fall River entrance area of Rocky Mountain National Park, Colorado," by Donald L. Coffin.

Test drilling with a cable tool rig began in May 1965. Large boulders were encountered at a depth of about 40 feet and the drive casing broke. A new hole was drilled about 50 feet from the first to a depth of 103 feet below land surface. Details of the completed well are shown on figure 1.

The glacial deposits penetrated by the well consist of clay, silt, sand, gravel, and boulders from the land surface to 65 feet. Fine to coarse sand and quicksand were encountered between 65 and 68 feet. Crystalline rocks were between 68 feet and the total depth of 103 feet. The driller's log and a description of drill cuttings are in table 1 and are shown graphically in figure 1.

A 6-inch drive casing was driven to a depth of about 68 1/2 feet. It was slotted with a torch (slots 1/8 inch wide) from 48 to 68 feet. The casing was driven a few inches into the crystalline rock. From 68 1/2 to 103 feet is open hole.

After the well was drilled it was developed by bailing and surging for several hours. During this development, sand filled the well to a depth of 72 feet. This indicated that the slots in the drive casing were too large to allow the fine sand and gravel to bridge the slots. To prevent sand from entering the well during pumping, an inner casing or liner was placed from the surface to 103 feet (fig. 1). The liner is 5 inches inside diameter, 20-gage galvanized steel, perforated with machine-made vertical louver slots from 49 to 103 feet, and has threaded joints. Should enough fine sand and silt eventually accumulate between the two casings to cause the yield to decrease, the liner can possibly be withdrawn and the well cleaned.

The well was test pumped on June 22, 1965 (see table 2 and figure 2) for 12 1/2 hours at a rate which varied slightly between 54 to 58 gpm, but averaged 55 gpm. The static water level before pumping was 18 feet below land surface and the pumping level at the end of the test was 39 feet below land surface. The projected curve on figure 2 shows that at the end of the pumping period the drawdown, (21 feet) was still less than one-half the saturated thickness (50 feet) of the glacial deposits. The curve also indicates that continuous pumping at 55 gpm could continue for long periods of time without seriously lowering the water level. The yield of the well should be adequate as about 30 gpm is desired for the camp. After water-level recovery measurements were made it was suggested that the test pump be used for pumping the well several hours on an intermittent schedule to further develop the well.

Interpretation of water level and discharge measurements (table 2 and fig. 2) made before, during, and after pumping indicates that the specific capacity of the well after 24 hours pumping is 2.5 gpm per foot of drawdown and that the coefficient of transmissibility is about 3,500 gallons per day per foot.

It is suggested that access be left into the well for further water-level measurements as was suggested in our memorandum on the Job Corps well in Hallowell Park.

Field tests of the water show that the dissolved solids and iron content is low and that the water is soft, and should be of excellent quality for domestic use. A sample was collected and the results of the chemical analysis will be forwarded to you as soon as they become available. The Park Service should collect a sample for bacteriological analysis to determine the sanitary properties of the water.

For the District Geologist:

Edward D. Jenkins

Edward D. Jenkins
Engineer

cc: Bill Jensen

Table 1.--Log of well near Fall River Entrance (NW¼, SE¼, SE¼, Sec. 17, T. 5 N., R. 73 W. About 3,450 feet N. 15° W. of S.E. corner Sec. 17. Land surface elevation about 8,235 above mean sea level).

Descriptions underlined are from drillers log, descriptions not underlined are from microscopic examinations of samples collected.

	Thickness	Depth
Soil, Silt, Sand, and Boulders:		
Sand, dark gray brown (SYR3/2) 1/, medium to coarse, angular to subangular; contains 20% very coarse sand, 10% very fine to fine gravel, 5% very fine to fine sand, and 1% medium gravel.....	5	5
Sand, gray brown (5YR4/1) 1/, fine to coarse, angular to subangular; contains 25% very coarse sand, 10% very fine to fine gravel, 5% silt and very fine sand, 1% medium gravel, and boulders (water level, 18 ft).....	20	25
Boulders and Sand:		
Sand, gray brown (5YR5/2) 1/, fine to medium, angular to subrounded; contains 30% coarse to very coarse sand, 10% very fine sand and silt, 1% very fine gravel and boulders.....	40	65
Sand:		
Sand, gray brown (5YR5/2) 1/, medium to coarse, angular to subangular; contains 15% very coarse sand, 10% fine sand, 5% very fine sand, 5% very fine gravel, and 5% silt.....	3	68
Crystalline Rocks:		
Quartz, feldspar, and micas.....	35	103

1/ Symbols from Rock-Color Chart distributed by the Geological Society of America.

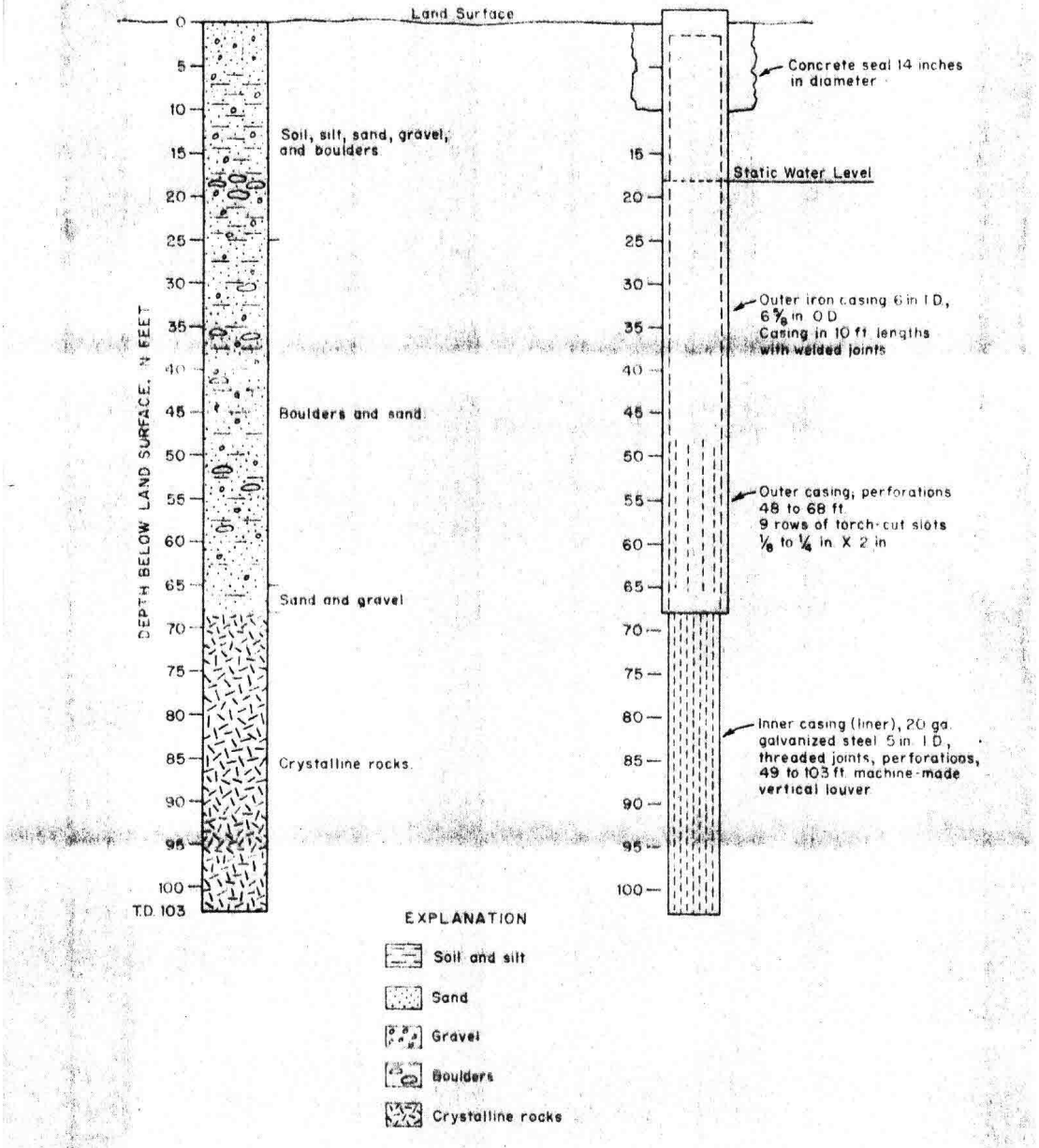


FIGURE 1. - Graphic log and casing record of the well near Fall River Entrance.

D5-12-17 add — New Fall River Entrance — Table 2 — Aquifer Test Data — Edgar Lane

Pumped well — Name Rocky Mt. National Park — Depth 105.0 ft below M.P. — m — r_w Hole ____ ft Casing 6 in — r_w^2

MP 2.2' above L.S.

Observation wells — Name — Depth ____ ft m ____ ft — r ____ ft r^2 ____

County Larimer — State Colorado — T ____ — aquifer(s) [illegible]

Personnel Frank Batavia — Date(s) June 22-23 1965 — gpd/ft S ____

Average pumping rate 55 gpm

1965 Date	Hour	Min since pump started t' m	Min since recovery started t' m	t/t'	Days			Depth to water below M.P. DW/MP	Drawdown Observed da_rec (feet)	Drawdown Adjusted da_rec (feet)	Q (gpm)	s_w, Q	t/r²_w	Bar press	Remarks
June 22	08 00	0						18.71							
								Pump on							
	1050	0						35.0			50				
		20						38.0							
		30						38.7							
		60						39.5							
		120						40.6							
	1340										55				
								Pump off							
			1/3					30.2	10.4		0				
			1					30.0	10.6						
			2					29.0	11.6						
			3					28.2	12.4						
			5					26.60	14.0						
			10					24.80	15.8						
	1400		20					23.34	17.26						
			30					22.45	18.15						
			40					21.89	18.71						
			50					21.54	19.06						
			70					21.01	19.59						
			90					20.70	19.90						
			110					20.64	19.96						
			130					20.40	20.20						
	1640		180					20.20	20.40						
	1700		200					20.14	20.46		0				
					Pump on		Drawdown	Pump	Recovery						
	1750	1/2						27.20	7.5						Top pic
		1						29.20	5		58				
		1 1/2						30.20	10.5						
		2						30.80	10.6						
		3						31.70	11.5						
		4						32.50	12.3						
		5						33.30	13.11		58				Temp 44°
		6						35.20	15.01						

08-13-1965: memorandum to associate regional director from district geologist regarding fall river entrance test well, page 6cont

B5-73-17adb — Table 2-Cont. Aquifer Test Data

Pumped well
Name Rocky Mt. Natl. Park
Depth 105 ft below M.P.
Hole ft Casing
M.P. 2.2' above L.S.

Obs well
Name
Depth ft m ft

County Larimer
State Colorado
T
aquifer(s)

Personnel E. C. Jenkins, Frank Butler
Date(s) June 22-23 1965
gpd/ft S

SPECIAL CAPACITY 55 ÷ 21.11 = 2.60 gpd/ft. of drawdown
Av. Q = 55 gallons per minute.

1965 Date	Hour	t_m	t'_m	t/t'	Days				DW/MP	Observed dd rec (feet)	Adjusted dd rec (feet)	Q (gpm)	s_w/Q	t/r^2_w	Bar. press	Remarks
June									20.19							
22	1710	10							35.80	15.61						Steel Tape
		12							36.10	15.91						Reading
		17							36.96	16.77						
		20							37.22	17.03						
		25							37.65	[illegible]						
		30							38.31	18.12		57				Cleaning
		40							38.77	18.58						
	1750	50							39.39	19.20						
		60							39.70	19.51						
	1810	70							40.02	19.83						
		80							40.36	20.17						
	1830	90							40.58	20.39						Tubbie
		110							40.04	19.85		55				cleaning
		130							40.11	19.92						Temp 45°F
	1930	150							40.16	19.97						Conductance
		175							40.26	20.07						K 5°
	2045	225							40.48	20.29		56				[illegible]
	2210	310							40.60	20.41						4 gallons
	2400	420							40.30	20.11		54				E & P Pm
23																[illegible]
	0530	750							41.30	21.11		54				[illegible]
							Pump Out			Recover						Temp 44°F
			1/3						35.00	6.30						Hardness 17
			1						30.90	10.40						End of Test
			2						30.00	11.30						5 gallons
			4						28.60	12.50						51 PPm
			8						26.70	14.60						
			11						25.95	15.35						
			20						24.40	16.90						
			30						23.72	17.58						
	0615		45						22.99	18.31						
	0640		70						22.17	19.13						
	0760		100						21.60	19.50						
			120						21.68	19.62						
	0815		165						21.39	19.41						

00-00-0000: pumping level curve

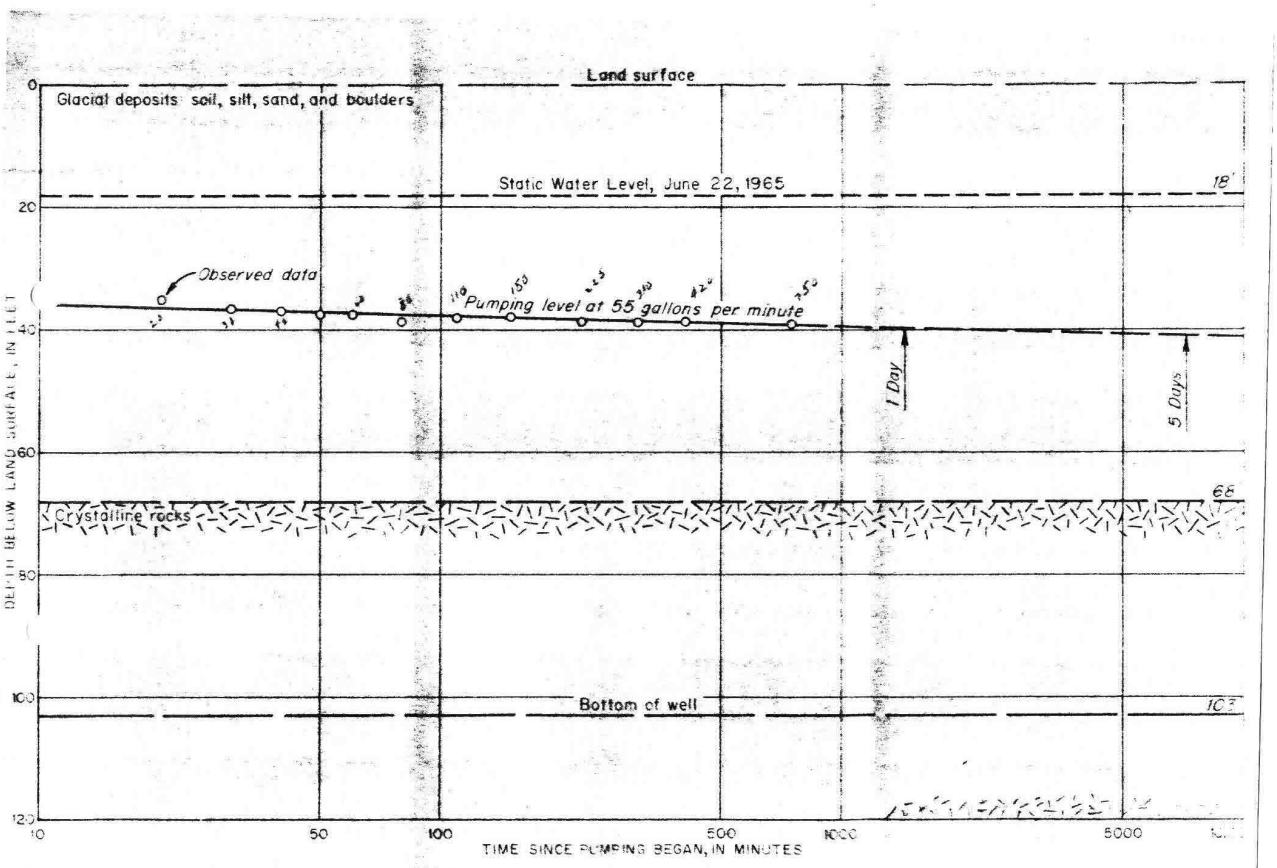
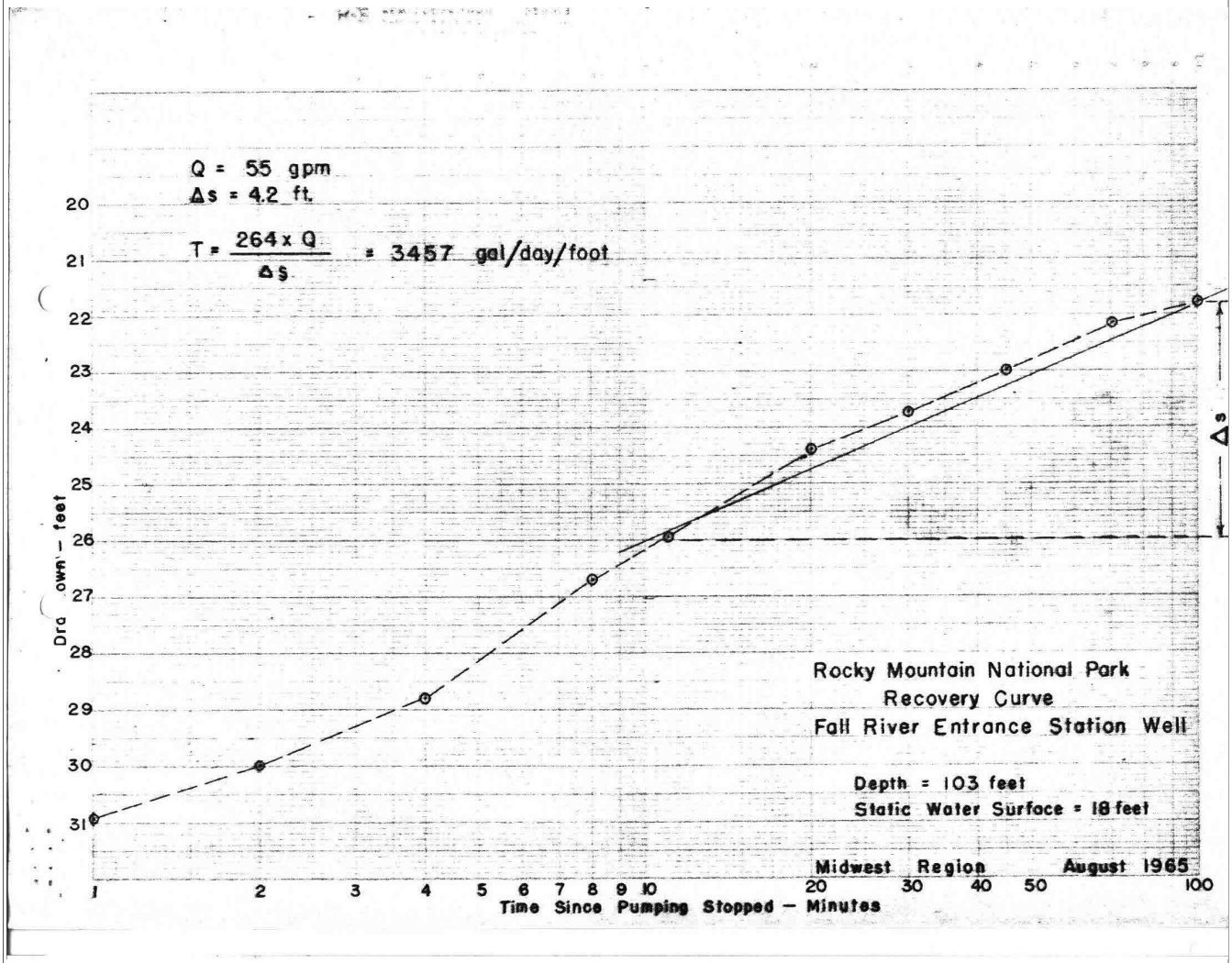


FIGURE 2. - Pumping level curve, with time, in relation to the static water level and bottom of well.

