



WATER-RIGHT DOCKET

Rocky Mountain National Park

Docket No: 45

BIG THOMPSON RIVER, EATON PIPELINES # 1 & #2

Preliminary Docket Information

00-00-0000: water right record: identification no. romo r330573 ef45 eaton pipeline # 1

WATER RIGHT RECORD

Park: ROMO

Docket Number:

Federal #45

IDENTIFICATION NO: ROMO R 3 3 0 5 7 3 E F 4 5

DITCH/WATER SYSTEM: Eaton Pipeline #1

SOURCE OF SUPPLY: Big Thompson River

LOCATION: North bank of Big Thompson River whence the $\frac{1}{4}$ section corner
at the South Center of Sec. 33 T5N R73W 6th PM bears N89°35' W 856 feet

WATER RIGHT:

Appropriator: Bruce G. Eaton

Application/Permit Number: Filings #6315 and #6316 accepted in the Office
of the State Engineer on Sept. 2, 1909

Certificate Record Number:

Date of Priority: June 1, 1908 claimed

Quantity of Water: 0.8 c.f.s. claimed

Purpose: Power and domestic

Irrigated Land Description:

SUMMARY OF STATUS:

WATER RIGHT RECORD

Park: ROMO

Docket Number:

Federal #45

IDENTIFICATION NO: ROMO R 3 3 0 5 7 3 F F 4 5

DITCH/WATER SYSTEM: Eaton Pipeline #2

SOURCE OF SUPPLY: Big Thompson River

LOCATION: North bank of Big Thompson River whence the $\frac{1}{2}$ section corner
at the South Center of Sec. 33 T5N r73 W 6th PM bears S85°30' W 808 feet

WATER RIGHT:

Appropriator: Bruce G. Eaton

Application/Permit Number: Filings #6315 and #6316 accepted in the Office
of the State Engineer on Sept. 2, 1909

Certificate Record Number:

Date of Priority: July 24, 1909 claimed

Quantity of Water: 50 c.f.s. claimed

Purpose: Power and domestic

Irrigated Land Description:

SUMMARY OF STATUS:

W A T E R D O C K E T I N F O R M A T I O N

A R E A ROCKY MOUNTAIN N P

DOCKET NO. 45

APPLICATION NO.

PERMIT NO.

CERTIFICATE NO.

TITLE OF DOCKET

PRIORITY

REMARKS:

Filing No. 6315
Filing No. 6316

Eaton Pipe Lines 1 and 2	Priority	June 1, 1908
Grant Spring (part interest)	"	July 24, 1909

ROMO, R 33 Q5 73 E F 45
 ROCKY MOUNTAIN
 ROCKY MOUNTAIN NATIONAL PARK
 EATON PIPELINE NO. 11
 COLORADO
 CALIMER
 ROMO WATER RIGHT DOCKET 45
 T5M R736 SEC 33
 63115 SEPTEMBER 2 1909
 JUNE 1 1908 - O. & CFS
 JANUARY 26 1915
 SURFACE WATER
 POWER AND DOMESTIC
 O. & CFS
 101190006

ROMO, R 33 OS 73 F F 45
ROCKY MOUNTAIN
ROCKY MOUNTAIN NATIONAL PARK
EATON PIPELINE NO 2
COLORADO
LARIMER
ROMO WATER RIGHT DOCKET 45
TSM R736 SEC 33
6316 SEPTEMBER 2, 1909
JULY 24, 1909 - 50 CFS
JANUARY 26, 1915
SURFACE WATER
POWER AND DOMESTIC
50 CFS
19190006

Rocky Mountain National Park -	~~Water Right No. 27~~ <i>Docket No 45</i>	Filing No. 6335 - Filing No. 6336 -	Eaton Pipe Lines 1 & 2 - ~~Bruce O. Eaton, Claimant~~ <i>Grant Spring (Part Interest)</i>	Priority June 1, 1908 <i>Abandoned by US</i> Priority July 24, 1909
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Land History

Recorded JAN 22 1955 at 2:22 o'clock P.M.
 Reception No. 690692 C. Marion Crawford, Recorder

Deed 145
 BOOK 987 PAGE 49

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That RAYMOND U. WILLIAMS, HENRIETTA K. WOOLF AND ROGER L. WILLIAMS, all of the County of Weld and State of Colorado, for the consideration of Ten Dollars (\$10.00) and other valuable considerations in hand paid, hereby sell and convey to

UNITED STATES OF AMERICA and/or ITS ASSIGNS

the following real property, situate in the County of Larimer, and State of Colorado, to-wit:

Tract 1: *Tract 233*

Beginning on the East line of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-three (33), Township Five (5) North, Range Seventy-three (73) West of the 6th P.M., at a point 225 feet North of the South Quarter Corner of said Section Thirty-three (33); thence West 427 feet along a line parallel to the South line of said Southwest Quarter (SW $\frac{1}{4}$), thence North 267 feet, more or less, to a point which is 408 feet West and 490 feet North of the Southeast Corner of the said Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-three (33), thence West 165 feet, thence North 550 feet, thence South 60°30' East 187 feet, thence North 124 feet, more or less, to the South boundary line of the Moraine Park Road Right-of-Way, thence Southeasterly 550 feet along said road right-of-way South line to a point on the East line of said Southwest Quarter (SW $\frac{1}{4}$) which point is North 575 feet from the point of beginning, thence South 32.2 feet along the East line of the said Southwest Quarter (SW $\frac{1}{4}$), thence West 200 feet, thence South 217.8 feet, thence East 200 feet to said East line of the Southwest Quarter (SW $\frac{1}{4}$), thence South along said East line to the point of beginning. Together with all of vendors' right, title and interest in and to a right-of-way 20 feet wide for a water ditch with center line common to a point 573 feet West and 970 feet North of the South Quarter Corner of Section Thirty-three (33) and extending West to the East bank of the Big Thompson River, said ditch to be covered when it crosses the road right-of-way as provided in Warranty Deed recorded in Book 461, Page 576, Larimer County Records; subject to perpetual access to spring just South of a parcel of land described in Warranty Deed from Fred H. Sprague to W. H. Carruth, recorded in Book 140, Page 340, Larimer County Records.

Ditch →

Spring →

Exception → Excepting a parcel of land 10 feet in width and 28 feet long described in Quit Claim Deed from Mabel W. Williams and Henrietta K. Woolf to Donald C. Ricker dated May 4, 1946 and recorded in the office of the County Clerk and Recorder of Larimer County, Colorado, if said parcel, or any part thereof, is within the boundaries of the above described parcel of land.

Tract 2: *Tract 232B*

Beginning on West line of the Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty-three (33), Township Five (5) North, Range Seventy-three (73) West of the 6th P.M. at a point 225 feet North of the South Quarter Corner of Section Thirty-three (33), thence North along said West line of the Southeast Quarter (SE $\frac{1}{4}$) 493 feet, thence East 54 feet to the West boundary line of the Moraine



BOOK 987 PAGE 50

Park Road right-of-way, thence Southeastorly along the West and South line of said road right-of-way to a point on a line parallel to and 540 feet East of the West line of the Southeast Quarter (SE $\frac{1}{4}$), thence South along said parallel line to the South line of said Southeast Quarter (SE $\frac{1}{4}$), thence West 100 feet along said South line, thence North 440 feet along a line parallel to West line of said Southeast Quarter (SE $\frac{1}{4}$), thence Northwestorly 188 feet along a straight line extending to a point on West line of said Southeast Quarter (SE $\frac{1}{4}$) which is 200 feet North of the South Quarter Corner of Section Thirty-three (33), thence North 16 feet, thence Northwestorly 252 feet along a straight line to the point of beginning, except a parcel of land 50 feet wide conveyed to John M.B. Petrikin in Partition Deed recorded in Book 203, Page 294, Larimer County Records, and subject to the right of the parties to said Partition Deed to the use of the bed of the Big Thompson River, of waters flowing therein and the right of fishing therein as said river traverses said Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Thirty-three (33).

Tract 3: Tract 269

Beginning at point of intersection of the North line of Lot Four (4), Section Four (4), Township Four (4) North, Range Seventy-three (73) West of the 6th P.M., and the center of the Big Thompson River, said point being 869.8 feet East of the Northwest Corner of said Lot Four (4); thence East along North line of Lot Four (4) to the Northeast Corner of Lot Four (4), thence South along the East line of Lot Four (4) to the center of the Big Thompson River, thence Northwestorly along the center line of the Big Thompson River to the point of beginning, together with a one-fourth (1/4) interest in the spring located on Lot Four (4), Section Four (4), Township Four (4) North, Range Seventy-three (73) West of the 6th P.M., subject to the right granted to Gertrude H. Grant to take water therefrom as described in Deed recorded in Book 473, Page 318, Larimer County Records. Subject to the reservation in Warranty Deed from the Estes Park Development Company to Bruce G. Eaton, recorded in Book 242, Page 567, Larimer County Records, of the right to the use of water from the spring located on the property in said Deed described in excess of the needs of the Grantee and his associates as heretofore determined by the use of the waters of said spring; and excepting three-fourths (3/4) interest in said spring described in Partition Deed recorded in Book 203, Page 294, Larimer County Records.

Together with all of vendors' right, title and interest in and to any and all water rights used in connection with or appurtenant to the above described lands, including the water rights for the Eaton Pipe Lines No. 1 and No. 2.

with all its appurtenances, and warrant the title to the same.

Signed and delivered this 6th day of January, A.D. 1955.

Raymond W. Williams (SEAL)
James H. K. Woolf (SEAL)
Robert L. Williams (SEAL)

BOOK 987 PAGE 51

STATE OF COLORADO)
County of Weld) ss

The foregoing instrument was acknowledged before me this

6th day of January, A.D. 1955, by RAYMOND U.



WITNESS my hand and official seal.

My commission expires: My Commission Expires May 23, 1957

Michael E. Burbridge
Notary Public

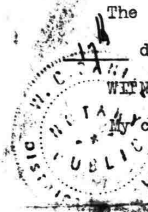
DISTRICT OF COLUMBIA)
City of Washington) ss

The foregoing instrument was acknowledged before me this

14th day of January, A.D. 1955, by HENRIETTA K. WOOLF.

WITNESS my hand and official seal.

My commission expires:



August 31, 1956

W. O. [unclear]
Notary Public

STATE OF MASSACHUSETTS)
County of Middlesex) ss

The foregoing instrument was acknowledged before me this

14th day of January, A.D. 1955, by ROGER L. WILLIAMS.

WITNESS my hand and official seal.

My commission expires:

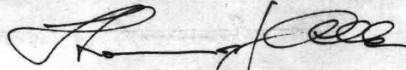
Jan. 14, 1961



Ruth L. Dawson
Notary Public

UNITED STATES
DEPARTMENT OF THE INTERIOR
National Park Service

The within deed is accepted on behalf of the United States as of March 17, 1955, under the authority contained in the Interior Department Appropriation Act, 1955 (Public Law 465, 83d Cong.), and pursuant to authority delegated by Departmental Order No. 2640, dated June 11, 1951 (16 F. R. 5846).



Assistant Director
National Park Service

WARRANTY DEED
Statutory Form

RAYMOND U. WILLIAMS,
HENRIETTA K. WOOLF and
ROGER L. WILLIAMS

to

UNITED STATES OF AMERICA
and/or ITS ASSIGNS

STATE OF COLORADO)
County of Larimer)ss

I hereby certify that
this instrument was filed
for record in my office
this ____ day of JAN 22 1955
____, A.D. 19 ____ at
10:22 o'clock P.M. and is
duly recorded in

Book 987, Page 49

C. M. B. B. B. B.

Recorder

By *Ray D. Graham*
Deputy

Fees \$4.⁰⁰

1955 JAN 22 5522M

Returned:

Hubert W. Waldorf

Box 441

Trukey, Colorado

Abstract of Title

Abstract of Title

Commencing at a point 209 ft. N. of SE cor. of SW $\frac{1}{4}$ Sec. 33, twp. 5 N., R. 73 W. 6th P. M., thence W. 427 ft., th. N. 875 ft. to S. side County road thence SE'ly along Co. road 550 ft. to point on E. line of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, thence S. 591 ft. to beginning, except, commencing 550 ft. N. of said SE cor. of SW $\frac{1}{4}$, thence N. 217.8 ft., thence W. 200 ft., thence S. 217.8 ft., thence E. 200 ft. to point of beginning.

ALSO, commencing at SW cor. of SE $\frac{1}{4}$ Sec. 33, twp. 5 N., R. 73 W., thence N. 718 ft., thence E. 540 ft., th. S. 660 ft. to Sec. line, thence W. 540 ft. to beginning, except, commencing at said SW cor. of SE $\frac{1}{4}$, thence E. 440 ft., thence N. 140 ft., thence E'ly to a point 200 ft. N. of point of beginning, thence S. to point of beginning.

