



WATER-RIGHT DOCKET

Rocky Mountain National Park

Docket No: 22

LYONS LAKE RESERVOIRS 1 AND 2

Preliminary Docket Information

00-00-0000: water docket information

WATER DOCKET INFORMATION

A R E A ROCKY MOUNTAIN N P

DOCKET NO. 22 (Formerly Alien Water Rights 40)

APPLICATION NO.

PERMIT NO.

CERTIFICATE NO.

TITLE OF DOCKET LYONS LAKE RESERVOIRS 1 & 2- FORMERLY DEED 91

PRIORITY

REMARKS: See Issues File

Rocky Mountain National Park

Water Right Deed 91

Outline of Assembly

A. Land Title

1. GLO Permit No. 020065 for Lyons Lake Reservoir Site No. 1.
2. GLO Permit No. 017890 for Lyons Lake Reservoir Site No. 2.
3. Resolution of Board of Trustees, Town of Lyons, dated July 5, 1927, authorizing filing of stipulation in Case No. 7909 in Equity, United States of America v. The Town of Lyons, Colorado.
4. Stipulation filed under above authority.
5. Letter of August 30, 1946, from Assistant Attorney General to United States Attorney, instructing latter to proceed with court action to nullify reservoir permits.
6. Letter of August 30, 1946, from Assistant Attorney General to Solicitor, advising that action had been authorized.
7. Memorandum of September 10, 1946, from Acting Director to Director, advising of such action.
8. Complaint of United States, No. 1952, in said case.
9. Letter of September 18, 1946, from United States Attorney to Attorney General, transmitting copies of complaint as filed with court.
10. Letter of October 1, 1946, from Assistant Attorney General to Solicitor, transmitting copy of complaint.
11. Copy of Decree filed October 29, 1946, nullifying said reservoir site permits.

B. Water Right Status

1. Filing No. 7949.
2. Letter of December 13, 1946, from Chief, Water Division, to State Engineer, advising that land use permits were canceled and water right filing, therefore, cannot be perfected.

State Water Rights Documentation

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BOOK 795 PAGE 286

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1952

CIVIL Recorded OCT 31 1946 at 8:09 o'clock A.M.
Reception No. 442141 Jack London, Recorder

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IN THE DISTRICT COURT OF THE UNITED STATES

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FOR THE DISTRICT OF COLORADO United States District court
OCT 29 1946
Denver, Colorado

G. Walter Bowman
CLERK

THE UNITED STATES OF AMERICA,

Plaintiff,

vs.

THE TOWN OF LYONS, COLORADO,
a Municipal Corporation,

Defendant.

NO. 1952

D E C R E E

This cause having been heard by the Court and the default of the defendant, The Town of Lyons, Colorado, a municipal corporation, having been entered; and the Court having heard the evidence produced on behalf of plaintiff, and having made Findings of Fact and Conclusions of Law, and the Court being fully advised in the premises upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. That the right-of-way for a reservoir, to be known as the Lyons Lake Reservoir No. 1, as shown on the Map of Survey filed by The Town of Lyons, Colorado, a municipal corporation, with the Register of the United States Land Office at Denver, Colorado, on January 20, A. D. 1913, and approved by the first assistant secretary of the United States on July 17, A. D. 1914, and described in said map as follows, to-wit:

"Situated in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 13, Township 3 North of Range 74 West of the Sixth Principal Meridian, Colorado National Forest, Boulder County, Colorado, containing an area of eight and thirty-one hundredths (8.31) acres"

be and hereby is forfeited and held for naught, and that all right, title and interest of the defendant, The Town of Lyons, Colorado, a municipal corporation, be and hereby are vacated, canceled, and held for naught.

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BOOK 795 PAGE 287

- 2 -

2. That the right-of-way for a reservoir, to be known as the Lyons Lake Reservoir No. 2, as shown on the map of Survey filed by The Town of Lyons, Colorado, a municipal corporation, with the Register of the United States Land Office at Denver, Colorado, on January 30, A. D. 1913, and approved by the first assistant secretary of the United States on July 17, A. D. 1914, and described in said map as follows, to-wit:

"Situated in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 12, Township 3 North of Range 74 West of the Sixth Principal Meridian, Colorado National Forest, Boulder County, Colorado, and containing an area of five and ten hundredths (5.10) acres"

be and hereby is forfeited and held for naught, and that all right, title and interest of the defendant, The Town of Lyons, Colorado, a municipal corporation, be and hereby are vacated, canceled, and held for naught.