00-00-0000: recovery curve



10-22-1964: geologic studies cost estimates

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
FEDERAL CENTER, DENVER 25, COLORADO

IN REPLY REFER TO:
D. L. Coffin
Ground Water Branch

October 22, 1964

MEMORANDUM

TO: Associate Regional Director, Midwest Region, National Park Service, 1709 Jackson Street, Omaha, Nebraska 68102

FROM: Donald L. Coffin, GW, Denver, Colorado

SUBJECT: Geological Studies - Fiscal Year 1965, Rocky Mountain National Park, Colorado

In response to the telephone conversation on September 9, 1964, with Mr. Mott and the memorandum of Mr. Baggley, dated September 11, 1964, we visited with Mr. Bill Jensen of Rocky Mountain National Park on October 21, 1964, concerning the water supply of Bighorn Ranger Station and Aspenglen Campground near the Fall River Entrance.

Following are the cost estimates for preliminary work to develop a supplemental water supply for the area near Fall River entrance in Rocky Mountain National Park.

Field work	$115.00
Report preparation	285.00
Total	$400.00

If the results of the preliminary work indicate that a test well should be drilled, the following are cost estimates for supervision of test drilling and test pumping. Past experience in this area indicate that drilling a well to a depth of about 100 feet may take as long as one month. Therefore, these estimates assume that a geologist will not continuously be in attendance during the entire drilling time. However, the geologist will make at least bi-weekly trips to the drilling site, log samples collected by the driller, and be on constant call should any problems arise. Test pumping will require the constant attendance of a geologist or engineer.

Field work	
Supervision of test drilling	$395.00
Supervision of test pumping	285.00
Total	$680.00
Report preparation	195.00
Grand total	$875.00

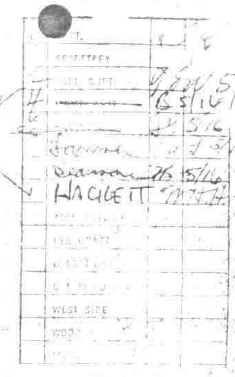
The preliminary work will be completed this fall and a report forwarded to your office by about the first of the year. If test drilling is planned, we will be able to supervise the work in either the spring or early summer of 1965.

Donald L. Coffin
For the District Geologist

DLC/jo

05-09-1961: memorandum from the regional director, region 2 to the chief of the water resources section regarding change in poin

RECEIVED
ROCKY MOUNTAIN NATIONAL PARK
MAY 15 1961
A.M. 6 7 8 9 10 11 12 1 2 3 4 5 6 P.M.



May 9, 1961

L54-OBL

Memorandum

To: Regional Director, Region Two

From: Chief, Water Resources Section

Subject: Change in Point of Diversion of Sunny Slope Pipeline and former Fall River Entrance Pipeline, Water Right Docket 9, Rocky Mountain National Park

From the practical standpoint I do not think it is even necessary to file a map with the State Water Commission to record the change in the subject point of diversion, as suggested in Mr. Baggley's memorandum of May 4. However, I believe that a map showing the changes in points of diversion, and pipe capacity, with date and a signature, should be filed in the docket for record purposes. This is applicable in most cases in the Park, and particularly in Water District 4, where the U.S. has decreed rights to the water. The map need not be more than an accurate sketch, to scale.

1. Mr. Eynon has presented the legal aspects about as I understand them.

2. Minor changes in points of diversion have been made on most of the older water systems in Colorado without recording, if the change has not been from a point below to a point above the headgate of another appropriator. I doubt, for instance, if the headgate of the Harbison Ditch is within a hundred feet or more of the point originally used.

3. The River Master will only be concerned with the quantity of water diverted under each priority, in most cases, and will not know that there has been a change except for the fact that all water is diverted at one point while the decree shows two points.

4. There is no one who has grounds for protest of the Federal diversion of all water from Big Horn Creek to the extent of the two decreed rights because there is no change in the residual flow to downstream appropriators, and there are no upstream appropriators.

5. The Park Service may make other changes in the point of diversion and conduit capacity before the Department of Justice decides to take the United States into court again.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Rocky Mountain

04-28-1961: memorandum from the regional director, region 2 to the acting superintendent regarding change in points of diversion

Rocky Mountain National Park
and
L-54 Shadow Mountain National Recreation Area
P. O. Box 1086, Estes Park, Colorado

April 28, 1961

Memorandum

To: Regional Director, Region Two

From: Acting Superintendent

Subject: Change in Point of Diversion of Sunny Slope Pipeline and former Fall River Entrance Pipeline, Water Right Docket 9, Rocky Mountain National Park

Attached are two copies of Mr. C. Rynon's memorandum of April 20, covering his revised opinion concerning the advisability of filing a petition in the State District Court requesting permission to use a new point of diversion for the water rights decreed to the Sunny Slope Pipeline and the former Fall River Entrance Pipeline, Water Right Docket No. 9, Rocky Mountain National Park. We are forwarding Mr. Rynon's coverage of the subject question for your consideration.

Because of the extremely heavy travel through Fall River Entrance and the extensive planned development under the new pipeline, we hope that future administrators of this Park will not be confronted from time to time with the question of whether or not the Government has unquestionable right to use its decreed water rights from the new point of diversion. The fact that more water has been appropriated by decree in Water District No. 4 than produced by the water shed, together with the great increases in the District's population, is causing a very close examination of the beneficial use of all decreed domestic rights, particularly by down-stream municipalities.

We will appreciate your review of Mr. Rynon's opinion from the standpoint of National Park Service legal and policy requirements at the Regional and Washington levels, and for further instructions as to procedures.

SIGNED

R. C. Marsden
Acting Superintendent

In duplicate

Attachments

Copy to: Judge Hackett

04-12-1961: memorandum from the regional director, region 2 to the acting superintendent regarding change in points of diversion

Rocky Mountain National Park
and
Shadow Mountain National Recreation Area
P. O. Box 2086, Estes Park, Colorado

IN REPLY REFER TO:

April 12, 1961

Memorandum

To: Regional Director, Region Two

From: Acting Superintendent

Subject: Change Point of Diversion for Sunny Slope and Fall River Entrance Pipe Lines, Water Right Docket 9, Rocky Mountain National Park.

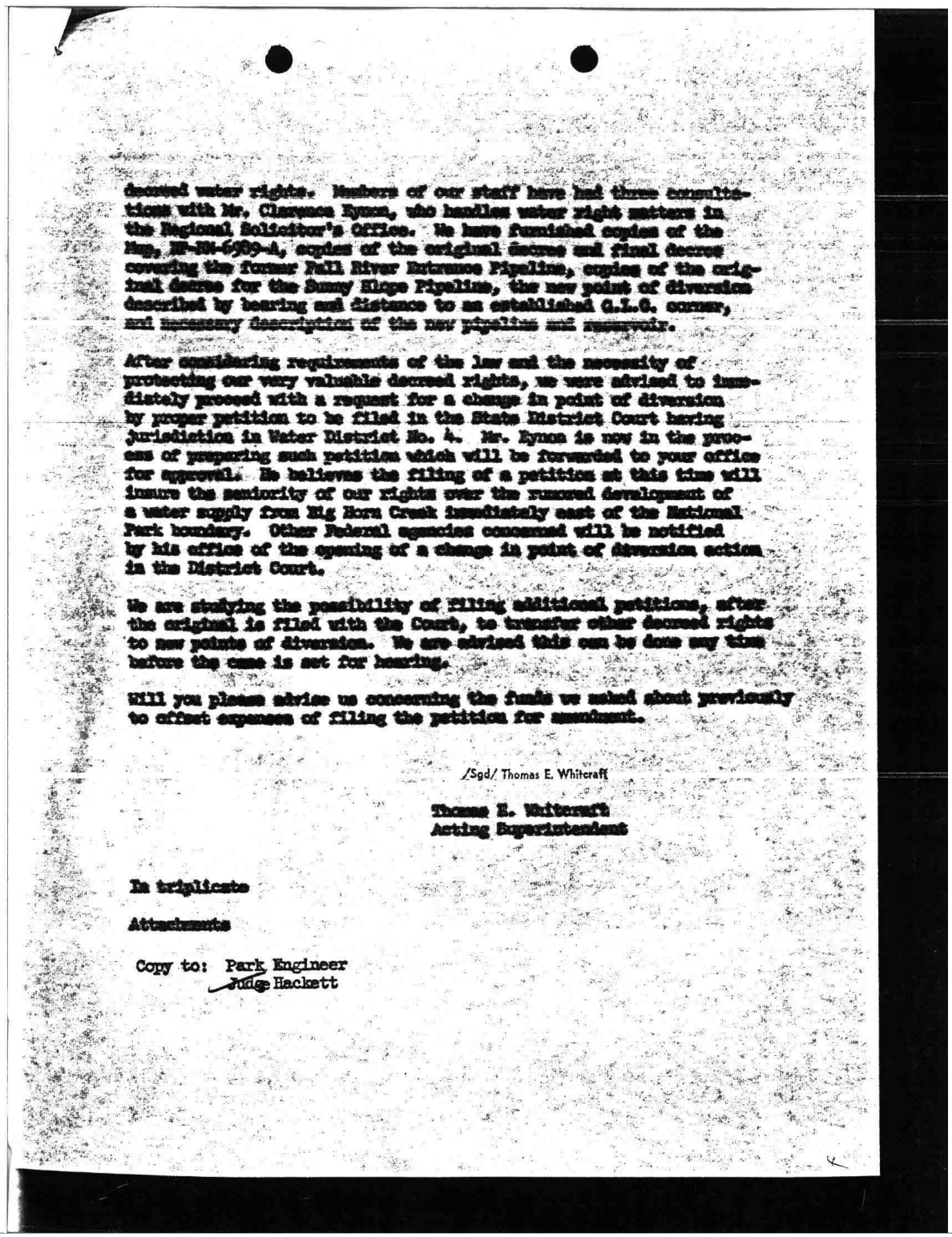
Enclosed are two copies of a Map, NP-RM-6989-A, amended Water Right Filing No. 16728, covering capacities, points of diversion and location of the former Sunny Slope Pipeline, the former Fall River Entrance Pipeline and the new Fall River Entrance Pipeline, Water Right Docket No. 9, Rocky Mountain National Park.

In his memorandum of March 10, Mr. Alton directed us to prepare an application for change in point of diversion including a map for the Sunny Slope and the Fall River Entrance Pipelines, referring to page 15 of the Colorado State Manual covering amended filings. After conferring with the Regional Solicitor's Office as to proper content and form, we prepared the above mentioned map.

The Colorado State Engineer's Office informs us that maps with statements constituting amended filings are not required and are not accepted in their office for change in point of diversion of adjudicated and decreed water rights, that filings are only for the purpose of making claim to water which has not been decreed, that there is no form on which to make application to their office for a change in point of diversion, that an attorney's petition for the change must be filed in the State District Court, and if and when the Court grants a Decree permitting the change, it should be filed in their office and in the respective County Recorder's office. In the subject case, the United States is transferring adjudicated and decreed water rights to a new point of diversion.

In the second paragraph of Mr. A. van V. Dunn's memorandum of March 27, to you with copy to us, he suggests we consult the Regional Solicitor in Denver concerning requirements of the Colorado water laws and the proper procedures in perfecting a change in point of diversion of

04-12-1961: memorandum from the regional director, region 2 to the acting superintendent regarding change in points of diversion



decreed water rights. Members of our staff have had three consultations with Mr. Clarence Hymon, who handles water right matters in the Regional Solicitor's Office. We have furnished copies of the Map, NP-RM-6989-A, copies of the original decree and final decree covering the former Full River Entrance Pipeline, copies of the original decree for the Sunny Slope Pipeline, the new point of diversion described by bearing and distance to an established G.L.O. corner, and necessary descriptions of the new pipeline and reservoir.

After considering requirements of the law and the necessity of protecting our very valuable decreed rights, we were advised to immediately proceed with a request for a change in point of diversion by proper petition to be filed in the State District Court having jurisdiction in Water District No. 4. Mr. Hymon is now in the process of preparing such petition which will be forwarded to your office for approval. He believes the filing of a petition at this time will insure the seniority of our rights over the rumored development of a water supply from Big Horn Creek immediately east of the National Park boundary. Other Federal agencies concerned will be notified by his office of the opening of a change in point of diversion action in the District Court.

We are studying the possibility of filing additional petitions, after the original is filed with the Court, to transfer other decreed rights to new points of diversion. We are advised this can be done any time before the case is set for hearing.

Will you please advise us concerning the funds we asked about previously to offset expenses of filing the petition for amendment.

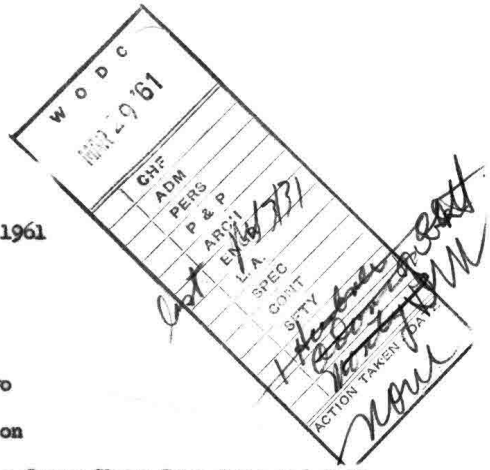
/Sgd/ Thomas E. Whitecraft

Thomas E. Whitecraft
Acting Superintendent

In triplicate

Attachments

Copy to: Park Engineer
Judge Hackett



L54-OBL

March 27, 1961

Memorandum

To: Regional Director, Region Two

From: Chief, Water Resources Section

Subject: Change Point of Diversion for Sunny Slope Pipe Line and Fall River Entrance Pipe Line, Water Rights Docket No. 9, Rocky Mountain National Park

In his memorandum of March 10 to the Superintendent, Mr. Aiton refers to amendment of water right filings and the attached 1960 manual only relates to those water claims based on filings.

The rights to water for the Sunny Slope and Fall River Entrance water systems have been decreed, and subsequently amended by decree. I have not attempted to keep up to date on Colorado water laws and procedure since Mr. Mott entered on duty, but I believe that the further amendment of these rights would still be by adjudication. I believe that the Regional Solicitor in Denver is the first one to consult on that matter.

If the amendment is to be made through adjudication of change in points of diversion, the next question will be whether the Department of Justice wishes to take the U. S. into what I assume would be the State District Court, Water District No. 4, in this case as it was when the first amendments were made. If amendments are to be adjudicated, there are other rights which should be included. For one, I believe that the rights to Trail Ridge Road Camp, Docket 37, should be transferred because never exercised at the changed point. I also wonder whether the Forest Inn rights, Docket 38, and Fern Lake rights, Docket 39, are still exercised. There are a number of other decreed rights in Water District No. 4 which have been acquired with land acquisitions since 1939 which may no longer be exercised.

The Regional Solicitor and U. S. Attorney should consider whether it would now be a proper time for this Service to request the Department of Justice to adjudicate such amendments. The number of desired amendments would have some bearing, but the interests of other Federal agencies would also have to be considered because the U. S. and not just the Park Service would be going to court. I might add that similar amendments are needed, at the proper time, in Water Districts 5 and 51.