ALSO, All that portion of Lot 4 of Section 4, twp. 4 N., R. 73 W. 6th P.M. lying N. of center line of Big Thompson River. -----

Conveyance #35-Sheet 1 of 2

THE FORT COLLINS ABSTRACT COMPANY														
KIND OF INSTRUMENT	DATE OF INSTRUMENT			DATE OF FILING			RECORDED IN		DATE OF ACKNOWLEDGMENT			BEFORE WHOM ACKNOWLEDGED	COMMISSION EXPIRES	
	Month	Day	Year	Month	Day	Year	Book	Page	Month	Day	Year			
Partition Deed.	Nov.	27	1906	Dec.	27	1906	203	294	Dec.	18	1906	Louise Thompson M.P. for John B. Pettibin & John S. Eaton M.P. as to and Held County, Ok. & parties	7/5/08	
Consideration \$1 ⁰⁰ The partitioning of land herein described as follows:										Conveyance No. 35				
GRANTOR							DESCRIPTION OF PROPERTY					Sec.	Twp.	
Sarah J. Kennedy 1st party							Partis hereto are owners and tenants in common of SW $\frac{1}{4}$ of SE $\frac{1}{4}$					33	5	
John B. Pettibin 2nd party							1st party, owning an undivided $\frac{1}{2}$ int. & 2nd & 3rd parties owning an undivided $\frac{1}{4}$ interest each, and all are desirous of partitioning said land and set off to each his share and also desire to establish the rights of each party in and to a							
GRANTEE														
Bruce L. Eaton 3rd party														

2

Certain spring, as well as to the use of the river as the same traverses said land and also grant easements for ingress and egress.

In Consideration of above 2nd & 3rd parties hereby sell & convey to 1st party the following portion of above described land described as follows: Beginning at a point on S. line said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 33, twp. 5 N., R. 73 W., 540 ft. E. of SW corner thereof, thence E. to S.E. corner thereof, thence N. on E. line thereof to N.E. corner thereof thence N. on N. line thereof 70 ft., thence S. 1320 ft. to beginning, containing 20 acres, more or less, reserving to 2nd & 3rd parties certain rights and interest in that certain spring & the waters thereof situated near the S.E. corner of the 20 acre tract above described as hereinafter provided.

For like Consideration 1st & 3rd parties hereby sell & convey

Continued next sheet

Conveyance # 35 Sheet 2 of 2

THE PORT COLLINS ABSTRACT COMPANY
Continuation of Conveyance No. 35

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to 2nd party, the following portion of said tract of land, 1st above described, described as follows: - Beginning at a point on 1/4 Sec. line of said Sec. 33, 718 ft. N. of NW 1/4 Cor. of NW 1/4 SE 1/4 said Sec. 33, Twp. 5 N. R. 73, thence N. to NW corner thereof thence E. 540 ft., thence S. parallel with said 1/4 Sec. line 660 ft., thence N. 540 ft. to beginning, containing 10 acres, more or less.

For like considerations, 1st & 2nd parties do sell & convey to 3rd party the following portion of said tract of land, 1st above described, described as follows: - Beginning at NW corner of said NW 1/4 of SE 1/4 said Sec. 33, Twp. 5 N. R. 73, thence N. on 1/4 Sec. line 718 ft., thence E. 540 ft., thence S. on a line parallel with said 1/4 Sec. line 660 ft. to Sec. line, thence N. on Sec. line 540 ft. to beginning, containing 10 acres, more or less, as a part of the Considerations above named.

CONTINUED NEXT SHEET

THE PORT COLLINS ABSTRACT COMPANY
Continuation of Conveyance No. 35

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and to make more certain the rights of all parties in and to said spring and the waters thereof it is agreed that 1st party owns an undivided 1/2 interest therein & that 2nd & 3rd parties each own an undivided 1/4 interest therein, with the right to take and use the waters of said spring, in said proportions either by going to said spring and taking and using the waters thereof or by laying pipes or other appliances to convey the water to each premises to his premises owned by him in severalty. 1st party hereby grants to 2nd & 3rd parties each the right to ingress and egress over her said tract of land to said spring & the right to lay and maintain a pipe or pipes to convey his share of said water to his premises above set off to him. It is further agreed that each party

CONTINUED NEXT SHEET

THE PORT COLLINS ABSTRACT COMPANY
Continuation of Conveyance No. 35

5
hereby grants to each of the other parties hereto right to the equal use of the bed of the Big Thompson River the waters flowing therein & the right of fishing therein as said river traverses said NW 1/4 SE 1/4 Sec. 33 and said rights shall be enjoyed by parties hereto as tenants in common as heretofore used and enjoyed as a part of the Considerations above named.

3rd party hereby grants and conveys to 2nd party a strip of land 50 ft. wide thro N. side of that portion of said tract of land set off to 3rd party lying N. of the Center line of said river described as follows: - Beginning at a point on N. line thereof where the center of said river intersects the same, thence N. to N. line of the tract set off to 3rd party, thence E. 50 ft., thence S. to center of the river, thence N. to N. line of the tract set off to 3rd party, thence E. 50 ft., thence S. to beginning.

CONTINUED NEXT SHEET

Conveyance # 39

THE FORT COLLINS ABSTRACT COMPANY									
KIND OF INSTRUMENT	DATE OF INSTRUMENT			DATE OF FILING			RECORDED IN		Conveyance No.
	Month	Day	Year	Month	Day	Year	Book	Page	
Plat.	-	-	-	Oct	18	1909	#	842.	39
State of Colorado to Eaton Pipe Line No. 2									
Claimant - Bruce G. Eaton. Setback, aka portion of the bank of Big Thompson River, whence the 1/4 corner of South Center of Range 15° 30' N. 108° 31'. Pipe line for purpose of generating electricity by pumping water for domestic purposes, in form conduit for water wheel, length 11.3 ft. Capacity CONTINUED ON BACK									

Conveyance # 82

THE FORT COLLINS ABSTRACT COMPANY									
KIND OF INSTRUMENT	DATE OF INSTRUMENT			DATE OF FILING			RECORDED IN		Conveyance No.
	Month	Day	Year	Month	Day	Year	Book	Page	
PLAT	-	-	-	Oct	18	1909	#	841	82
Eaton Pipe Line No. 1. Bruce G. Eaton Claimant									
DESCRIPTION OF PROPERTY Setback of pipe line is at a point on N. bank of Big Thompson River, whence the quarter corner of South Center of Range 15° 30' N. 108° 31'. Pipe is 6 inches in diameter - length 11.3 ft. Capacity 0.25 ft. per second. Work commenced June 1, 1906. Plat shows pipe line to be in H. H. of									

Conveyance # 83 - Sheet 1 of 2

THE FORT COLLINS ABSTRACT COMPANY												
KIND OF INSTRUMENT	DATE OF INSTRUMENT			DATE OF FILING			RECORDED IN		DATE OF ACKNOWLEDGMENT	BEFORE WHOM ACKNOWLEDGED	COMMISSION EXPIRES	SEAL
	Month	Day	Year	Month	Day	Year	Book	Page				
WARRANTY DEED	May	29	1916	June	26	1916	242	567	June 5 1916	Chas. E. Littell	4/20/23	4/20/23
Consideration \$ 266. Conveyance No. 83												
GRANTOR Eaton Pipe Development Co. by Carl E. Davidson President Attest George M. Houston Secretary (Cub. del) GRANTEE Bruce G. Eaton										DESCRIPTION OF PROPERTY A part of Lot 4 of particularly described as follows: commencing at a point on N. line of said section 17, being the quarter line of the Big Thompson River 131.6 ft. E. of the center of and 559 ft. E. of a corner of 1/4 of 1/4 of Section 33, running thence E. along said N. line of said section 17 to the said corner of 1/4 of 1/4 of Section 33 a distance of 559 ft. from the place of beginning thence at right angles E. 190 ft. to center of Big CONTINUED NEXT SHEET.		

Conveyance # 83 - Sheet 2 of 2

THE FORT COLLINS ABSTRACT COMPANY

Continuation of Conveyance No.

83

Thompson River, thence N. 81° E. along the center line of said Big Thompson River to the place of beginning, conveying an area of 5.3 acres.

Reserving however the right to the use of water from the spring located on said parcel SE 1/4 of Sec. 33, Twp. 5 N. R. 73 W. 6th P. M. or on Lot 4 of Sec. 4, Twp. 4 N. R. 73 W. 6th P. M. in excess of the needs of the second party and his associates, as heretofore determined by their use of the waters of said spring.

See Revenue Stamp attached.

Conveyance # 88

THE FORT COLLINS ABSTRACT COMPANY

CONVEYANCE NO.

88

Bruce G. Eaton
to
Gertrude H. Grant.

DEED \$5.00 Dated Sept. 28, 1923
Ack. Sept. 28, 1923 before William P. Cudmore, NP,
Seal, Weld County, Colo. Com. Exp. Nov. 1, 1926.
Recorded Oct. 6, 1923 in Book 473, Page 318.

Conveys: The right to take and use water for domestic purposes thru and by means of a pipe not to exceed one inch in diameter, from the 1/4 interest of first party in and to a certain spring located on SE 1/4 of Sec. 33, Twp. 5 N. R. 73 W. 6th P. M. or on Lot 4 of Sec. 4, Twp. 4 N. R. 73 W. 6th P. M. as the case may be.

Conveyance # 91

THE FORT COLLINS ABSTRACT COMPANY

CONVEYANCE NO.

91

Freelan G. Stanley
to
Bruce G. Eaton

QUIT CLAIM DEED \$1.00 Dated Dec. 12, 1931.
Ack. Dec. 16, 1931 before Robert M. Sproule, NP, Seal,
Middlesex County, Mass. Com. Exp. Sept. 10, 1937.
Recorded Jan. 11, 1932 in Book 572, Page 396.

Conveys: All that part of Lot 4 of Sec. 4, Twp. 4 N. R. 73 W. 6th P. M. particularly described as follows: Commencing at a point on the N. line of said Sec. 4, where the same intersects the center line of the Big Thompson River, which point is 869.8 ft. E. of the NW cor. of said Lot 4, thence E. along the N. line of said Lot 4 to the NE cor. of said Lot, 559 ft., more or less, from said place of beginning, thence S. along the E. line of said Lot 4 to the center of the Big Thompson River, 190 ft., thence Northwesterly along the center line of said Big Thompson River to the place of beginning, containing 1.33 acres, more or less.

Reserving however the right to the use of water from the spring located on said parcel of land in excess of the needs of the second party and his associates, as heretofore determined by their use of the waters of said spring.

This deed is made for the purpose of making more certain and specific the parcel of land heretofore conveyed by The Estes Park Development Company to Bruce G. Eaton by its deed of May

(continued next sheet)

THE FORT COLLINS ABSTRACT COMPANY

CONVEYANCE NO.

91

29, 1916 and duly recorded on June 26, 1916 in Book 242, Page 567, the description of which is ambiguous, and to vest in said Bruce G. Eaton title to the land above described as against any title or interest thereto by the party of the first part herein by virtue of his deed to the residue of said lot recorded in Book 359 at Page 520.

Conveyance # 92

THE FORT COLLINS ABSTRACT COMPANY

CONVEYANCE NO. 92

The Estes Park Development Co.,
By Carl B. Sanborn, President,
Attest: Harry N. Haynes, Secretary.
Corporate Seal.
to
Bruce G. Eaton.

QUIT CLAIM DEED \$1.00 Dated Jan. 5, 1932.
Ack. Jan. 9, 1932 before William P. Cudmore, NP, Seal,
Weld County, Colo. Com. Exp. Oct. 27, 1934.
Recorded Jan. 11, 1932 in Book 426, Page 372.

Conveys: All that part of Lot 4 of Sec. 4, Twp. 4 N. R. 73 W. 6th P. M. described as follows: Commencing at a point on the N. line of said Sec. 4, where the same intersects the center line of the Big Thompson River which point is 869.8 ft. E. of the NW cor. of said Lot 4, thence E. along the N. line of said Lot 4 to the NE cor. of said Lot, 559 ft., more or less, from said point of beginning, thence S. along the E. line of said Lot 4 to the center of Big Thompson River, 190 ft., thence Northwesterly along the center line of said Big Thompson River to the place of beginning, containing 1.33 acres, more or less.

Reserving however the right to the use of water from the spring located on said parcel of land in excess of the needs of the party of the second part and his assigns and associates as heretofore determined by their use of the waters of said spring.

(continued next sheet)

THE FORT COLLINS ABSTRACT COMPANY

CONVEYANCE NO. 92

This deed is made for the purpose of correcting and making more certain and definite the description of the land sold and conveyed by first party to second party by its deed dated May 29, 1916 and recorded in Book 242 at Page 567.

Conveyance # 93

THE FORT COLLINS ABSTRACT COMPANY

CONVEYANCE NO. 93

Bruce G. Eaton
to
Rex C. Eaton

POWER OF ATTORNEY Dated May 8, 1917
Ack. May 11, 1917 before Roderick M. Sherwood, NP, Seal,
Los Angeles County, Cal. Com. Exp. April 29, 1918.
Recorded Nov. 6, 1917 in Book 359, Page 555.

I, Bruce G. Eaton, do by these presents make, constitute and appoint Rex C. Eaton my true and lawful attorney for me and in my name, place and stead, to represent me in all business matters in the State of Colorado; to contract for sale of and sell any and all real estate by me owned, upon such terms and conditions as he shall deem best, and to make, execute and deliver in my name, and as my attorney in fact, proper deeds therefor; to execute promissory notes as may be necessary to carry on my business and to secure same by delivering mortgages or Trust deeds upon any real estate, water rights or irrigation stocks by me owned; to assign and convey any irrigation stock owned by me; to be my proxy and to vote any corporate stock owned by me; to lease any real estate owned by me; to endorse any promissory note, check, draft, bill of lading or choses in action by me owned; to draw checks upon any bank in which I have money deposited; to represent me in any action at law, and execute any bonds required in such suits; with full power of substitution and revocation.

Conveyance # 94

THE FORT COLLINS ABSTRACT COMPANY

CONVEYANCE No. 94

Bruce G. Eaton,
By Rex C. Eaton, his attorney
in fact.
to
The Eaton Investment Company,
a corporation.