3. That title to the lands covered and traversed by said Lyons Lake Reservoir No. 1 and said Lyons Lake Reservoir No. 2 be and hereby is forever quieted and confirmed in the plaintiff as against any claim of right, title or interest in or to said rights-of-way for said reservoirs.

4. That the defendant, The Town of Lyons, a municipal corporation, be and hereby is enjoined and restrained from asserting any right, title or interest in or to said rights-of-way for said reservoirs, and be and hereby is enjoined from constructing any reservoirs on said rights-of-way.

Done in open Court on this 29 day of Oct,
A. D. 1946.

J. Foster Symes
DISTRICT JUDGE

CVM:P

A true Copy, TESTE:
G. WALTER BOWMAN, Clerk
By Emmett W. Harris
Deputy Clerk

C O P Y

DEPARTMENT OF JUSTICE

WASHINGTON, D.C. (25)

October 1, 1946

Address Reply to
"The Attorney General"
And Refer to
Initials and Number

REM-DDH

226566

Mr. Mastin G. White
Solicitor
Department of the Interior
Washington 25, D. C.

Dear Mr. White:

There is enclosed a copy of a letter dated September 18, 1946, from the United States Attorney, together with a copy of the complaint filed in the action entitled United States v. The Town of Lyons, Colorado, No. 1952, Civil, in the United States District Court for the District of Colorado. This action was brought to cancel certain rights-of-way granted to The Town of Lyons for the construction of reservoirs on certain lands which are part of the Rocky Mountain National Park, Colorado. The rights-of-way are covered by serial numbers Denver 017890 and 020063. (Your reference: Bureau of Land Management.)

You will be informed of all further developments in this case.

Respectfully,
For the Attorney General

(Sgd) David L. Bazelon

DAVID L. BAZELON
Assistant Attorney General

Enclosure
No. 936426

C O P Y

1952

September 18, 1946.

The Attorney General,
Department of Justice,
Washington 25, D. C.

SIR:

RE: U. S. v. The Town of Lyons, Colorado
D.J. No. REM-DDH 226566.

In accordance with the request contained in the Department's letter of September 12, 1946, I herewith enclose two conformed copies of the original complaint which was filed today.

Very respectfully,

CVM/dh
Encls.

THOMAS J. MORRISSEY
United States Attorney

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF COLORADO

THE UNITED STATES OF AMERICA,	)	
Plaintiff,	)	NO. 1952.
vs.	)	<u>C O M P L A I N T</u>
THE TOWN OF LYONS, COLORADO,	)	
a Municipal Corporation,	)	
Defendant.	)	

COMES NOW the United States of America by its attorneys, Thomas J. Morrissey, United States Attorney for the District of Colorado, and C. V. Marmaduke, Assistant United States Attorney for the District of Colorado, and for a cause of action alleges:

I.

That the jurisdiction of this Court in this matter depends upon the fact that the United States of America is the party plaintiff.

II.

That the defendant, THE TOWN OF LYONS, COLORADO, is a municipal corporation duly organized and existing under and by virtue of the laws of the State of Colorado.

III.

That at all times herein mentioned plaintiff, the United States of America, was and now is the owner in fee, as part of its public domain, of the lands hereinafter described, situate, lying and being in the County of Boulder, in the State and District of Colorado, in plaintiff's Colorado National Forest, now known as the Rocky Mountain National Park, and in plaintiff's Denver, Colorado, Land District.

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IV.

That on, to-wit, January 30, A. D. 1913, E. P. Sweeney, Mayor, and B. H. Myrick, Clerk and Recorder of said defendant, THE TOWN OF LYONS, COLORADO, acting for and on behalf of said Town of Lyons, Colorado, and after having been duly and legally authorized by the Board of Trustees of said Town of Lyons, Colorado, filed with the Register of plaintiff's Denver, Colorado, Land Office, a map and application under the Act of February 1, 1905 (33 Stat. 628) for a reservoir right-of-way for reservoir purposes, known and designated on said map as "Lyons Lake Reservoir No. 1"; that said reservoir, as shown upon said approved map, is located upon and affects a surface area of approximately 8.31 acres in Township 3 North, Range 74 West, 6th Principal Meridian, within the County of Boulder, State and District of Colorado, and in plaintiff's Colorado National Forest, now known as The Rocky Mountain National Park, and in plaintiff's Denver, Colorado, Land District.