I also found at the time of the last general adjudication, not change point, that the U. S. Attorney was sorry that this Service had made water right filings in advance. Filings were not then, and probably are not now, required before adjudication, and the Department of Justice is less restricted in its preparation of claims, if there have not been prior filings. Hence, this feature should also be referred to the Regional Solicitor before time is spent in preparing filings.

The most important needs at Rocky Mountain and other areas in Colorado are lists of all water systems with evaluation of the adequacy of rights, and lists of decreed rights which have been acquired in connection with land acquisitions, which are no longer exercised because of demolition of the original improvements, or which are used for different purposes, or through new systems with changes in point of diversion. If filings are desirable, they can be made individually. However, the group of desirable amendments by adjudication in each water district should be considered collectively.

It appears that the State now grants permits on applications filed for the drilling and use of a well. Those probably need early attention to obtain the best priority. However, I believe that a filing for the appropriation of surface water is only to record the claimant for notice of the next adjudication. If the latter is still true, one filing in each water district would be sufficient, when the United States has decided it wishes to enter the next adjudication.

We shall appreciate copies of the Regional Solicitor's comments, suggestions, and opinions on the points I have raised, particularly where they differ with any of my ideas which may have become obsolete.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Rocky Mountain
Chief, WODC (2)

03-23-1961: memorandum to regional director, region 2 from the acting superintendent regarding change in points of diversion filir

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Rocky Mountain National Park
and
Shadow Mountain National Recreation Area
P. O. Box 1086, Estes Park, Colorado

154

March 23, 1961

Memorandum

To: Regional Director, Region Two

From: Acting Superintendent

Subject: Point of Diversion Filing, Water Rights Docket No. 9, Rocky Mountain

As requested in Mr. Aiton's subject memorandum of March 10 we are advising you of progress presently being made toward satisfactorily consolidating the points of diversion on Bighorn Creek.

We have elicited the aid of Assistant Regional Solicitor Eynon who will review our material and procedures prior to submission of the draft material (map amending the data contained in Filing 16528) to you for review.

Upon its return we would propose to have the Regional Solicitor prepare the petition as he suggested for subsequent further legal proceedings by the United States Attorney. In this connection the Park will appreciate your efforts to obtain for us an allotment of $200.00 for expenses which will occur from docket fees, advertising notices to other appropriators downstream, etc.

The Park has surveyed the new point of diversion, tieing it into the known sixteenth corner used in previous filings on these adjudicated rights.

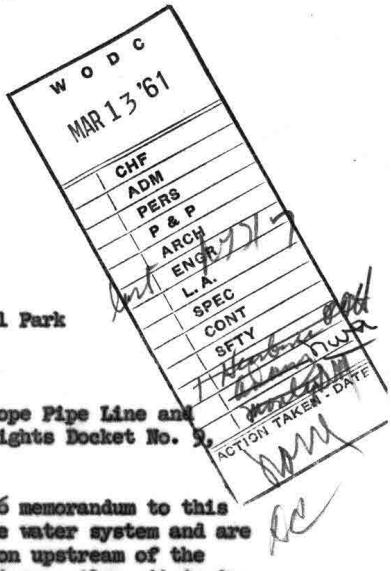
By copy of this memorandum we are advising WODC of the progress being made and that we will no longer require the tie-in work by WODC this summer as suggested in Mr. P. E. Smith's memorandum of February 13, to us.

We shall keep you advised of further developments.

/s/ Thomas E. Whitcraft

Thomas E. Whitcraft
Acting Superintendent

In duplicate
Copy to: Chief, WODC (2)



MAR 10 1961

L-54

Memorandum

To: Superintendent, Rocky Mountain National Park

From: Acting Regional Chief of Operations

Subject: Change Point of Diversion for Sunny Slope Pipe Line and Fall River Entrance Pipe Line, Water Rights Docket No. 9, Rocky Mountain National Park

We note in the first paragraph of your February 6 memorandum to this office you have completed the Fall River Entrance water system and are diverting the supply from a new point of diversion upstream of the original diversion points for the subject pipe lines. Also, it is indicated that the subject diversion points have been abandoned and the combined water capacities are being diverted from the new upstream point. To protect the Federal adjudicated rights and priority dates for the water supply used at the Fall River Entrance, you should prepare an application for change in point of diversion, including the map, as required on page 15 under Amended Filings in Manual of Rules and Regulations for filing claims to water in Colorado (1960 Manual attached). We believe the State has particular forms to be used in changing the point of diversion of a water supply. Please obtain the proper form, fill out in draft (one copy) and submit to this office for review and comment. We may be required to submit an application for change in point of diversion for each of the subject pipe lines, unless the State Engineer will accept an application for the combined supplies since they have the same priority date. It would be desirable to combine the supplies, if possible, for one water right with priority of April 1, 1925.

It will be necessary that the location of the new diversion point be tied eventually by survey to a known land corner. In the meantime, and to accompany the amended application, you should refer to the quotation from the State statute shown on page 16 of the above mentioned Manual, relative to maps that accompany preliminary filings, and prepare a map accordingly.

We suggest you solicit the assistance of the Regional Solicitor's Office, Denver, Colorado, in preparing the application for changing from two points of diversion to a single new point of diversion.

Applications to the State, for water rights or amendments thereto, should be prepared in the name of the United States as applicant, completed and forwarded to this office for review prior to filing.

[redacted]

John F. Aiton
Acting Regional Chief of Operations

Attachment

Copy to: Chief, WODC (2), w/attachment
The Director, w/attachment

copy of Colorado Manual of Filing Claims to Water (1961) sent to Engineering Library

L-54

Memorandum

FEB 20 1961

To: Superintendent, Rocky Mountain National Park

From: Acting Regional Chief of Operations

Subject: Water Rights Docket No. 9, Rocky Mountain National Park

Mr. P. E. Smith, in his memorandum of February 13 to you, states it will be necessary to survey a tie for the new diversion constructed for the Fall River Entrance Station water supply.

As soon as this survey can be made, you should prepare a draft of an amended application showing a change in the point of diversion, the combined flow of the two water supplies involved, and submit the amended application to this office for review.

John F. Aiton
Acting Regional Chief of Operations

Copy to: The Director (2)
Chief, WODC (2)

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02-13-1961: letter to superintendent from supervisory engineer regarding water rights - docket 9

Heubner
PESmith

February 13, 1961

L-54

Memorandum (AIR MAIL)

To: Superintendent, Rocky Mountain National Park

From: Supervisory Engineer, WCDC

Subject: Water Rights Docket No. 9, Rocky Mountain

Reference is made to the copy of your memorandum of February 6 to Region Two relative to the bearing and distance to the new point of diversion for the combined flow of the two water rights involved.

Project Supervisor Adams states he has not made surveys incidental to securing the required bearing and distance to the new point of diversion; however, if necessary, WCDC field personnel will complete such ties as may be required during the coming summer.

(Sgd.) P. E. Smith

P. E. Smith
Supervisory Engineer

FILE COPY

In duplicate

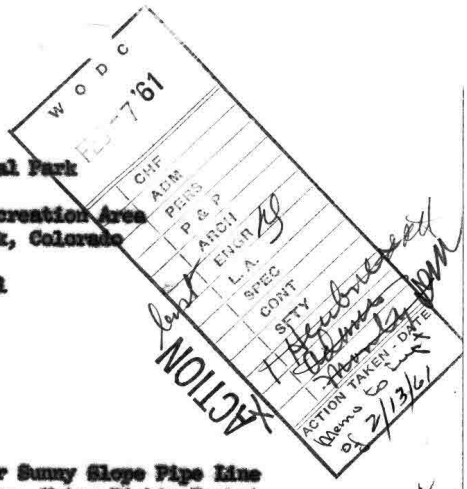
Copy to: Reg.Dir., Reg.Two

PESmith

Informational: Adams, Montgomery, Wright

ADHeubner:vs

02-06-1961: memorandum to regional director, region 2 from superintendent regarding change in point of diversion docket 9



154

Rocky Mountain National Park
and
Shadow Mountain National Recreation Area
P. O. Box 1086, Estes Park, Colorado

February 6, 1961

Memorandum

To: Regional Director, Region Two

From: Superintendent

Subject: Change of Point of Diversion for Sunny Slope Pipe Line and Fall River Entrance Pipe Line, Water Rights Docket No. 9, Rocky Mountain National Park.

As a result of completion of the new Fall River Entrance Water System, the old Sunny Slope Pipeline point of diversion and the old Fall River Entrance Pipeline point of diversion have been abandoned and their combined water capacities are now being diverted from a new upstream point. The two subject pipelines and their adjudicated water rights are described as follows:

Sunny Slope Pipeline. The right to divert 0.015 cubic feet of water per second of time from the East bank of Big Horn Creek at a point whence the Northeast Corner of Section 17, Township 5 North, Range 73 West, bears North 57° 09' East 1318.8 feet; with Domestic Priority No. 36 as of April 1, 1925, in Water District No. 4, in accordance with a Decree of the District Court in Case No. 10077, on November 14, 1939.

Fall River Entrance Pipeline. The right to divert ~~0.010~~ 0.100 cubic feet of water per second of time from the East bank of Big Horn Creek at a point whence the Northeast Corner of Section 17, Township 5 North, Range 73 West, bears South 79° 19' East 1992.36 feet; with Domestic Priority No. 37 and Domestic Priority No. 38, as of April 1, 1925, Water District No. 4, in accordance with a Decree of the District Court in Case 10077, on November 14, 1939.

We estimate the present fair market value of the two adjudicated water rights to be at least $4,500.00.

All Colorado adjudicated domestic water rights are tied to a fixed point of diversion described in the Water Court's decree granting the priority and amount that can be diverted. To move a decreed right to a new point of diversion, permission must be obtained from the Water Court by an action known as a Change in Point of Diversion

Petition. Water matters are handled in the April term of the State District Court each odd year.

Mr. Edward Schubert, former owner of Deer Ridge Chalet, is building a large business establishment adjacent to the Park boundary on the lower end of Big Horn Creek. It is very possible, and in fact probable, that his present water source, a well, will not be adequate for the domestic needs of his establishment and that he will be forced to use a 50,000 gallon reservoir with the creek as a water source to augment his supply. It is of the highest importance that the United States' senior rights to its lawful share of water from Big Horn Creek be fully and legally protected in view of the MISSION 66 development scheduled for this area, as we are not certain that existing quantities of water will supply the increased demand by the Government and private owners.

It is our recommendation that a review of the matter be made and the Park be advised as to the action necessary to fully protect this water right in the name of the United States. As we understand the procedure, the Branch of Lands should prepare and file a petition covering the change in the point of diversion, in the District Court at Boulder, Colorado, in time for the April, 1961 session of the Water Court.

By copy of this memorandum, we are requesting the Chief, WCDC to supply the bearing and distances from the new point of diversion to the Northeast Corner of Section 17 for preparation of a new description. It is our understanding that Project Supervisor Norman Adams has this information.

(SGD) James V. Lloyd

James V. Lloyd
Superintendent

Copy to: ✓ Chief, WCDC (2)

In duplicate

07-27-1960: memorandum to regional director, region 2 from chief, water resources division regarding reconstruction of fall river e

L54-OBL

W O D C
JUL 29 '60
CHF
ADM
PERS
P & P
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L.A.
SPEC
CONT
SFTY
ACTION TAKEN - DATE
File

July 27, 1960

Memorandum

To: Regional Director, Region Two

From: Chief, Water Resources Section

Subject: Reconstruction of Fall River Entrance Water System, Docket 9, Rocky Mountain

My memorandum of July 14 was not based on my own review of the case, which has now been made before Drawing RM-3523 is returned to the files.

Docket 9 will show on Filing 16528, Drawing 6989, that the old Fall River Entrance Pipeline had a total appurtenant decreed right to 0.1 sec.ft., with 0.066 sec.ft. under priority No. 37, and 0.034 sec.ft. under priority No. 38. The Sunny Slope Pipeline had decreed priority No. 36 to 0.015 sec.ft., and not 0.1 sec.ft. The two rights total 0.115 sec.ft.

Drawing 3523 seems to show that there are 370 feet of 2 inch diversion pipe with a fall of about 38.5 ft., or 104 ft. per 1000 feet, and capacity from Hazen table of 0.114 sec.ft. if C of 100 is used. The 2 inch diversion pipe would deliver the full 0.115 sec.ft. when the reservoir water level is drawn down about 2.0 feet, or if C for the pipe is slightly above 100. This is needlessly close design, but is sufficient to support the claim that the rights appurtenant to both the old Fall River Entrance and Sunny Slope Pipelines will hereafter be exercised through the New Fall River Entrance Pipeline, if the old lines are abandoned.

Before returning RM-3523 to the files I have attempted to make a further comparison by scaling from where the west line of NE¼ NE¼ Sec. 17 intersects the south line of the ranger residence, and have noted I was misinformed as to pipe sizes.

Sheet 1 of Drawings 3523 and 6989 do not appear to be based on exactly the same azimuth. Drawing 6989 was based on the azimuths used by GLO and my computed, closed GLO traverse of Sec. 17. It seems to be incorrectly assumed, for 3523 that section subdivision lines are on cardinal bearings. Drawing 3523 is also probably based

on a slightly less accurate construction survey than that made for Drawing 6989, but I cannot recall how well the work of my transitman agreed with that of GLO except that it was close.

Both surveys would be sufficiently accurate for water right purposes if the two are adjusted to a common azimuth and land subdivision. I suggest that a reproducible ozalid print of sheet 1 of RM 3523 might have the most compatable section subdivision added from Drawing RM 6989, using the traverse of the old pipeline as control. It should also show the portion of the Sunny Slope Pipeline which falls within the drawing. Dates of abandonment of both the old Fall River Entrance and Sunny Slope Pipelines should also be noted on the drawing, if they are being abandoned. The drawing should also show the decreed right appurtenant to each existing or abandoned point of diversion, and the notation that all rights have been exercised through the new pipeline since a specified date, if true.

Docket 9 might have a new section subdivision, labeled: "Water Right Amendment". A print of sheet 1, Drawing 3523, as above modified, should be filed therein for reference. This record should suffice until it becomes desirable to adjudicate a change in point of diversion.

(SIGNED)

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Rocky Mountain
Chief, WODC 2

07-14-1960: memorandum to regional director from chief of water resources regarding construction of new water system

L54 OEL

July 14, 1960

Memorandum

To: Regional Director, Region Two

From: Chief, Water Resources Section

Subject: Construction of Water System at Fall River Entrance, Docket 9, Rocky Mountain

Mr. Heubner's memorandum of June 27 led to the review of Drawing NP-RM/3523 and the related water rights in Docket 9.

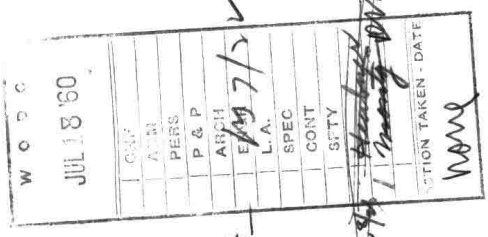
The United States has acquired rights to the flow of Bighorn Creek to the extent of 0.2 cfs, half of which was accounted for in each of the two pipelines in Docket 9. The abovementioned drawing seems to cover a replacement of the old Fall River Entrance pipeline with high point of diversion but no significant change in the two inch capacity of 0.1 cfs. There is no specific indication that the new construction is to replace the old system. There is nothing to indicate what is being done with the Sunny Slope pipeline which formerly served the Harshberger tract. If the latter is no longer in use, about half of the Federal rights may not be exercised.

The docket records should be reviewed and revised to show the proposed future status.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Rocky Mountain
Chief, WODC 2



00-00-0000: amended description of fall river entrance pipe line

AMENDED DESCRIPTION OF FALL RIVER ENTRANCE PIPE LINE.

The Fall River Entrance Pipe Line, as originally constructed in 1934, had a capacity of 0.100 cubic feet per second of time through a 2 inch pipe; the Sunny Slope Pipe Line, as originally constructed, had a capacity of 0.015 cubic feet per second of time through a 1 inch pipe; and the new Fall River Entrance Pipe Line has a capacity of 0.115 cubic feet per second of time from a new point of diversion on Bighorn Creek, which equals the total capacity of both of said original pipe lines. The new Fall River Pipe Line is described as follows:

FIRST: The headgate is located at a point on the east bank of Bighorn Creek, a tributary of the Big Thompson River, from which it derives its supply of water, whence the Northeast Corner of Section 17, Township 5 North, Range 73 West of the 6th P. M., bears S. 70° 49' E., 1700.47 feet.

SECOND: The said pipe line is of galvanized iron.

The diameter of said pipe line is 2 inches from the point of diversion for a distance of 370 feet to a 60,000 gallon reservoir, and then 6 inches from the reservoir to the end of the pipe line.

The grade of said pipe line is 100 feet per 1000 feet.

The length of said pipe line is 1430 feet.

THIRD: The carrying capacity of said pipe line is 0.115 cubic feet per second of time, for which claim is hereby made for Domestic, Fire Protection, and Recreational purposes.

FOURTH: The estimated cost is $35,300.00.

FIFTH: Work was commenced on the new Fall River Entrance Pipe Line by construction in August 1960.

UNITED STATES OF AMERICA.

By Thomas E. Whitcraft .
Acting Supt., Rocky Mountain National Park.

AMENDED DESCRIPTION OF FALL RIVER ENTRANCE PIPE LINE.