SPECIAL WARRANTY DEED \$1.00 Dated May 1, 1932
Ack. May 1, 1932 before Henry C. Luther, JP, Seal,
Weld County, Colo. Com. Exp. Nov. 16, 1935.
Recorded June 6, 1933 in Book 632, Page 313

Conveys: All that part of Lot 4 of Sec. 4, Twp. 4 N. R. 73 W. 6th P. M. described as follows: Commencing at a point on the N. line of said Sec. 4, where the same intersects the center line of the Big Thompson River, which point is 869.8 ft. E. of the NW cor. of said Lot 4, thence E. along the N. line of said Lot 4 to the NE cor. of said lot, a distance of 559 ft., more or less, from said point of beginning, thence S. along the E. line of said Lot 4 to the center of the Big Thompson River, a distance of 190 ft., thence Northwestwardly along the center line of said Big Thompson River to the place of beginning, containing 1.33 acres, more or less, subject to any rights granted or reserved to other parties of the right to the use of water from the spring located on said parcel of land.

Conveyance # 100 Sheet 1 of 2

THE FORT COLLINS ABSTRACT COMPANY

CONVEYANCE No. 100

Bruce G. Eaton, by Rex C. Eaton,
His Attorney-in-fact.
to
The Eaton Investment Company, a
Colorado Corporation

WARRANTY DEED \$1.00 Dated Oct. 3, 1944.
Ack. Oct. 3, 1944 before Lula Leadbetter, JP, Seal.
Weld County, Colo. Com. Exp. Oct. 4, 1944.
Recorded Oct. 6, 1944 in Book 777, page 495

Conveys: All that part of Lot 4 of Sec. 4, Twp. 4 N. R. 73 W. 6th P. M., described as follows: Commencing at a point on the N. line of said Sec. 4, where the same intersects the center line of the Big Thompson River, which point is 869.8 feet E. of the NW corner of said Lot 4, thence E. along the N. line of said Lot 4, to the NE corner of said lot, a distance of 559 feet more or less, from said point of beginning; thence S. along the E. line of said Lot 4 to the center of the Big Thompson River, a distance of 190 feet; thence N.W. along the center line of said Big Thompson River to the place of beginning, containing 1.33 acres, more or less; subject to any rights granted or reserved to other parties of the right to the use of water from the spring located on said parcel of land.

A parcel of land described as follows: Beginning on the quarter section line at a point 209 feet E. of the SE corner of the SE $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. 6th P. M., thence W.

continued next sheet

THE FORT COLLINS ABSTRACT COMPANY

CONVEYANCE No. 101

parallel with the S. side of said Section 427 feet, thence N. at right angles with last course 875 feet to S. side of County Road, thence along S. side of said County Road 550 feet to a point on the quarter section line, thence S. on the quarter section line 591 feet to point of beginning; excepting one acre of ground described as follows: Beginning at a point 550 feet E. of the SE corner of the SE $\frac{1}{4}$ of said Sec. 33, thence N. 217.8 feet, thence W. 200 feet, thence S. 217.8 feet, thence E. 200 feet to point of beginning.

A parcel of land described as follows: Commencing at a point 408 feet N. and 490 feet E. of the SE corner of SE $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. 6th P. M., thence N. 465 feet, thence N. 60°30' W. 187 feet, thence S. 550 feet, thence E. 165 feet to the place of beginning; also right of way 20 feet wide for water ditch over land belonging to Charles A. Chapman, the said center of said right of way commencing at a point 573 feet N. and 970 feet E. of the SE corner of the SE $\frac{1}{4}$ of said Sec. 33, thence W. 175 feet to Big Thompson Creek, said ditch to be covered when it crosses the road right of way -- being the same property conveyed to Bruce G. Eaton by Warranty Deed recorded in Book 481, page 576, Larimer County Records.

A parcel of land described as follows: Commencing at the SW corner of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. 6th P. M., thence N. on the quarter section line 718 feet, thence E. 540 feet, thence S. on a line parallel with said quartersection line 660 feet more or less, to section line, thence W. on section line 540 feet to point of beginning.

continued next sheet

Conveyance # 100 Sheet 2 of 2

THE FORT COLLINS ABSTRACT COMPANY

CONVEYANCE No. 100

Excepting a parcel of land described as follows: Commencing at said SE corner of the SE, thence E. 440 feet, thence N. 140 feet, thence N. 1/4 to a point in said quarter section line 200 feet E. of point of beginning, thence S. to point of beginning more particularly described in Warranty Deeds recorded in Book 255, page 38, and in Book 255, page 40, Larimer County Records.

Also excepting a parcel of land in the SE of SE of said Sec. 33, commencing at a point on a line parallel with the quarter section line 342 feet E. of a point on the S. line of said SE of SE, which point is 540 feet E. of the SE corner thereof; thence N. on line parallel to the quarter section line 396 feet, thence E. 100 feet, thence S. 396 feet, thence E. 100 feet to the point of beginning.

Eaton Pipe Line No. 1 (Plat and Claim therefor having been filed Oct. 18, 1909 in the Office of County Clerk and Recorder of Larimer County, Colorado. File No. 841), and appropriation of water therefor.

Eaton Pipe Line No. 2 (Plat and Claim therefor having been filed Oct. 18, 1909 in the Office of County Clerk and Recorder of Larimer County, Colorado. File No. 842), and appropriation of water therefor.

And undivided 1/4 interest in and to a certain spring located on a parcel of land described in Book 632, page 313, Larimer County Records, and described in deed recorded in Book 203, page 294 and in Book 426, page 372; and the use of water therefrom; subject to any rights heretofore

continued next sheet

THE FORT COLLINS ABSTRACT COMPANY

CONVEYANCE No. 100

granted or reserved to other parties of the right to the use of water from said spring, and subject to right conveyed by deed recorded in Book 473, page 318, Larimer County Records.

Together with rights of way and easements belonging to grantor, and together with all water rights and appropriations of water, all pumps, power plants, spring-house, electric motors, pipelines and other equipment appurtenant thereto or used in connection therewith.

Together with all improvements on said above described premises, and the furnishings, furniture and equipment now located therein and thereon.

Subject to taxes for the year 1944 payable in the year 1945.

This deed is given to complete and correctly describe the property conveyed by, and intended to be included in, the deed between said parties, recorded in Book 632, page 313.

Entry # 101

THE LARIMER COUNTY ABSTRACT CO.

ENTRY No. 12

The Eaton Investment Company
By Bruce G. Eaton, President,
Attest: Rex C. Eaton, Secretary,
Corporate Seal.

WARRANTY DEED \$10.00
Dated October 3, 1944
Ack. October 3, 1944 before Paula Headbetter, MP,
Seal. Weld County, Colorado.
Recorded October 5, 1944 at 2:32 P.M. in
Book 777, Page 498.

to

Abel W. Williams and Henrietta K. Woolf

Conveys: All that part of Lot 4 of Section 4, Twp. 4 N. Range 73 W. 6th P.M., described as follows: Commencing at a point on the N. line of said Section 4, where the same intersects the center line of the Big Thompson River, which point is 869.8 ft. E. of the NW corner of said Lot 4, thence E. along the N. line of said Lot 4 to the NE corner of said Lot, a distance of 559 ft. more or less, from said point of beginning; thence S. along the E. line of said Lot 4 to the center of the Big Thompson River, a distance of 190 ft.; thence N.W. along the center line of said Big Thompson River to the place of beginning, containing 1.33 acres, more or less; subject to any rights granted or reserved to other parties of the right to the use of water from the spring located on said parcel of land.

continued next sheet

A parcel of land described as follows: Beginning on the quarter section line at a point 236 ft. N. of the SE corner of the SW $\frac{1}{4}$ of Section 33, Twp. 5 N. R. 73 W. 6th P.M., thence W. parallel with the S. side of said section 427 ft., thence N. at right angles with last course 875 ft. to S. side of County Road, thence along S. side of said County Road 550 ft. to a point on the quarter section line, thence S. on the quarter section line 591 ft. to point of beginning, excepting one acre of ground described as follows: Beginning at a point 550 ft. N. of the SE corner of the SW $\frac{1}{4}$ of said Section 33, thence N. 217.8 ft., thence W. 200 ft., thence S. 217.8 ft., thence E. 200 ft. to point of beginning.

A parcel of land described as follows: Commencing at a point 408 ft. W. and 490 ft. N. of the SE corner of SW $\frac{1}{4}$ of Section 33, Twp. 5 N. Range 73 W. 6th P.M., thence N. 465 ft., thence N. 60°30' W. 187 ft., thence S. 550 ft., thence E. 165 ft. to the place of beginning; also right of way 20 ft. wide for water ditch over land belonging to Charles A. Chapman, the said center of said right of way commencing at a point 573 ft. W. and 970 ft. N. of the SE corner of the SW $\frac{1}{4}$ of said Section 33, thence W. 175 ft. to Big Thompson Creek, said ditch to be covered when it crosses the road right of way -- being the same property conveyed to Bruce G. Eaton by Warranty Deed recorded in Book 481, page 576, Larimer County records.

A parcel of land described as follows: Commencing at the SW corner of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33, Twp. 5 N. Range 73 W. 6th P.M., thence N. on the quarter section line 718 ft., thence E. 540 ft., thence S. on a line parallel with said quarter section line 660 ft. more or less, to section line, thence W. on section line 540 ft. to point of beginning.

continued next sheet

Excepting a parcel of land described as follows: Commencing at said SW corner of the SW $\frac{1}{4}$, thence S. 140 ft., thence W. 140 ft., thence N.W. to a point in said quarter section line 200 ft. N. of point of beginning, thence S. to point of beginning, more particularly described in Warranty Deeds recorded in Book 256, page 38, and in Book 456, page 40 Larimer County Records.

Also excepting a parcel of land in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 33, commencing at a pt. on a line parallel with the quarter section line 322 ft. N. of a point on the S. line of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$, which point is 540 ft. E. of the SW corner thereof; thence W. on line parallel to the quarter section line 336 ft., thence W. 100 ft., thence S. 396 ft., thence E. 100 ft. to the point of beginning.

Eaton Pipe Line No. 1 (Plat and Claim therefor having been filed Oct. 18, 1909 in the Office of County Clerk and Recorder of Larimer County, Colorado, File No. 841), and appropriation of water therefor.

Eaton Pipe Line No. 2 (Plat and Claim therefor having been filed Oct. 18, 1909 in the Office of County Clerk and Recorder of Larimer County, Colorado File No. 842), and appropriation of water therefor.

continued next sheet

And undivided 1/4 interest in and to a certain spring located on a parcel of land described in Book 632, page 313, Larimer County Records, and described in deeds recorded in Book 203, page 294 and in Book 426, page 372; and the use of water therefrom; subject to any rights heretofore granted or reserved to other parties of the right to the use of water from said spring, and subject to right conveyed by deed recorded in Book 473, page 318, Larimer County Records.

Together with rights of way and easements belonging to grantor, and together with all water rights and appropriations of water, all pumps, power plants, spring-house, electric motors, pipelines and other equipment appurtenant thereto or used in connection therewith.

Together with all improvements on said above described premises, and the furnishings, furniture and equipment now located therein and thereon.

Also excepting strip of land described in deed from The Eaton Investment Company to W. A. Stockover and Lucille Phillips Stockover, being the same property described in deed recorded in Book 608 page 491.

\$9.90 I. R. Stamps.

Conveyance #108

THE FORT COLLINS ABSTRACT COMPANY CONVEYANCE No. 108

Harriet Pattison Brunton
to
Label W. Williams, and
Henrietta K. Woolf

WARRANTY DEED. \$10 Dated Sept. 27, 1944.
Ack. Sept. 27, 1944 before L. S. Roberts, JP, Seal.
Cowley County, Kans. Com. Exp. Nov. 1, 1947.
Recorded Oct. 6, 1944 in Book 777, page 561

Conveys: All that parcel of land being in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. 6th P.M. described as follows: Commencing at a point on line parallel with quarter section line 322 feet N. of a point on the S. line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$, which point is 540 feet E. of the SW corner thereof, thence N. on line parallel to quarter section line 396 feet, thence N. 100 feet thence S. 396 feet, thence E. 100 feet to the point of beginning; together with all of grantor's right, title and interest in the spring located on the land described in deed recorded in Book 632, page 313, Larimer County Records, and to the use of water therefrom.

\$1.10 I. R. Stamps.

**Cert. of extension on
portion of foregoing ab-
stract & Certification of
conveyances through #108**

CERTIFICATE OF EXTENSION

THE FORT COLLINS ABSTRACT COMPANY hereby certifies that it has carefully searched the records of the Office of the County Clerk and Recorder in said County from the thirty-first day of March, A. D. 1923 at seven o'clock A. M. to the date hereof, and find no Abstracts or Transcript of Judgments, Tax Sales, Homestead Marginal Entries or any instruments or conveyances pertaining to or relating to the title to

No. 48915 Same as former Certificate #37127;

NOTE: We do not certify as to lien of taxes except after the date of sale, when it becomes a matter of record in the office of County Clerk and Recorder. Taxes become delinquent and subject to advertisement for sale after August 20.

Rights of way for irrigating ditches and public roads, ditch statements and reservoir filings excepted.

only as herein set forth in Entries Nos. --64-- to --92-- inclusive.
IN WITNESS WHEREOF, the said Company has caused these presents to be signed by its President, and attested by its Secretary, and its Corporate Seal to be affixed at Fort Collins, Colorado, this third day of June, A. D. 1932 at seven o'clock A. M.