V.

That on, to-wit, July 17, A. D. 1914, said map was approved by the First Assistant Secretary of the Department of the Interior of the United States Government.

VI.

That on, to-wit, January 30, A. D. 1913, E. P. Sweeney, Mayor, and B. H. Myrick, Clerk and Recorder of said defendant, THE TOWN OF LYONS, COLORADO, acting for and on behalf of said Town of Lyons, Colorado, and after having been duly and legally authorized by the Board of Trustees of said Town of Lyons, Colorado, filed with the Register of plaintiff's Denver, Colorado, Land Office, a map and application under the Act of February 1, 1905, (33 Stat. 628) for a reservoir right-of-way for reservoir purposes, known and designated on said map as "Lyons Lake Reservoir No. 2"; that said reservoir, as shown upon said approved map, is located upon and affects a surface area of approximately

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5.10 acres in Township 3 North, Range 74 West, 6th Principal Meridian, within the County of Boulder, State and District of Colorado, and in plaintiff's Colorado National Forest, now known as The Rocky Mountain National Park, and in plaintiff's Denver, Colorado, Land District.

VII.

That on, to-wit, July 17, A. D. 1914, said map was approved by the First Assistant Secretary of the Department of the Interior of the United States Government.

VIII.

That after the filing and approval of said maps, as aforesaid, no work or labor was done or performed upon either of the above-described reservoir rights-of-way for the purpose of constructing dams or ditches thereon, and thus applying said rights-of-way to a beneficial use by the defendant, THE TOWN OF LYONS, COLORADO, or by anyone for and in behalf of said defendant, THE TOWN OF LYONS, COLORADO, within five years from the date of approval of said maps; that thereafter and on July 5, A. D. 1927, upon representations made by said defendant, THE TOWN OF LYONS, COLORADO, that it did not desire to forfeit the said rights and that said Town desired to exercise said rights, a stipulation was entered into by and between this plaintiff and the defendant, THE TOWN OF LYONS, COLORADO, whereby said Town agreed to commence the construction of said reservoir on or before the 1st day of October, A. D. 1931, and to complete the same within eight years from July 5, A. D. 1927, and whereby the United States of America agreed to allow the said Town of Lyons, Colorado, an extension of said right for said period.

IX.

That the said defendant, THE TOWN OF LYONS, COLORADO, did not commence the construction of said reservoirs on or before October 1, A. D. 1931, and has not yet commenced the construction of said reservoirs, nor has anyone on its behalf.

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WHEREFORE, plaintiff prays that all rights, title, interest, privilege, easement and right-of-way in and upon said described lands, granted to or acquired by the defendant, THE TOWN OF LYONS, COLORADO, by reason of the filing and approval of said map for said reservoirs, be decreed to be forfeited and held for naught; that said defendant, THE TOWN OF LYONS, COLORADO, be decreed to have no right, title, interest, privilege, easement or right-of-way in or upon said described lands or any part thereof, or any of plaintiff's public lands by reason of the filing and approval of said map; that plaintiff be restored to all rights of title, ownership and possession of said lands and every part thereof, and that plaintiff have judgment for its costs in this behalf expended and for such other and further relief as the Court may deem meet and proper in the premises.

THOMAS J. MORRISSEY,
United States Attorney for the
District of Colorado

C. V. MARMADUKE, Jr.,
Assistant United States Attorney for the
District of Colorado

CVM:fsm

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF COLORADO.

THE UNITED STATES OF AMERICA,	)	
Plaintiff,	)	NO. 7909
vs.	)	IN EQUITY.
THE TOWN OF LYONS, COLORADO, a	)	
Municipal Corporation,	)	STIPULATION.
Defendant.	)	

WHEREAS, The Town of Lyons, the above-named defendant, on January 30, 1913, made a filing with the Department of the Interior for the construction of Lyons Lake Reservoirs Numbers 1 and 2, in Section 14, Township 3 North, Range 74 west of the Sixth Principal Meridian, said location at that time being in the Colorado National Forest, but on January 26, 1915, the location was transferred to the Rocky Mountain National Park.

AND WHEREAS, the five-year period allowed for the construction of said project having passed, and the construction of the reservoirs not having been undertaken, the Attorney General of the United States instituted the above-entitled action for the purpose of cancelling said reservoir rights of way, all as more fully set forth in the Bill of Complaint filed herein.