The Fall River Entrance Pipe Line, as originally constructed in 1934, had a capacity of 0.100 cubic feet per second of time through a 2 inch pipe; the Sunny Slope Pipe Line, as originally constructed, had a capacity of 0.015 cubic feet per second of time through a 1 inch pipe; and the new Fall River Entrance Pipe Line has a capacity of 0.115 cubic feet per second of time from a new point of diversion on Bighorn Creek, which equals the total capacity of both of said original pipe lines. The new Fall River Pipe Line is described as follows:

FIRST: The headgate is located at a point on the east bank of Bighorn Creek, a tributary of the Big Thompson River, from which it derives its supply of water, whence the Northeast Corner of Section 17, Township 5 North, Range 73 West of the 6th P. M., bears S. 70° 49' E., 1700.47 feet.

SECOND: The said pipe line is of galvanized iron.

The diameter of said pipe line is 2 inches from the point of diversion for a distance of 370 feet to a 60,000 gallon reservoir, and then 6 inches from the reservoir to the end of the pipe line.

The grade of said pipe line is 100 feet per 1000 feet.

The length of said pipe line is 1430 feet.

THIRD: The carrying capacity of said pipe line is 0.115 cubic feet per second of time, for which claim is hereby made for Domestic, Fire Protection, and Recreational purposes.

FOURTH: The estimated cost is $35,300.00.

FIFTH: Work was commenced on the new Fall River Entrance Pipe Line by construction in August 1960.

UNITED STATES OF AMERICA.

By Thomas E. Whitcraft .
Acting Supt., Rocky Mountain National Park.

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, The United States of America claimant, whose post office address is Rocky Mountain National Park, Estes Park, Colorado, has caused to be located a new Fall River Entrance Pipe Line as hereinafter mentioned, has made these several statements relative thereto, and filed the same in compliance with the laws of the State of Colorado. The accompanying map shows the location of said new pipe line, and forms a part of this Filing, which is an amendment of Filing No. 16528 in the office of the State Engineer relative to the Fall River Entrance Pipe Line and the Sunny Slope Pipe Line.

ORIGINAL FALL RIVER ENTRANCE PIPE LINE DESCRIPTION.

By deed dated February 18, 1932, and recorded in the Larimer County Recorders Office in book 623, page 424, on March 15, 1932, Peter, also known as Pieter, Hondius conveyed the claims to the Sunny Slope Ditch and a half interest in the Sunny Slope Camp Pipe Line to the United States of America as appurtenances to the land described in said deed.

The Sunny Slope Camp Pipe Line as originally constructed had a capacity of only 0.015 cubic feet per second of time through a 1 inch pipe; and that in lieu of enlargement of the Sunny Slope Camp Pipe Line and completion of Sunny Slope Ditch the United States of America constructed the Fall River Entrance Pipe Line in 1934, described as follows:

FIRST: The headgate is located at a point on the east bank of Bighorn Creek from which it derives its supply of water, whence the Northeast Corner of Section 17, Township 5 North, Range 73 West of the 6th P. M., bears S. 79° 19' E., 1592.36 feet.

SECOND: The said pipe line is of galvanized iron.
The diameter of said pipe line is 2 inches.
The grade of said pipe line is 74 feet per 1000 feet.
The length of said pipe line is 2215 feet.

THIRD: The carrying capacity of said pipe line is 0.100 cubic feet per second of time, for which claim is hereby made for Domestic, Fire Protection and Recreational purposes.

FOURTH: The estimated cost is $5000.00.

FIFTH: Work was commenced on the Fall River Entrance Pipe Line by survey in 1933 and by construction in 1934, but priorities dates of June 1925 and September 7, 1928, are claimed from original Filing 15042.

ORIGINAL SUNNY SLOPE PIPE LINE DESCRIPTION.

By deed dated December 1, 1952, and recorded in the office of the Larimer County Recorder in book 941, page 102, Anna Frantz Snyder conveyed the Sunny Slope Pipe Line and the right to divert 0.015 cubic feet of water per second of time, Domestic Priority No. 36, District Court Decree of November 14, 1939, to the United States of America.

FIRST: The headgate is located at a point on the east bank of Bighorn Creek from which it derives its supply of water, whence the Northeast Corner of Section 17, Township 5 North, Range 73 West of the 6th P. M., bears N. 57° 09' E., 1318.80 feet.

SECOND: The diameter of said pipe line 1 inch.
The grade of said pipe line is 70 feet per 1000 feet.
The length of said pipe line is 1915 feet.

THIRD: The carrying capacity of said pipe line is 0.015 cubic feet per second of time, for which claim is hereby made for Domestic, Fire Protection and Recreational purposes.

FOURTH: The estimated cost is $1200.00.

FIFTH: Work was commenced on the Sunny Slope Pipe Line by survey in April and construction in May 1925.

UNITED STATES OF AMERICA
By John S. McLaughlin.
Acting Supt., Rocky Mountain National Park.

00-00-0000: amended description of fall river entrance pipe line

AMENDED DESCRIPTION OF FALL RIVER ENTRANCE PIPE LINE.

The Fall River Entrance Pipe Line, as originally constructed in 1934, had a capacity of 0.100 cubic feet per second of time through a 2 inch pipe; the Sunny Slope Pipe Line, as originally constructed, had a capacity of 0.015 cubic feet per second of time through a 1 inch pipe; and the new Fall River Entrance Pipe Line has a capacity of 0.115 cubic feet per second of time from a new point of diversion on Bighorn Creek, which equals the total capacity of both of said original pipe lines. The new Fall River Pipe Line is described as follows:

FIRST: The headgate is located at a point on the east bank of Bighorn Creek, a tributary of the Big Thompson River, from which it derives its supply of water, whence the Northeast Corner of Section 17, Township 5 North, Range 73 West of the 6th P. M., bears S. 70° 49' E., 1700.47 feet.

SECOND: The said pipe line is of galvanized iron.

The diameter of said pipe line is 2 inches from the point of diversion for a distance of 370 feet to a 60,000 gallon reservoir, and then 6 inches from the reservoir to the end of the pipe line.

The grade of said pipe line is 100 feet per 1000 feet.

The length of said pipe line is 1430 feet.

THIRD: The carrying capacity of said pipe line is 0.115 cubic feet per second of time, for which claim is hereby made for Domestic, Fire Protection, and Recreational purposes.

FOURTH: The estimated cost is $35,300.00.

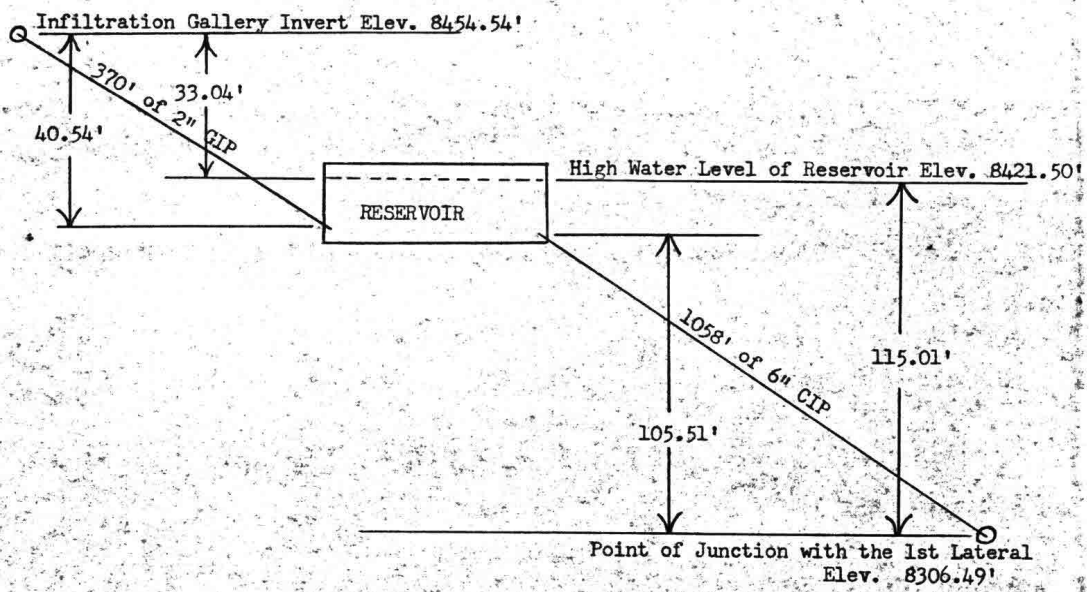
FIFTH: Work was commenced on the new Fall River Entrance Pipe Line by construction in August 1960.

UNITED STATES OF AMERICA.

By Thomas E. Whitcraft .
Acting Supt., Rocky Mountain National Park.

00-00-0000: illustration of water carrying capacity of the fall river entrance pipe line

WATER CARRYIN APACITY OF THE FALL RIVER ENTI E PIPE LINE



NOT TO SCALE

WATER CARRYING CAPACITY OF PIPES

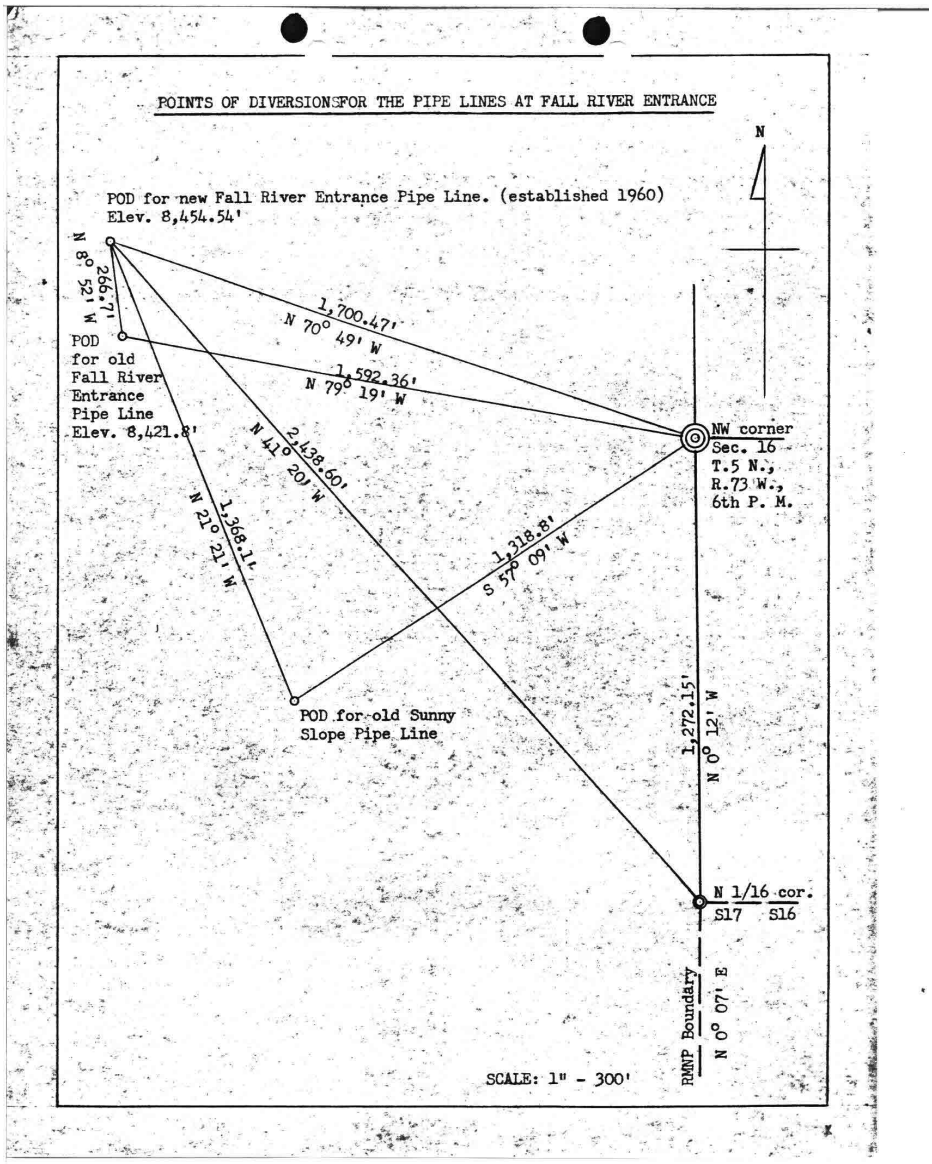
1. If the reservoir is empty, or nearly so, the capacity of the pipe is 0.142 cfs, from the infiltration gallery to the reservoir inlet.

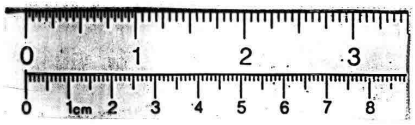
2. If the reservoir is full(at the high water mark), the capacity of the pipe from the infiltration gallery to the reservoir inlet is 0.111 cfs.

3. If the reservoir is full (at the high water mark), the capacity of the pipe from the outlet of the reservoir to the point of junction with the first lateral, is from 1.44 cfs to 1.60 cfs.

4. If the reservoir is empty, or nearly so, the capacity of the pipe from the outlet of the reservoir to the point of junction with the first lateral, is from 1.36 cfs to 1.46 cfs.

00-00-0000: points of diversion for the pipe lines at fall river entrance





Docket No. 9.

MAY 3 1957

FALL RIVER ENTRANCE PIPE LINE

Pipe Line No. 35, Water District No. 4.

USE

Domestic. Supplies water to Big Horn Ranger Station and to the Fall River Entrance.

HEADGATE

Point of Diversion is on the East bank of Big Horn Creek approximately 1700 feet North of the Entrance Station, at a point whence the Northeast Corner of Section 17, Township 5 North, Range 73 West, bears South 79° 19' East 1592.36 feet.

PRIORITY

Domestic Priority No. 37, as of April 1, 1925, for 0.066 cubic feet of water per second of time, and Domestic Priority No. 38, as of April 1, 1925, for 0.034 cubic feet of water per second of time, both in Water District No. 4, in accordance with Decree of Colorado District Court in Case No. 10077, November 14, 1939.

AMOUNT OF DECREE

0.10 cubic feet of water per second of time permitted to flow from Big Horn Creek at said point of diversion through a 2 inch pipe. (44.8 gallons per minute)

OWNERSHIP AND OPERATION

Owned by United States and acquired by adjudication. Operated by National Park Service.

MAPS

Filing No. 16528, accepted by State Engineer of Colorado on February 24, 1939.

Northern Ranger District

Fall River Entrance Area.

BOOK 941 PAGE 102 Recorded 1951 o'clock P.M. DEC 1 19 Deed-126

Reception No. 59663 C. Thomas Duffy Recorder.

THIS DEED, Made this 1st day of December in the year of our Lord one thousand nine hundred and fifty two, between Anna Frantz Snyder of the County of Larimer and State of Colorado, of the first part, and The United States of America and/or its assigns, ~~Grantee~~ of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of - - - - - - - - Twelve Thousand Five Hundred DOLLARS, to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the said party of the second part, its heirs and assigns forever, all the following described lot or parcels of land, situate, lying and being in the County of Larimer and State of Colorado, to-wit:

Beginning at East Quarter Corner of Section 17, Township 5 North, Range 73 West of 6th P.M.; thence North 0° 12' West along section line 970 feet, thence South 73° 05' West 150 feet, thence South 22° 58' West 227.2 feet, thence North 72° 39' West 160 feet, thence North 43° 50' West 155 feet, thence North 62° 08' West 125 feet, thence North 71° 25' West 210 feet, thence South 58° 15' West 35 feet, thence South 3° 48' East 90 feet, thence South 36° 27' West 187 feet, thence North 77° 03' West 100 feet, thence South 89° 28' West 55 feet, thence South 65° 27' West 54.2 feet, thence South 56° 04' East 244 feet, thence South 0° 08' West 301 feet to center of Fall River, thence Southeasterly along center line of Fall River to intersection with East section line of Section 17, thence North 0° 07' East along said section line 310 feet to point of beginning; except the 100 feet in width U. S. Higway No.34 right-of-way formerly deeded to United States. Subject to a 10 feet in width right-of-way for the Estes Park Hydro-electric Penstock where now constructed. Together with the right to divert 0.066 cubic feet of water per second of time from Big Horn Creek through the Sunny Slope Pipe Line, Domestic Priority 36 in Decree of November 14, 1939, including all pipe and structures appurtenant to said pipe line.

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said party of the second part, its heirs and assigns forever. And the said party of the first part, for herself, her heirs, executors, and administrators, does covenant, grant, bargain, and agree to and with the said party of the second part, its heirs and assigns, that at the time of the ensealing and delivery of these presents, she is well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and encumbrances of whatever kind or nature soever,



and the above bargained premises in the quiet and peaceable possession of the said party of the second part, its heirs and assigns against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

Anna Frantz Snyder (SEAL)

Anna Frantz Snyder (SEAL)

(SEAL)

STATE OF COLORADO } ss.
County of Larimer.

