



WATER-RIGHT DOCKET

Rocky Mountain National Park

Docket No: 11

HIDDEN VALLEY CREEK - HORSESHOE FISHING PIPELINE

Preliminary Docket Information

00-00-0000: water right record id # romo r 180573 af11

WATER RIGHT RECORD

Park: ROMO

Docket Number:

Federal #11

IDENTIFICATION NO: ROMO R 180573 AF11

DITCH/WATER SYSTEM: Horseshoe Fishpond Pipeline

SOURCE OF SUPPLY: Hidden Valley Creek

LOCATION: On the left or west bank of Hidden Valley Creek, at a point whence the SE cor. of Sec. 18, T5N, R73W, 6th PM, bears S37°31'E, 1642.33 ft.

WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number: Filing No. 16553, accepted by the State Engineer of Colorado on April 19, 1939.

Certificate Record Number:

Date of Priority: Misc. Priority No. 2, Water District No. 4, as of Aug. 14, 1933, in accordance with Decree of Colo. Dist Court in Case No. 10077, Nov. 14, 1939.

Quantity of Water: 0.5 c.f.s.

Purpose: Fish culture and recreational.

Irrigated Land Description:

SUMMARY OF STATUS: This is a Federal water right, consisting of a headgate and pipeline. This is a non-consuming use priority.

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: _____

Docket Identity	ROMO R 18 05 73 4 F 11
Region	ROCKY MOUNTAIN
Area	ROCKY MOUNTAIN NATIONAL PARK
Site	HORSESHOE FISHPOND PIPELINE
State	COLORADO
County	LARIMER
Docket	RANO WATER RIGHT DOCKET 11
Location	TEN R73W SEC 18
Acquired by	APPROPRIATION
Application	16553 ON APRIL 19 1939
Permit	MISC NO 2
Certificate	COURT DECREE 10072
Priority	AUGUST 14 1933 - 0.5 CFS
Reservation	JANUARY 26 1915
Status	ACTIVE FEDERAL NOVEMBER 14 1939
Source	SURFACE WATER
Use	FISH CULTURE AND RECREATIONAL
Quantity	0.5 CFS
Hydrologic Unit	10190006
Remarks	THIS IS A NON-CONSUMING USE PRIORITY

HORSESHOE FISH POND PIPE LINE

(Miscellaneous Priority No. 2; Ditch--Pipe Line-- No. 2.)

1. The claimant of Horseshoe Fish Pond 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 Hidden Valley creek, a tributary of the Big Thompson river, through Fall river.

3. The headgate of said pipe line is located on the left or west bank of Hidden Valley creek at a point whence the southeast (SE) corner of section eighteen (18), township five (5) North, range seventy-three (73) west of the 6th principal meridian bears south $37^{\circ}31'$ east 1642.33 feet.

4. The general course of said pipe line is northwesterly.

5. The description of said pipe line is as follows:
The diameter of said pipe line is 6 inches; the grade of said pipe line is 9 feet per 1000 feet; the length of said pipe line is 480 feet; the carrying capacity of said pipe line is .5 cubic feet of water per second of time.

6. The water diverted by said pipe line is run into and through a pond located in the central portion of the north half of the southeast quarter ($N\frac{1}{2}SE\frac{1}{4}$) of said section eighteen (18) passing into an open ditch approximately 250 feet long, extending from said pond to Hidden Valley Creek.

7. The use, which is virtually non-consumptive, is for recreational and fish cultural purposes.

8. Work was begun by survey made on August 14, 1933, and was completed with due diligence in the month of October

of the same year. Continuous use of water in the amount and for the purposes stated has since been made.

9. Map and statement of claim on this pipe line was filed in the office of the State Engineer by the claimant on April 19, 1939, and was assigned No. 16,553.

10. As a matter of law, the claimant is entitled to a decree to the effect that there be permitted to flow out of Hidden Valley creek into said pipe line and through said pond 0.5 cubic feet of water per second of time for recreational and fish cultural purposes, with Miscellaneous Priority No. 2 as of August 14, 1933.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the Court, that for recreational and fish cultural 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 Hidden Valley creek and into said pipe line 0.5 cubic feet of water per second of time, with MISCELLANEOUS PRIORITY NO. 2, as of date August 14, 1933, subject to the general and paramount provisions of this decree.

C O P Y

STATE OF COLORADO)
COUNTY OF BOULDER)

SS.

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
IN THE HORSESHOE FISH
POND 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 Horseshoe Fish Pond Pipe Line.

FOURTH: The headgate of said pipe line is located on the
left, or west, bank of Hidden Valley Creek, a tributary of the Big
Thompson river through Fall river, from which it derives its supply
of water, whence the southeast (SE) corner of section eighteen (18),
township five (5) north, range seventy-three (73) west of the 6th
principal meridian bears south 37° 31' east 1642.33 feet.

FIFTH: The general course of said pipe line is northwesterly:

The diameter of said pipe line is 6 inches;

The grade of said pipe line is 9 feet per thousand feet;

The length of said pipe line is 480 feet.

