



WATER-RIGHT DOCKET

Rocky Mountain National Park

Docket No: 18

ALPINE BROOK, LONG'S PEAK CAMPGROUND, TRIBUTARY TO COW CREEK

Preliminary Docket Information

00-00-0000: water right record

WATER RIGHT RECORD

Park: ROMO

Docket Number:

Federal #18

IDENTIFICATION NO: ROMO, R, 3 4, 0 4, 7 3, A, F, 1 8

DITCH/WATER SYSTEM: Longs Peak Campground Water System

SOURCE OF SUPPLY: Alpine Brook, a tributary to Cow Creek

LOCATION: Whence the West 1/16 corner of Sections 27+34, T4N, R73W, 6 PM, bears N21°38'E, 1505.12 feet.

The point of diversion is located at a point in the center of the Alpine Brook, a tributary of Cow Creek, from which it derives its supply of water. 3" pipeline. 72 per 1000. 436 ft. The original statement called for filing of a 2 inch and 1 inch galvanized iron pipeline of 504 ft. length, gradient 92 feet per 1000 ft., and carrying capacity of 0.12 c.f.s.
WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number: 16642A, August 11, 1966

Certificate Record Number:

Date of Priority:

Quantity of Water: 0.49 c.f.s.

Purpose: Domestic, recreational and fire protection.

Irrigated Land Description:

SUMMARY OF STATUS: This is an amended filing of the original L.P. Cg. pipeline which was filed under NPS No. NPS-RM6990 on 8/8/39 and was accepted for filing under No. 16642 in the office of the Engineer of Colorado on 9/14/39.

**Rocky Mountain National Park
Water Right Deed No. 68**

Longs Peak Campground Water System

Outline of Assembly

1. Filing No. 13111 for Temple Hotel Pipe Line.
2. Filing No. 16642 for Longs Peak Campground Water System.
3. Statement of May 23, 1946, by A. van V. Dunn.

[illegible]

Lumina or Boulder
County?

2005 272

DISTRICT COURT, WATER DIVISION NO. 1, COLORADO

Case No. W-8439-76 (W-8788-77)

AMENDED APPLICATION FOR SURFACE, UNDERGROUND, AND STORAGE
RESERVED WATER RIGHTS

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

1. Name and address of Applicant:

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

2. The United States of America claims reserved water rights consisting of the right to (a) secure favorable conditions of water flows and (b) to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations and for the benefit and enjoyment of the people of the United States. Specifically, to maintain all streams, springs and seeps, lakes and all ground water at their natural flows, levels, and conditions, except as required for administrative uses, and claims reserved water rights for present and future administrative uses located on Rocky Mountain National Park in Boulder and Larimer counties.
3. The use of water claimed under this amended application is for the present and future needs to fulfill the purposes for which the reservation was created as set forth in paragraph 5(c) of the amended application filed on December 29, 1977.
4. The original application, as amended, is hereby further amended by substituting a new subparagraph 5(a)(1) as follows:
- (a) Source of water:
- (1) Those portions of the South Platte River and waters tributary thereto which are situated within this Water Division and which are located in, on, under, adjacent or otherwise appurtenant to the lands described in the attached Exhibit 1 through 19, which are attached hereto and by the Act of December 22, 1980 (94 Stat. 3265) and Public Land order 6444, dated July 18, 1983 (48

Fed. Reg. 33717). This includes all perennial and intermittent streams and springs, seeps and other natural sources of water on lands reserved from the public domain including, but not limited to, Fox Creek, North Saint Vrain Creek, Horse Creek, Cabin Creek, Roaring Fork, Alpine Brook, Inn Brook, Aspen Brook, Wind River, Glacier Creek, Big Thompson River, Beaver Brook, Fall River, Bighorn Creek, Black Canyon Creek, Cow Creek, West Creek, Fox Creek, North Fork Big Thompson River, South Fork Cache la Poudre River, Cache la Poudre River, Long Draw Creek, Windy Gulch, Hidden Valley Creek, Roaring River, Cascade Creek, Mill Creek, and all their named and unnamed tributaries.

5. The original application, as amended, is hereby further amended by substituting a new subparagraph 5(b), as follows:

(b) Dates of Priority: The United States of America claims a right to the use of the waters in, on, under, adjacent or otherwise appurtenant to the National Park lands for National Park purposes with priority dates as of the date these lands were withdrawn for Park purposes from the public domain: January 26, 1915 (38 Stat. 798, 16 U.S.C., Sec. 191, 193, and 194); February 14, 1917 (39 Stat. 916, 16 U.S.C., Sec. 192); December 22, 1980 (94 Stat. 3265); and July 25, 1983 (48 Fed. Reg. 33717, Public Land Order 6444); except that where the lands were initially withdrawn for forest purposes, the United States claims a priority date of the forest reservation to the extent that forest purposes are the same or similar to park purposes: May 17, 1905 (P.P. 34 Stat. 3039).

6. The original application, as amended, is hereby further amended by changing the number of subparagraph "5(c)" to "5(c) I." and by adding a new subparagraph 5(c) II., as follows:

II. Amount and uses claimed: The United States of America hereby claims quantities of surface, ground, and underground waters, both tributary and non-tributary, which waters are situated within and are located in, on, under, adjacent or otherwise appurtenant to the lands described in subparagraph 5(a) above to fulfill the purpose or purposes for which the reservation was created as follows:

(1) Streams, springs, seeps and lakes (non-consumptive). The United States claims the right to maintain all stream, springs and seeps at their natural flows and lakes at their natural levels, except as provided in subparagraph (3) and (4) below.

(2) Ground Water (non-consumptive). The United States claims the right to maintain the ground water in its natural condition, except as provided in subparagraph (3) and (4) below.

(3) Quantifiable Future Administrative Uses. The United States claims quantities of surface, ground and underground water for campgrounds, picnic and other visitor enters, ranger stations, and concessions for the use and purposes described in 5(c) I. above. It is not possible at this time to define all future needs and uses. Future needs and uses have been determined from existing developments, and the United States claims a reasonable quantity of surface, ground, and underground water necessary to support the purposes for which the park was reserved, estimated to be 435 acre-feet/year.

(4) Unquantifiable Administrative Uses. The United States claims rights to use unquantifiable amounts of water for, but not limited to, controlling and suppressing wildfires and structural fires, construction and maintenance of roads and trails, reforestation activities necessary to return watersheds to their natural condition, watering of lawns surrounding park buildings and structures and other public areas where needed to offset heavy human impact, irrigation of hay and other foreage for the feeding of wildlife, watering of horses and other animals owned by the United States and visitors to the National Park, fish culture and conservation, development, conservation and management of resident and migratory wildlife resources, and domestic uses by back country rangers and shop, maintenance and storage facilities.

7. The original application, as amended, is further amended by substituting a new subparagraph 5(d), the following:

Larimer County

(all legal descriptions refer to 6th P.M.)

Name of Structure: NPS Longs Peak Campground Well.

Legal description: In the NW 1/4 NW 1/4, Section 34, T. 4 N., R. 73 W.

Source: Alpine Brook, tributary to North Saint Vrain Creek

Depth of Well: 20 feet

Date of Reservation: January 26, 1915

Use of Water: Domestic

Amount claimed: 31 gpm

Name of Structure: NPS Longs Peak Ranger Station Well.

Legal description: In the NW 1/4 NW 1/4, Section 34, T. 4 N., R. 73 W.

Source: Alpine Brook, tributary to North Saint Vrain Creek

Depth of Well: 270 feet

Date of Reservation: January 26, 1915

Use of Water: Domestic

Amount claimed: 10 gpm

Name of Structure: NPS Longs Peak Campground Water System
Legal description: At a point whence the West 1/16 corner of Sections 27 and 34, T. 4 N, R. 73 W. bears N 21° 38' E, 1505.12 ft.
Source: Alpine Brook, tributary to North St. Vrain Creek
Description of Structure: Surface diversion
Date of Reservation: January 26, 1915
Use of Water: Recreation, fire fighting
Amount claimed: 220 gpm

Name of Structure: NPS Twin Owls Well
Legal description: In the SW 1/4 NE 1/4, Section 13, T. 5 N., R. 73 W.
Source: Black Canyon Creek, tributary to the Big Thompson River
Depth of Well: 171 feet
Date of Reservation: January 26, 1915
Use of Water: Domestic
Amount claimed: 5 gpm

Name of Structure: NPS Twin Owls Pipeline No. 1
Legal description: At a point whence the SE corner of Section 13, T. 5 N., R. 73 W. bears S 31° 09' E, 4287.5 ft.
Source: Black Canyon, tributary to Big Thompson River
Description of Structure: Surface diversion
Date of Reservation: January 26, 1915
Use of Water: Recreation, Fire Fighting
Amount claimed: 40 gpm

Name of Structure: NPS Twin Owls Pipeline No. 2
Legal description: At a point whence the SE corner of Section 13, T. 5 N., R. 73 W., bears S 32° 16' E 3704.3 ft.
Source: Black Canyon, tributary to Big Thompson River
Description of Structure: Surface diversion
Date of Reservation: January 26, 1915
Use of Water: Recreation, Fire Fighting
Amount claimed: 20 gpm