Attest: J. W. Lyon Secretary. By J. W. Lyon President

THE FORT COLLINS ABSTRACT COMPANY

STATE OF COLORADO } ss
County of Larimer }

No. 61316

THE FORT COLLINS ABSTRACT COMPANY, a corporation organized and doing business under the laws of the State of Colorado, within and for said County, in the State aforesaid, hereby certifies the foregoing to be a true and complete Abstract of Title to

All that portion of Lot 4 Sec. 4, Twp. 4 N. R. 73 W. 6th P. M., lying N. of center line of Big Thompson River; also beginning 209 ft. N. of SE corner of SW $\frac{1}{4}$ Sec. 33, Twp. 5 N. R. 73 W. 6th P. M., thence W. 427 ft., thence N. 875 ft., to S. side of County road, thence SE $\frac{1}{4}$ along County Road 550 ft. to point on E. line of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, thence S. 591 ft. to beginning; EXCEPT commencing 550 ft. N. of said SE corner of SW $\frac{1}{4}$, thence N. 217.8 ft., thence W. 200 ft., thence S. 217.8 ft., thence E. 200 ft. to point of beginning; also commencing at SW corner of SE $\frac{1}{4}$ Sec. 33, Twp. 5 N. R. 73 W. 6th P. M., thence N. 718 ft., thence E. 540 ft., thence S. 660 ft., to Sec. line, thence W. 540 ft. to beginning; except commencing at said SW corner of SE $\frac{1}{4}$, thence E. 440 ft., thence N. 140 ft., thence NE $\frac{1}{4}$ to a point 200 ft. N. of point of beginning, thence S. to point of beginning; EXCEPT strip of land as described in deed recorded June 28, 1939 in Book 698 at page 491 and shown at Conveyance No. 98 hereof; Also, commencing at a point 408 ft. N. and 490 ft. N. of the SE corner of said SW $\frac{1}{4}$, thence N. 465 ft., thence N. 60°30' W. 187 ft., thence S. 550 ft., thence E. 165 ft. to point of beginning;

(Certificate No. 61316)

according to the records in the office of the County Clerk and Recorder of said Larimer County. It further certifies that there are no Abstracts or Transcripts of Judgments, Tax Sales, Homestead Marginal Entries or any instruments or conveyances pertaining to or relating to the title of said described real estate, of record in the office of said County Clerk and Recorder and not enumerated herein, excepting, however, rights of way for irrigating ditches, public roads, and railroads, ditch statements, and reservoir filings.

NOTE: We do not certify as to lien of taxes except after the date of sale, when it becomes a matter of record in the office of County Clerk and Recorder. Taxes become delinquent and subject to advertisement for sale after August 20.

The foregoing Abstract consists of -102- conveyances, numbered consecutively from -1- to -102- inclusive. That the undersigned is a duly qualified and bonded abstractor operating under a license granted by the State of Colorado. IN WITNESS WHEREOF, the said Company has caused these presents to be signed by its President, and attested by its Secretary, and its Corporate Seal to be affixed at Fort Collins, Colorado, this eight day of October, A. D. 1944 at seven o'clock A. M.

Attest: J. W. Lyon Secretary. By J. W. Lyon President

THE FORT COLLINS ABSTRACT COMPANY

Entry # 122 Sheet 1 of 2

THE LARIMER COUNTY ABSTRACT CO.

588185

ENTRY NO.

Mabel W. Williams, Henrietta K. Woolf
to

WARRANTY DEED \$10

Dated August 28, 1947

Ack. September 19, 1947 before Mildred A. Tegtman,
NP, Seal. Weld County, ColoradoRecorded October 9, 1947 at 8:10 A.M. in
Book 842, page 13

Mabel W. Williams, Henrietta K. Woolf
and Raymond U. Williams

Conveys: Not in tenancy in common but in joint tenancy, the survivor of them, their assigns and the heirs and assigns of such survivor, All that part of Lot 4, of Sec. 4, Twp. 4 N. R. 73 W. 6th P.M. described as follows: Commencing at a point on the North line of said Sec. 4, where the same intersects the center line of the Big Thompson River, which point is 869.8 feet East of the NW corner of said Lot 4, thence East along the North line of said Lot 4 to the NE corner of said lot, a distance of 559 feet more or less, from said point of beginning, thence South along the East line of said Lot 4 to the center of the Big Thompson River, a distance of 190 feet, thence NWrlly along the center line of said Big Thompson River to the place of beginning, containing 1.33 acres, more or less; subject to any rights granted or reserved to other parties of the right to the use of water from the spring located on said parcel of land.

(Continued on next page)

THE LARIMER COUNTY ABSTRACT CO.

Continuation of

ENTRY NO.

A parcel of land described as follows: Beginning on the quarter section line at a point 209 feet North of the SE corner of the SW $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. 6th P.M., thence West parallel with the South side of said Sec. 427 feet, thence North at right angles with last course 875 feet to South side of County road, thence along South side of said County Road 550 feet to a point on the quarter section line, thence South on the quarter section line 591 feet to point of beginning; excepting one acre of ground described as follows: Beginning at a point 100 feet North of the SE corner of the SW $\frac{1}{4}$ of said Sec. 33, thence North 217.8 feet, thence West 200 feet; thence South 217.8 feet, thence East 200 feet to point of beginning.

A parcel of land described as follows: Commencing at a point 408 feet West and 490 feet North of the SE corner of SW $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. 6th P.M., thence North 465 feet, thence North 60°30' W. 187 feet; thence South 550 feet, thence East 165 feet to the place of beginning; also, right of way 20 feet wide for water ditch over land belonging to Charles A. Chapman, the said center of said right of way commencing at a point 573 feet West and 970 feet North of the SE corner of the SW $\frac{1}{4}$ of said Sec. 33, thence West 175 feet to Big Thompson Creek, said ditch to be covered when it crosses the road right of way being the same property conveyed to Bruce G. Eaton by Warranty Deed recorded in Book 481, page 576, Larimer County records.

A parcel of land described as follows: Commencing at the SW corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 33, thence East 100 feet, thence South 100 feet to point of beginning.

(Continued on next page)

THE LARIMER COUNTY ABSTRACT CO.

Continuation of

ENTRY NO.

Twp. 5 N. R. 73 W. 6th P.M., thence North on the quarter section line 718 feet, thence East 540 feet, thence South on a line parallel with said quarter section line 660 feet more or less, to section line, thence West on Section line 540 feet to point of beginning.

Excepting a parcel of land described as follows: Commencing at said SW corner of the SE $\frac{1}{4}$, thence East 440 feet, thence North 140 feet, thence NWrlly to a point in said quarter section line 200 feet North of point of beginning, thence South to point of beginning more particularly described in Warranty Deeds recorded in Book 255, page 38 and in Book 255, page 40, Larimer County records.

Also excepting a parcel of land in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Sec. 33, commencing at a point on a line parallel with the quarter section line 322 feet North of a point on the South line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$, which point is 540 feet East of the SW corner thereof; thence North on line parallel to the quarter section line 396 feet, thence West 100 feet, thence South 396 feet, thence East 100 feet to the point of beginning.

Eaton Pipe Line No. 1 (Plat and Claim therefor having been filed October 18, 1909 in the Office of the County Clerk and Recorder of Larimer County, Colorado. File No. 841), and appropriation of water therefor.

Eaton Pipe Line No. 2 (Plat and Claim therefor having been filed October 18, 1909 in the Office of the County Clerk and Recorder of Larimer County, Colorado. File No. 841), and appropriation of water therefor.

(Continued on next page)

Entry # 122- Sheet 2 of 2

THE LARIMER COUNTY ABSTRACT CO.

Continuation of

ENTRY No.

Office of the County Clerk and Recorder of Larimer County, Colorado. File No. 842), and appropriation of water therefor.

An undivided 1/4 interest in and to a certain spring located on a parcel of land described in Book 632, page 313, Larimer County records, and described in dees recorded in Book 203, page 294 and in Book 426, page 372 Larimer County records, and the use of water therefrom; subject to any right heretofore granted or reserved to other parties of the right to the use of water from said spring, and subject to right conveyed by deed recorded in Book 473, page 318.

Excepting a parcel of land more particularly described as follows: Beginning at a point 427 feet West of the SE corner of the SW $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. 6th P.M. thence North 448.7 feet to the true point of beginning, thence East 10 feet, thence North 28 feet, thence West 10 feet, thence South 28 feet more or less to the true point of beginning.

Also conveying all that parcel of land being in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. 6th P.M. described as follows to-wit: Commencing at a point on line parallel with quarter section line 322 feet North of point on the South line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$, which point is 540 feet East of the SW corner thereof, thence North on line parallel to quarter section line 396 feet, thence West 100 feet, thence South 396 feet, thence East 100 feet to the point of beginning together with all of grantors' right, title and interest in the spring located on the land described in deed recorded in Book 632, page 313, and to the use of water therefrom.

The consideration for this deed is less than \$100.00.

Entry # 123

THE LARIMER COUNTY ABSTRACT CO.

681945

ENTRY No.

State of Colorado

to

Mabel W. Williams

DEATH CERTIFICATE

Certified June 18, 1954 by J. H. White, M.D., Local Registrar Vital Statistics Weld County, Colo., Seal.
Recorded June 23, 1954 at 8:10 A.M. in Book 973, page 510

Place of Death: Weld County, Colorado.

Date of Death: June 7, 1954.

Informant: Raymond W. Williams.

Burial: Denver, Colorado.

Date Received by Local Registrar: June 8, 1954, J. H. White, M.D., Local Registrar, Weld County, Colorado.

Entry # 184 - Sheet 1 of 2

THE LARIMER COUNTY ABSTRACT CO.

681946

ENTRY NO.

Raymond U. Williams

WARRANTY DEED \$1.00

to

Dated June 14, 1954

Roger L. Williams

Ack. June 14, 1954 before Herman J. Bartels, N.P.
Seal. Weld County, Colorado (Com. Exp. 12/1/54)
Recorded June 23, 1954 at 8:10 A.M. in
Book 973, page 511

Conveys: All my undivided 1/2 interest in and to All that part of Lot 4 of Sec. 4, Twp. 4 N.R. 73 W. 6th P.M., described as follows: Commencing at a point on the North line of said Sec. 4, where the same intersects center line of the Big Thompson River, which point is 809.8 ft. East of the NW corner of said Lot 4, thence East along the N. line of said Lot 4 to the NE corner of said lot, a distance of 559 feet, more or less, from said point of beginning, thence South along the E. line of said Lot 4 to the center of the Big Thompson River, a distance of 190 feet, thence NWly along the center line of said Big Thompson River to the place of beginning, containing 1.33 acres more or less; subject to any rights granted or reserved to other parties of the right to the use of water from the spring located on said parcel of land.

A parcel of land described as follows: Beginning on the quarter-section line at a point
(cont. next sheet)

THE LARIMER COUNTY ABSTRACT CO.

681946

ENTRY NO.

209 feet North of the SE corner of the SW $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. of the 6th P.M., thence West parallel with the South side of said Sec. 427 feet, thence North at right angles with last course 875 feet to South side of County Road, thence along South side of said County Road 550 feet to a point on the quarter-section line, thence South on the quarter-section line 591 feet to point of beginning; excepting 1 acre of ground described as follows: Beginning at a point 550 feet North of the SE corner of the SW $\frac{1}{4}$ of said Section 33, thence N. 217.8 feet, thence W. 200 feet, thence S. 217.8 feet, thence E. 200 feet to point of beginning.

A parcel of land described as follows: Commencing at a point 408 feet West and 490 feet North of the SE corner of the SW $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. of the 6th P.M.; thence N. 465 feet, thence N. 60°30' W. 187 feet, thence S. 550 feet, thence E. 165 feet to the place of beginning; also, right of way 20 feet wide for water ditch over land belonging to Charles A. Chapman, the said center of said right of way commencing at a point 573 feet West and 970 feet N. of the SE corner of the SW $\frac{1}{4}$ of said Sec. 33, thence W. 175 feet to Big Thompson Creek, said ditch to be covered when it crosses the road right of way - being the same property conveyed to Bruce G. Eaton by Warranty Deed recorded in Book 481, page 576.

A parcel of land described as follows: Commencing at the SW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. of the 6th P.M., thence North on the quarter-section line 718
(continued next sheet)

THE LARIMER COUNTY ABSTRACT CO. 681946-3

ENTRY NO.

feet, thence E. 540 feet, thence South on a line parallel with said quarter-section line 660 feet, more or less, to section line, thence West on Section line 540 feet to point of beginning;

Excepting a parcel of land described as follows: Commencing at said SW corner of the SE $\frac{1}{4}$, thence E. 440 feet, thence N. 140 feet, thence NWly to a point in said quarter section line 200 feet North of point of beginning, thence South to point of beginning, more particularly described in Warranty Deeds recorded in Book 255, page 38 and in Book 255, page 40;

Also excepting a parcel of land in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Sec. 33, commencing at a point on a line parallel with the quarter-section line 322 feet North of a point on the South line of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, which point is 540 feet East of the SW corner thereof; thence North on line parallel to the quarter-section line 396 feet, thence W. 100 feet, thence S. 396 feet, thence E. 100 feet to the point of beginning. (255/39) 681946-3

Eaton Pipe Line No. 1 (Plat and Claim therefor having been filed October 18, 1909 in the office of the County Clerk, File No. 841) and appropriation of water therefor.

Eaton Pipe Line No. 2 (Plat and Claim therefor having been filed October 18, 1909 in the Office of the County Clerk, File No. 842) and appropriation of water therefor.