SIXTH: The carrying capacity of said pipe line is 0.5 cubic
feet of water per second of time, for which claim is hereby made for
recreational
fish cultural and domestic purposes in the central portion of the
north half of the southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said section eighteen

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(18). The water carried in said pipe line returns immediately in an open ditch approximately 250 feet long to said Hidden Valley creek.

SEVENTH: The work was started by claimant by survey on August 14, 1933, and completed in October, 1933. The pipe line has been used continuously since October, 1933.

EIGHTH: The claimant has filed a map and statement of claim on the said Horseshoe Fish Pond Pipe Line, which was accepted in the office of the State Engineer, State of Colorado, on the 19th day of April, 1939, and was assigned filing No. 16553.

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 evidences, 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 of August 14, 1933, to the use of 0.5 cubic feet of water per second of time for the purposes and in the amounts hereinabove in detail 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: _____

Land History

Form NPS-L-1

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICEState Colorado

LAND OWNERSHIP RECORD

Tract No. _____

County LarimerDeed No. 61

Civil Subdivision _____

Area _____ acres _____

Rocky Mountain Nat. Park

Name of Park or Area

Right~~based on~~ ~~xxxxxx~~ filingDate April 19, 1939Horseshoe Fish Pond

Section of Park or Area

Legal Description: Filed Claim 16553 - Horseshoe Fish Pond Pipe LineMethod of Acquisition: filingAppropriation or Source of funds: Water Rights

Cost (if purchased) or estimated value: _____

Acquired from: State of Colorado

Accepted by Secretary (____)

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

date: _____

Physical Characteristics: A claimed right to divert 0.50 sec. ft. of water from Hidden Valley Creek for Fish Cultural purposes

Improvements on Land at time of Acquisition: _____

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

Report Based on: Records of Water Rights SectionPrepared by: A. van V. Dunn, Hydraulic Engineerdate: 11/23/43Map References: NP-EM-6997 ✓Remarks: See Deed 63 for adjudication and decree.