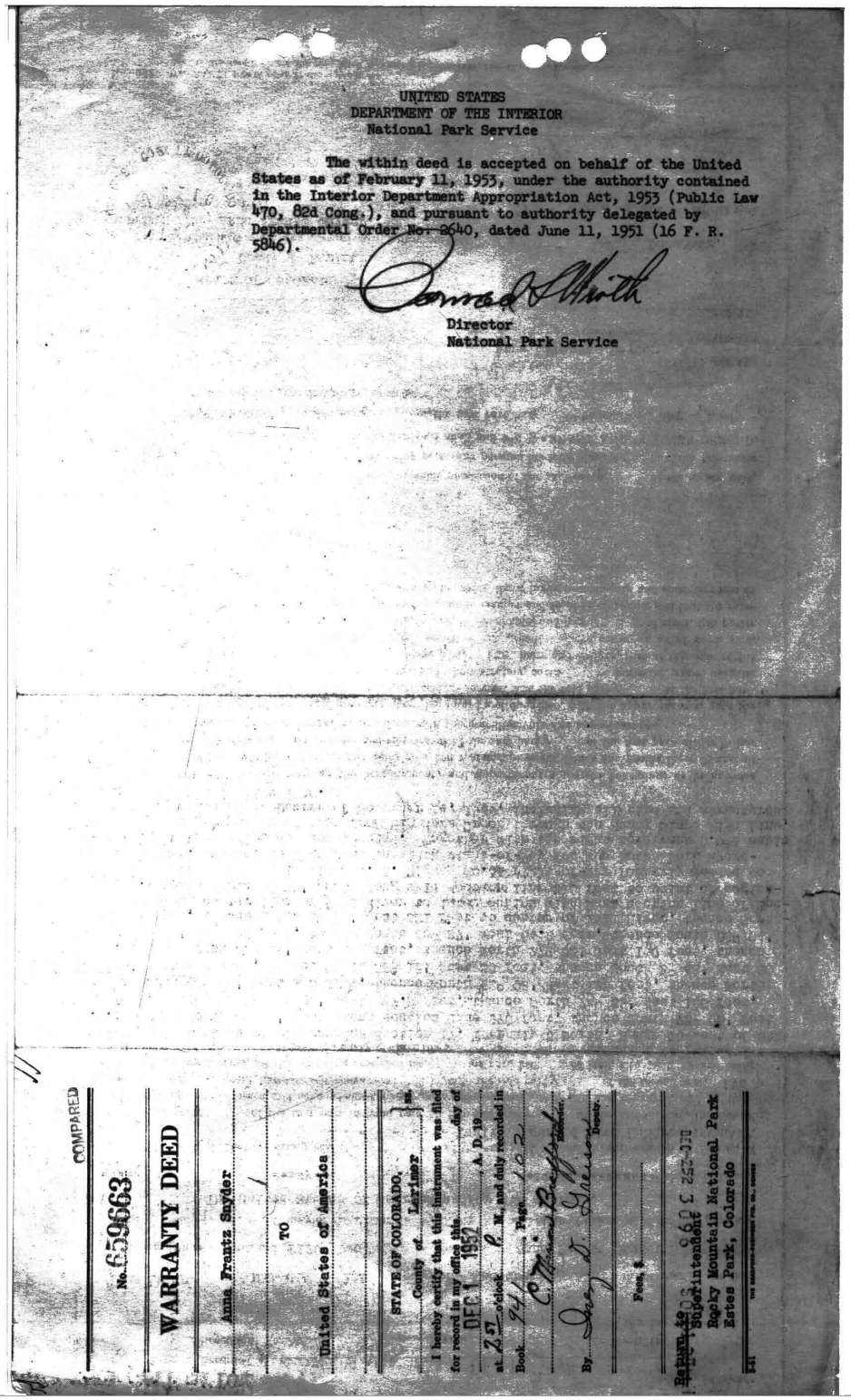
The foregoing instrument was acknowledged before me this 1st day of December, A. D. 1952, by Anna Frantz Snyder.

My commission expires June 21, 1953. Witness my hand and official seal.

ELSIE M. WATTEL NOTARY PUBLIC LARIMER COUNTY, COLO.

Elsie M. Wattel
Notary Public.

No. 932. WARRANTY DEED—For Photographic Record.
—The Bradford-Robinson Ptg. Co., Mfrs. Robinson's Legal Blanks, 1846 Stout St., Denver, Colo.



UNITED STATES
DEPARTMENT OF THE INTERIOR
National Park Service

The within deed is accepted on behalf of the United States as of February 11, 1953, under the authority contained in the Interior Department Appropriation Act, 1953 (Public Law 470, 82d Cong.), and pursuant to authority delegated by Departmental Order No. 2640, dated June 11, 1951 (16 F. R. 5846).

Conrad L. Wirth
Director
National Park Service

COMPARED

No. 659663

WARRANTY DEED

Anna Fratz Snyder

TO

United States of America

STATE OF COLORADO,
County of Larimer } ss.

I hereby certify that this instrument was filed for record in my office this 1 day of DEC 1952 A. D. 19
at 2:37 o'clock P. M. and duly recorded in Book 742 Page 102.

Chas. Boggs, Recorder.
By Lucy S. Sullivan, Deputy.

Fees $

Return to
Superintendent
Rocky Mountain National Park
Estes Park, Colorado

Docket 9

April 9, 1953

STATEMENT

For general conditions relating to adjudication and decree, see Rocky Mountain National Park Docket No. 13.

(SGD.) A. VAN V. DUNN.

A. van V. Dunn
Chief, Water Resources Branch

Docket 9

April 8, 1953.

STATEMENT

Partial interest in the Sunny Slope Pipe Line and Filing 15042 were acquired by the United States as an appurtenance to land conveyed by Peter Hondius by deed, of which a copy is filed in Docket No. 4. Federal rights were transferred to Fall River Entrance Pipe Line (Part II of this Docket 9). Decreed rights to Sunny Slope Pipe Line (Part I of this Docket 9) were then privately owned and adjudicated. Federal acquisition by Deed No. 126, of December 1, 1952, accepted by the Director on February 11, 1953, eliminates decreed conflict with Fall River Entrance Pipe Line.

(SGD.) A. VAN V. DUNN.

A. van V. Dunn
Chief, Water Resources Branch

Docket 9

April 8, 1953.

STATEMENT

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A. van V. Dunn
Chief, Water Resources Branch

Priority No. 36,-0.015 cubic feet per second, through Sunny Slope Pipeline.
Priority No. 37,-0.066 cubic feet per second, through Fall River Entrance Pipelin
Priority No. 38,-0.034 cubic feet per second, through Fall River Entrance Pipeline.
TOTAL decree 0.115 cubic feet per second of time.

COPY

November 3, 1952

Memorandum

To: Regional Director, Region Two

From: Superintendent, Rocky Mountain National Park

Subject: Option offering to sell to the Government, Tract 159-A (Snyder), Rocky Mountain National Park

Enclosure is made of three signed and three conformed copies of a 40-day option offering to sell the 20.7-acre Tract 159-A to the United States, signed by the owner, Anna Frantz Snyder, Route 2, Box 57, Loveland, Colorado. This tract is located immediately Southeast of the present Fall River Entrance to Rocky Mountain National Park. Also enclosed is a proposed warranty deed conveying title to the United States submitted for your approval as to its sufficiency.

The offered selling price of $12,500 is $1,503 less than the value assigned by approved appraisers, George M. McCaslin and S. M. Hurd, in their appraisal report of September 24, 1952, which was forwarded to your office with our memorandum of September 24. The original appraisal covered all of Mrs. Snyder's holdings on that date and was valued at $15,048 but, since then, she has sold approximately 2.3 acres to the Smith Sisters, owners of Tract 159-B. This 2.3 acres was appraised at $1,045, leaving the appraised value of the 20.7 acres included in this purchase at $14,003. The Smith Sisters paid $1,320 plus all expenses, including surveying, new abstract, recording and taxes, for this 2.3 acres in order to keep park visitors away from their summer home.

The Town of Estes Park's Penstock right-of-way across this property, used to carry water to their Hydroelectric Plant, is not desirable but we know of no procedure by which it could be acquired. About four years ago the pipe was replaced by a new welded steel pipe line and should be good for another 40 years. Under these conditions we can not offer any administrative objections.

Mrs. Snyder states that the only water used on this property through the years has been that from the Sunny Slope Pipeline and that she has no other water right to convey. She failed to perfect the conditional water right awarded in the Water Adjudication of 1939 and consequently she can only convey the 0.066 cubic feet per second of time which was decreed for diversion from Big Horn Creek through the Sunny Slope Pipeline, Domestic Priority No. 36 in the Decree of November 14, 1939. No part of this water has ever been used to supply other than the property

now being offered for sale and no interest in this water right was conveyed to the owners of Tract 159-B. It is difficult to place a separate value on this water right but we are reasonably certain that several new developments immediately East and down-stream from this property would be glad to pay $1,250 for this established right. The City of Boulder, Colorado, has recently offered $15,000 per second foot for domestic water rights and was unable to buy any upstream water resulting in very costly negotiations for Big Thompson Diversion Project water.

Authority to negotiate for this purchase was obtained in the Acting Director's memorandum of August 29, 1952. Acquisition is urgent to prevent a very costly and extensive development of this property. It is needed in part for a much-needed picnic area in conjunction with adjacent Aspen Glen Campground, and for the revamping of Fall River Entrance.

This office recommends the approval of this option and the very earliest possible completion of this transaction in order that we may proceed with the rebuilding of the Fall River Entrance and Exit traffic lanes.

/s/ David H. Canfield

David H. Canfield
Superintendent

Enclosures 2 (one in sextuple)

02-24-1939: land ownership record

Form NPS-L-1

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

LAND OWNERSHIP RECORD

State Colorado

Tract No. _____

County Larimer

Deed No. 59

Civil Subdivision _____ Area _____ acres _____ Rocky Mountain Nat. Park
Name of Park or Area

Right based on filing Date Feb. 24, 1939 Fall River Entrance
Section of Park or Area

Legal Description: Filed Claim 16528 - Fall River Entrance Pipe Line

This is amendment of filing 15042 by Pieter Hondius

Method of Acquisition: Purchase and amendment Appropriation or Source of funds: Federal

Cost (if purchased) or estimated value:

Acquired from: Pieter Hondius and State of Colorado

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

Physical Characteristics: A claimed right to divert 0.1 sec. ft. from Big Horn Creek for domestic, recreational and fire protection purposes.

Improvements on Land at time of Acquisition: See Deed 21

Existing or outstanding special use permits, reservations, rights, or rights of way: Part interest, of same priority, in the flow of the stream is owned by Anna Franz Snyder and Reiley Harshbarger via Sunny Slope Pipe Line

Report Based on: Records of Water Rights Section

Prepared by: A. van V. Dunn, Hydraulic Engineer date: 11/23/43

Map References: NP-RM-6989 ✓

Remarks: See Deed 63 for adjudication and decree.

25348

SUNNY SLOPE PIPE LINE.

Proposed

(Domestic Priority No. 56; Ditch--Pipe Line--No. 54)

1. The claimant of this ditch or pipe line, which is named Sunny Slope Pipe Line, is Anna Snyder, whose address is Estes Park, Colorado.

2. This pipe line was constructed and it has been maintained and operated for the diversion of water for domestic purposes.

3. The natural stream from which water has been diverted by this pipe line is Big Horn Creek, which is a tributary of the Big Thompson River, through Fall River.

4. The headgate of said pipe line is located in the east bank of said Big Horn Creek at a point whence the northeast corner of Section seventeen (17), township five (5) north, range seventy-three (73) west of the 6th P. M., bears north 57° 09' east 1318.80 feet.

5. The size and dimensions of said pipe line are: diameter of pipe at largest part 2 inches, diameter at lower end 1 inch, length approximately 2000 feet, capacity at upper end .1 cubic foot of water per second, capacity at lower end .015 cubic feet of water per second.

6. The work of construction of this pipe line was commenced on the 1st day of April, 1925, and was prosecuted to completion with reasonable diligence.

7. That in a reasonable time after the completion of this pipe line water was thereby diverted to the extent of its carrying capacity and was applied to the purpose above mentioned.

8. That .015 cubic feet of water per second is reasonably required for the purposes hereinabove described in paragraph 2.

9. As a matter of law, the claimant is entitled to a decree to the effect that there be permitted to flow out of the said Big Horn

1 Copy mailed Director
1 Copy mailed Reg Director Region #7 } 2/21/40

Creek, a tributary of said Big Thompson River, and into this pipe line under and by virtue of appropriation as by original construction .015 cubic feet of water per second for the use and benefit of the party or parties entitled to the enjoyment thereof for use for domestic purposes, with Domestic Priority No. 36, as of the 1st day of April, 1925, Provided, that as between this priority and priority of like date, numbered Domestic Priority No. 37, awarded to Fall River Entrance Pipe Line, the waters in said stream shall be so divided that there shall at all times be permitted to be diverted into said Sunny Slope Pipe Line the full amount of .015 cubic feet of water per second for the uses to which it is entitled, except that when the total volume of water available in said stream is less than .03 cubic feet per second, the water shall be divided between said priorities equally.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the Court, that for domestic purposes, under and by virtue of appropriation as by original construction, and for the benefit of the party or parties entitled to the enjoyment thereof, there be permitted to flow out of said Big Horn Creek, a tributary of said Big Thompson River, and into this pipe line, so much water as will flow into a pipe line having the dimensions found and stated in paragraph 5 of these findings, estimated at .015 cubic feet of water per second, with DOMESTIC PRIORITY NO. 36, subject to the general and paramount provisions of this decree, the appropriation of which water may be deemed to have taken effect on, and said Domestic Priority No. 36 to date from the 1st day of April, 1925; Provided, that as between this priority and Domestic Priorities of like date, numbered 37 and 38 Conditional, awarded to Fall River Entrance Pipe Line, the waters in said stream shall be so divided that there shall at all times be permitted to be diverted into

said Sunny Slope Pipe Line the full amount of .015 cubic feet of water per second for the uses to which it is entitled, except that when the total volume of water available in said stream is less than .05 cubic feet per second, the water shall be divided between this Sunny Slope Pipe Line and the said Fall River Entrance Pipe Line, equally.

11-14-1939: final decree as to sunny slope pipe line

STATE OF COLORADO)
)
COUNTY OF BOULDER)

IN THE D' 'RICT COURT

NO. 10077.

IN THE MATTER OF THE ADJUDICATION)
OF PRIORITIES OF RIGHTS TO USE OF)
WATER FOR IRRIGATION AND OTHER)
BENEFICIAL PURPOSES IN WATER DIS-)
TRICT NO. 4, WATER DIVISION NO. 1,)
IN THE STATE OF COLORADO.)

FINAL DECREE
As To Sunny Slope Pipe Line.

The Court having heard testimony and being duly advised in the premises subject to the general conditions and provisions set forth in this decree, IT IS FOUND ORDERED, ADJUDGED AND DECREED by the Court with respect to

Sunny Slope Pipe Line,
Domestic Priority No. 36; Ditch -- Pipeline -- No. 34.

1. The claimant of this ditch or pipe line, which is named Sunny Slope Pipe Line, is Anna Snyder, whose address is Estes Park, Colorado.

2. This pipe line was constructed and it has been maintained and operated for the diversion of water for domestic purposes.

3. The natural stream from which water has been diverted by this pipe line is Big Horn Creek, which is a tributary of the Big Thompson River, through Fall River.

4. The headgate of said pipe line is located in the east bank of said Big Horn Creek at a point whence the northeast corner of Section seventeen (17), township five (5) north, range seventy-three (73) west of the 6th P. M., bears north 57° 09' east 1318.80 feet.

5. The size and dimensions of said pipe line are: diameter of pipe at largest part 2 inches, diameter at lower end 1 inch, length approximately 2000 feet, capacity at upper end .1 cubic foot of water per second, capacity at lower end .015 cubic feet of water per second.

6. The work of construction of this pipe line was commenced on the 1st day of April, 1925, and was prosecuted to completion with reasonable diligence.

7. That in a reasonable time after the completion of this pipe line water was thereby diverted to the extent of its carrying capacity and was applied to the purpose above mentioned.

8. That .015 cubic feet of water per second is reasonably required for the purposes hereinabove described in paragraph 2.

9. As a matter of law, the claimant is entitled to a decree to the effect that there be permitted to flow out of the said Big Horn Creek, a tributary of said Big Thompson River, and into this pipe line under and by virtue of appropriation as by original construction .015 cubic feet of water per second for the use and benefit of the party or parties entitled to the enjoyment thereof for use for domestic purposes, with Domestic Priority No. 36, as of the 1st day of April, 1925, Provided, that as between this priority and priority of like date, numbered Domestic Priority No. 37, awarded to Fall River Entrance Pipe Line, the waters in said stream shall be so divided that there shall at all times be permitted to be diverted into said Sunny Slope Pipe Line the full amount of .015 cubic feet of water per second for the uses to which it is entitled, except that when the total volume of water available in said stream is less than .03 cubic feet per second, the water shall be divided between said priorities equally.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the Court, that for domestic purposes, under and by virtue of appropriation as by original construction, and for the benefit of the party or parties entitled to the enjoyment thereof, there be permitted to flow out of said Big Horn Creek, a tributary of said Big Thompson River, and into this pipe line, so much water as will flow into a pipe line having the dimensions found and stated in paragraph 5 of these findings, estimated at .015 cubic feet of water per second, with DOMESTIC PRIORITY NO. 36, subject to the general and paramount provisions of this decree, the appropriation of which water may be deemed to have taken effect on, and said Domestic Priority No. 36 to date from the 1st day of April, 1925; Provided, that as between this priority and Domestic Priorities of like date, numbered 37 and 38 Conditional, awarded to Fall River Entrance Pipe Line, the waters in said stream shall be so divided that there shall at all times be permitted to be diverted into said Sunny Slope Pipe Line the full amount of .015 cubic feet of water per second for the uses to which it is entitled, except that when the total volume of water available in said stream is less than .03 cubic feet per second, the water shall be divided between this Sunny Slope Pipe Line and the said Fall River Entrance Pipe Line, equally.

Done in open Court on this 14th day of November, A. D. 1939.

Sgd. Claude C. Coffin Judge.

11-14-1939: final decree as to fall river entrance pipe line

(Copy)

STATE OF COLORADO)
) SS
COUNTY OF BOULDER)

IN THE DISTRICT COURT
No. 10077.