An undivided 1/4 interest in and to a certain spring located on a parcel of land described in Book 632, page 313, and described in deeds recorded in Book 203, page 294 and in Book 426, page 372 and the use of the water therefrom; subject to any rights heretofore granted or reserved
(cont. next sheet)

Entry # 124 Sheet 2 of 2

THE LARIMER COUNTY ABSTRACT CO. 681946-4

ENTRY No. 24

to other parties of the right to the use of water from said spring, and subject to right conveyed by deed recorded in Book 473, page 318;

Excepting a parcel of land more particularly described as follows: Beginning at a point 427 feet West of the SE corner of the SW $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. of the 6th P.M. thence N. 448.7 feet to the true beginning; thence E. 10 feet, thence N. 28 feet, thence W. 10 feet; thence S. 25 feet, more or less, to the true point of beginning.

Also conveying all that parcel of land being in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. of the 6th P.M., described as follows, to-wit: Commencing at a point on line parallel with the quarter-section line 322 feet North of a point on the South line of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ which point is 540 feet East of the NW corner thereof, thence North on line parallel to quarter section line 396 feet, thence W. 100 feet; thence S. 396 feet; thence E. 100 feet to the point of beginning, together with all of grantor's right, title and interest in the spring located on the land described in deed recorded in Book 632, page 313 and to the use of water therefrom.

Subject to taxes for the year 1954, due and payable in 1955.

This deed terminates the joint tenancy created by Warranty Deed recorded in Book 842, pages 13 and 14.

Consideration less than \$100.00.

Entry # 125 Sheet 1 of 2

THE LARIMER COUNTY ABSTRACT CO.

681947

ENTRY No. 25

Roger L. Williams

WARRANTY DEED \$10

to

Dated June 14, 1954

Raymond U. Williams and
Roger L. WilliamsAck. June 14, 1954 before Herman J. Bartels, NP,
Seal. Weld County, Colorado (Com. Exp. 12/1/54)
Recorded June 23, 1954 at 8:10 A.M. in
Book 973, page 514

Conveys: Not in tenancy in common but in joint tenancy, the survivor of them, their assigns and the heirs and assigns of such survivor forever, all my undivided 1/2 interest in all that part of Lot 4 of Sec. 4, Twp. 4 N. R. 73 W. of the 6th P.M., described as follows: Commencing at a point on the North line of said Sec. 4, where the same intersects the center line of the Big Thompson River, which point is 869.8 feet East of the NW corner of said Lot 4, thence East along the North line of said Lot 4 to the NE corner of said Lot, a distance of 559 feet, more or less, from said point of beginning, thence South along the East line of said Lot 4 to the center of the Big Thompson River, a distance of 190 feet, thence NW $\frac{1}{4}$ along the center line of said Big Thompson River to the place of beginning, containing 1.33 acres, more or less; subject to any rights granted or reserved to other parties of the right to the use of water from the spring located on said parcel of land.

(Continued on next page)

THE LARIMER COUNTY ABSTRACT CO.

681947-2

ENTRY No. 25

A parcel of land described as follows: Beginning on the quarter-section line at a point 209 feet North of the SE corner of the SW $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. of the 6th P.M., thence West parallel with the South side of said Section 427 feet, thence North at right angles with last course 875 feet to South side of County Road, thence along South side of said County Road 550 feet to a point on the quarter-section line, thence South on the quarter-section line 591 feet to point of beginning; excepting 1 acre of ground described as follows: Beginning at a point 550 feet North of the SE corner of the SW $\frac{1}{4}$ of said Sec. 33, thence N. 217.8 feet, thence W. 200 feet, thence S. 217.8 feet, thence E. 200 feet to point of beginning.

A parcel of land described as follows: Commencing at a point 408 feet West and 490 feet North of the SE corner of the SW $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. of the 6th P.M.; thence N. 465 feet, thence N. 60°30' W. 187 feet, thence S. 550 feet, thence E. 165 feet to the place of beginning; also right of way 20 feet wide for water ditch over land belonging to Charles A. Chapman, the said center of said right of way commencing at a point 573 feet West and 970 feet North of the SE corner of the SW $\frac{1}{4}$ of said Section 33, thence W. 175 feet to Big Thompson Creek, said ditch to be covered when it crosses the road right of way - being the same property conveyed to Bruce C. Eaton by Warranty Deed recorded in Book 481, page 576.

A parcel of land described as follows: Commencing at the SW corner of the SW $\frac{1}{4}$ of the
(continued next sheet)

Entry # 125 Sheet 2 of 2

THE LARIMER COUNTY ABSTRACT CO. 681947-3

ENTRY NO. 125

SE $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. of the 6th P.M., thence N. on the quarter-section line 718 feet, thence East 540 feet, thence S. on a line parallel with said quarter-section line 660 feet, more or less, to section line, thence West on Section line 540 feet to point of beginning. Excepting a parcel of land described as follows: Commencing at said SW corner of the SE $\frac{1}{4}$, thence N. 440 feet, thence N. 140 feet, thence NW $\frac{1}{4}$ to a point in said quarter-section 1. 200 feet, North of point of beginning, thence South to point of beginning, more particularly described in Warranty Deeds recorded in Book 255, page 38 and in Book 255, page 40; also excepting a parcel of land in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Sec. 33, commencing at a point on a line parallel with the quarter-section line 322 feet North of a point on the South line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$, which point is 540 feet East of the SW corner thereof; thence N. on line parallel to the quarter-section line 396 feet, thence W. 100 feet, thence S. 396 feet, thence E. 100 feet to point of beginning. *Auton*

Eaton Pipe Line No. 1 (Plat and Claim therefor having been filed October 18, 1909 in the Office of the County Clerk, File No. 841), and appropriation of water therefor.

Eaton Pipe Line No. 2 (Plat and Claim therefor having been filed October 18, 1909 in the office of the County Clerk, File No. 842), and appropriation of water therefor.

An undivided 1/4 interest in and to a certain spring located on a parcel of land described in Book 632, page 313, Larimer County Records, and described in deeds recorded in Book (cont. next sheet)

THE LARIMER COUNTY ABSTRACT CO. 681947-4

ENTRY NO. 125

203, page 294, and in Book 426, page 372 and the use of water therefrom; subject to any rights heretofore granted or reserved to other parties of the right to the use of water from said spring and subject to right conveyed by deed recorded in Book 473, page 318.

Excepting a parcel of land more particularly described as follows: Beginning at a point 427 feet West of the SE corner of the SW $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. of the 6th P.M., thence N. 448.7 feet to the true beginning; thence E. 10 feet, thence N. 28 feet, thence W. 10 feet, thence S. 28 feet, more or less to the true point of beginning.

Also conveying all that parcel of land being in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. of the 6th P.M., described as follows, to-wit: Commencing at a point on line parallel with quarter section line 322 feet North of a point on the South line of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, which point is 540 feet East of the SW corner thereof, thence North on line parallel to quarter-section line 396 feet, thence W. 100 feet; thence S. 396 feet; thence E. 100 feet to the point of beginning, together with all of grantor's right, title and interest in the spring located on the land described in deed recorded in Book 632, page 313, and to the use of water therefrom.

Subject to taxes for year 1954, due and payable in 1955.

Consideration less than \$100.00.

**Extension Certificate covering Entries
1 to # 125**

THE LARIMER COUNTY ABSTRACT CO.

CERTIFICATE OF EXTENSION

State of Colorado,
County of Larimer } ss.

No. 40811

THE LARIMER COUNTY ABSTRACT COMPANY, a Corporation duly created and existing under the laws of the State of Colorado, hereby certifies the foregoing entries to be a full and complete Abstract of Conveyances or other instruments whatsoever filed for record in the office of the Clerk and Recorder of Larimer County which in any way affects the title to the property hereinafter described.

All that portion of Lot 4 in Section 4, Township 4 North, Range 73 West of the 6th P.M., lying North of Big Thompson River;

ALSO, beginning on the North and South quarter Section line of Section 33, Township 5 North, Range 73 West of the 6th P.M. which is 209 feet North of the South quarter Section corner, thence West parallel with South line of said Section 427 feet, thence North at right angles with last course 875 feet to South side of County road, thence along South side of said County road 550 feet to a point on quarter section line, thence South on quarter section line 591 feet to beginning; EXCEPT that portion as described in Book 227 at Page 150 of the Larimer County records (Shown at Entry No. 9);

ALSO, commencing at a point 408 feet West and 490 feet North of the Southeast corner of Southwest quarter (SW $\frac{1}{4}$) of Section 33, Township 5 North, Range 73 West of the 6th P.M., thence North 465 feet, thence N. 60°30' W. 187 feet, thence S. 550 feet, thence East 165 feet to the place of beginning; (See Entry No. 96);

Beginning at the Southwest corner of the SE $\frac{1}{4}$ of Section 33, Township 5 North, Range 73 West of the 6th P.M., thence East on South line of said Section 540 feet, thence North parallel with West line of said SE $\frac{1}{4}$, 660 feet, thence Westerly to a point on the quarter section line, which point is 718 feet North of the South quarter corner of said Section, thence South along quarter Section line 718 feet to the point of beginning; EXCEPT, those two parcels conveyed and described as in Book 255 at Pages 38 and 40 of the Larimer County records, (Shown at Entries No. 37 and 38); and EXCEPT from the lands in Section 33, Township 5 North, Range 73 West of the 6th P.M., that parcel of land conveyed as described in Book 698 at Page 491 of the Larimer County records; . . .

ALSO, EXCEPT from the above lands lying in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 33, that parcel 50 feet in width and lying North of center of Big Thompson River as described in Partition Deed and recorded in Book 203 at Page 294 of the Larimer County records (Shown at Entry No. 35); . . .

Licensed and bonded
under the laws of the
State of Colorado.
Taxes are certified to,
only after date of sale,
after which they become
a record in office of
County Clerk and Re-
corder.
N. P. Commissioners are
regular unless otherwise
noted.

Only as shown by entries numbered 1 to both inclusive.
Except, however, right of way for public roads, railroads, ditches, reservoirs, mines and mining claims, if any.
Dated at Fort Collins, in said Larimer County, the 23rd day of November, A. D. 1954 at 7:00 A. M.
THE LARIMER COUNTY ABSTRACT COMPANY
Attest: *J. D. Hartman*, Secretary *Edward J. Hartman*, President

Entry # 126 Sheet 1 of 2

THE LARIMER COUNTY ABSTRACT CO. 689786

ENTRY NO. 26

United States

to

Estate of Mabel W. Williams

CERTIFICATE RELEASING ESTATE TAX LIEN

Dated November 18, 1954

Recorded December 31, 1954 at 8:10 A.M. in
Book 985, page 518

Date of Death: June 7, 1954

By direction of the Commissioner of Internal Revenue and in accordance with the provisions of the laws applicable to the collection of internal revenue, I do hereby certify that the estate tax with respect to the above named estate, has been fully discharged or duly provided for, wherefore and by reason whereof, I do hereby issue this certificate releasing the lien of the United States imposed on the following described property:

1/3 interest, as Joint Tenant, in and to all of the following described property situate in Larimer County, Colorado, to-wit:

All that part of Lot 4, Sec. 4, Twp. 4 N. R. 73 W. 6th P.M., described as follows: Commencing at a point on the North line of said Sec. 4, where the same intersects the center line of the Big Thompson River, which point is 869.8 feet East of the NW corner of said Lot 4, thence East along the North line of said Lot 4 to the NE corner of said lot, a distance of 559 feet, more or
(Continued on next page)

Entry # 186 Sheet 2 of 2

THE LARIMER COUNTY ABSTRACT CO.

Continuation of

ENTRY NO.

less from said point of beginning, thence South along the East line of said Lot 4 to the center of the Big Thompson River, a distance of 190 feet, thence NWly along the center line of said Big Thompson River to the place of beginning, containing 1.33 acres, more or less; subject to any rights granted or reserved to other parties of the right to the use of water from the spring located on said parcel of land;

A parcel of land described as follows: Beginning on the quarter section line at a point 209 feet North of the SE corner of the SW $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. 6th P.M., thence West parallel with the South side of said Section 427 feet, thence North at right angles with last course 875 feet to South side of County Road, thence along South side of said County Road 550 feet to a point on the quarter-section line, thence South on the quarter section line 591 feet to point of beginning; excepting one acre of ground described as follows: Beginning at a point 550 feet North of the SE corner of the SW $\frac{1}{4}$ of said Sec. 33, thence N. 217.8 feet, thence W. 200 feet, thence S. 217.8 feet, thence E. 200 feet to point of beginning;

A parcel of land described as follows: Commencing at a point 408 feet West and 490 feet North of the SE corner of the SW $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. 6th P.M., thence N. 465 feet, thence N. 60°30' W. 187 feet, thence S. 550 feet, thence E. 16.5 feet to the place of beginning; also, right of way 20 feet wide for water ditch over land belonging to Charles A. Chapman, the

(Continued on next page)

THE LARIMER COUNTY ABSTRACT CO.