Other Supporting Information

Docket 11

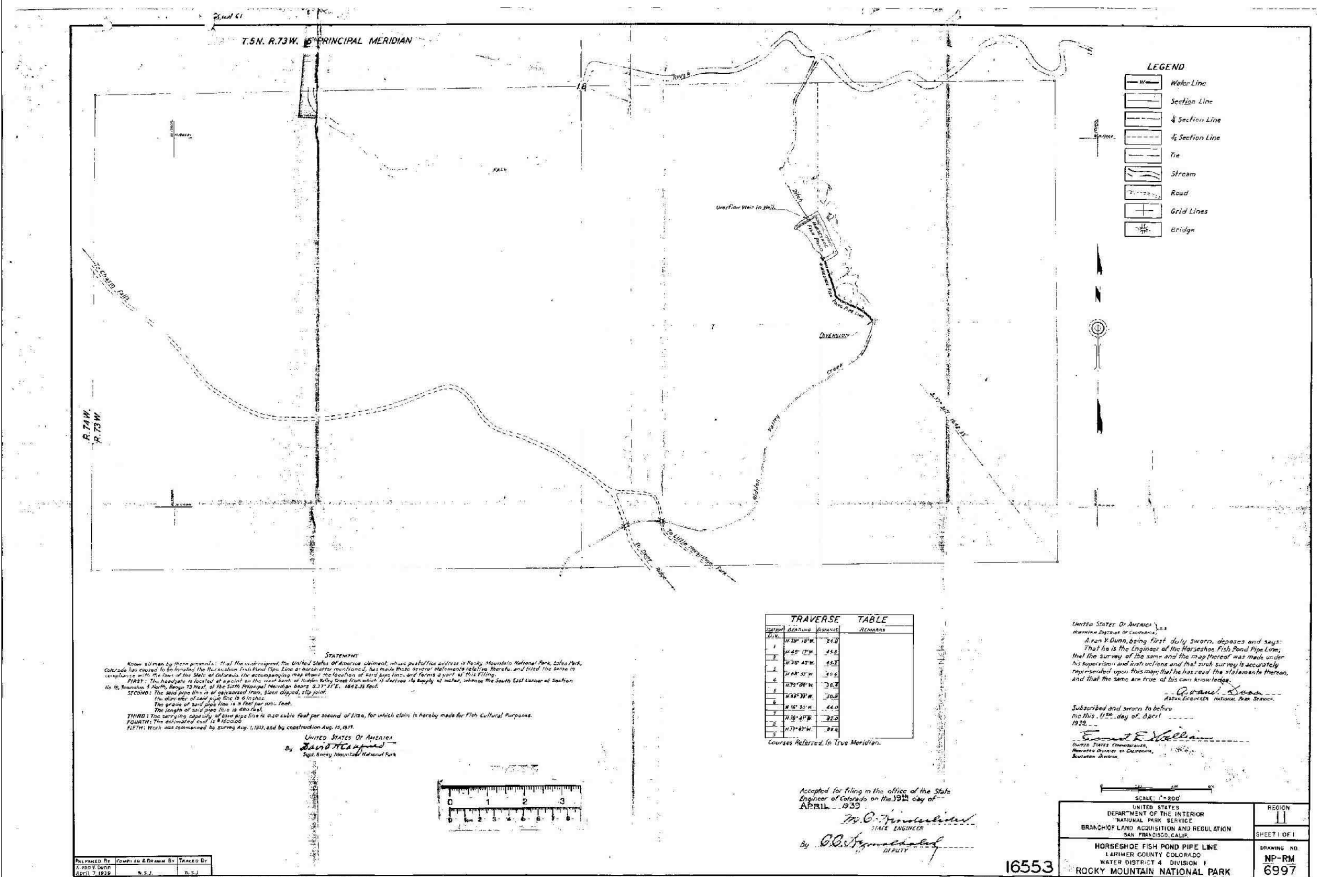
April 9, 1953

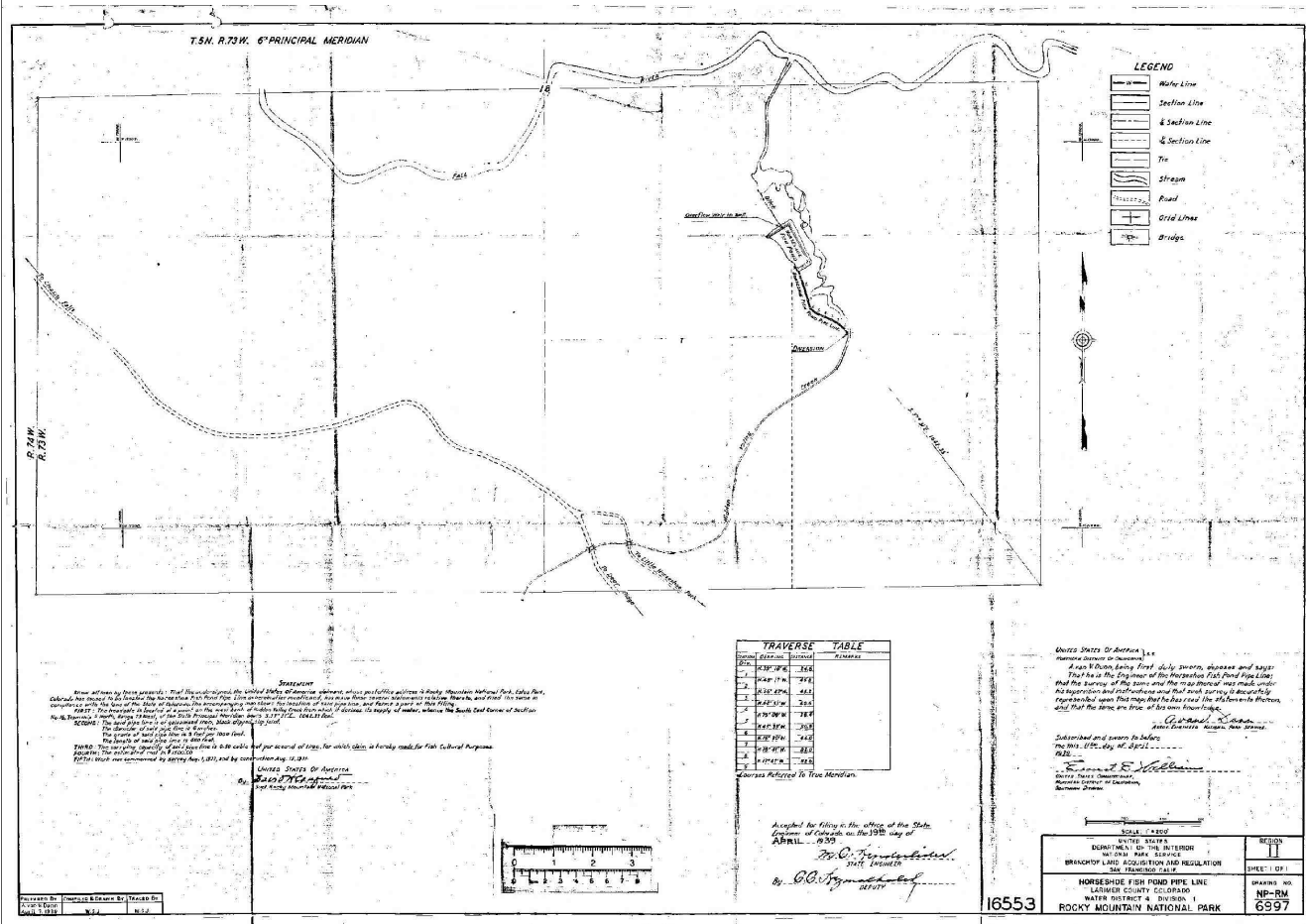
STATEMENT

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 Information

Number of Documents in Docket 12

Documents Dated from 4/7/1939 to 4/9/1953

Docket Compiled: 6/14/2011