Name of Structure: NPS Fall River Pass Water System
Legal description: At a point whence the NE corner of Section 1, T. 5 N., R. 75 W., bears N. 21° 48' E. 549 feet.
Source: Fall River, tributary to the Big Thompson River
Description of Structure: Surface diversion
Date of Reservation: January 26, 1915
Use of Water: Domestic
Amount claimed: 50 gpm

DISTRICT COURT, WATER DIVISION NO. 1, COLORADO

Case No. W-8439-76 (W-8788-77)

Docket #18

AMENDED APPLICATION FOR SURFACE AND UNDERGROUND
WATER RIGHTS

IN THE MATTER OF THE APPLICATION OF THE UNITED STATES OF AMERICA
FOR RESERVED WATER RIGHTS IN ROCKY MOUNTAIN NATIONAL PARK IN
BOULDER AND LARIMER 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 reserved water rights consisting of the right to maintain all streams, springs and seeps, lakes and all ground water at their natural flows, levels, and conditions, except as required for administrative uses, and claims reserved water rights for present and future administrative uses located on Rocky Mountain National Park in Boulder and Larimer counties.
3. The use of water claimed under this amended application is for the present and future purposes for which the reservation was created as set forth in paragraph 5(c) of this amended application.
4. The original application, as amended, is hereby further amended by substituting a new subparagraph 5(a)(1) as follows:

(a) Source of water:

(1) Those portions of the South Platte River and waters tributary thereto which are situated within this Water Division and which are located in, on, under, adjacent or otherwise appurtenant to the lands described in the attached Exhibits 1 thru 19,

future developments, estimated to be 80 acre-ft/year.

(D) Park Administrative Facilities, Visitor Centers, Ranger Stations, Entrance Stations and Visitor Contact Stations. The use of water for these facilities, in general, is for domestic and sanitation purposes. It is not known precisely how many new facilities will be needed in the future to support the purposes of the Park. The United States claims reserved water rights of 10 gpd/visitor and 25 gpd/employee at each new facility, estimated to be 100 acre-ft/year.

(E) Concessions. The use of water for concessions includes domestic and sanitation, ranging from stock watering to snow making. Estimates were determined by evaluating present demands and concession contracts. The United States claims a reserved right for this use estimated to be 50 acre-ft/year.

(4) Unquantifiable Administrative Uses. The United States claims rights to use unquantifiable amounts of water for, but not limited to, controlling and suppressing wildfires and structural fires, construction and maintenance of roads and trails, reforestation activities necessary to return watersheds to their natural condition, watering of lawns surrounding park buildings and structures and other public areas where needed to offset heavy human impact, irrigation of hay and other forage for the feeding of wildlife, watering of horses and other animals owned by the United States and visitors to the National Park, fish culture and conservation, development, conservation and management of resident and migratory wildlife resources, and domestic uses by back country rangers and shop, maintenance and storage facilities.

7. The original application, as amended, is further amended by adding to subparagraph 5(d), the following:

Larimer County
(all legal descriptions refer to 6th P.M.)

Name of Structure: Longs Peak Campground Well.
Legal description: In the NW1/4 NW1/4, Section 34, T. 4 N.,
R. 73 W.
Depth of Well: 20 feet
Date of Reservation: January 26, 1915
Use of Water: Historic - domestic
Amount claimed: 31 gpm Absolute

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of the people of the State of Colorado, subject to appro-

Name of Structure: Longs Peak Ranger Station Well.
Legal description: In the NW1/4 NW1/4 Section 34, T. 4 N.,
R. 73 W.
Depth of Well:
Date of Reservation: January 26, 1915
Use of Water: Historic - domestic
Amount claimed: 31 gpm Absolute

Name of Structure: Twin Owls Well.
Legal description: In the SW1/4 NE1/4, Section 13, T. 5 N.,
R. 73 W.
Depth of Well:
Date of Reservation: January 26, 1915
Use of Water: Historic - domestic
Amount claimed: 5 gpm Absolute

Name of Structure: Twin Owls Water System.
Legal description: In the SW1/4 NE1/4, Section 13, T. 5 N.,
R. 73 W.
Description of Structure: Spring diversion
Date of Reservation: January 26, 1915
Use of Water: Historic - domestic
Amount claimed: .081 cfs Absolute

Name of Structure: Fall River Pass Water System.
Legal description: At a point whence the NE corner of
Section 1, T. 5 N., R. 75 W., bears N. 21° 48' E. 350
feet.
Description of Structure: Surface diversion
Date of Reservation: January 26, 1915
Use of Water: Historic - domestic
Amount claimed: .100 cfs Absolute

8. This is a partial amendment of the application filed by the United States of America in Case No. W-8439-76, as amended W-8788-77.
9. The United States of America seeks to antedate the adjudication dates of earlier decrees insofar as they, in conjunction with applicable statutes, appear or purport to preclude this Court from awarding to the United States its water rights bearing their true priority date.

SSC

ADJUDICATION OF PRIORITIES

JAN 27 7 00 PM '67

IN THE DISTRICT COURT IN AND FOR THE COUNTY
OF BOULDER AND STATE OF COLORADO

ACTION No. 20716

IN THE MATTER OF THE
ADJUDICATION OF PRIORITIES TO THE RIGHT OF THE
USE OF WATER FOR ALL
BENEFICIAL PURPOSES IN
WATER DISTRICT NO. 5, IRRIGATION DIVISION NO. 1,
STATE OF COLORADO

THE PEOPLE OF THE STATE OF COLORADO:
TO: ALL OWNERS, CLAIMANTS, OR TRANSFEREES OF
WATER RIGHTS IN WATER DISTRICT NO. 5, IRRIGATION
DIVISION NO. 1, STATE OF COLORADO; ALL
WATER USERS WITHIN SAID WATER DISTRICT; AND
ALL OWNERS, CLAIMANTS, OR TRANSFEREES OF
ALL DITCHES, RESERVOIRS AND OTHER STRUCTURES
BY WHICH WATER HAS BEEN DIVERTED OR
STORED IN SAID WATER DISTRICT.

TAKE NOTICE that the above entitled supplemental adjudication suit for the adjudication of water rights in Water District No. 5, Irrigation Division No. 1, State of Colorado, for all beneficial purposes, was initiated in the District Court in and for the County of Boulder, State of Colorado, on the 15th day of November, 1966, pursuant to law.

TAKE FURTHER NOTICE that the Court has fixed the 20th day of February, 1967 at the hour of 9:30 o'clock A.M. in Courtroom in the Hall of Justice in the City of Boulder, County of Boulder, State of Colorado, as the time and place for beginning the taking of the evidence in said adjudication suit.

TAKE FURTHER NOTICE that all owners or claimants of any unadjudicated water rights in said Water District No. 5 are hereby notified to file a statement of claim for such right, as provided in Section 148-9-8, C.R.S. '63 and to appear at said time and place for the taking of evidence in regard to all water rights so owned or claimed by them, or be forever barred from setting up any claim to priority or rights to water in said Water District No. 5 adverse or contrary to the effect of the Decree to be entered in said adjudication suit.

TAKE FURTHER NOTICE that all water users, within said Water District No. 5, are hereby notified to be present at the time and place appointed for the beginning of the taking of evidence in case they wish to resist a claim which may be made for any water right in said suit.

TAKE FURTHER NOTICE that this Notice does not require any owner or claimant of a water right which has already been adjudicated to submit such water right in this supplemental adjudication.

TAKE FURTHER NOTICE that this Notice, when published as provided by law, is deemed to be sufficient notice to all water users not otherwise served with this Notice.

WITNESS my hand and the seal of this Court this 5th day of December, A.D. 1966.

CHAS. F. SNAVELY
Clerk of the District Court in
and for the County of Boulder and
State of Colorado.
By: William R. Permer, Deputy

(SEAL)

118-9-8

WATER RIGHTS AND IRRIGATION

class, for example, nonirrigation, then service shall be necessary on those whose rights have already been adjudicated.

Source: L.43, p. 618, § 7; CSA, C. 90, § 189(7); CRS 53, § 117-9-7

General:

Interception of water by a drainage ditch, which water if not so intercepted was originally tributary to a natural stream, will not support an independent appropriation of water from the ditch, as against senior adjudicated priorities from the stream, nor a supplemental decree therefor. *Peterson v. Reed* (1962) 142 C. 573, 369 P.2d 981.

After a general decree has been entered, a further decree adjudicating water rights entered in supplemental proceedings without notice as required by the statutes, or at all, is subject to attack and a demurrer to a petition so stating is erroneously sustained; and the four-year statute (118-9-17) has no application to those not parties, who do not participate in the benefits, or have knowledge of the rendition of such a decree. *Quince v. Hickory Jackson Ditch Co.* (1952) 126 C. 464, 251 P.2d 937.

No priority in a supplemental proceeding may be given a number or date earlier than the last priority in the next preceding adjudication. *Hardesty Reservoir & Canal Co. v. Arkansas Valley Sugar Beet Co.* (1929) 85 C. 555, 277 P. 763.