IN THE MATTER OF THE ADJUDICATION OF PRIORITIES OF RIGHTS TO USE OF WATER FOR IRRIGATION AND OTHER BENEFICIAL PURPOSES IN WATER DISTRICT NO. 4, WATER DIVISION NO. 1, IN THE STATE OF COLORADO.

FINAL DECREE AS TO FALL RIVER ENTRANCE PIPE LINE.

This matter coming on for hearing in open court, pursuant to an order made herein by the Court on April 1, 1940, the latter date being the first biennial adjudication day after the entry of the decree herein on November 14, 1939, and the United States of America having appeared by Worth Allen, its attorney, and no other persons having appeared herein.

And the Court having heard testimony and being duly advised in the premises, subject to the general conditions and provisions set forth in said decree of November 14, 1939, IT IS FOUND, ORDERED, ADJUDGED AND DECREED by the Court, with respect to

FALL RIVER ENTRANCE PIPE LINE

(Domestic Priority No. 38; Ditch-- Pipe Line-- No. 35.)

In said decree of November 14, 1939, claimant was found to be entitled to an unconditional decree to the effect that there be permitted to flow out of Big Horn creek at the point therein described into said Fall River Entrance Pipe Line .066 cubic feet of water per second of time, with Domestic Priority No. 37, and a conditional decree for .034 cubic feet of water per second of time, with Domestic Priority No. 38, Conditional, with the proviso that claimant thereafter exercise diligence in putting to beneficial use said additional amount of water, the use of all of which water, including that decreed unconditionally and that decreed conditionally being for domestic, recreational and fire protection purposes.

Said claimant since November 14, 1939, has with due

diligence used for said beneficial purposes stated in the original decree the full amount of .1 cubic feet of water per second of time through and by means of said pipe line, and final decree should now be entered.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the Court that for domestic, recereational and fire protection purposes, and under and by virtue of appropriation by original construction, and for the benefit of the party or parties entitled to the enjoyment thereof, there be permitted to flow out of said Big Horn creek and into said pipe line .034 cubic feet of water per second of time, in addition to .066 cubic feet of water per second of time unconditionally decreed in said decree of November 14, 1939, with DOMESTIC PRIORITY NO. 38, as of date April 1, 1925; Provided, further, this priority, as well as Priority No. 37 for .066 cubic feet of water per second of time, is subject to full supply of Priority No. 36 for Sunny Slope Pipe Line, except that, if and when the available supply of water in said Big Horn creek does not exceed 0.030 cubic feet of water per second of time, Priorities Nos. 37 and 38 shall be entitled to one-half of the total amount therein, and Domestic Priority No. 36 of the Sunny Slope Pipe Line shall be entitled to one-half of said total; subject to the general and paramount provisions of the decree of November 14, 1939, in this cause.

Done in Open Court, this 23d day of September, A. D. 1940.

_____
Judge.

00-00-0000: statement: original fall river entrance pipe line description

STATEMENT

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, The United States of America claimant, whose postoffice address is Rocky Mountain National Park, Estes Park, Colorado, has caused to be located a new Fall River Entrance Pipe Line as hereinafter mentioned, has made these several statements relative thereto, and filed the same in compliance with the laws of the State of Colorado. The accompanying map shows the location of said new pipe line, and forms a part of this Filing, which is an amendment of Filing No. 16528 in the office of the State Engineer relative to the Fall River Entrance Pipe Line and the Sunny Slope Pipe Line.

ORIGINAL FALL RIVER ENTRANCE PIPE LINE DESCRIPTION.

By deed dated February 18, 1932, and recorded in the Larimer County Recorders Office in book 623, page 424, on March 15, 1932, Peter, also known as Pieter, Hondius conveyed the claims to the Sunny Slope Ditch and a half interest in the Sunny Slope Camp Pipe Line to the United States of America as appurtenances to the land described in said deed.

The Sunny Slope Camp Pipe Line as originally constructed had a capacity of only 0.015 cubic feet per second of time through a 1 inch pipe; and that in lieu of enlargement of the Sunny Slope Camp Pipe Line and completion of Sunny Slope Ditch the United States of America constructed the Fall River Entrance Pipe Line in 1934, described as follows:

FIRST: The headgate is located at a point on the east bank of Bighorn Creek from which it derives its supply of water, whence the Northeast Corner of Section 17, Township 5 North, Range 73 West of the 6th P. M., bears S. 79° 19' E., 1592.36 feet.

SECOND: The said pipe line is of galvanized iron.
The diameter of said pipe line is 2 inches.
The grade of said pipe line is 74 feet per 1000 feet.
The length of said pipe line is 2215 feet.

THIRD: The carrying capacity of said pipe line is 0.100 cubic feet per second of time, for which claim is hereby made for Domestic, Fire Protection and Recreational purposes.

FOURTH: The estimated cost is $5000.00.

FIFTH: Work was commenced on the Fall River Entrance Pipe Line by survey in 1933 and by construction in 1934, but priorities dates of June 1925 and September 7, 1928, are claimed from original Filing 15042.

ORIGINAL SUNNY SLOPE PIPE LINE DESCRIPTION.

By deed dated December 1, 1952, and recorded in the office of the Larimer County Recorder in book 941, page 102, Anna Frantz Snyder conveyed the Sunny Slope Pipe Line and the right to divert 0.015 cubic feet of water per second of time, Domestic Priority No. 36, District Court Decree of November 14, 1939, to the United States of America.

FIRST: The headgate is located at a point on the east bank of Bighorn Creek from which it derives its supply of water, whence the Northeast Corner of Section 17, Township 5 North, Range 73 West of the 6th P. M., bears N. 57° 09' E., 1318.80 feet.

SECOND: The diameter of said pipe line 1 inch.
The grade of said pipe line is 70 feet per 1000 feet.
The length of said pipe line is 1915 feet.

THIRD: The carrying capacity of said pipe line is 0.015 cubic feet per second of time, for which claim is hereby made for Domestic, Fire Protection and Recreational purposes.

FOURTH: The estimated cost is $1200.00.

FIFTH: Work was commenced on the Sunny Slope Pipe Line by survey in April and construction in May 1925.

UNITED STATES OF AMERICA
By John S. McLaughlin.
Acting Supt., Rocky Mountain National Park.

00-00-0000: statement: original fall river entrance pipe line description

STATEMENT

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, The United States of America claimant, whose postoffice address is Rocky Mountain National Park, Estes Park, Colorado, has caused to be located a new Fall River Entrance Pipe Line as hereinafter mentioned, has made these several statements relative thereto, and filed the same in compliance with the laws of the State of Colorado. The accompanying map shows the location of said new pipe line, and forms a part of this Filing, which is an amendment of Filing No. 16528 in the office of the State Engineer relative to the Fall River Entrance Pipe Line and the Sunny Slope Pipe Line.

ORIGINAL FALL RIVER ENTRANCE PIPE LINE DESCRIPTION.

By deed dated February 18, 1932, and recorded in the Larimer County Recorders Office in book 623, page 424, on March 15, 1932, Peter, also known as Pieter, Hondius conveyed the claims to the Sunny Slope Ditch and a half interest in the Sunny Slope Camp Pipe Line to the United States of America as appurtenances to the land described in said deed.

The Sunny Slope Camp Pipe Line as originally constructed had a capacity of only 0.015 cubic feet per second of time through a 1 inch pipe; and that in lieu of enlargement of the Sunny Slope Camp Pipe Line and completion of Sunny Slope Ditch the United States of America constructed the Fall River Entrance Pipe Line in 1934, described as follows:

FIRST: The headgate is located at a point on the east bank of Bighorn Creek from which it derives its supply of water, whence the Northeast Corner of Section 17, Township 5 North, Range 73 West of the 6th P. M., bears S. 79° 19' E., 1592.36 feet.

SECOND: The said pipe line is of galvanized iron.
The diameter of said pipe line is 2 inches.
The grade of said pipe line is 74 feet per 1000 feet.
The length of said pipe line is 2215 feet.

THIRD: The carrying capacity of said pipe line is 0.100 cubic feet per second of time, for which claim is hereby made for Domestic, Fire Protection and Recreational purposes.

FOURTH: The estimated cost is $5000.00.

FIFTH: Work was commenced on the Fall River Entrance Pipe Line by survey in 1933 and by construction in 1934, but priorities dates of June 1925 and September 7, 1928, are claimed from original Filing 15042.

ORIGINAL SUNNY SLOPE PIPE LINE DESCRIPTION.

By deed dated December 1, 1952, and recorded in the office of the Larimer County Recorder in book 941, page 102, Anna Frantz Snyder conveyed the Sunny Slope Pipe Line and the right to divert 0.015 cubic feet of water per second of time, Domestic Priority No. 36, District Court Decree of November 14, 1939, to the United States of America.

FIRST: The headgate is located at a point on the east bank of Bighorn Creek from which it derives its supply of water, whence the Northeast Corner of Section 17, Township 5 North, Range 73 West of the 6th P. M., bears N. 57° 09' E., 1318.80 feet.

SECOND: The diameter of said pipe line 1 inch.
The grade of said pipe line is 70 feet per 1000 feet.
The length of said pipe line is 1915 feet.

THIRD: The carrying capacity of said pipe line is 0.015 cubic feet per second of time, for which claim is hereby made for Domestic, Fire Protection and Recreational purposes.

FOURTH: The estimated cost is $1200.00.

FIFTH: Work was commenced on the Sunny Slope Pipe Line by survey in April and construction in May 1925.

UNITED STATES OF AMERICA
By John S. McLaughlin.
Acting Supt., Rocky Mountain National Park.

09-23-1940: final decree as to fall river entrance pipe line

STATE OF COLORADO)
) SS
COUNTY OF BOULDER)

IN THE DISTRICT COURT
No. 10077.

IN THE MATTER OF THE ADJUDICATION OF PRIORITIES OF RIGHTS TO USE OF WATER FOR IRRIGATION AND OTHER BENEFICIAL PURPOSES IN WATER DISTRICT NO. 4, WATER DIVISION NO. 1, IN THE STATE OF COLORADO.

FINAL DECREE AS TO FALL RIVER ENTRANCE PIPE LINE.

This matter coming on for hearing in open court, pursuant to an order made herein by the Court on April 1, 1940, the latter date being the first biennial adjudication day after the entry of the decree herein on November 14, 1939, and the United States of America having appeared by Worth Allen, its attorney, and no other persons having appeared herein.

And the Court having heard testimony and being duly advised in the premises, subject to the general conditions and provisions set forth in said decree of November 14, 1939, IT IS FOUND, ORDERED, ADJUDGED AND DECREED by the Court, with respect to

FALL RIVER ENTRANCE PIPE LINE

(Domestic Priority No. 38; Ditch-- Pipe Line-- No. 35.)

In said decree of November 14, 1939, claimant was found to be entitled to an unconditional decree to the effect that there be permitted to flow out of Big Horn creek at the point therein described into said Fall River Entrance Pipe Line .066 cubic feet of water per second of time, with Domestic Priority No. 37, and a conditional decree for .034 cubic feet of water per second of time, with Domestic Priority No. 38, Conditional, with the proviso that claimant thereafter exercise diligence in putting to beneficial use said additional amount of water, the use of all of which water, including that decreed unconditionally and that decreed conditionally being for domestic, recreational and fire protection purposes.

Said claimant since November 14, 1939, has with due diligence used for said beneficial purposes stated in the original decree the full amount of .1 cubic feet of water per second of time through and by means of said pipe line, and final decree should now be entered.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the Court that for domestic, recreational and fire protection purposes, and under and by virtue of appropriation by original construction, and for the benefit of the party or parties entitled to the enjoyment thereof, there be permitted to flow out of said Big Horn creek and into said pipe line .034 cubic feet of water per second of time, in addition to .066 cubic feet of water per second of time unconditionally decreed in said decree of November 14, 1939, with DOMESTIC PRIORITY NO. 38, as of date April 1, 1925; Provided, further, this priority, as well as Priority No. 37 for .066 cubic feet of water per second of time, is subject to full supply of Priority No. 36 for Sunny Slope Pipe Line, except that, if and when the available supply of water in said Big Horn creek does not exceed 0.030 cubic feet of water per second of time, Priorities Nos. 37 and 38 shall be entitled to one-half of the total amount therein, and Domestic Priority No. 36 of the Sunny Slope Pipe Line shall be entitled to one-half of said total; subject to the general and paramount provisions of the decree of November 14, 1939, in this cause.

Done in Open Court, this 23d day of September, A. D. 1940.

(Signed) Claude C. Coffin
Judge.

00-00-0000: decree fall river entrance pipe line

STATE OF COLORADO)
)
COUNTY OF BOULDER)

THE DISTRICT COURT

NO. 10077.

IN THE MATTER OF THE ADJUDICATION OF PRIORITIES OF RIGHTS TO USE OF WATER FOR IRRIGATION AND OTHER BENEFICIAL PURPOSES IN WATER DISTRICT NO. 4, WATER DIVISION NO. 1, IN THE STATE OF COLORADO.

DECREE
Fall River Entrance Pipe Line.

The Court having heard testimony and being duly advised in premises subject to the general conditions and provisions set forth in this decree, IT IS FOUND ORDERED, ADJUDGED AND DECREED by the Court with respect to

Fall River Entrance Pipe Line
Domestic Priority Nos. 37, and 38 Conditional;--Pipe Line No. 35;

1. The claimant of Fall River Entrance Pipe Line is United States of America, Rocky Mountain National Park, Estes Park, Colorado.

2. The natural stream from which water has been diverted is Bighorn creek, a tributary of the Big Thompson river, through Fall river.

3. The headgate of said pipe line is located at a point on the east bank of Bighorn creek, whence the northeast corner of section seventeen (17), township five (5) north, range seventy-three (73) west of the 6th principal meridian bears south 79°19' east 1592.36 feet.

4. The general course of said pipe line is southerly.

5. The description of said pipe line is as follows: The diameter is 2 inches; the grade is 74 feet per 1000 feet; the length is 531 feet; the carrying capacity is .10 cubic feet of water per second of time.

6. The use of said pipe line is for domestic, recreational and fire protection purposes at the ranger station and Fall River Entrance to Rocky Mountain National Park, situated in the central portion of the northeast quarter (NE¼) of said section seventeen (17).

7. The history of said pipe line is as follows:
Construction of Sunny Slope Pipe Line was begun in the month of April, 1925, and completed in the month of May following by claimant's predecessor, Peter Hondius, and others. The point of diversion of said pipe line is located on the east, or left, bank of Bighorn creek at a point whence the northeast corner of section seventeen (17), township five (5) north, range seventy-three (73) west of the 6th principal meridian bears north 57°09' east 1318.80 feet. The general course of said pipe line is southeasterly. It extends to the east line of the southeast quarter of the northeast quarter (SE¼ NE¼) of said section seventeen (17). The length thereof is 1915 feet. The diameter thereof is two inches, the grade is approximately the same as that of Fall River Entrance Pipe Line, and the capacity of said Sunny Slope Camp Pipe Line was and is 0.10 cubic feet per second.

Said Sunny Slope Camp Pipe Line was used continuously from the date the same was constructed until the year 1934 for the carrying of 0.10 second feet of water to a number of cabins and to a farm residence and improvements, all of which are situated near the end of said Sunny Slope Camp Pipe Line.

Sunny Slope Ditch was constructed by claimant's predecessor, Peter Hondius, prior to June 1, 1904. The headgate of said ditch was at a point on the west, or right, bank of Bighorn creek at a point whence the northeast corner of said section seventeen (17) bears north 54°38' east 1410.3 feet. The general direction of said ditch was westerly; the length of said ditch was 1068 feet; the width of said ditch at the bottom was 12 inches, and at the top was 18 inches; the depth of said ditch was 10 inches; the grade was 2 feet per 1000 feet, and the capacity of said ditch was 1.12 cubic feet of water per second. The said ditch was used continuously until 1934 for the irrigation of 14.43 acres of land lying immediately thereunder.

A one-half interest in Sunny Slope Camp Pipe Line and the ownership of all of the Sunny Slope Ditch passed to the claimant as an appurtenance to the land conveyed February 18, 1932, by Peter Hondius to the United States of America.

In the month of October, 1933, claimant surveyed, and by July 15, 1934, had constructed Fall River Entrance Pipe Line through which it has since continuously diverted water, at times as much as 0.066 second feet of water, the claimant then abandoning its use of said Sunny Slope Camp Pipe Line and the complete use of said Sunny Slope Ditch.

It thus appears and the Court finds that the present source of supply is Bighorn creek, the source of supply of both said Sunny Slope Camp Pipe Line and said Sunny Slope Ditch, and that the present point of diversion is near the points of diversion of said Sunny Slope Camp Pipe Line and of said Sunny Slope Ditch, and that the use now made of Fall River Entrance Pipe Line is at approximately the same area where was made the use of said Sunny Slope Camp Pipe Line and said Sunny Slope Ditch.

The rights in and to said Sunny Slope Camp Pipe Line and said Sunny Slope Ditch never having been adjudicated, the United States of America made what was equivalent to a change in the point of diversion without seeking any order of court authorizing the same.

8. Map and statement of claim on said pipe line was filed in the office of the State Engineer by claimant on February 24, 1939, and was assigned No. 16,528, which said map and statement was supplemental to and amendatory of a map and statement of claim filed in said office by Peter Hondius on Sunny Slope Camp Pipe Line and Sunny Slope Ditch on November 26, 1928, and assigned No. 15,042.

9. Claimant originally asked for an unconditional decree to the effect that there be permitted to flow out of Bighorn Creek at the point hereinbefore described into Fall River Entrance Pipe Line, 0.10 cubic feet of water per second of time, for recreational, domestic and fire protection purposes, with a priority date of June 1, 1904.