Continuation of

ENTRY NO.

said center of said right of way commencing at a point 573 feet West and 970 feet North of the SE corner of the SW $\frac{1}{4}$ of said Sec. 33, thence W. 175 feet to Big Thompson Creek, said ditch to be covered when it crosses the road right of way - being the same property conveyed to Bruce G. Eaton by Warranty Deed recorded in Book 481, page 576;

A parcel of land described as follows: Commencing at the SW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. 6th P.M., thence North on the quarter-section line 718 feet, thence E. 540 feet, thence South on a line parallel with said quarter section line 660 feet, more or less to section line, thence West on Section line 540 feet to point of beginning; excepting a parcel of land described as follows: Commencing at said SW corner of the SE $\frac{1}{4}$, thence E. 440 feet, thence N. 140 feet, thence NWly to a point in said quarter section line 200 feet North of point of beginning, thence South to point of beginning, more particularly described in Warranty Deeds recorded in Book 255, page 38 and in Book 255, page 40; also excepting a parcel of land in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Sec. 33, commencing at a point on a line parallel with the quarter section line 322 feet North of a point on the South line of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, which point is 540 feet East of the SW corner thereof; thence North on line parallel to the quarter section line 396 feet, thence West 100 feet, thence South 396 feet, thence E. 100 feet to the point of beginning.

Eaton Pipe Line No. 1 (Plat and Claim therefor having been filed October 18, 1909 in File

(Continued on next page)

THE LARIMER COUNTY ABSTRACT CO.

Continuation of

ENTRY NO.

No. 841) and appropriation of water therefor; Eaton Pipe Line No. 2 (Plat and Claim therefor having been filed October 18, 1909 in File No. 842) and appropriation of water therefor;

An undivided 1/4 interest in and to a certain spring located on a parcel of land described in Book 632, page 313 and described in deeds recorded in Book 203, page 294 and in Book 426, page 372 and the use of water therefrom; subject to any rights heretofore granted or reserved to other parties of the right to the use of water from said spring, and subject to right conveyed by deed recorded in Book 473, page 318; excepting a parcel of land more particularly described as follows: Beginning at a point 427 feet West of the SE corner of the SW $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. 6th P.M., thence N. 448.7 feet to the true beginning; thence E. 10 feet, thence N. 28 feet, thence W. 10 feet, thence S. 28 feet, more or less, to the true point of beginning.

Also conveying all that parcel of land being in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 33, Twp. 5 N. R. 73 W. 6th P.M., described as follows, to-wit: Commencing at a point on line parallel with the quarter section line 322 feet North of a point on the South line of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, which point is 540 feet East of the SW corner thereof, thence North on line parallel to quarter section line 396 feet, thence W. 100 feet; thence S. 396 feet, thence E. 100 feet to the point of beginning, together with all of grantor's right, title and interest in the spring located on the land described in deed recorded in Book 632, page 313 and to use of water therefrom.

/s/ Thomas B. Lynch, Acting District Director of Internal Revenue.

Entry # 127

THE LARIMER COUNTY ABSTRACT CO. 690692

ENTRY No. 27

Raymond U. Williams, Henrietta K. Woolf,
Roger L. Williams

to

United States of America and/or
Its Assigns

WARRANTY DEED

\$10

Dated January 6, 1955

Ack. January 6, 1955 before Mildred E. Burbridge, N.P.

Seal. Weld County, Colorado (Com.Exp.5/26/57) (R.U.W.)

Ack. January 17, 1955 before W. C. Daniel, N.P., Seal.

District of Columbia (Com.Exp.8/31/56) (H.K.W.)

Ack. January 10, 1955 before Ruth L. Dawson, N.P.,

Seal. Middlesex County, Massachusetts (Com.Ex.1/14/61) (R)

Recorded January 22, 1955 at 10:22 A.M. in

Book 987, page 49

Conveys: Tract 1: Beginning on the East line of the SW $\frac{1}{4}$ of Sec. 33, Twp. 5 N.R. 73 W. 6th P.M., at a point 225 feet North of the S $\frac{1}{4}$ Corner of said Sec. 33; thence W. 427 feet along a line parallel to the South line of said SW $\frac{1}{4}$, thence N. 267 feet more or less, to a point which is 408 feet West and 490 feet North of the SE corner of the said SW $\frac{1}{4}$ of Sec. 33, thence W. 165 feet, thence N. 550 feet, thence S. 60°30' E. 187 feet, thence N. 124 feet, more or less, to the South boundary line of the Moraine Park Road Right-of-way, thence SE $\frac{1}{4}$ 550 feet along said road right-of-way.

(continued next sheet)

THE LARIMER COUNTY ABSTRACT CO. 690692-2

ENTRY No. 27

of-way South line to a point on the East line of said SW $\frac{1}{4}$, which point is N. 575 feet from the point of beginning, thence S. 32.2 feet along the East line of the said SW $\frac{1}{4}$, thence W. 200 feet, thence S. 217.8 feet, thence E. 200 feet to said East line of the SW $\frac{1}{4}$, thence South along said East line to the point of beginning. Together with all of vendors' right, title and interest in and to a right-of-way 20 feet wide for a water ditch with center line common to a point 573 feet West and 970 feet North of the South Quarter corner of Sec. 33 and extending West to the East bank of the Big Thompson River, said ditch to be covered when it crosses the road right-of-way as provided in Warranty Deed recorded in Book 481, page 576; subject to perpetual access to spring just South of a parcel of land described in Warranty Deed from Fred H. Sprague to W. H. Carruth, recorded in Book 140, page 340. Excepting a parcel of land 10 feet in width and 28 feet long described in Quit Claim Deed from Mabel W. Williams and Henrietta K. Woolf to Donald C. Ricker dated May 4, 1946 and recorded in office of County Clerk and Recorder, if said parcel, or any part thereof, is within the boundaries of the above described parcel of land.

Tract 2: Beginning on West line of the SE $\frac{1}{4}$ of Sec. 33, Twp. 5 N.R. 73 W. 6th P.M. at a point 225 feet North of the South Quarter Corner of Sec. 33, thence North along said West line of the SE $\frac{1}{4}$ 493 feet, thence E. 54 feet to the West boundary line of the Moraine Park Road right-of-way, thence SE $\frac{1}{4}$ along the West and South line of said road right-of-way to a point on a line

(continued next sheet)

parallel to and 540 feet East of the West line of the SE $\frac{1}{4}$, thence South along said parallel line to the South line of said SE $\frac{1}{4}$, thence West 100 feet along said Southline, thence N. 140 feet along a line parallel to West line of said SE $\frac{1}{4}$, thence NW $\frac{1}{4}$ 188 feet along a straight line extending to a point on West line of said SE $\frac{1}{4}$ which is 200 feet North of the S $\frac{1}{4}$ corner of Sec. 33, thence N. 16 feet, thence NW $\frac{1}{4}$ 252 feet along a straight line to the point of beginning, except a parcel of land 50 feet wide conveyed to John M. B. Petrikin in Partition Deed recorded in Book 203, page 294, and subject to the right of the parties to said Partition Deed to the use of the bed of the Big Thompson River, of waters flowing therein and the right of fishing therein as said river traverses said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Sec. 33.

Tract 3: Beginning at point of intersection of the North line of Lot 4, Sec. 4, Twp. 4 N.R. 73 W. 6th P.M., and the center of the Big Thompson River, said point being 869.8 feet East of the NW corner of said Lot 4; thence East along North line of Lot 4 to the NE corner of Lot 4 thence South along the East line of Lot 4 to the center of the Big Thompson River, thence NW $\frac{1}{4}$ along the center line of the Big Thompson River to the point of beginning, together with a 1/4 interest in the spring located on Lot 4, Sec. 4, Twp. 4 N.R. 73 W. 6th P.M., subject to the right granted to Gertrude H. Grant to take water therefrom as described in Deed recorded in Book 473, page 318. Subject to the reservation in Warranty Deed from the Estes Park Development Company

(continued next sheet)

to Bruce G. Eaton, recorded in Book 242, page 567, of the right to the use of water from the spring located on the property in said Deed described in excess of the needs of the Grantee and his associates as heretofore determined by the use of the waters of said spring; and excepting 3/4 interest in said spring described in Partition Deed recorded in Book 203, page 294.

Together with all vendors' right, title and interest in and to any and all water rights used in connection with or appurtenant to the above described land, including the water rights for the Eaton Pipe Lines No. 1 and No. 2.

Entry # 128

128

THE LARIMER COUNTY ABSTRACT CO. CERTIFICATE OF EXTENSION

State of Colorado, ss. THE LARIMER COUNTY ABSTRACT COMPANY, a Corporation duly created and existing under the laws of the State of Colorado, hereby certifies the foregoing entries to be a full and complete Abstract of Conveyances or other instruments whatsoever filed for record in the office of the Clerk and Recorder of Larimer County which in any way affects the title to the property hereinafter described, since November 23rd, 1954 at 7:00 A. M.

County of Larimer No. 41365 of the 6th P.M., lying North of Big Thompson River;

All that portion of Lot 4 in Section 4, Township 4 North, Range 73 West

Beginning on the East line of the SW $\frac{1}{4}$ of Section 33, Township 5 North, Range 73 West of the 6th P.M., at a point 225 feet North of the South quarter corner of said Section 33, thence West 427 feet along a line parallel to the South line of said SW $\frac{1}{4}$, thence North 267 feet more or less, to a point which is 408 feet West and 490 feet North of the Southeast corner of the said SW $\frac{1}{4}$ of Section 33, thence West 165 feet, thence North 550 feet, thence S. 60°30' E. 187 feet, thence North 124 feet more or less to the South boundary line of the Moraine Park Road right of way, thence Southeasterly 550 feet along said road right of way to a point on the East line of said SW $\frac{1}{4}$, which point is North 575 feet from the point of beginning, thence South 32.2 feet along the East line of the said SW $\frac{1}{4}$, thence West 200 feet, thence South 217.8 feet, thence East 200 feet to said East line of the SW $\frac{1}{4}$, thence South along said East line to the point of beginning; EXCEPTING a parcel of land 10 feet in width and 28 feet long described in Quit Claim Deed from Mabel W. Williams and Henrietta K. Woolf to Donald C. Ricker dated May 4, 1946 and recorded in the office of County Clerk and Recorder, if any part thereof is within the boundaries of the above described parcel of land;

Beginning on West line of the SE $\frac{1}{4}$ of Section 33, Township 5 North, Range 73 West of the 6th P.M. at a point 225 feet North of the South quarter corner of Section 33, thence North along said West line of SE $\frac{1}{4}$ 493 feet, thence East 54 feet to the West boundary line of the Moraine Park Road right of way, thence Southeasterly along the West and South line of said road right of way to a point on a line parallel to and 540 feet East of the West line of the SE $\frac{1}{4}$, thence South along said parallel line to the South line of said SE $\frac{1}{4}$, thence West 100 feet along said South line, thence North 140 feet along a line parallel to West line of said SE $\frac{1}{4}$, thence Northwesterly 168 feet along a straight line extending to a point on West line of said SE $\frac{1}{4}$ which is 200 feet North of the South quarter corner of Section 33, thence North 16 feet, thence Northwesterly 252 feet along a straight line to the point of beginning; EXCEPT a parcel of land 50 feet wide conveyed to John M. B. Petrikin in Partition Deed recorded in Book 203 at Page 294;

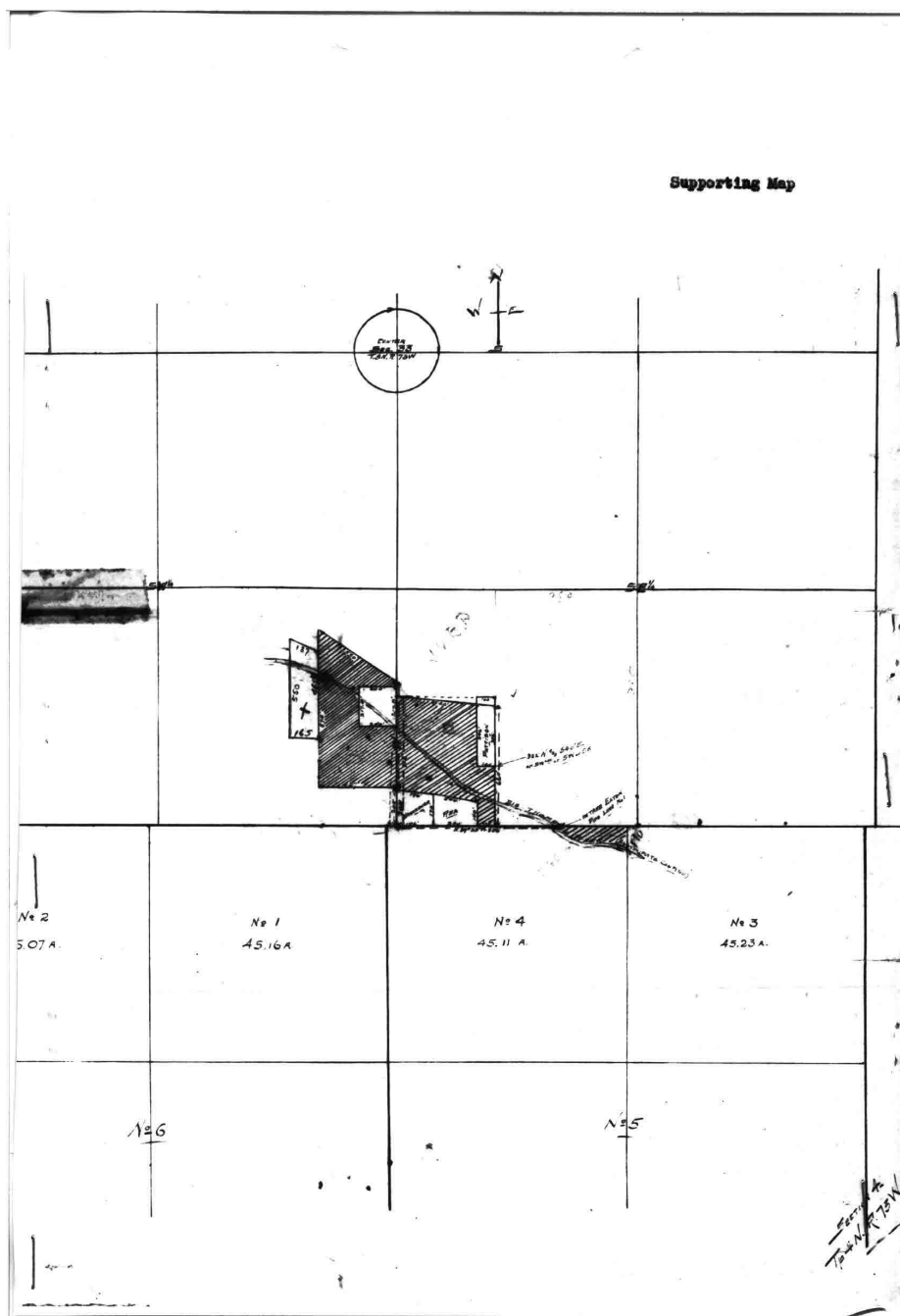
Licensed and bonded under the laws of the State of Colorado. Taxes are certified to, only after date of sale, after which they become a record in office of County Clerk and Recorder. N. F. Commissions are regular unless otherwise noted.