A supplemental or additional statutory adjudication decree which purports to subordinate earlier decreed priorities to priorities awarded in the supplemental decree is to that extent absolutely void. Although there may be successive adjudications in the same water district, all priorities must be consecutively numbered and water distributed in accordance therewith.

Hoofland Valley Ditch & Reservoir Co. v. Hinderinder (1927) 81 C. 365, 258 P. 305.

In a supplemental decree proceeding evidence of increased irrigated acreage and diversion of an increased amount of water only at flood time when no question of priority was involved, will not support an award by relation back to the date of the original decree, as against adjudicated decrees junior to claimant's original decree. *Baca Irrigating Ditch Co. v. Model Land & Irrigation Co.* (1927) 80 C. 398, 252 P. 358.

Where a decree of defendant's rights in supplemental proceedings was expressly made subject and junior to plaintiff's right, he cannot object to the regularity of such proceedings; it is not a ground for plaintiff's objection that the supplemental decree awarded amounts in excess of water in the stream. *Clay Spring Cattle Co. v. Bassett* (1925) 76 C. 510, 233 P. 156.

Omission of a verification to a supplemental claim is not jurisdictional, a former absolute decree for a specified amount of water cannot be changed in a supplemental proceeding where the two and four-year statutes of limitation have expired. *Estes v. Crahn* (1923) 71 C. 440, 216 P. 517.

Under the then existing statute, supplemental proceedings were part of the original proceedings and thereafter the decree in the original proceeding could be changed both as to number and amount. *Larimer Co. v. Adams* (1913) 54 C. 331, 130 P. 1019.

118-9-8. Statement of claim in adjudication suits.—(1) No owner or claimant of any water right may introduce evidence concerning the same in any adjudication suit until there shall have been first filed in said suit a statement of claim duly signed and verified by or on behalf of one or more owners or claimants of such water right, and which statement of claim shall contain:

(2) The name together with the post office address of the claimant of such water right;

(3) The name of the ditch, reservoir or other structure by means of which the water under such water right is diverted or stored;

(4) A general physical description of such ditch, reservoir or other structure, with the present and proposed capacity in second feet of any ditch or other structure for diverting water, and the present and proposed capacity in acre-feet of any reservoir or other structure for storing water;

(5) The name of the stream or other source of supply with the location of the point of diversion and the location of any storage works;

(6) The date of the initiation of the original appropriation and of each extension or enlargement thereof;

(7) The amount of water claimed by the original appropriation and by each extension or enlargement thereof;

(8) In the case of extensions and enlargements, the capacity as constructed or as proposed before and after each extension and enlargement;

(9) A statement of any filings made in the office of the state engineer;

(10) The character of uses; and

(11) In case of an irrigation priority, the number of acres being irrigated and the number of acres proposed to be irrigated therefrom.

Source: L. 43, p. 619, § 8; CSA, C. 90, § 189(8); CRS 53, § 147-9-8.

Cited and applied:

Orchard City Irrigation Dist. v. Whitten (1961) 148 C. 127, 361 P.2d 130 (annot. 148-5-1).

148-9-9. Production of evidence.—The court, in adjudication suits, shall have the same power to compel depositions, the attendance and testifying of witnesses and the production of documents and other exhibits, as is possessed by the court in other civil cases. Any referee appointed in an adjudication suit shall have the same power in these matters as a referee or master in other civil cases. Refusal to testify or to produce documents or other exhibits shall be punishable for contempt in the same manner as in other civil cases.

Source: L. 43, p. 620, § 9; CSA, C. 90, § 189(9); CRS 53, § 147-9-9.

148-9-10. Trial of adjudication suits.—(1) On the day fixed for beginning the taking of evidence the court or referee shall proceed to hear all the evidence either in support of or against any water right for which a statement of claim has been filed in the adjudication suit, touching upon the truth of the matters alleged in the statements of claim and upon the diligence shown by the claimants in prosecuting their appropriations of water and concerning any other matter which may affect the right of the claimants to a decree evidencing the priority of right claimed for each ditch, reservoir or other structure.

(2) All the evidence shall be reduced to writing and certified or proved in such manner as the court or referee may determine to be sufficient. All such evidence so reduced to writing and certified or proved, whether the same be taken in open court or by or before the referee, shall be filed with the clerk of the court in which said proceeding is had and become a part of the permanent records of said court. Any evidence concerning a water right taken in any prior adjudication in the same water district shall be considered by the court or referee concerning the same water right. The taking of evidence may be adjourned from time to time, and notice of the time to which such adjournment is taken shall be given in the hearing at the time of such adjournment by the court or by the referee.

(3) No hearing shall be had at any stage of the proceeding upon the merits of the claim of the respondent to the claim of the claimant, or upon the claims on file in the proceeding. The owner of a water right in a water district, whether such water right be a natural or artificial right, dedicated or not, shall be permitted to cross-examine a witness in rebuttal and to introduce evidence against any claim for another water right which might injuriously affect his own water right.

(4) In like manner any witness, owner of a water right in a water district or the owner of a water right in a water district, may cross-examine a witness in rebuttal and to introduce evidence against any claim for another water right which might injuriously affect his own water right.

* * * * *

Priority No. 1 Priority No. 26, Third Series

All of which is most respectfully submitted.

Fred W. Stow
Referee.

607

*See ltr. 12-19-58
from Pg. 2 to Director*

STATE OF COLORADO }
COUNTY OF BOULDER } ss.

IN THE DISTRICT COURT
No. 6673.

IN THE MATTER OF THE ADJUDICATION
OF THE PRIORITIES OF RIGHT TO THE
USE OF WATER FOR IRRIGATION PURPOSES }
IN WATER DISTRICT No. 5 OF THE }
STATE OF COLORADO }

ORDER CONFIRMING THE
REPORT OF THE REFEREE.

THIS MATTER, coming on to be heard on the 1st day of June, A. D. 1926, upon the report of Fred W. Stow, heretofore duly appointed Referee in said matter, the said report having been filed in this Court on April 5th, 1926, before the said District Court in and for the County of Boulder and State of Colorado, the Honorable Robert G. Smith, one of the Judges thereof presiding, this hearing having been continued from the 17th day of May, 1926, until this day for the filing of objections and exceptions to the report of the Referee aforesaid herein and for hearing upon said report, and it appearing to the Court that no objections or exceptions have been filed to or against the report and recommended decree of said Referee, and the Court being sufficiently advised in the premises, doth hereby in all things confirm the said report and recommended decree of the Referee aforesaid, and does hereby order the same to be entered as of this date as the decree of this Court.

Done in open Court this 1st day of June, A.D. 1926.

Robert G. Smith
Judge.

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Form NPS-L-1

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICEState Colorado

LAND OWNERSHIP RECORD

Tract No. _____

County LarimerDeed No. 68

Civil Subdivision _____

Area _____ acres _____

Rocky Mountain Nat. Park

Name of Park or Area

Right

Area based on survey of xxxxxx Filing

Date _____

Longs Peak Campground

Section of Park or Area

Legal Description: Filed Claim 16642Method 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 0.49 sec. ft. of water from Alpine Brook for domestic, recreational and fire protection purposes at the Longs Peak Campground

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-RM-6990 ✓Remarks: To be adjudicated when United States consents.Copy of claim to be supplied by Water Rights Section.

25348

Supporting Hydro Data

DEC 6 8 25 AM '71

December 2, 1971

Mr. Gerard Witucki
Office of Lands & Water Rights
National Park Service
450 Golden Gate Avenue
P. O. Box 36025
San Francisco, California 94102

Dear Mr. Witucki:

On November 29-30, 1971, Mr. W. W. Wilson, of this office, tested the well at Longs Peak Campground which was recently drilled under contract by Ernest Young, Estes Park, Colorado.

The test showed that the well yields about 6/10 gallons per minute and that most of the water enters the hole above 205 feet. The details of the test and construction of the well are shown on the attached data sheets. Suggestions based on the test results are as follows:

For maximum yield, the pump should be set to a depth of at least 210 feet. The only advantage of setting it deeper would be to take advantage of water stored in the open hole between that depth and the bottom of the hole.

The yield from the test of about 3 hours duration probably can be sustained for less than a day. Our guess, however, is that a yield of about 5/10 gallons per minute can be sustained indefinitely. Accordingly, the capacity of any pump installed on the well need not exceed 5/10 gallons per minute. If the withdrawal rate exceeds this amount for more than a few hours, we would expect the well to pump dry.

The results of this site investigation will be included in an annual progress report due for completion in June 1972.

Sincerely,

E. A. Moulder
District Chief

cc: Bill Mekeel
J. L. Dunning

P.S. Water samples have been collected and sent to the laboratory for complete analysis.