However, in connection with the hearing of the claim of Anna Snyder on the Sunny Slope Pipe Line, numbered 34 in this decree, it was agreed between this claimant and said Anna Snyder that the priority date of the claim on Fall River Entrance Pipe Line, as well as the priority date on the said Sunny Slope Pipe Line should be April 1, 1925, which date is found to be the correct date.

It was further agreed and stipulated between said claimants, and the Court finds, that the claimant herein should be granted an unconditional decree for 0.066 cubic feet of water per second and a conditional decree for an additional amount of water up to 0.10 second feet of water, provided, that in the event at any time or times the available supply of water in said Bighorn Creek for said two pipe lines does not exceed .030 cubic feet of water per second of time, the total available water should be divided in equal parts between this Fall River Entrance Pipe Line, claimed by United States of America, and said Sunny Slope Pipe Line, claimed by Anna Snyder. The Court finds from the evidence and said stipulation that the claimant herein is entitled to such a decree.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the Court that for domestic, recreational and fire protection purposes, and under and by virtue of appropriation by original construction, and for the benefit of the party or parties entitled to the enjoyment thereof, there be permitted to flow out of said Bighorn Creek and into said pipe line 0.066 cubic feet of water per second of time, with DOMESTIC PRIORITY NO. 37 as of date April 1, 1925; and a further amount of .034 cubic feet per second of water to a maximum of 0.10 cubic feet, with DOMESTIC PRIORITY NO. 38, CONDITIONAL, as to said .034 cubic feet per second, as of the same date, April 1, 1925, provided diligence is exercised in the use of and application of such additional amount of water; Provided, further, these priorities are subject to full supply of Priority No. 36 for Sunny Slope Pipe Line, except that, if and when the available supply of water in said Bighorn Creek does not exceed 0.030 cubic feet of water per second of time, the above Priorities Nos. 37 and 38 shall be entitled to one-half of the total amount therein, and Domestic Priority No. 36 of the Sunny Slope Pipe Line shall be entitled to one-half of said total.

IT IS FURTHER ORDERED, that all other water rights of claimant in and in connection with said Sunny Slope Camp Pipe Line and said Sunny Slope Ditch be, and the same are, hereby cancelled, terminated and held for naught.

Done in open Court on this 14th day of November, A. D. 1939.

Sgd.

Claude C. Coffin
Judge.

00-00-0000: claim of the united states of america for fall river entrance pipe line: petition

COPY

STATE OF COLORADO)
) ss
COUNTY OF BOULDER)

IN THE DISTRICT COURT

NO. 10077.

IN THE MATTER OF THE ADJUDICATION OF PRIORITIES OF RIGHTS TO USE OF WATER FOR IRRIGATION AND OTHER BENEFICIAL PURPOSES IN WATER DISTRICT NO. 4, WATER DIVISION NO. 1 IN THE STATE OF COLORADO.

CLAIM OF THE UNITED STATES OF AMERICA FOR FALL RIVER ENTRANCE PIPE LINE.

PETITION.

Now comes the United States of America, by Worth Allen and Wayne C. Williams, Special Assistants to the Attorney General of the United States, thereunto duly authorized and directed by the Attorney General, and by Joseph E. Taylor, Regional Attorney, National Park Service, and represents to the court that

On November 14, 1939, the court made a decree herein awarding an absolute and final priority of right to the petitioner to the use of 0.066 cubic feet of water per second of time through Fall River Entrance Pipe Line, and a conditional priority right to the use of 0.034 cubic feet of water per second of time "provided diligence is exercised in the use and application of such additional amount of water."

At the time the decree was made, the summer season of 1939 had closed. This petitioner, therefore, has been unable to make any enlarged use of water through said pipe line. During the summer of 1940, use will be made of said pipe line, and after said season has passed petitioner will be ready and desirous of making further proof herein in order to have the said conditional priority right adjudged a final one.

WHEREFORE, this petitioner prays this honorable court to set the matter for hearing on a day certain after the summer season of 1940.

Respectfully,

_____

Special Assistants to the Attorney General

Reginnal Attorney, National Park Service.

UNITED STATES OF AMERICA)
)
State of Colorado,) ss.
)
County of Larimer.)

JOHN S. McLAUGHLIN, being first duly sworn, on his oath deposes and says that he is Assistant Superintendent of Rocky Mountain National Park, and makes this affidavit on behalf of the United States of America, petitioner; that he has read the foregoing petition and is conversant with the facts therein stated, and that the contents thereof are true of his own personal knowledge.

_____
Assistant Superintendent,
Rocky Mountain National Park.

Subscribed and sworn to before me this _____
day of _____ 1940.

_____
Notary Public.

My commission expires_____.

00-00-0000: fall river entrance pipe line

FALL RIVER ENTRANCE PIPE LINE

(Domestic Priority Nos. 37 and 38, Conditional; Ditch--Pipe Line

1. The claimant of Fall River Entrance Pipe Line is United States of America, Rocky Mountain National Park, Estes Park, Colorado.

2. The natural stream from which water has been diverted is Bighorn creek, a tributary of the Big Thompson river, through Fall river.

3. The headgate of said pipe line is located at a point on the east bank of Bighorn creek, whence the northeast corner of section seventeen (17), township five (5) north, range seventy-three (73) west of the 6th principal meridian bears south 79°19' east 1592.36 feet.

4. The general course of said pipe line is southerly.

5. The description of said pipe line is as follows: The diameter is 2 inches; the grade is 74 feet per 1000 feet; the length is 531 feet; the carrying capacity is .10 cubic feet of water per second of time.

6. The use of said pipe line is for domestic, recreational and fire protection purposes at the ganger station and Fall River Entrance to Rocky Mountain National Park, situated in the central portion of the northeast quarter (NE¼) of said section seventeen (17).

7. The history of said pipe line is as follows:

Construction of Sunny Slope Pipe line was begun in the month of April, 1925, and completed in the month of May following by claimant's predecessor, Peter Hondius, and others. The point of diversion of said pipe line is located on the east, or left, bank of Bighorn creek at a point whence the

northeast corner of section seventeen (17), township five (5), north, range seventy-three (73) west of the 6th principal meridian bears north 57°09' east 1318.80 feet. The general course of said pipe line is southeasterly. It extends to the east line of the southeast quarter of the northeast quarter (SE¼ NE¼) of said section seventeen (17). The length thereof is 1315 feet. The diameter thereof is two inches, the grade is approximately the same as that of Fall River Entrance Pipe Line, and the capacity of said Sunny Slope Camp Pipe Line was and is 0.10 cubic feet per second.

Said Sunny Slope Camp Pipe Line was used continuously from the date the same was constructed until the year 1954 for the carrying of 0.10 second feet of water to a number of cabins and to a farm residence and improvements, all of which are situated near the end of said Sunny Slope Camp Pipe Line.

Sunny Slope Ditch was constructed by claimant's predecessor, Peter Hondius, prior to June 1, 1904. The headgate of said ditch was at a point on the west, or right, bank of Bighorn creek at a point whence the northeast corner of said section seventeen (17) bears north 54°38' east 1410.3 feet. The general direction of said ditch was westerly; the length of said ditch was 1066 feet; the width of said ditch at the bottom was 12 inches, and at the top was 18 inches; the depth of said ditch was 10 inches; the grade was 2 feet per 1000 feet, and the capacity of said ditch was 1.12 cubic feet of water per second. The said ditch was used continuously until 1954 for the irrigation of 14.45 acres of land lying immediately thereunder.

A one-half interest in Sunny Slope Camp Pipe Line and the ownership of all of the Sunny Slope Ditch passed to the claimant as an appurtenance to the land conveyed February

18, 1932, by Peter Hondius to the United States of America.

In the month of October, 1933, claimant surveyed, and by July 15, 1934, had constructed Fall River Entrance Pipe Line through which it has since continuously diverted water, at times as much as 0.066 second feet of water, the claimant then abandoning its use of said Sunny Slope Camp Pipe Line and the complete used of said Sunny Slope Ditch.

It thus appears and the Court finds that the present source of supply is Bighorn creek, the source of supply of both said Sunny Slope Camp Pipe Line and said Sunny Slope Ditch, and that the present point of diversion is near the points of diversion of said Sunny Slope Camp Pipe Line and of said Sunny Slope Ditch, and that the use now made of Fall River Entrance Pipe Line is at approximately the same area where was made the use of said Sunny Slope Camp Pipe Line and said Sunny Slope Ditch.

The rights in and to said Sunny Slope Camp Pipe Line and said Sunny Slope Ditch never having been adjudicated, the United States of America made what was equivalent to a change in the point of diversion without seeking any order of court authorizing the same.

8. Map and statement of claim on said pipe line was filed in the office of the State Engineer by claimant on February 24, 1939, and was assigned No. 16,528, which said map and statement was supplemental to and amendatory of a map and statement of claim filed in said office by Peter Hondius on Sunny Slope Camp Pipe Line and Sunny Slope Ditch on November 26, 1928, and assigned No. 15,042.

9. Claimant originally asked for an undonditional decree to the effect that there be permitted to flow out of

Bighorn Creek at the point hereinbefore described into Fall River Entrance Pipe Line, 0.10 cubic feet of water per second of time, for recreational, domestic and fire protection purposes, with a priority date of June 1, 1904.

However, in connection with the hearing of the claim of Anna Snyder on the Sunny Slope Pipe Line, numbered 34 in this decree, it was agreed between this claimant and said Anna Snyder that the priority date of the claim on Fall River Entrance Pipe line, as well as the priority date on the said Sunny Slope Pipe Line should be April 1, 1925, which date is found to be the correct date.

It was further agreed and stipulated between said claimants, and the Court finds, that the claimant herein should be granted an unconditional decree for 0.066 cubic feet of water per second and a conditional decree for an additional amount of water up to 0.10 second feet of water, provided, that in the event at any time or times the available supply of water in said Bighorn Creek for said two pipe lines does not exceed .030 cubic feet of water per second of time, the total available water should be divided in equal parts between this Fall River Entrance Pipe Line, claimed by United States of America, and said Sunny Slope Pipe Line, claimed by Anna Snyder. The Court finds from the evidence and said stipulation that the claimant herein is entitled to such a decree.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the Court that for domestic, recreational and fire protection purposes, and under and by virtue of appropriation by original construction, and for the benefit of the party or parties entitled to the enjoyment thereof, there be permitted to flow out of said Bighorn Creek and into said pipe line 0.066 cubic

feet of water per second of time, with DOMESTIC PRIORITY NO. 37 as of date April 1, 1925; and a further amount of .054 cubic feet per second of water to a maximum of 0.10 cubic feet, with DOMESTIC PRIORITY NO. 38, CONDITIONAL, as to said .054 cubic feet per second, as of the same date, April 1, 1925, provided diligence is exercised in the use of and application of such additional amount of water; Provided, further, these priorities are subject to full supply of Priority No. 36 for Sunny Slope Pipe Line, except that, if and when the available supply of water in said Bighorn Creek does not exceed 0.050 cubic feet of water per second of time, the above Priorities Nos. 37 and 38 shall be entitled to one-half of the total amount therein, and Domestic Priority No. 36 of the Sunny Slope Pipe Line shall be entitled to one-half of said total.

IT IS FURTHER ORDERED, that all other water rights of claimant in and in connection with said Sunny Slope Camp Pipe Line and said Sunny Slope Ditch be, and the same are, hereby cancelled, terminated and held for naught.

00-00-0000: statement of claim of the united states of america for the fall river entrance pipe line

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STATE OF COLORADO,)
) SS.
COUNTY OF BOULDER.)

IN THE DISTRICT COURT

No. 10077.

IN THE MATTER OF THE ADJUDICATION OF PRIORITIES OF RIGHTS TO USE OF WATER FOR IRRIGATION AND OTHER BENEFICIAL PURPOSES IN WATER DISTRICT NO. 4, WATER DIVISION NO. 1, IN THE STATE OF COLORADO.

STATEMENT OF CLAIM OF THE UNITED STATES OF AMERICA FOR THE FALL RIVER ENTRANCE PIPE LINE.

Now comes the United States of America, by Worth Allen and Wayne C. Williams, Special Assistants to the Attorney General of the United States, thereunto duly authorized and directed by the Attorney General, and by Joseph E. Taylor, Regional Attorney, National Park Service, and hereby presents this petition and statement of claim herein, and shows unto this honorable court that:

FIRST: The name of the claimant is the United States of America.

SECOND: The postoffice address of the claimant is Rocky Mountain National Park, Estes Park, Colorado.

THIRD: The name of the pipe line for which claim is made herein is the Fall River Entrance Pipe Line.

FOURTH: The headgate of the said pipe line is located at a point on the east bank of Bighorn creek, a tributary of the Big Thompson river through Fall river, from which it derives its supply of water, whence the northeast corner of section seventeen (17), township five (5) north, range seventy-three (73) west of the 6th principal meridian, bears south 79° 19' east 1592.36 feet.

FIFTH: The general course of said pipe line is southerly; the diameter of said pipe line is 2 inches; the grade of said pipe line is 74 feet per 1000 feet; and the length of said pipe line is 531 feet.

SIXTH: The carrying capacity of said pipe line is 0.10 cubic feet of water per second of time, for which claim is hereby made for distribution for domestic, recreational, and fire protection purposes, at the ranger station and Fall river entrance to Rocky Mountain National Park in the central portion of the northeast quarter (NE¼) of said section seventeen (17).

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The total amount of water claimed for this pipe line is 0.10 second feet.

SEVENTH: Construction of Sunny Slope Camp Pipe Line was begun in the month of April, 192[illegible] and completed in the month of May following by claimant's predecessor, Peter Hondius, and others. The point of diversion of said pipe line is located on the east, or left, bank of Bighorn creek at a point whence the northeast corner of section seventeen (17), township five (5) north, range seventy-three (73) west of the 6th principal meridian bears north 57° 09' east 1318.80 feet. The general course of said pipe line is southeasterly. It extends to the east line of the southeast quarter of the northeast quarter (SE¼ NE¼) of said section seventeen (17). The length thereof is 1915 feet. The diameter thereof is two inches, the grade is approximately the same as that of Fall River Entrance Pipe Line, and the capacity of said Sunny Slope Camp Pipe Line was and is 0.10 cubic feet per second.

Said Sunny Slope Camp Pipe Line was used continuously from the date the same was constructed until the year 1934 for the carrying of 0.10 second feet of water to a number of cabins and to a farm residence and improvements, all of which are situated near the end of said Sunny Slope Camp Pipe Line.

Sunny Slope Ditch was constructed by claimant's predecessor, Peter Hondius, prior to June 1, 1904. The headgate of said ditch was at a point on the west, or right, bank of Bighorn creek at a point whence the northeast corner of said section seventeen (17) bears north 54° 38' east 1410.3 feet. The general direction of said ditch was westerly; the length was 1068 feet; the width of said ditch at the bottom was 12 inches and at the top was 18 inches; the depth was 10 inches; the grade was 2 feet per 1000 feet, and the capacity of said ditch was 1.12 cubic feet of water per second. The said ditch was used continuously until 1934 for the irrigation of 14.43 acres of land lying immediately thereunder.

By deed designated as Instrument No. 390196, dated February 18, 1932, filed for record in the office of the County Clerk and

Recorder of Larimer County, State of Colorado, on March 15, 1932, and recorded in Book 623, page 424, claimant acquired a one-half interest in and to the priority right in and in connection with the said Sunny Slope Camp Pipe Line, and the whole priority right in and in connection with the said Sunny Slope Ditch.

In the month of October, 1933, claimant surveyed, and by July 15, 1934, it had constructed, Fall River Entrance Pipe Line, through which it has since diverted 0.10 second feet of water, the claimant then abandoning its use of said Sunny Slope Camp Pipe Line and the complete use of said Sunny Slope Ditch.

Wherefore, it is prayed that the petitioner, the United States of America, be permitted to file this its petition and statement of claim; that it be allowed to protect and secure its rights and interests by filing and introducing any and all evidence, and by due examination of any and all witnesses touching any and all claims of others to the appropriation and use of water in and from the Big Thompson river and its tributaries and sources, the allowance of which may be adverse to the interests of the United States in the premises.

It is further prayed by the petitioner that a decree be made in this proceeding adjudging and decreeing to the petitioner, the United States of America, a priority right as of date June 1, 1904, to the use of 0.10 cubic feet of water per second of time, for the purposes hereinbefore set forth and claimed, and for all other and further proper relief in the premises.

THE UNITED STATES OF AMERICA

By _____

Special Assistants to the Attorney General.

Regional Attorney, National Park Service.

UNITED STATES OF AMERICA,)
)
State of Colorado,) SS.
)
COUNTY OF LARIMER.)

JOHN S. McLAUGHLIN, being first duly sworn, on oath, deposes and says that he is Assistant Superintendent of Rocky Mountain National Park, and makes this affidavit on behalf of the United States of America, claimant; that he has read the foregoing statement of claim and is conversant with the facts therein stated, and that the matters therein referred to are true to the best of his knowledge and belief.