Only as shown by entries numbered 28 to 34 both inclusive. Except, however, right of way for public roads, railroads, ditches, reservoirs, ditches, and mining claims, if any.

Dated at Fort Collins, in said Larimer County, the 24th day of February, 1955 at 7:00 A. M.

Attest: *R. D. Hartman*, Secretary *Edward J. Peterson*, President

THE LARIMER COUNTY ABSTRACT COMPANY



Other Supporting Information

L54-AL

February 23, 1962

Docket 45

W O D C	
FEB 26 1962	
CHF	
ADM	
PERS	
P & P	
ARCH	
ENGR	<i>last 1</i>
L. A.	
SPEC	
CONT	
SFTY	
HABS	
ACTION TAKEN - DATE	
File	<i>2/26/62</i>

Memorandum

To: Regional Director, Region Two
From: Hydraulic Engineer, Branch of Water Resources
Subject: Water Right Docket Numbers, Rocky Mountain

Regarding Mr. Baggeley's memorandum of February 15, all file copies of Rocky Mountain Dockets should include Dockets numbered 42 through 46. Copies of memoranda transmitting folders, partitions or material relating to each of these five dockets are enclosed to enable you to locate them.

Note that the closing statement of the first paragraph of the enclosed July 17, 1959, memorandum refers to material subsequently transmitted by memoranda included in the other enclosed copies.

Gordon W. Robertson
Hydraulic Engineer, Branch of Water Resources

Enclosures

Copy to: Superintendent, Rocky Mountain, w/c enclosures
Chief, WODC (2), w/1 copy enclosures

154-088

August 25, 1959

Memorandum

To: Regional Director, Region Two

From: Chief, Water Resources Section

Subject: Eaton Pipe Lines 1 and 2 and Grant Spring, Docket 45
(Formerly Alien Water Right 27), Rocky Mountain

Attached are:

1. Photostat copy of Deed No. 145 and the abstract.
2. Divider - Part I - Land Status.
3. Divider - Part II - Water Rights

Please file the deed and abstract, with Part I divider, below the water right filings 6315 and 6316 in Alien Water Right 27. Also file Part II divider above the two water right filings.

On the tab of the folder, please delete "Alien Water Right No. 27" and substitute "Docket No. 45". Also delete "Bruce G. Eaton, Claimant", and add Grant Spring (Part interest) on the line below.

Also attached is an exact copy of the second page of "Table of Contents" of the volume of Water Rights Owned or Claimed by United States of America, May 8, 1957, which was forwarded with memorandum of September 5, 1957, from Mr. Bagley. We have entered the missing docket numbers which have been assigned.

Docket 45 now contains available records of Eaton Pipe Lines 1 and 2, and Grant Spring Pipe Line, for which Mr. Lloyd made three entries in the above volume. I think the Eaton Pipe Lines with filings for power purposes, should remain in the one docket. I believe, however, that a separate docket should be compiled for the Grant Spring Pipe Line (domestic) with map of the pipe line, and parcels of Federal and private lands which are served, in Part I - Land Status, and proper records of Federal and alien water uses in Parts II and III. This will have to be done by you and the Superintendent.

I am sending a docket folder to WDC with the deed, abstract and dividers, but no copies of the filings. Our copies of the filings are blue prints which were purchased from the State Engineer, and will have to be made in parts, or reduced to fit an 18" x 22" sheet, if photostated. I hesitate to obtain such photostat copies here until advised whether you or the Superintendent can supply better copies. In fact, the Superintendent may have both the copies sent by us on October 1, 1946, and those in the 'original' assembly which was forwarded on July 9, 1951.

A. van V. Dunn
Chief, Water Resources Section

Attachments 3

Copy to: Superintendent, Rocky Mountain, with 3 attachments
Chief, WDC (2), with Docket 45 and copy table of contents
✓ Mr. Dunn

AvVDunn:lct

April 12, 1960

Memorandum

To: Regional Director, Region Two
From: Chief, Water Resources Section
Subject: Eaton Pipelines 1 and 2, Grant Spring Pipelines and the Grant Spring, Docket 45, formerly Alien Water Right 27, Rocky Mountain National Park

The final proposals in Mr. Rutter's memorandum of March 29 to you seem satisfactory, as follows:

1. The federally acquired claims to water through the Eaton Pipelines 1 and 2 for power under Filing 6315 and 6316 will be considered abandoned because they are no longer needed or used, and one had not been used at all, and the other has not been used since 1950.

2. The Federal claims to waters of Grant Spring will also be considered as abandoned when use terminates.

These are special cases. The mere fact that the Eaton Pipeline had not been used for nearly five years when acquired by the U.S. or for several subsequent years should not be the criterion just because no supplemental statement had been filed, or that the U.S. had not exercised the claim after acquisition, and within the statutory five-year period. There may be cases in which the U.S., with the aid of the Solicitor and Department of Justice, will wish to assert a continuing Federal claim on other bases.

It is also quite probable that the rights to Grant Spring would have been construed as valid in any adjudication, if the United States and other claimants wished to assert them, even though no filing was ever made. As of 1939 when I participated in adjudications, and I believe to this day, there has been considerable use of springs and even streams for domestic purposes with no filing or decree. It was considered a new concept by the Special Assistant to the Attorney General and by the Judge, in 1939, to consider that the Colorado water laws were applicable to domestic water uses. Prior decrees have been almost exclusively for irrigation, and rights for most old domestic uses have not yet been decreed.

W O D C
APR 14 '60

CHF	
ADM	
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L.A.	
SPEC	
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1. Rutter
2. Rutter
3. Rutter

154-GR
ACTION TAKEN - DATE
none

If the U.S. acquires any inholdings with established domestic water supplies, but with no filed claims or decreed rights, the first question is whether the Park Service proposes to continue to make such use. The next question, for the Solicitor or Department of Justice, is what basis of rights to assert. The Superintendent and Engineer should not question the validity of prior use without prior determination by such attorneys.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: ~~Superintendent~~, Rocky Mountain National Park
✓ Chief, WOEC (2)



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Rocky Mountain National Park
and
Shadow Mountain National Recreation Area
P. O. Box 1086, Estes Park, Colorado

March 29, 1960

Memorandum

To: Regional Director, Region Two
From: Acting Superintendent
Subject: Eaton Pipelines 1 and 2, Grant Spring Pipelines and the
Grant Spring, Docket 45, formerly Alien Water Right 27,
Rocky Mountain National Park

IN REPLY REFER TO:
154 *1000*

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Mr. Holmes	
Miss Gandy	

[Handwritten signatures and initials over the routing slip]

In Mr. A. van V. Dunn's memorandum of February 3, 1960, to you, with copy to us, he requested us to supply the date the Eaton Pipelines (Power) were abandoned by the United States, and a history of the development and division of interest in the three different water rights, to be obtained from the former owners, in order to define the United States interest, if any, in each right.

As requested, on the Part II Divider, Water Docket No. 45, under the words "Water Rights," we have written "Eaton Pipelines 1 and 2 (Power) abandoned by U. S., March 18, 1955." *Ref Dunn's 2/3/60 memo*

Water rights for power purposes are a non-consuming beneficial use of water and under the Colorado Water Code are subject to claim of abandonment when not used beneficially for a period of five years. You will note in the following history that the last beneficial use of water through Eaton Pipeline No. 1 was in September, 1950, and the last beneficial use of water through Eaton Pipeline No. 2 was on or before September, 1943. The United States has made no beneficial use of water through either pipeline since the Secretary accepted the Deed of Conveyance on March 17, 1955. The structures, wheel pump, hydro-electric plant and pipe have been declared surplus, sold or salvaged, and the site has been cleared with the exception of the Grant Spring protection cover and the pipeline leading to the Grant home and guest house.

A representative from our office has recently interviewed the following former owners concerning the history of development and division of interest in the subject pipelines and spring: (1) Mr. Rex Eaton, Sr., the only surviving son of Bruce G. Eaton, who developed the Eaton property; (2) Mr. Raymond U. Williams, husband of Mable Williams, who purchased the Eaton property October 3, 1944; and (3) Mr. William Grant,

C. G. MAILED TO:
Director
BY *[initials]* DATE *[blank]*

son of W. W. Grant and Gertrude H. Grant, who owned and developed the Grant property. From these people, with help of their close relatives, and from documents of record, we have compiled the following:

EATON PIPELINE No. 1

In the Partition Deed, dated November 27, 1906, recorded in Book 203 at Page 294 of the Larimer County Records, Bruce G. Eaton received title to 10 acres known as the Eaton home property, the right-of-way on which to construct part of Eaton Pipelines No. 1 and 2, and his domestic water one-half inch pipeline on and across lands conveyed therein to Sarah J. Kennedy, and also a very questionable one-fourth undivided interest in a spring situated near the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 33, Township 5 North, Range 73 West. In addition to the Grant Spring, there were several other small springs on the North bank of the Big Thompson River near this corner.

The Eaton home was built during the fall and winter of 1906 and was first used in the summer of 1907. Work was started on construction of Eaton Pipeline No. 1 during the summer of 1908 and was completed that fall. A wheel pump was installed on the Grant Spring and late in the summer of 1909, using power supplied by Eaton Pipeline No. 1, water from the Eaton Spring was pumped through a one-half inch pipeline extending from the spring in a Northwesterly direction to the Eaton home. Each summer from 1910 to 1950, water has been diverted from the Big Thompson River through the Eaton Pipeline No. 1 for the purpose of supplying power to pump water from the Grant Spring to the Eaton home. The last beneficial use of water, through the Eaton Pipeline No. 1, was in September, 1950, almost five years before the United States acquired title from Williams and Woolf by virtue of a deed accepted by the Secretary on March 17, 1955. Mr. Bruce Eaton made no attempt to adjudicate a water right for the Eaton Pipeline No. 1, indicating to his family that it was not necessary because no one would object to the non-consuming use of water.

EATON PIPELINE No. 2

Construction was started on the Eaton Pipeline No. 2 late in the summer of 1910, and was completed in 1911. Water was first run through the conduit into the hydro-electric plant for the purpose of making electric power, the first beneficial use, late in the summer of 1911. Early in 1912, electric power lines were extended to the Eaton home and later to the Kennedy home, and power from the Eaton Pipeline No. 2 hydro plant was used each succeeding summer thereafter until 1943. Williams and Woolf never diverted water through the Eaton Pipeline No. 2, and never used electric power from the hydro-electric plant, after they purchased the Eaton property on October 3, 1944, which was

more than ten years before they conveyed title to the United States. No domestic water was ever diverted through or from the Eaton Pipeline No. 2. No attempt was made to adjudicate a water right for this non-consuming use of water.

GRANT PIPELINE

Mr. W. W. Grant, Sr. purchased the Grant property in 1898, but was unable to obtain clear title until 1904. In 1900, Mr. Grant started construction of the log cabin now used as a guest house, and four years later completed the larger home. During the summer of 1904, an one-inch pipeline was laid in an Easterly direction from the Grant Spring to the Grant houses. We can find no record of a right-of-way for this pipeline existing at the time of construction. Later, date not known, the one-inch pipe was replaced by one and three-eighths inch pipe. Beneficial use of domestic water from the Grant Spring through the Grant Pipeline was first made in the summer of 1905, and has been used continuously each season since that date. The Grant Pipeline enjoys the senior priority to the Grant Spring water due to first beneficial use. The Grant family has made no filling, nor has it attempted an adjudication of the Grant Spring waters because of the claims of others, not supported by proof of any beneficial use, which might have resulted in strained relations with old neighbors and friends. Now that the other beneficial user, the one-half inch Eaton Domestic Pipeline, has been abandoned because of failure to use water beneficially since 1950, Mr. William Grant, an attorney at law and present owner of the Grant property, expects to file a statement of claim and map with the State Engineer of Colorado. Mr. William Grant claims that the United States, in the March 2, 1929, Act of Congress accepting exclusive jurisdiction over the lands within Rocky Mountain National Park, recognized the Grant's vested right, established by more than 20 years of use, to divert water from the Grant Spring through the Grant Pipeline and the right-of-way connected therewith (U. S. Code, Title 16, Sec. 198).