AND WHEREAS, the defendant, The Town of Lyons, is now desirous of retaining its rights to the construction of said reservoirs,

THEREFORE, comes now The United States of America, the plaintiff above named, by George Stephan, United States Attorney

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for the District of Colorado, and also comes the defendant herein, The Town of Lyons, Colorado, a Municipal Corporation, by W. G. Gilger, its duly elected, qualified and acting Mayor, and also by Henry Bohn, its duly elected, qualified and acting Clerk and Recorder, and thereupon it is stipulated and agreed between the parties to this action as follows, to wit:

The defendant, The Town of Lyons, Colorado, agrees to commence the construction of said reservoirs on or before the 1st day of October, 1931, and to complete the same within eight years from the date hereof, and in default of either of said conditions that a decree may be entered herein in accordance with the prayer of the petition of plaintiff. The said The Town of Lyons further agrees upon completion of said reservoirs to maintain and operate the same, and in the construction, maintenance and operation thereof, cooperate with the National Park Service, in fulfilling, as far as practicable, the objects for which the Rocky Mountain National Park was created, namely, the benefit and enjoyment of the people of the United States, and the freest use of said park for recreation purposes by the public and for the preservation of the natural conditions and scenic beauties thereof, and that, after the construction of said reservoirs, the defendant herein, The Town of Lyons, Colorado, agrees that it will continue to use its existing diversion rights from the North St. Vrain Creek and such other water rights as it may acquire outside of the Rocky Mountain National Park, as the primary source of the water supply for the defendant, The Town of Lyons, Colorado, and that it will use water from the proposed reservoirs only at such times as other sources of water supply are inadequate to meet the needs of The Town of Lyons, Colorado.

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The defendant, The Town of Lyons, Colorado, further agrees that said reservoirs will be kept full of water when practicable.

The defendant, The Town of Lyons, Colorado, a Municipal Corporation, further stipulates and agrees not to sell, transfer or assign its rights to said reservoirs or the water therefrom and to retain such rights for the sole use of the said Town of Lyons, Colorado, and this stipulation and agreement shall be irrevocable and be binding upon the said defendant, The Town of Lyons, Colorado, and the inhabitants thereof, and the defendant's rights in and to said reservoirs and the water therein contained shall immediately cease and determine upon the failure to fully comply with the terms and conditions hereinabove set forth.

Upon the completion of said reservoirs, the plaintiff herein, The United States of America, hereby stipulates and agrees that this action shall be dismissed.

THE UNITED STATES OF AMERICA,
Plaintiff,

By : (Sgd) George Stephan
(George Stephan)
United States Attorney for the
District of Colorado.

THE TOWN OF LYONS, COLORADO, a
Municipal Corporation,
Defendant,

By (Sgd) W. G. Gilger.
Mayor.

(SEAL)
ATTEST:

(Sgd) Henry Bohn
Clerk and Recorder.

THE TOWN OF LYONS, COLORADO.

At a Regular meeting of the Board of Trustees of The Town
of Lyons, Colorado, held in the usual place of meeting on this
Fifth day of July, A. D. 1927, the following were

present:

Mayor W. G. Gilger
~~Mayor--G. J. Bamey,~~

Trustees: ~~James~~ H. R. Kincaid C. B. Rundell

James Manning Jr. Chas. Moody

M. H. Epley

Absent:

H. P. Reed

Whereupon, the following proceedings, among others;
were had and taken:

A stipulation and agreement between The United States
of America and The Town of Lyons, Colorado, in the matter of a
suit pending in the United States District Court for the District
of Colorado, wherein The United States of America is plaintiff,
and The Town of Lyons, Colorado, is defendant, being cause No.
7909, in the United States District Court for the District of
Colorado, was read and discussed, and thereupon Trustee

H. R. Kincaid moved that the Mayor and the Clerk and
Recorder of said Town be authorized to execute and deliver said
stipulation and agreement on behalf of the said defendant, The
Town of Lyons; Trustee C. B. Rundell seconded
said motion, and upon roll call the Trustees present voted as

-2-

follows:

<u>H. R. Kincaid</u>	<u>Aye</u>	<u>C. B. Rundell</u>	<u>Aye</u>
<u>James Manning</u>	<u>Aye</u>	<u>Chas. Moody</u>	<u>Aye</u>
<u>M. H. Epley</u>	<u>Aye</u>		
<u>Absent H. P. Reed</u>			

THE TOWN OF LYONS, COLORADO.