ROMO GROUP	
SUPT.	DD 12-6
✓ ASST. SUPT.	due 1-6
MGMT. ASST.	
ADM. OFF.	
RANGERS	
Water Resources Division	
✓ MAINT.	12-10
RES. BIOL.	
✓ LANDS-WATER	
WEST DIST.	
DFO	
BEOL	
FLFO	
FILES	

WRD Exp. (GW)
April 1966

Well No. SB 04-073-34BBD

WELL SCHEDULE

U. S. DEPT. OF THE INTERIOR

GEOLOGICAL SURVEY

WATER RESOURCES DIVISION

MASTER CARD

Driller &

Record by W.W. Wilson Source of data inspection Date 11-29-71 Map Longs Peak Quad

State Colorado County Larimer (or town)

Latitude: 40 16 21 N Longitude: 105 33 25 W Sequential number: 19

Lat-long accuracy: 20 T. 4 S, R 73 Sec 34, SE 1/4, NW 1/4, NW 1/4 6th B & H

Local well number: Other number:

Local use: Owner or name: National Park Serv.

Owner or name: Address:

Ownership: (C) Fed Gov't (M) City, Corp or Co (P) Private (S) State Agency (W) Water Dist F

Use of water: (A) Air cond, (B) Bottling, (C) Comm, (D) Dewater, (E) Power, (F) Fire, (G) Dom, (H) Irr, (I) Med, (J) Ind, (K) Rec, (L) Stock, (M) Instat, (N) Unused, (O) Repressure, (P) Recharge, (Q) Desal-P S, (R) Desal-other, (S) Other P

Use of well: (A) Anode, (B) Drain, (C) Seismic, (D) Heat Res, (E) Obs, (F) Oil-gas, (G) Recharge, (H) Test, (I) Unused, (J) Withdraw, (K) Waste, (L) Destroyed W

DATA AVAILABLE: Well data 70 Freq. W/L meas.: 71 Field aquifer char. 72

Hyd. lab. data: 73

Qual. water data; type: 74

Freq. sampling: 75 Pumpage inventory: yes no, period: 76

Aperture cards: yes 77

Log data: 78 79

WELL-DESCRIPTION CARD

NAME AS ON MASTER CARD Depth well: 270 ft Meas. 24 accuracy 25

Depth cased: 19.6 ft Casing type: Steel Diam. 6 in 29 30

Finish: (C) concrete, (F) gravel w. concrete, (G) gravel w. horiz. gallery, (H) open, (I) perforated, (J) screen, (K) sd. pt., (L) shored, (M) open, (N) 19.6-270, (O) other 31

Method: (A) air, (B) bored, (C) cable, (D) dug, (E) hyd jetted, (F) air, (G) reverse, (H) trenching, (I) driven, (J) drive, (K) rot, (L) rot., (M) percussion, (N) rotary, (O) wash, (P) other 32

Date Drilled: Nov. 1971 Pump intake setting: Bottom ft 36 38

Driller: Ernest Young Estes Park, Colorado

Lift (A) air, (B) buck, (C) cent., (D) jet, (E) multiple, (F) multiple, (G) none, (H) piston, (I) rot., (J) submers., (K) turb., (L) other 39 Deep 40

Power (type): diesel, elec., gas, gasoline, hand, gas, wind, H.P. 41 Trans. or meter no. 42

Descrip. MP Top casing - So. Side 0.6 ft below LSD. Alt. MP 43

Alt. LSD: 44 Accuracy: 45

Water Level 23.40 ft above 46 below MP; Ft below LSD 47 Accuracy: 48

Date meas: 11-29-71 Yield: 49 gpm 50 Method determined 51

Drawdown: 52 ft Accuracy: 53 Pumping period 54 hrs 55

QUALITY OF WATER DATA: Iron 56 ppm Sulfate 57 ppm Chloride 58 ppm Hard. 59 ppm

Sp. Conduct 60 K x 10 61 Temp. 62 °F 63 Date sampled 64 65

Taste, color, etc. 66 67 68 69 70 71 72 73 74 75 76 77 78 79

Well No.

40°-16' 21" N 105° 33' 25"

Pumped well SB-04-073-34 (66d)
 Name National Park Service
 Depth 270 ft. Cased To 19.6'
 m
 r_w Hole _____ ft. Casing ED 6 in.
 r_w 2
 Open hole = 6"

Obs. None well _____ ()
 Name _____
 Depth X ft. X ft.
 r _____ ft. r₂ _____ ft.
 M.P. Top 6" casing. So. Side
 which is 0.6 ft. above l.s.

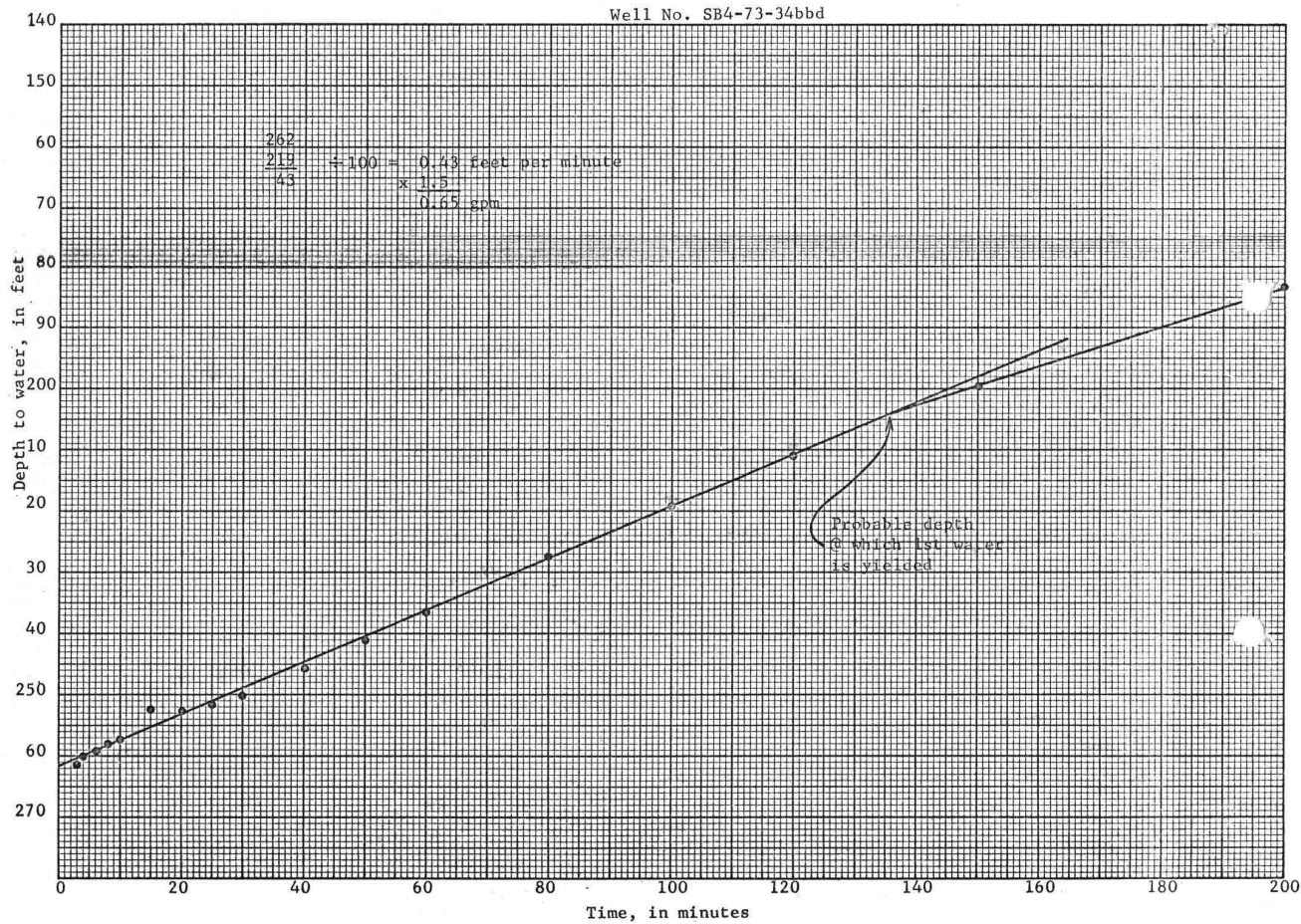
County Larimer Personnel K. W. Wilson
 State Colorado Date(s) Nov. 29-30, 1971
 T _____ gpd/ft. S _____
 aquifer(s) _____
 Pump set on 5 gal. gravel @ bottom of hole.