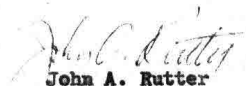
No water was ever pumped from the Grant Spring up to the Sarah J. Kennedy or John M. B. Petrikin properties, which would have been necessary if they had attempted to adjudicate a claim to any of the spring's water under the terms of the above mentioned Partition Deed. By virtue of written permission, granted by the Grant Estate in 1951, the United States made a connection on the Grant Pipeline for the purpose of supplying domestic water to the Thompson River Entrance to this National Park. We expect this use of water to be discontinued early in 1961 when the Bear Lake Cut-off Road is completed and the present Thompson River Entrance is closed.

OUR CONCLUSIONS

From the above, it seems apparent: that Eaton Pipelines 1 and 2 may have acquired a vested non-consuming water right to divert water from

the Big Thompson River by continuous beneficial use for a period of over 30 years; that any right to divert water attained by virtue of Filings No. 6315 and 6316, accepted September 2, 1909, was cancelled by failure to file supplemental claims or start adjudication within a reasonable time after passage of the Colorado Water Code Act of 1921; and that the vested non-consuming water rights were subject to a claim of abandonment at the time they were conveyed to the United States in 1955 by Williams and Woolf. Our appraisers gave no fair market value to these water rights when they appraised the Williams and Woolf property.

Also, it seems apparent: that the W. W. Grant Estate acquired a vested domestic water right to divert water from the Grant Spring for the capacity of the one and three-eighths inch Grant Pipeline (approximately three-fifths of total spring output) by continuous beneficial use of water for a period of over 50 years; that the Bruce Eaton Estate acquired a vested domestic water right to divert water from the Grant Spring for the capacity of the one-half inch Eaton Domestic Pipeline (approximately one-fifth of total output) by continuous beneficial use of water for a period of 40 years; that the parties to the Partition Deed of November 27, 1906, did not own any interest whatsoever in the waters of the Grant Spring; that neither the Bruce Eaton Estate nor its successors, Williams and Woolf, ever owned a full one-fourth interest in the Grant Spring; and, that Williams and Woolf could only convey the water right established for the Eaton Domestic Pipeline which had been abandoned for 5 years when the United States acquired title. The Eaton Domestic Pipeline right-of-way is under the Bear Lake Cut-off Road grade now under construction. With the recent acquisition of the Camp Woods domestic water system, located immediately across the Big Thompson River from the Grant Spring, the United States will not need domestic water from the Grant Spring for present or future development.


John A. Rutter
Acting Superintendent

In triplicate

W O D C

FEB 5 '60

7

RECEIVED
FEB 5 1960
U.S. DEPT. OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

U.S. DEPT. OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

ACTION TAKEN - DATE
None

To: Regional Director, Region Two

**Subject: Eaton Pipelines 1 and 2 and Grant Spring Pipeline - Docket 45,
formerly AWR 27, Rocky Mountain**

**"Eaton Pipelines (Power)
Abandoned by U.S. in 1951"**

We are not yet reactivating Alien Water Right 27. A 1/4 interest in Grant Spring appears to have been part of "Tract 3" in the deed at the top of contents of Part I of Docket 45. It is also probably true that the use has a priority of June 1, 1908, when Eaton Pipeline 1 was constructed. The spring may also be a "private spring" for which no filing by the owner of the land would be required under Colorado water laws then in effect. On the other hand, without checking the abstract in Part I, the conveyance of a 1/4 interest to the U.S. suggests that basic rights may have been appurtenant to the Grant lands. This is possibly supported by the exceptions of pipeline rights-of-way.

It appears to us that Docket 45, Part III, should contain the complete history of the Federal interest as acquired, by copy of Drawing 2354 and a statement by the Superintendent giving the history of development and divisions of the interests in the water, as well as they can be obtained from the former owners. The Federal interest may also include an interest in the pipeline.

After defining those Federal interests, they constitute real property and possible physical improvements, to be disposed of in the normal manner. This disposal should be recorded by record of abandonment as surplus. A statement should be prepared for Part II and also for Part III. However, the U.S. may have a partial interest in the Grant Spring Pipeline which includes responsibility for participation in continued service to the Grant lands. This should be clarified.

The suggestion to merely reactivate Alien Water Right 27 might constitute a gift of Federal interests to the owner of the Grant tract. This should not be implied.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachment - Part III divider

Copy to: ~~Superintendent~~, Rocky Mountain, with Part III divider
✓ Chief, WDCS, w/c W.R. Filing 6315 & 6316 & Part III divider

September 19, 1959

Subject: Map of Grant Spring, Docket 45, Formerly Alien Water Right 27, Rocky Mountain National Park.

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ACTION TAKEN - DAT.			

Water rights for the Grant Spring and Pipeline have not been adjudicated and no filing has been accepted in the State Engineer's Office.

Enclosure

Forwarded to Director
from Region Two Office
for Water Resources
By Watt Date: 1/18/60

August 25, 1959

*We do not to
the docket in our
files + charges
cannot 8/28/59
m.m.*

LSA-ONE

Memorandum

To: Regional Director, Region Two
From: Chief, Water Resources Section
Subject: Eaton Pipe Lines 1 and 2 and Grant Spring, Docket 45
(formerly Alien Water Right 27), Rocky Mountain

Attached are:

1. Photostat copy of Deed No. 145 and the abstract.
2. Divider - Part I - Land Status.
3. Divider - Part II - Water Rights

Please file the deed and abstract, with Part I divider, below the water right filings 6315 and 6316 in Alien Water Right 27. Also file Part II divider above the two water right filings.

On the tab of the folder, please delete "Alien Water Right No. 27" and substitute "Docket No. 45". Also delete "Bruce G. Eaton, Claimant", and add "Grant Spring (Part interest)" on the line below.

Also attached is an exact copy of the second page of "Table of Contents" of the volume of Water Rights Owned or Claimed by United States of America, May 8, 1957, which was forwarded with memorandum of September 5, 1957, from Mr. Bagley. We have entered the missing docket numbers which have been assigned.

Docket 45 now contains available records of Eaton Pipe Lines 1 and 2, and Grant Spring Pipe Line, for which Mr. Lloyd made three entries in the above volume. I think the Eaton Pipe Lines with filings for power purposes, should remain in the one docket. I believe, however, that a separate docket should be compiled for the Grant Spring Pipe Line (domestic) with map of the pipe line, and parcels of Federal and private lands which are served, in Part I - Land Status, and proper records of Federal and alien water uses in Parts II and III. This will have to be done by you and the Superintendent.

WESTERN OFFICE	
DESIGN & CONSTRUCTION	
AUG 23 1959 A.M.	
CHIEF	
ADMIN. ASSIST.	
PERSONNEL	
PLANS & PROG.	
SAFETY	
ARCHITECT	
ENGINEER	
LAND ARCH.	
ACTION TAKEN-DATE	

I am sending a docket folder to WDC with the deed, abstract and dividers, but no copies of the filings. Our copies of the filings are blue prints which were purchased from the State Engineer, and will have to be made in parts, or reduced to fit an 18" x 22" sheet, if photostated. I hesitate to obtain such photostat copies here until advised whether you or the Superintendent can supply better copies. In fact, the Superintendent may have both the copies sent by us on October 1, 1946, and those in the "original" assembly which was forwarded on July 9, 1951.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachments 3

Copy to: Superintendent, Rocky Mountain, with 3 attachments
Chief, WDC (2), with Docket 45 and copy table of contents

TABLE OF CONTENTS

Docket No. 27.	Little Horseshoe Park Pipe Line,	Domestic Priority No. 57-(2).
		Domestic Priority No. 58-(2).
Docket No. 28.	Hupps and Beaver Ditches,	Joint Irrigation Priority No. 58.
Docket No. 29.	Camp Woods Pipe Line, -	Domestic Priority No. 58-(2).
Docket No. 30.	Forest Inn Pipe Line, -	Domestic Priority No. 58-(6).
Docket No. 31.	Fern Lake Pipe Line, -	Domestic Priority No. 58-(5).
Docket No. 32.	Utility Area Spring Pipe Line,	Domestic Priority No. 58-(1).
Docket No. 33.	Glacier Basin Pipe Line, -	Domestic Priority No. 58-(4).
Docket No. 34.	Bear Lake Pipe Line, -	Domestic Priority No. 58-(3).
Docket No. 35.	Horseshoe Ditch, - -	Irrigation Priority No. 58.
Docket No. 36.	Endovalley Campground Pipe Line,	Domestic Priority No. 58-(4).
Docket No. 37.	Trail Ridge Road Camp Pipe Line,	Domestic Priority No. 58-(1).
Docket No. 38.	Fall River Pass Pipe Line,	Domestic Priority No. 58-(3).
Docket No. <u>42</u> .	Wild Basin Pipe Line, -	No Filing, Not Adjudicated.
Docket No. <u>43</u> .	Selak Ditch No. 1, - -	Irrigation Priority No. 1.
" <u>43</u> .	Selak Ditch No. 2, - -	Irrigation Priority No. 1.
" <u>43</u> .	Pole Creek Ditch, - -	Irrigation Priority No. 1.
Docket No. <u>44</u> .	Kauffman Ditch (Use Discontinued),	Filing, Not Adjudicated.
Docket No. <u>44</u> .	Hertel Ditch (and Enlargement),	Irrigation Priority 431, 433.
Docket No. <u>45</u> .	Eaton Pipe Line No. 1, } <i>same</i> Filing No. 6316, Not Adjudicated.	
" <u>45</u> .	Eaton Pipe Line No. 2, } <i>Docket</i> Filing No. 6315, Not Adjudicated.	
Docket No. <u>45</u> .	Grant Spring Pipe Line (part interest),	Not Adjudicated.
Docket No. <u>39</u> .	Horseshoe Pipe Line, Power No. 2g,	Domestic Priority No. 22g.
Docket No. <u>40</u> .	Green Pipe Line,	Domestic Priority No. 34.

Office of Chief, Western Office Div. of Design and Const.
MAR 27 1955 A.M.
Supv. Architect
Supv. Engineer <i>WJH</i>
Supv. Landscape Arch.
Safety Engineer

L54

MAR 16 1955

Memorandum

To: Director

From: Acting Regional Director, Region Two

Subject: Eaton Pipelines 1 and 2, Alien Water Right No. 27, and
Approval of Option to Purchase Tracts 232B, 233 and 269,
Rocky Mountain

We have Mr. Dunn's memorandum of March 9 on the above subject and note that he refers to Mr. Tolson's memorandum of December 29, 1954, but makes no mention of Mr. Lloyd's memorandum of February 9 to this office which was forwarded to your office on February 14.

Attached to Mr. Lloyd's memorandum were the warranty deed, abstract of title and other documents in connection with the transfer of Tracts 232B, 233 and 269 to the Government.

In view of Mr. Lloyd's memorandum and attachments, it seems possible that Mr. Dunn may wish to review the deeds and amend or withdraw his memorandum.

(Sgd) H. Raymond Gregg

H. Raymond Gregg
Acting Regional Director

Copy to: ✓ Chief, WOBC
Supt., Rocky Mountain NP, w/c Dunn's memo

Office of
Chief, Western Office
Div. of Design and Const.

MAR 14 1955 A.M.

Supr. Architect

1 - Supr. Engineer *ME-3114*

Supr. Landscape Arch.

Safety Engineer

In reply refer to:
154-L

March 9, 1955

Memorandum

To: Regional Director, Region Two
From: Chief, Water Resources Section

Subject: Eaton Pipelines 1 and 2, Alien Water Right No. 27, and
Approval of Option to Purchase Tracts 232B, 233 and 269
Rocky Mountain

As a supplemental to the memorandum of December 29, 1954, from Mr. Tolson, please refer to Alien Water Right No. 27, covering the Eaton Pipelines 1 and 2. Pipeline No. 2 diverted on the Kennedy property, Tract 235, with a short pipeline to an overshot water wheel just within the west end of subject Tract 269. Pipeline No. 1 diverted just below said water wheel with a longer pipeline to a power plant in the eastern half of Tract 269. Both filings, 6315 and 6316, indicate diversions for power to pump water for domestic water supplies. Unless very recently made, there are no claims to the water for domestic purposes, and the claims have not been adjudicated.

I believe that no claim was made for the domestic supplies on the claimant's assumption that water rights were only needed for irrigation, power, and mining, at the time. I also believe that one system was for the Kennedy residence, and the other for the Eaton residence.

The two water systems should be recognized as encumbrances on Tracts 235 and 269, and as possible appurtenances to the land where the water is used for domestic purposes. The title to the systems might pass with the land title, but any title to water claims and rights will have to be specifically conveyed in the deeds. Any interests of the land owners should be assigned to the United States to eliminate further encumbrances whether the United States wishes to exercise the rights or claims in the future, or not. The status should also be explained when the deeds are submitted to us, if the interests are not all assigned therein.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

In duplicate
Copy to: ~~Western Office of Design and Construction~~

June 21, 1946.

Statement Relating to Eaton Pipe Lines Nos. 1 and 2,
Rocky Mountain National Park

These claims have not been adjudicated. Pipe Lines Nos. 1 and 2 seem to be part of one system to generate power and deliver not more than 0.08 second-foot of water to the Eaton tract. There is no beneficial use of 0.08 second-foot for domestic and irrigation purposes, nor of 50.0 second-foot for power. The 6-inch pipe has a capacity of 2.165 second-foot, which is probably all that is used for power. The claims should be protested if presented for adjudication without reduction to actual values.

(SGD.) A. VAN V. DUNN

Chief, Water Rights Division.