I, Henry Bohn, duly elected, qualified and acting Clerk and Recorder of The Town of Lyons, Colorado, hereby certify that the above and foregoing is a true, correct and complete copy of a portion of the minutes of a Regular meeting of the Board of Trustees of said Town of Lyons on July 5th A. D. 1927.

(Sgd) Henry Bohn
Clerk and Recorder.

Other Supporting Information

C O P Y

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CHICAGO, ILLINOIS

December 13, 1946.

State Engineer,
State Capitol,
Denver, Colorado,

Dear Sir:

For your information, we enclose a copy of a decree entered in the District Court of the United States for the District of Colorado on October 29, 1946, Case No. 1952, nullifying the right-of-way permits which were granted to the Town of Lyons for the construction of Lyons Lake Reservoirs Nos. 1 and 2 in Sections 12 and 13, T. 3 N., R. 74 W., 6 P.M., in what is now part of Rocky Mountain National Park. The Town also filed Water Right Claim No. 7949 for the Lyons Lake Reservoirs Nos. 1 and 2 and Pipe Line on Thunder Creek, tributary to North St. Vrain Creek in Water District No. 5. No construction has ever been started. Without the right of access, therefore, the Town of Lyons can not perfect rights under the filing No. 7949.

In order to complete our records, will you please send us a van dyke negative of filing 7949, if it is on tracing cloth, or one photostat negative and four photostat positives if a van dyke print can not be made. A copy of this letter, a voucher and a purchase order on the Cardwell Blue Print Company, are enclosed for their authorization to make the copy. A franked addressed label is also enclosed for mailing the copy to us without postage.

Very truly yours,

A. van V. Dunn,
Chief, Water Division.

Enclosure 475.

In duplicate.

UNITED STATES
DEPARTMENT OF THE INTERIOR
National Park Service
Washington 25, D. C.

September 10, 1946.

MEMORANDUM for the Director.

We have just received from the Bureau of Land Management one copy each of two self-explanatory letters from the Department of Justice, concerning certain rights of way granted to the town of Lyons, Colorado, for the construction of Lyons Reservoirs Nos. 1 and 2 on lands which are part of the Rocky Mountain National Park. Two copies of each letter are enclosed for your information.

(SGD) CONRAD L. WIRTH

Acting Associate Director.

Enclosure 121.

cc: Region Two, w/c of enclosures
Supt., Rocky Mountain NP, ditto

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COPY of a COPY

REM - DBH

MHC

226566

August 30, 1946

Mr. Thomas J. Morrissey,
United States Attorney
Denver 1, Colorado

Dear Mr. Morrissey:

There is enclosed a copy of a letter dated August 22, 1946 from Mr. Mastin G. White, Solicitor of the Department of the Interior, relative to the cancellation of certain rights of way granted to the Town of Lyons, Colorado for the construction of Lyons Reservoirs Nos. 1 and 2 on certain lands which are now a part of the Rocky Mountain National Park, Colorado.

The files of this Department disclose that in 1925 a suit was instituted by the United States in the District Court of the United States for the District of Colorado against the Town of Lyons to obtain a cancellation of these rights of way for failure to construct the reservoirs within the time allowed by the permits (Equity No. 7909). It appears that on July 5, 1927 a stipulation was entered into between the United States and the Town of Lyons whereby the defendant agreed to commence construction of the reservoirs on or before October 1, 1931 and to complete the construction within eight years from the date of the stipulation and agreed that in default of either of these conditions a decree could be entered in the suit cancelling the rights of way. The United States agreed to dismiss the case upon the completion of the reservoirs. The Town of Lyons, however, never began construction of these reservoirs and the Department of the Interior now requests that further proceedings be had in this case to obtain a final decree cancelling the rights of way.

Please prepare and file a motion for judgment upon the ground that the defendant has failed to comply with the terms of the stipulation filed in this case. It is understood that Superintendent David Canfield of the Rocky Mountain National Park has discussed this matter with you recently and that he will provide you with any witnesses and assistance that may be necessary.

When the judgment has been entered please forward two copies to the Department.

Respectfully,
For the Attorney General

DAVID L. BAZELON
Assistant Attorney General

Enclosure No. 932653

C O P Y

MRC

REM - DDH

226566

August 30, 1946

Mr. Mastin G. White
Solicitor
Department of the Interior
Washington 25, D. C.