1971	Date	Hour	t _m	t _{'m}	t/1'	Days		Pumped Well DW/MP	Observed dd. (feet)	Kent Meter	Q (gpm)	s _w /Q	t/r ₂ ² _w	Bar. press.	Remarks
Nov. 29	0920	0					Static water level	23.40							
	0921	1						27.60	4.20						
	0923	2													
	0923	3						31.50	8.10						
	0924	4						32.40	9.00						
	0926	6						33.35	9.95						
	0930	10						34.20	10.80						
	0933	13								37170.0	7.5				
	0935	15						42.05	18.65						
	0950	30						83.10	59.70	37182.3	6.2				
	1000	40						112.90	89.50	37188.2	5.5				
	1010	50						139.60	116.20	37193.0	4.8				
	1020	60						164.20	140.80	37197.5	4.2				
	1030	70						186.00	162.60	37201.6	3.6				
	1040	80					Hung Up.								
	1045	85					Hung Up.	212.60	189.20	37206.5	3.1(?)				
	1100	100													
	1110	110						243.30	219.90		1.7				Meter stopped
	1130	130						244.40	221.00	Bucket	1.6				at about 1110
	1200	160					Hit pump @ 265'	No Water			1 gal/3 1/2 min.				on 37211.3
Nov. 29	1210						Pump turned off.			Pumping	Varied	265 +			
	1211	1													
	1212	2													
	1213	3					266.20	Nov. 29	1330	80	227.65				
	1214	4					260.00		1350	100	219.23				
	1216	6					259.25		1410	120	211.17				
	1218	8					258.20		1440	150	199.70				
	1220	10					257.52		1530	200	183.30				
	1225	15					252.55	Nov. 30	0900	1250	37.80				
	1230	20					253.10								
	1236	25					251.75								
	1240	30					250.30								
	1250	40					246.10								
	1300	50					241.25								
	1310	60					236.70								

K&E 10 X 10 TO THE 1/4 INCH 359-11
KEUFFEL & ESSER CO. MADE IN U. S. A.

National Park Service

Well No. SB4-73-34bbd



Other Supporting Information

MEMORANDUM OF CALL		Previous editions usable
TO:		
☐ YOU WERE CALLED BY--	☐ YOU WERE VISITED BY--	
OF (Organization)		
☐ PLEASE PHONE ►	☐ FTS	☐ AUTOVON
☐ WILL CALL AGAIN	☐ IS WAITING TO SEE YOU	
☐ RETURNED YOUR CALL	☐ WISHES AN APPOINTMENT	
MESSAGE		
Deirdre file stamped Oct 4, 1984 844-3627 8 pages Sept. '86 some things withdrawn? call to see if they have signed file copy of amended claim.		
RECEIVED BY	DATE	TIME
63-110 NSN 7540-00-634-4018 STANDARD FORM 63 (Rev. 8-81) *U.S.GPO:1985-0-491-247/20037 Prescribed by GSA FPMR (41 CFR) 101-11.6		

Alan Williams from ROMO called at 3:45 (1/28). There is a well drilled several years ago at the Long's Peak Campground. The flow has been gradually declining and is now only ~1.5 gpm. He'd like to know what options (i.e. existing NPS rights) there are for changing to a surface source. I told him he'd probably need to talk to Stan first and that I'd have Stan give him a call.

Background?

Beth

Alan (Allen) Williams

586-2371 (ext 241)

answer
rec.
action?



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159 W. Mountain Ave., Ft. Collins, Colo. — 493-3212

Owen -

The 1984 State Engineer's list shows only one water right on Alpine Brook, the Forney Pipeline. The priority date is 4/30/1948 for domestic use of 0.033 cfs. The Longs Peak Campground Water System is for 0.49 cfs. They don't appear to be the same right.

An Amended Application for Surface, Underground, and Storage Reserved Water Rights ~~Class~~ [Case No. W-8439-76 (W-8738-77)] specifically reserves waters of Alpine Brook as ~~part of~~ ^{part of} a South Platte tributary by the Act of Dec. 22, 1980 (94 Stat. 3265) and Public Land Order 6444, dated July 18, 1983 (~~for stat.~~ (48 Fed. Reg. 33717)).

Also specifically reserved is the Longs Peak Campground Water System on Alpine Brook. The reservation date is Jan. 26, 1915 and it reserves 220 gpm for recreation and fire fighting.

Beth

The wells are not in the 1984 State Engineer's list.

LONGS PEAK CAMPGROUND WATER SOURCES

The Longs Peak Campground Well is located on land reserved January 26, 1915. It was filed for in an Amended Application for Surface and Underground Water Rights, Case No. W-8439-76 (W-8788-77). The filing was for a 20 foot deep well in the NW1/4 NW1/4, Section 34, T. 4 N., R. 73 W. and was for an absolute right to 31 gpm absolute.

A second well is claimed in the same Amended Application, the Longs Peak Ranger Station Well. The location given is in the same quarter quarter and the amount of water, use, and reservation date are also the same as for the Longs Peak Campground Well. No well depth is given.

A well was drilled in 1971 and was tested in late November of that year. At that time the maximum yeild was 6/10 gallons per minute but the test report implies that the well is much deeper than 20 feet as it is stated that "most of the water enters the hole above 205 feet." As a result of the tests it was suggested that the well be drilled to at least 210 feet and that, in order to sustain the yield, the well be pumped at a maximum of 5/10 gallons per minute. This well may be the Longs Peak Ranger Station Well as there is mention of drilling a test well in 1971 at the Longs Peak Ranger Station. However, there is also a small report on Specifications for Drilling a Test Well at Longs Peak Campground dated October, 1971.

In any event, it appears that the well in question is on reserved land and that reserved water rights were specifically filed. I suppose it is possible that these two are, in fact, the same well although it would be odd to have filed reserved water rights twice in the same amendment for the same well.

There is a docket showing a surface water right from Alpine Brook (a tributary to Cow Creek) for the Longs Peak Campground Water System. This is application/permit number 16642A issued August 11, 1966 for 0.49 cfs for domestic, recreational and fire protection uses. This is apparently a perfected water right but may not be in use presently. A note in the docket says that this is an amended filing of the original Longs Peak Campground Pipeline which was filed under NPS No. NPS-RM6990 on 8/8/39 and was accepted for filing under No. 16642 in the office of the Engineer of Colorado on 9/14/39. This may be a possibility for using surface water at the campground but what about water quality?

ROCKY MTN NATL PARK

SEP 7 12 47 PM '71
L34(WSC)-LNU
ROCKY MTN

September 2, 1971

ROMO GROUP	
SUPT.	
ASST. SUPT.	<i>9/6</i>
MGMT. ASST.	
ADM. OFF.	
RANGERS	
INTERPRET.	
MAINT.	
RES. BIOL.	
LANDS-WATER	<i>9/6</i>
WEST DIST.	
DFO	
BEOL	
FLFO	
FILES	

Memorandum

To: Director, Western Service Center
Through: Chief, Office of Land Acquisition and Water Resources
Chief, Water Resources Division

From: Hydrologist, WSC-LNU

Subject: Trip report to Rocky Mountain National Park and to attend Ground Water Quality Symposium in Denver

- Purpose of trip:** To examine and evaluate potential sites for test well at Long Peak Ranger Station in Rocky Mountain National Park and to attend the National Ground Water Quality Symposium in Denver, Colorado.
- Itinerary:** Departed San Francisco, August 24 for Rocky Mountain National Park. Arrived Denver about noon and drove to proposed drilling area in Rocky Mountain National Park with W. McKeel, Legal Assistant. After examining site, returned to Denver in the late PM. From 8/25 to 8/27, I was on duty at Denver attending the National Ground Water Symposium at the Denver Hilton Hotel. Returned to San Francisco by air, arriving about 6:00 PM on 8/27/
- Companions:** W. McKeel, Legal Assistant, WASH on trip to ROMO.
- Accomplishments:** On August 24, I examined the Long Peak Ranger Station area to determine what the site conditions would be regarding the drilling of a proposed well there.

From August 25 to 27, I attended the National Ground Water Quality Symposium at the Denver Hilton sponsored by the National Water Well Association. Sessions were attended on various subjects, such as: ground water waste disposal recharge and reuse; chemical contamination of ground water; ground water pollution by solid waste; and Aquifer Protection and Rehabilitation.

5. Observations: The trip to Longs Peak Ranger Station confirmed that geologic conditions at the site consists primarily of older (Pre-Cambrian) granitic and meta-sedimentary rocks with only minor amounts of thin alluvium or unconsolidated slope-wash and soil. The granitic rocks are cut by a number of steep north-south fracture sets which intersect the stream at the south end of the station. Other low angle fracture sets also occur. From my observations, I concluded that a well site (the exact location can be determined later) can be selected to satisfy both the engineering design and hydrologic requirements since the geo-hydrologic data is not sufficiently detailed by subsurface data to be very restrictive or selective to determine the best location for a well.

The information and knowledge derived from attendance of the ground water quality symposium should be very useful as most of the subjects discussed cover problems now or soon to be faced by the Service in developing and protecting our water resources.

SIGNED

Donald C. Barrett

Cleared for Distribution

(Sgd.) Robert S. Luntz **SEP 3 1971**
ACTING Director, VSC Date

cc:
NW-WASO
Director, Midwest Region
Supt., Rocky Mtn

SPECIFICATIONS FOR

DRILLING A TEST WELL

AT

LONGS PEAK CAMPGROUND

ROCKY MOUNTAIN NATIONAL PARK

COLORADO

October 1971

PURPOSE:

These specifications are for a test well at Longs Peak Campground to determine lithology, water level, aquifer characteristics, and water quality. Every phase of the drilling and testing operation shall be subject to requirements of the representative of the Government and every opportunity shall be accorded the Government to make observations during drilling and testing.