_____
Assistant Superintendent,
Rocky Mountain National Park.

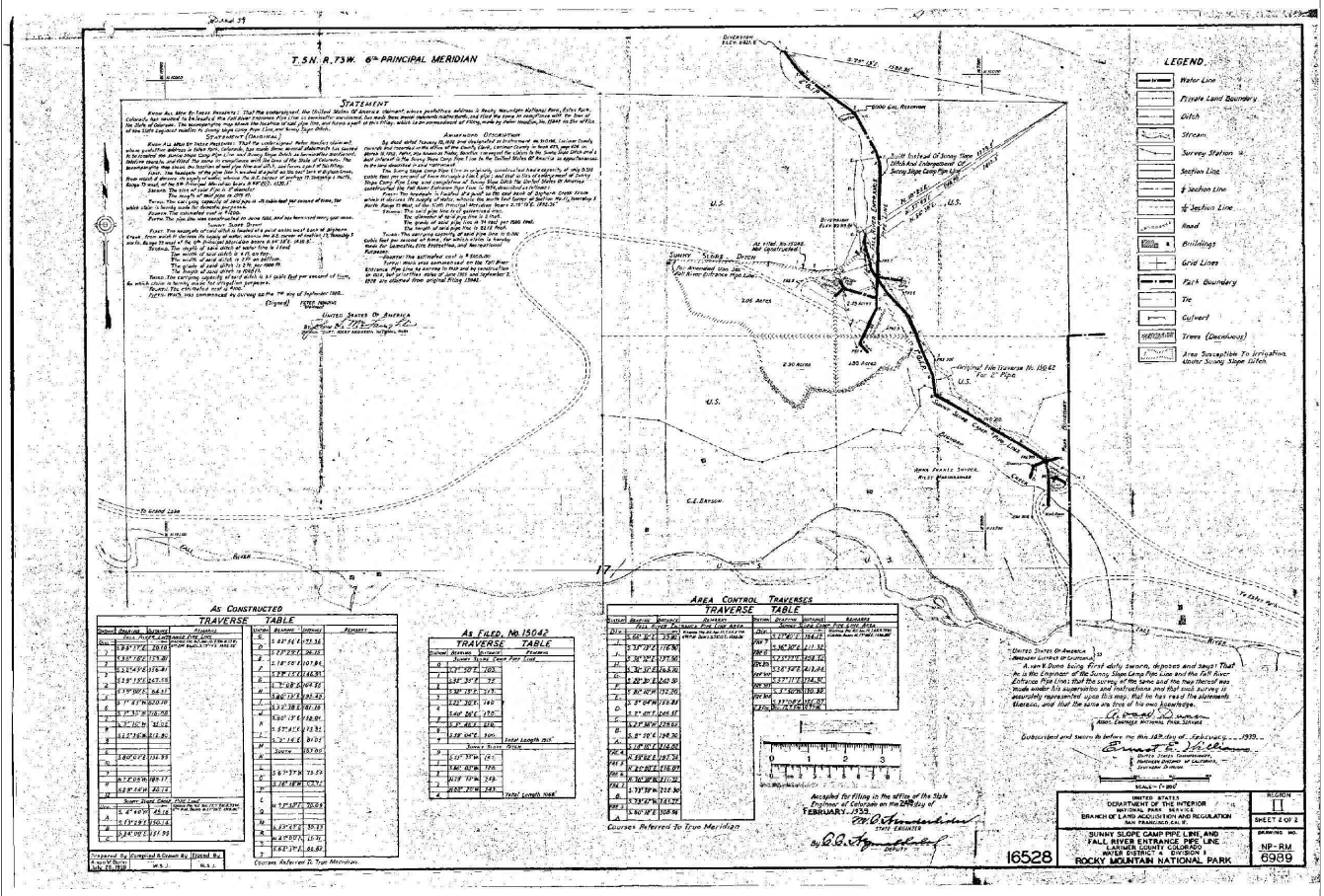
Subscribed and sworn to before me this _____
day of _____ 1939.

_____
Notary Public.

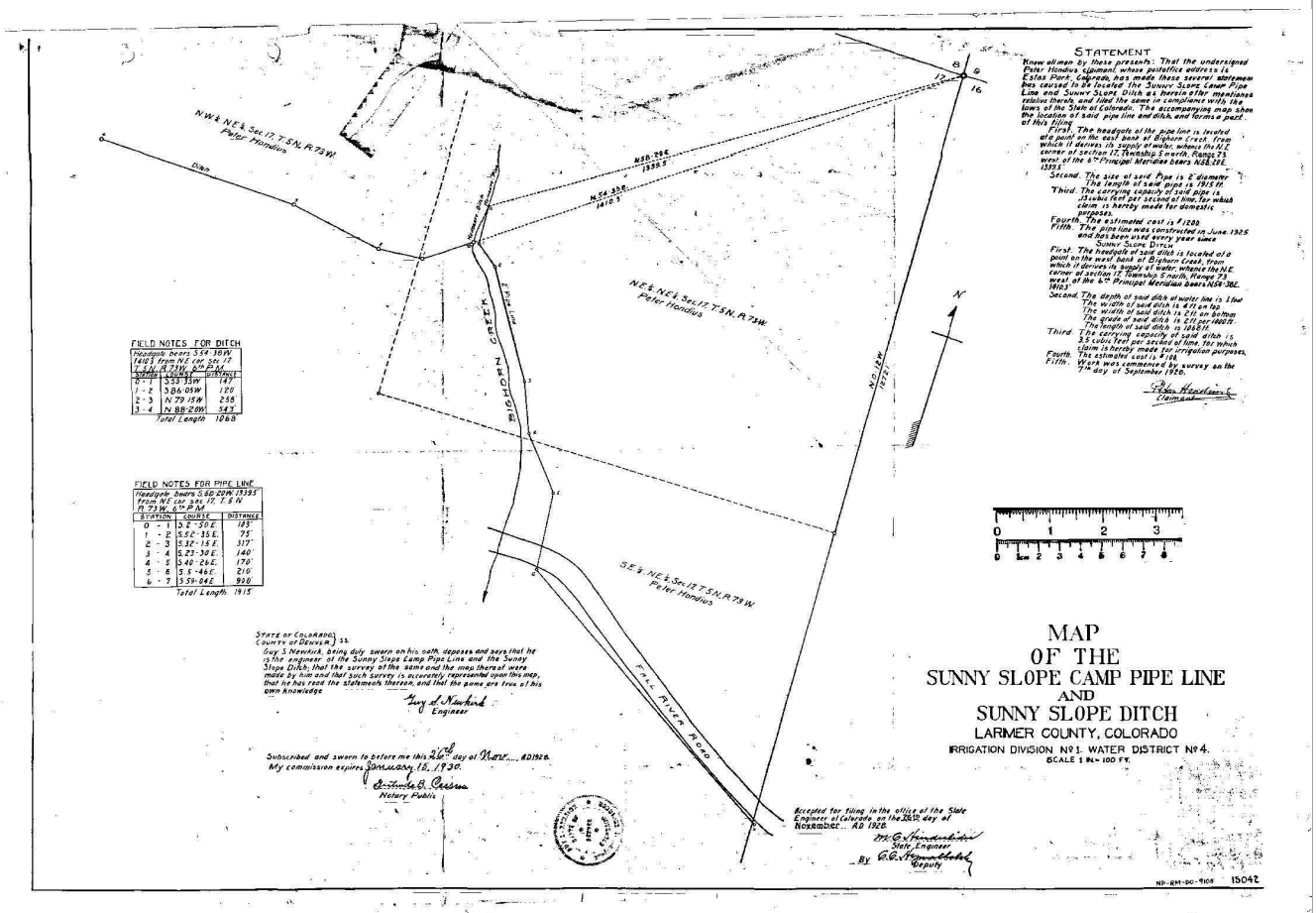
My commission expires_____

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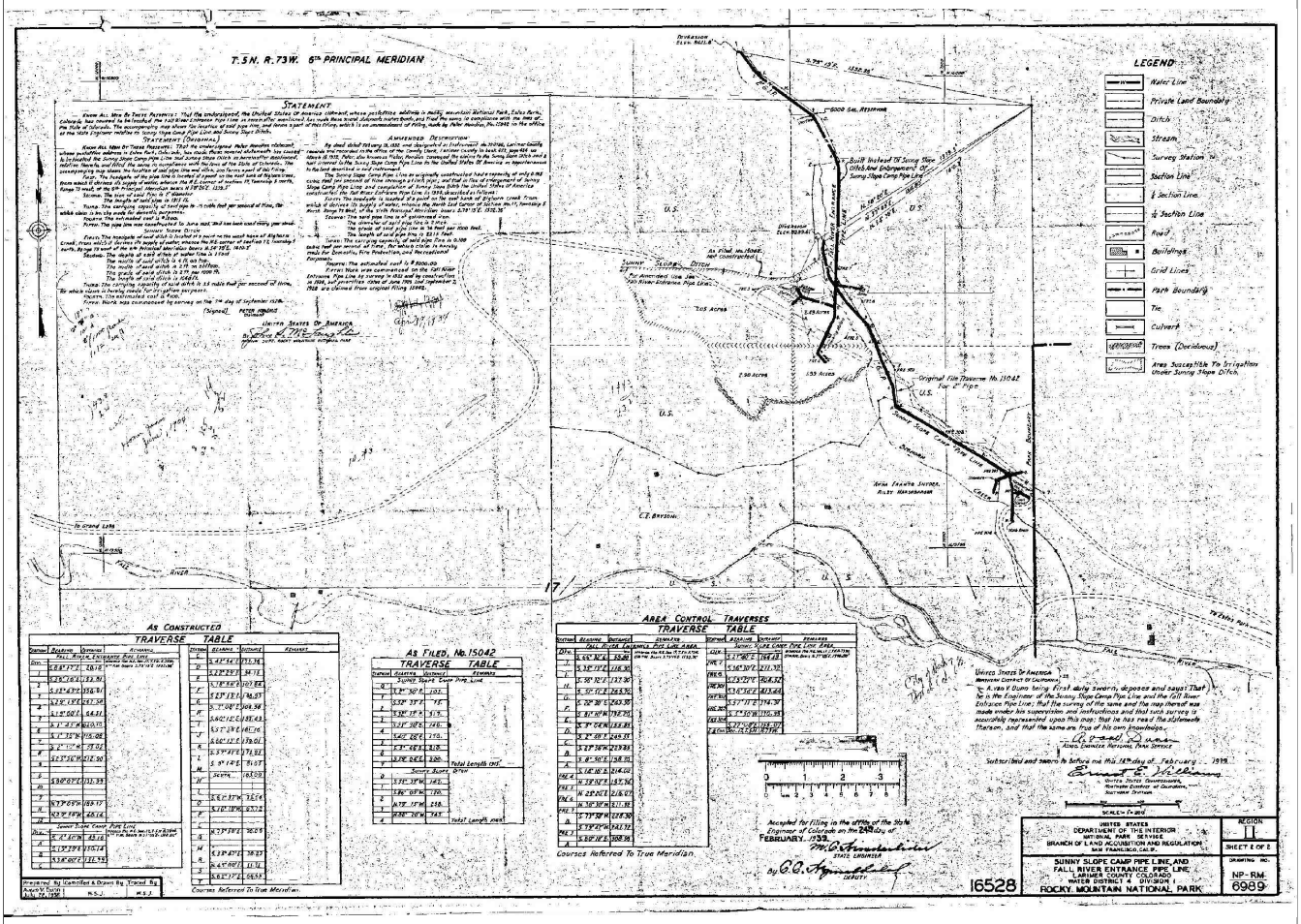
07-28-1938: map of the sunny slope camp pipeline and the fall river entrance pipeline



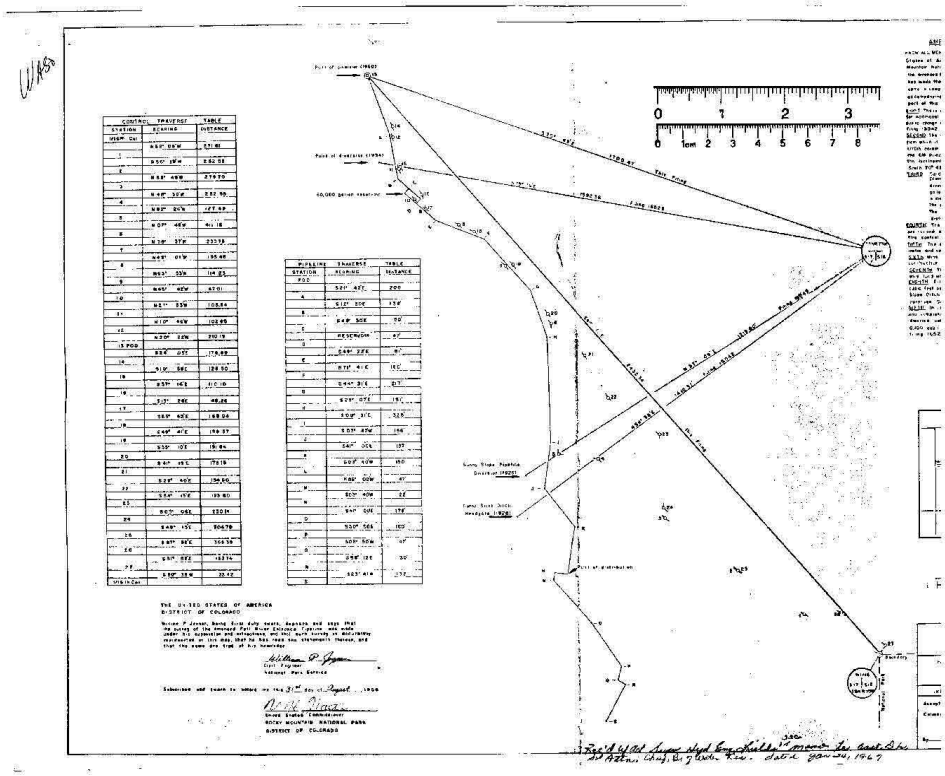
11-26-1928: map of the sunny slope camp pipeline and the sunny slope ditch



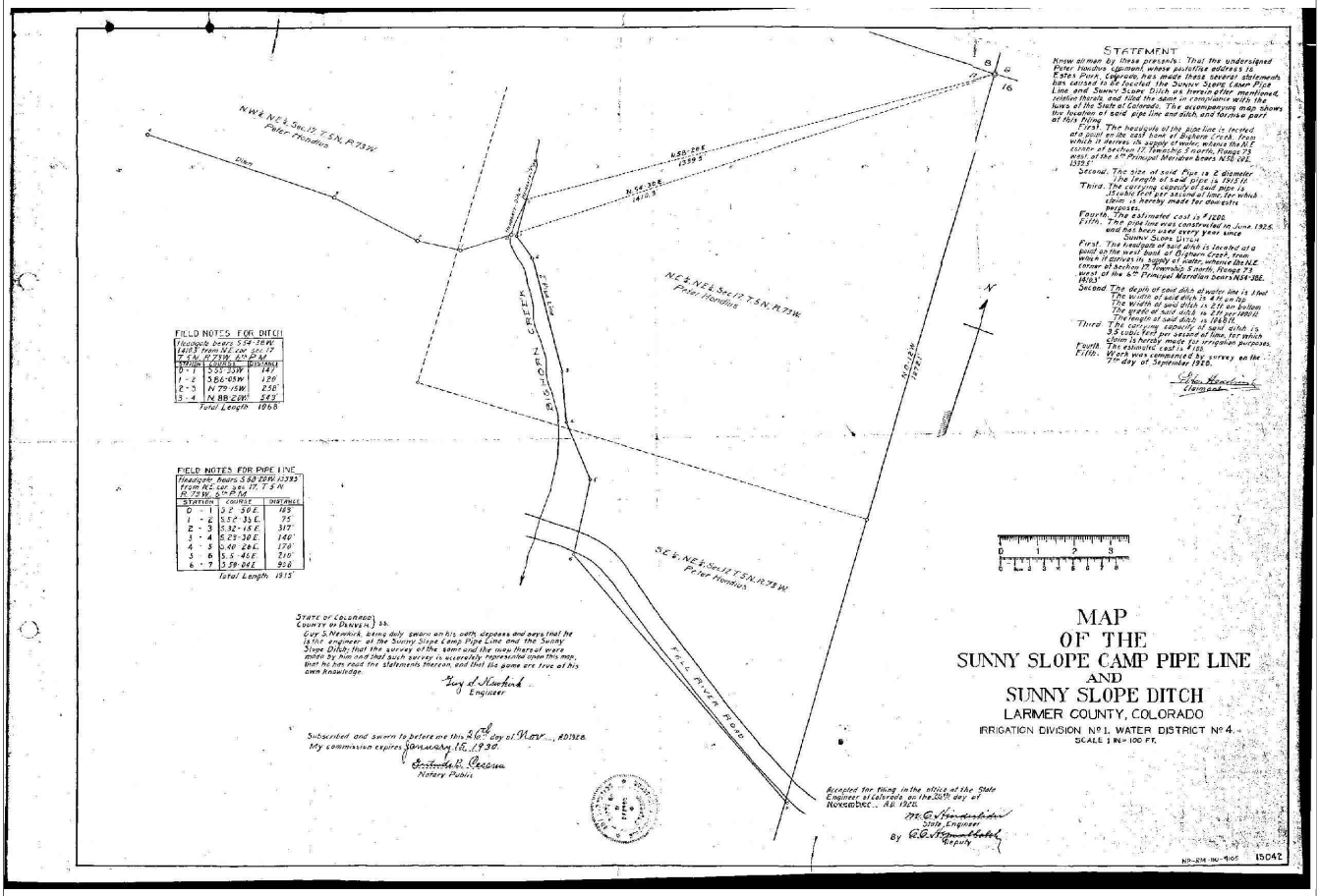
07-28-1938: map of the sunny slope camp pipeline and the fall river entrance pipeline



00-00-0000: map of pipeline



11-26-1928: map of the sunny slope camp pipeline and the sunny slope ditch



Docket Information

Number of Documents in Docket 208

Documents Dated from 11/26/1928 to 6/5/1995

Docket Compiled: 6/14/2011