Dear Mr. White:

This will acknowledge your letter of August 22, 1946 to the Attorney General, relative to certain rights of way granted to the Town of Lyons, Colorado, for the construction of the Lyons Reservoirs Nos. 1 and 2 on certain lands which are part of the Rocky Mountain National Park, Colorado. These rights of way are covered by serial Nos. Denver 017890 and 020063. (Your reference: Bureau of Land Management.)

A copy of this Department's letter dated August 30, 1946, to the United States Attorney for the District of Colorado is enclosed for your information.

You will be informed of all further developments in this case.

Respectfully,
For the Attorney General

DAVID L. BAZELON
Assistant Attorney General

Enclosure
No. 932652

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of a Copy.

Maps and Miscellaneous Information

MAP OF LYONS LAKE RESERVOIR NO. 1

SITUATED
IN THE S 1/4 NW 1/4 SEC. 13,
T 3 N. R 74 W 65 PM.
COLORADO NATIONAL FOREST,
BOULDER COUNTY, COLORADO.

*Resistant to the provisions of
the act of February 17, 1905, (34 Stat. 628) the
minerals lying beneath the land here shown are reserved
to the United States, but no right of way
for canals or ditches is reserved by
authority of the United States.*

Field Assistant Secretary

*State of Colorado
County of Boulder*

*I, L. M. Osterich, being duly sworn to his oath says he is the Engineer employed to make the Survey of
Lyons Lake Reservoir No. 1, described as follows: Situated in the S 1/4 NW 1/4 Section 13, T 3 N. R 74 W 65 PM.
Colorado National Forest, Boulder County Colorado. Whence the NE Corner of Section 22 T 3 N. R 74 W 65 PM.
bears S 80° 00' E 26.250 Feet, and thence a high and prominent mountain peak bears N 71° 00' W, and thence
S 71° 00' W, enclosing an area of Eight and thirty one hundredths (8.31) Acres.
WGS made by him as Engineer, employed by the said Mayor and Board of Trustees of the Town of Lyons Colorado, and by
Authority, Comprehended on the 26th Day of August 1910, and ending on the 26th Day of August 1910,
and that the Survey of said Reservoir accurately represents a level line, which is the proposed water line of said Reservoir,
and such Survey is accurately represented upon this Map and by the accompanying Field Notes, and that no Lake or
Lake bed Stream or Stream bed is used for the said Reservoir except as shown on this Map And I further certify that the right
of way herein described is desired for Municipal Purposes.*

L. M. Osterich

Subscribed and Sworn to before me this 27th Day of Aug A.D. 1912

My commission Expires June 16, 1916

[Signature]

Notary Public



*Height of Dam = 13 Feet
Capacity in Cubic Feet = 2,889,000
Acres = 66.30*

*I, E. S. Loebe, Mayor of the Town of Lyons a Municipal Corporation, located in the SE 1/4 Sec. 13 T 3 N. R 74 W 65 PM. Boulder County
Colorado. Do hereby certify that L. M. Osterich has been employed under the authority of the Town of Lyons aforesaid, to make the Survey of
Lyons Lake Reservoir No. 1, that the survey of said Reservoir is accurately represented upon this Map and by the accompanying
Field Notes, was made by the authority of the Mayor and Board of Trustees of the said Town of Lyons Colo. Described as follows:
Said Lyons Lake Reservoir is situated in the S 1/4 NW 1/4 Section 13 T 3 N. R 74 W 65 PM, whence the NE Corner of Sec. 22 T 3 N. R
74 W 65 PM bears S 80° 00' E 26.250 Feet, and thence a high and prominent peak bears N 71° 00' W, and thence
S 71° 00' W, enclosing an area of Eight and thirty one hundredths (8.31) Acres.
And that no Lake or Lake bed Stream or Stream bed is used for said Reservoir except as shown on this Map, has been
filed with the U.S. Land Office in Denver Colo. in order to obtain the right of way for said Reservoir, that the Town of Lyons aforesaid
may obtain the benefit of Sec. 4 of the Act of Congress, approved February 1st 1905 (34 Stat. 628).
And I further certify that the right of way is desired for Municipal Purposes. Said survey of Lyons Lake Reservoir No. 1, was
accepted by the Board of Trustees of the Town of Lyons on the 27th day of August, A.D. 1910, as the definite location of said
Reservoir.*

Attest

B. H. Myrick

Clerk and Recorder

The Town of Lyons Colo

E. S. Loebe

Mayor

NP-RM-DO-9070

Docket Information