LOCATION:

The drilling site will be near Longs Peak Ranger Station and possibly in the floodplain of Alpine Brook. The exact site will be accurately located on the ground by a Government representative prior to commencement of drilling. The Park Service will maintain vehicular access to the drilling site.

COMMENCEMENT AND COMPLETION:

The contractor shall commence drilling within 15 days after date of receipt of notification to proceed and shall complete the work within 30 calendar days after commencement. Because of the possibility of adverse weather conditions, the above time schedule may be modified by the Government at the Contractor's request.

LEGAL REQUIREMENTS:

The Contractor shall comply with all applicable laws and regulations governing water well drilling which includes the acquisition of permits and reporting to the proper State of Colorado agencies.

GEOLOGIC CONDITIONS:

If drilled in the floodplain of Alpine Brook, a test well may penetrate as much as 25 feet of clay, sand, gravel, and boulders, which overlies granite bedrock that may be somewhat weathered and fractured. Outside the floodplain, a test well would probably penetrate only granite. The adequacy of the information set forth above is not guaranteed by the Government. The bidder will be held as having examined the site to acquaint himself with local conditions as no allowance will be made after the bid has been accepted for any errors or negligence in this regard.

EQUIPMENT TO BE FURNISHED BY CONTRACTOR:

The Contractor shall furnish all equipment, supplies, casing and labor needed to complete the work. If the equipment becomes unsatisfactory during the work, the Contractor will be responsible for repair of the equipment before continuing.

WORK SPECIFICATIONS:

One test hole will be drilled by cable tool either within the floodplain of Alpine Brook or outside the floodplain. Case A. - If inside the floodplain, the well should be drilled into the clay, sand, gravel, and boulders so that 10 feet of steel 12-inch I.D. "surface" casing can be installed. The well will then be drilled to bedrock (about 25 feet) driving 6-inch I.D. casing. The casing may: (1) be torch-perforated, with vertical slots approximately 3/16-inch by 2 inches, in rows spaced at 8-inch intervals, with not more than 5 slots per row from 10 feet below land-surface to the bottom of the well, or (2) may be driven to the top of bedrock, then perforated with a star-type perforator opposite

those zones selected by the Government representative as most likely to yield water. After drilling to bedrock, the Contractor shall bail the well for 30 minutes to determine yield and drawdown. At this time a Government representative will decide whether to convert the test well to a water well.

If the test well is to be converted to a water well, the Contractor will install cement grout in the space between the 6-inch and 12-inch casing, meanwhile withdrawing the larger casing. The grout shall be installed from a depth of 10 feet to the surface in such a manner as to form a tight seal around the 6-inch casing and prevent contamination by seepage down the outside of the casing.

The Contractor will then bail the hole to the extent that no more than one foot of sand accumulates on the bottom of the casing in 30 minutes of bailing at a rate of 10 gpm. If after a total of 8 hours of bailing, more than one foot of sand accumulates on the bottom of the casing in 30 minutes of bailing, the Contractor shall clean out the sand and install to total depth a string of 5-inch O.D. galvanized liner with perforations smaller than 3/16 inch in width. The Contractor will then bail the hole until no more than one foot of sand accumulates on the bottom of the liner in 30 minutes of bailing.

The Contractor will then install a pump capable of yielding at least 2 gallons per minute. A Government representative will then pump test the well for approximately 24 hours, and measure water-level recovery for 24 hours.

Case B. - If the yield of a test well drilled through the clay, sand, gravel, and boulders is not adequate, the Contractor will drill into the granite bedrock to a total depth of no more than 250 feet

below land surface. If bailing indicates that the yield is adequate, the Contractor will drive 6-inch I.D. casing at least 3 feet into the granite bedrock and install cement grout in the space between the 6-inch casing and the 12-inch casing as in Case A above.

The Contractor will then install a pump capable of yielding at least 2 gallons per minute. A Government representative will then test pump the well for approximately 24 hours, and measure water-level recovery for 24 hours.

Case C. - If the test site is located outside the floodplain of Alpine Brook, the well will penetrate mostly granite. The well should be drilled to a depth of 10 feet such that 10 feet of 12-inch I.D. casing can be installed. The well should then be drilled with a 6-inch bit to a total depth of not more than 250 feet below land surface. Six-inch casing should be installed from 2 feet above land surface to about 20 feet below land surface. If bailing indicates an adequate supply of water, the Contractor shall install cement grout as described in Case A above. The Contractor will then install a pump capable of yielding at least 2 gpm and a Government representative will pump test the well for approximately 24 hours, and measure water-level recovery for 24 hours.

If the Government representative decides that it is not feasible to convert the test well into a water well, the Contractor will then plug the hole by filling the 6-inch casing with cement from 10 feet below land surface to land surface. The 6-inch casing will then be cut off flush with the ground, and the drilling site restored to as near natural conditions as possible.

SCHEDULE OF PRICES

Case A. -

1. For drilling to a depth of 10 feet in sand and gravel and installing a 12-inch (I.D.) steel casing. For drilling from a depth of 10 feet to a total depth of about 25 feet and installing a 6-inch (I.D.) steel casing with a 2-foot drive shoe (casing to extend to 2 feet above land surface). For pouring cement grout between the 6-inch and 12-inch casing and removing the 12-inch casing. Includes price of cement.

_____ per ft.

Case B. -

2. For drilling from a depth of about 25 feet to a total depth not to exceed 250 feet and installing a 6-inch (I.D.) steel casing with a 2-foot drive shoe (casing to extend to 2 feet above land surface) to a depth of about 25 feet. For pouring cement grout between the 6-inch and 12-inch casing and removing the 12-inch casing. Includes price of cement.

_____ per ft.

Case C. -

3. For drilling to a depth of 10 feet and installing a 12-inch (I.D.) steel casing. For drilling from a depth of 10 feet to total depth not to exceed 250 feet in granite, and installing a 6-inch (I.D.) steel casing (casing to extend to 2 feet above land surface) to a depth of about 20 feet. For pouring cement grout between the 6-inch and 12-inch casing and removing the 12-inch casing. Includes price of cement.

_____ per ft.

4. For bailing the test well so that not more than 1 foot of sand accumulates in the casing during 30 minutes of bailing.

_____ per hr.

5. For installing test pump and pumping well for a period of no more than 24 hours.

_____ per hr.

6. For plugging the hole in case the test hole is abandoned and not completed as a well, and restoring drilling site to its natural condition.

L54

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

WP # 18

JAN 23 1967

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Memorandum

To: Regional Solicitor, Denver, Colorado
From: Superintendent, Rocky Mountain National Park
Subject: Notice of Supplemental Adjudication of Water Rights,
District 5

In accordance with the instructions received from Mr. Don Young of your office in response to Management Assistant Guiton's phone conversation on January 23, we are enclosing the Notice of Supplemental Adjudication of Water Rights in Water District No. 5, as received from the Clerk of the District Court, by Certified Mail, on January 20, 1967.

The water supplies for our Wild Basin and Longs Peak Campgrounds are both within this District and neither has ever been adjudicated. We have filed drawings with the State Engineer in both cases, and enclose copies of those drawings as follows:

NP:RM 2670, Filing 22847, Accepted by the State Engineer
August 11, 1966

NP:RM 2487, Filing 16642A, Accepted by the State Engineer
August 11, 1966

Water Right Dockets No. 18 (Wild Basin) and No. 42 (Longs Peak) are also being furnished for your further information.

It appears the Claimant's Statement on each drawing will supply the information required in Section 148-9-8, C.R.S., '63 with the possible exception of the storage capacity in acre-feet. Our storage at Wild Basin consists of 250 gallon tank while the Longs Peak tank has a capacity of 550 gallons.

We would appreciate your consideration of this material and your opinion as to what additional steps may be required to satisfy our obligations, if any, and protect these rights.

We are furnishing copies of this memorandum to our Regional Office in Omaha, Nebraska as well as our Office of Land and Water Rights, San Francisco Service Center so they may be advised of this matter.

(Sgd) Fred J. Novak

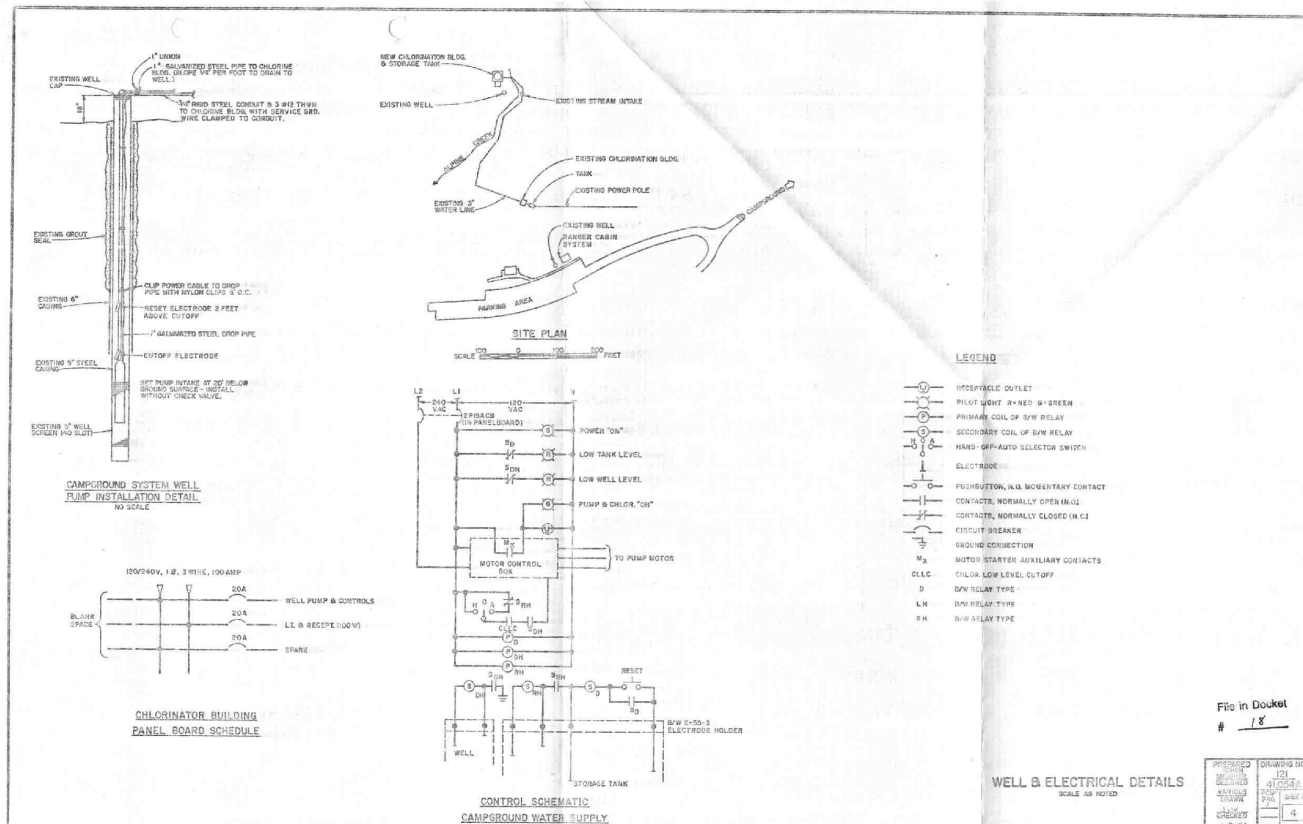
Superintendent

Enclosures
Drawings
Notice
Dockets 18 and 42

cc:

Regional Director, Midwest Region, w/c of Notice, drawings, and
Section 148-9-8 of C.R.S., '63 Edition.

Chief, Office of Land and Water Rights - same enclosures as Region, ✓
Attention: Hydraulic Engineer



154

Rocky Mountain National Park
and
Shadow Mountain National Recreation Area
P. O. Box 1036, Estes Park, Colorado

February 15, 1960

Memorandum

To: Regional Chief of Operations, Region Two

From: Superintendent

Subject: Proposed Schedule For Work Order, No. ROMO 1-WR-60,
Fund Symbol 14 X 1035 (0343), Rocky Mountain National
Park.

Attached to Mr. Gratton's memorandum of January 15, 1960, we received a \$1,500 Work Order No. ROMO 1-WR-60, Fund Symbol 14 X 1035 (0343), for Rocky Mountain National Park, with a request for a schedule of work to be accomplished on water rights during the remainder of fiscal year 1960.

Our proposed schedule for the period February 15 to June 30, 1960, is as follows:

1. Longs Peak Campground Pipeline, Docket No. 18, Filing No. 16642 accepted by the State Engineer on September 14, 1939, a Domestic Water Right not adjudicated. This pipeline is being relocated, extended, enlarged and the point of diversion moved upstream. Cost of survey to determine the bearing and distance from a known G.R.O. Corner, cost of preparing an amended Filing on linen as required by the State Engineer and filing fees is estimated at \$225.00.

2. Harbison Ditch, Docket No. 23, Domestic, Irrigation and Fish Culture Priority No. 1 on Tonahutu Creek and Priority No. 199 in Water District No. 51, as of July 15, 1893. This water right is senior and the most valuable right on the Upper Colorado River drainage above Lake Granby. (Estimated value over \$75,000) United States owns the right to divert from Tonahutu Creek through the Harbison Ditch, 3.345 cubic feet of water per second of time from April 15 to November 1, and 2.765 cubic feet per second from November 1 to April 15, but does not have an adequate headgate nor a measuring device to determine the amount of water being diverted from the stream at any given time. The Colorado Water Code requires

each water user to provide an adequate headgate at the point of diversion and a satisfactory measuring device at or within a short distance of the headgate. Failure to comply can result in an order from the District Water Commissioner, during a period of water shortage in the stream, to cease to divert water and let the flow go down stream to a junior right. This year's water content and snow depth in the Tonahutu Creek drainage is far below normal indicating a water shortage during the heavy use period of July and August. The Town of Grand Lake has developed a very extensive water works about one-half mile downstream with junior water rights. Should the Town, during a dry season, find the flow in the stream to be less than the amount they are entitled to divert under their junior rights, they could object to our diversion on the grounds that we have not complied with the water rights regulations. We cannot afford to jeopardize this very valuable water right as it is the source of supply for the proposed new visitor center, new employee residences, shops, entrance, Grand Lake Ranger Station, and the irrigation of the Harbison Meadows, a wildlife range. In order to re-define, re-establish, protect, and improve the Harbison Ditch water rights, we propose to modernize the headgate and construct a Farshall Measuring Weir at or near the point of diversion, at an estimated cost of \$1,200.00, with work to begin in late June and completion in early July.

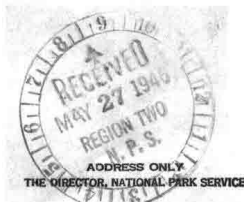
As directed, we will prepare, in quadruplicate, a narrative completion report upon completion of each proposal.

We will be happy to furnish a proposed schedule of water right projects, including investigations, for the ensuing years of MISSION 66, as requested in your memorandum of February 8th.

(SGD) James V. Lloyd

James V. Lloyd
Superintendent

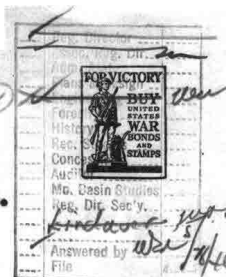
✓ In triplicate



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CHICAGO 54, ILL.

May 23, 1946.

Am 660-057



MEMORANDUM for the Regional Director, Region Two.

The two attached photostat copies of Filing 13111 should be inserted below filing 16642 in the assemblies of Rocky Mountain Deed 68 in your files and at the Park. The copies of the statement and outline of assembly should be added at the top of the same deed assemblies. Before we adjudicate our water claims in District 5, we should check our own filed statement as to the date of construction, and determine whether the Longs Peak Campground water system was constructed by the United States in 1927, or by Mr. Hewes, under filing 13111, in 1920. If Mr. Hewes is still at the Inn, it would be valuable to have his recollections with regard to the development between 1920 and 1927.

Filed 7/1/46 W.P.C.

Enclosure 418.
In duplicate.

Rocky Mountain	
A. V. and D. Dunn	
Chief, Water Rights Division.	
By <i>W.C.</i>	Date <i>5/24/46</i>

May 23, 1946.

Statement Relating to Temple Hotel Pipe Line,
Rocky Mountain National Park

The Temple Hotel Site was included in Rocky Mountain National Park in the boundary adjustment of 1917, and the Hewes-Kirkwood Inn Company failed to obtain a patent. It was set aside as the Longs Peak Campground in 1927, after further boundary adjustments in 1926 to eliminate the patented Hewes-Kirkwood Inn tract. The United States claims water use only since the establishment of the campground, at this time, but before adjudicating the claim it should be determined whether the pipe line was installed by Mr. Hewes in 1920, or by the United States in 1927.

(SGD.) A. VAN V. DUNN

Chief, Water Rights Division.





CHIEF, METAL HYDRA DIVISION

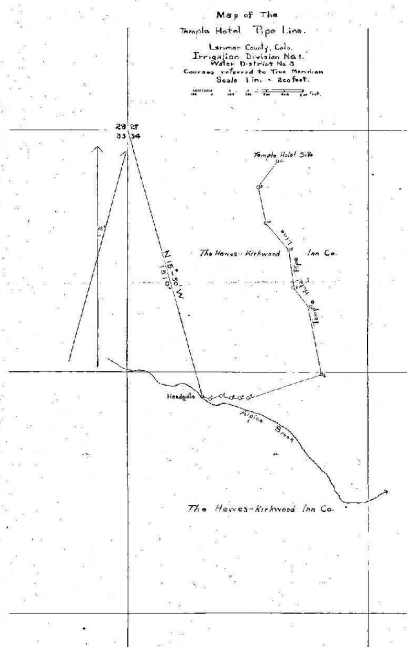
(200) V AWA A' DUM

UNITED STATES IN 1931.

whereas the Hyde line was transferred by Mr. Hemes in 1930, or by the
at this time, but before establishing the system it should be determined
States system metal has only since the establishment of the combination
to eliminate the proposed Hemes-Kirkwood line first. The United
Bank combination in 1931, after further preliminary arrangements in 1930
continually failed to obtain a benefit. It was not until the Hyde
Bank in the preliminary arrangement of 1931, and the Hemes-Kirkwood line
The Temple Hotel site was included in Hemes-Kirkwood line

Hemes-Kirkwood line
statement relating to Temple Hotel Hyde line.

MAY 22, 1946.



The Temple Hotel Pipe Line

Line	Course	Distance	Notes
1	S 64° 18' E	42'	
2	S 70° 10' E	25'	
3	S 74° 55' E	25'	
4	S 74° 55' E	25'	
5	S 74° 55' E	25'	
6	S 74° 55' E	25'	
7	S 74° 55' E	25'	
8	S 74° 55' E	25'	
9	S 74° 55' E	25'	
10	S 74° 55' E	25'	
11	S 74° 55' E	25'	
12	S 74° 55' E	25'	
13	S 74° 55' E	25'	
14	S 74° 55' E	25'	
15	S 74° 55' E	25'	
16	S 74° 55' E	25'	
17	S 74° 55' E	25'	
18	S 74° 55' E	25'	
19	S 74° 55' E	25'	
20	S 74° 55' E	25'	
21	S 74° 55' E	25'	
22	S 74° 55' E	25'	
23	S 74° 55' E	25'	
24	S 74° 55' E	25'	
25	S 74° 55' E	25'	
26	S 74° 55' E	25'	
27	S 74° 55' E	25'	
28	S 74° 55' E	25'	
29	S 74° 55' E	25'	
30	S 74° 55' E	25'	
31	S 74° 55' E	25'	
32	S 74° 55' E	25'	
33	S 74° 55' E	25'	
34	S 74° 55' E	25'	
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36	S 74° 55' E	25'	
37	S 74° 55' E	25'	
38	S 74° 55' E	25'	
39	S 74° 55' E	25'	
40	S 74° 55' E	25'	
41	S 74° 55' E	25'	
42	S 74° 55' E	25'	
43	S 74° 55' E	25'	
44	S 74° 55' E	25'	
45	S 74° 55' E	25'	
46	S 74° 55' E	25'	
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57	S 74° 55' E	25'	
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60	S 74° 55' E	25'	
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69	S 74° 55' E	25'	
70	S 74° 55' E	25'	
71	S 74° 55' E	25'	
72	S 74° 55' E	25'	
73	S 74° 55' E	25'	
74	S 74° 55' E	25'	
75	S 74° 55' E	25'	
76	S 74° 55' E	25'	
77	S 74° 55' E	25'	
78	S 74° 55' E	25'	
79	S 74° 55' E	25'	
80	S 74° 55' E	25'	
81	S 74° 55' E	25'	
82	S 74° 55' E	25'	
83	S 74° 55' E	25'	
84	S 74° 55' E	25'	
85	S 74° 55' E	25'	
86	S 74° 55' E	25'	
87	S 74° 55' E	25'	
88	S 74° 55' E	25'	
89	S 74° 55' E	25'	
90	S 74° 55' E	25'	
91	S 74° 55' E	25'	
92	S 74° 55' E	25'	
93	S 74° 55' E	25'	
94	S 74° 55' E	25'	
95	S 74° 55' E	25'	
96	S 74° 55' E	25'	
97	S 74° 55' E	25'	
98	S 74° 55' E	25'	
99	S 74° 55' E	25'	
100	S 74° 55' E	25'	

Know all men by these presents: That the undersigned THE HEWES-HIRSHWOOD INN CO. do hereby certify that the undersigned is the owner of the Temple Hotel Pipe Line, which is located in Larimer County, Colorado, and that the same is in compliance with the laws of the State of Colorado. The accompanying map, which shows the location of said pipe line, forms a part of this filing. The map is located at a point on the 157' back of ALPINE DIVISION, a necessary income can come in the water to use, from which it derives its supply of water, whereas the NW corner of Section No. 34, Township 4 NORTH, Range 73 WEST of the 6th Principal Meridian, bears S 84° 55' W, 1200 feet.

Second: The diameter of said pipe line is 2 inches. The grade of said pipe line is 588 ft. per 1000 ft. Third: The length of said pipe line is 1013 feet. Fourth: The capacity of said pipe line is .056 of a cubic foot per second of time, for which claim is hereby made for DOMESTIC purposes.

Fifth: The estimated cost is \$1,500.00. Sixth: Work was commenced by survey on the 25th day of September, A.D. 1920.

Witness my hand and seal this 25th day of September, A.D. 1920.

THE HEWES-HIRSHWOOD INN CO.

Attest: *Charles E. Hewes* Secretary

Charles E. Hewes Secretary

State of Colorado,
City and County of Denver.

I, A. J. Smith, being duly sworn on his oath, deposes and says that he is the engineer of The Temple Hotel Pipe Line; that the survey of the same and the map thereof were made by him and that such survey is accurately represented upon this map; that he has read the statements therein and that the same are true to his own knowledge.

A. J. Smith
Licensed Engineer.

Subscribed and sworn to before me this 15th day of October, 1920. My commission expires April 22, 1923.

James A. Smith
Notary Public.

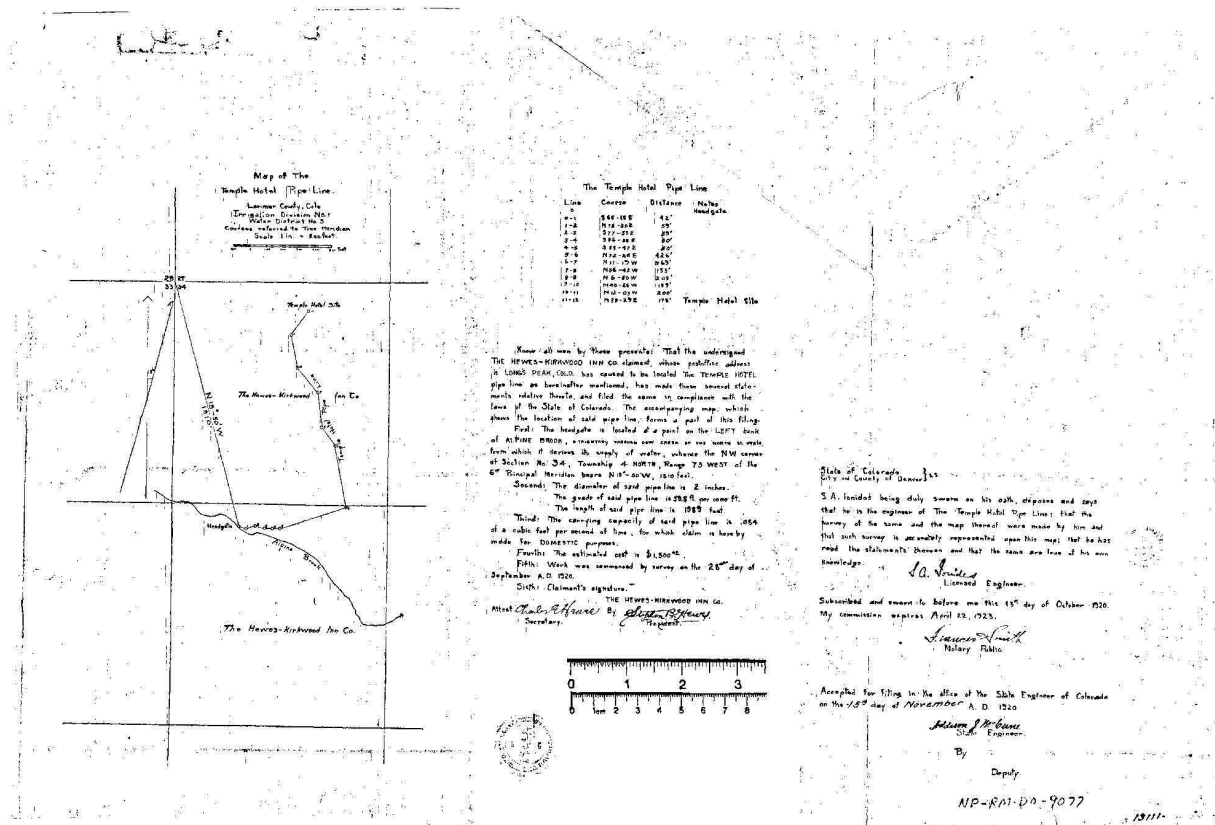
Accepted for filing in the office of the State Engineer of Colorado on the 15th day of November, A.D. 1920.

Adrian S. McNamee
State Engineer.

By *Adrian S. McNamee*
Deputy.

NP-RM-DD-7077

13111



Docket Information

Number of Documents in Docket 46

Documents Dated from 10/18/1920 to 12/2/1971

Docket Compiled: 6/14/2011