



Docket No: 49

1)DEER RIDGE WELL (ABANDONED); 2)SCHUBERT SPRINGS 1, 2 AND 3 (ABONDONED)

Preliminary Docket Information

00-00-0000: water docket information: application no. 16609; permit no. 14035

WATER DOCKET INFORMATION

A R E A ROCKY MOUNTAIN N P

DOCKET NO. 49 (Formerly Alien Water right #4)

APPLICATION NO. 16609 (Decreed Domestic Priority No. 30) (1)
(Decreed Domestic Priority No. 48) (2)

PERMIT NO. 14035 - 100 Gals/hr (Domestic Use) initiated use-Summer 1957

CERTIFICATE NO. _____

TITLE OF DOCKET EMIL O SCHUBERT (Former owner)

PRIORITY (1) 7/31/1921; (2) 6/5/1939

REMARKS: _____

WATER RIGHT RECORD

Park: ROMO

Docket Number:
Federal #49

IDENTIFICATION NO: ROMO, W, 190573 AF 49,

DITCH/WATER SYSTEM: Deer Ridge

SOURCE OF SUPPLY: Well (Abandoned)

LOCATION: NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 19, T5N, R73W, 6th P.M., whence the W 1/16
corner of Sec. 18 & 19 bears N 21°12'W 678.64 ft.

WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number: 14035, approved 1/23/63

Certificate Record Number:

Date of Priority: June, 1957

Quantity of Water: 1.67 gpm

Purpose: Domestic

Irrigated Land Description:

SUMMARY OF STATUS: This is a Federal water right, acquired by deed.
The well has since been abandoned and obliterated.

WATER RIGHT RECORD

Park:

Docket Number:

IDENTIFICATION NO: _____

DITCH/WATER SYSTEM:

SOURCE OF SUPPLY:

LOCATION:

WATER RIGHT:

Appropriator:

Application/Permit Number:

Certificate Record Number:

Date of Priority:

Quantity of Water:

Purpose:

Irrigated Land Description:

SUMMARY OF STATUS:

WATER RIGHT RECORD

Park: ROMO

Docket Number:

Federal #49

IDENTIFICATION NO: ROMO S 190573BF49

DITCH/WATER SYSTEM: Schubert Springs (Abandoned)

SOURCE OF SUPPLY: Springs No. 1, 2, and 3

LOCATION: No. 1: at a point whence the E $\frac{1}{2}$ cor of Sec. 19, T5N, R73W, 6th P.M. B
bears S87°07'E 2332.6 feet.

No. 2: whence the E $\frac{1}{2}$ cor. of said Sec. 19 bears N84°31'E 2645.8 ft. 2C

No. 3: whence the E $\frac{1}{2}$ cor. of said Sec. 19 bears N57°47'E 1643.1 ft. 3B

WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number: Filing #16609, accepted 6/19/39

Certificate Record Number:

Date of Priority: Decreed Priority #30, 7/31/21, Spring #1
" " #48, 6/5/39

Quantity of Water: No. 1: 0.03 c.f.s.
No. 2 & 3: 0.037 c.f.s.

Purpose: Domestic

Irrigated Land Description:

SUMMARY OF STATUS: This is a Federal Water Right acquired by deed.
All springs were apparently abandoned when the Schuberts drill well in
1957. Pipelines, pumps and check dams have been removed. Spring No. 1
is dry. The other two carry a small trickle.

WATER RIGHT RECORD

Park:

Docket Number:

IDENTIFICATION NO: _____

DITCH/WATER SYSTEM: _____

SOURCE OF SUPPLY: _____

LOCATION: _____

WATER RIGHT:

Appropriator: _____

Application/Permit Number: _____

Certificate Record Number: _____

Date of Priority: _____

Quantity of Water: _____

Purpose: _____

Irrigated Land Description: _____

SUMMARY OF STATUS:

Rocky Mountain National Park
~~Water Right~~ ^{Docket} No. 49
Appurtenant to Schubert Tract No. 166

Formerly Alien WR #4

Outline of Assembly

PART I.

1. Filing No. 16609.
2. Copy of Decree (Schubert Springs
and Pipelines 1, 2 and 3.
3. Form NPS-L-3 (Tract Record and
Valuation Data of Land to be Acquired)

PART II.

4. Permit No. 14035 (Form D (Rev.))

ROMO W 19 05 73 A F 49
 ROCKY MOUNTAIN
 ROCKY MOUNTAIN NATIONAL PARK
 DEER RIDGE
 COLORADO
 LABRMER
 ROMO WATER RIGHT DACKET 49
 TSM R73W SEC 19
 14035
 JUNE 1957 - 11.67 GPM
 JANUARY 26 1915
 IMACTING
 GROUND WATER
 DOMESTIC
 11.67 GPM
 10190006
 THIS WELL HAS BEEN ABANDONED AND OBLITERATED

ROMO S 19 AS 73 B F 49
 ROCKY MOUNTAIN
 ROCKY MOUNTAIN NATIONAL PARK
 SCHUBERT SPRING NO 1
 COLORADO
 LARIMER
 ROMO WATER RIGHT DOCKET 49
 TSN R73W SEC 19
 1969 JUNE 19 1939
 NO 30
 JULY 31 1921 - 0.03 CFS
 JANUARY 26 1915
 INACTIVE FEDERAL
 GROUND WATER
 DOMESTIC
 0.03 CFS
 10190006
 SPRING NO 1 IS DRY - ABANDONED

ROMO S 19 05 73 C F 49
ROCKY MOUNTAIN
ROCKY MOUNTAIN NATIONAL PARK
SCHUBERT SPRINGS 2 AND 3
COLORADO
LARAMIE
ROMO WATER RIGHT DOCKET 49
TSM R73W SEC 19

16609 JUNE 19 1939
MO 48

JUNE 5 1939 - Q.037 CFS
JANUARY 26 1915
IMAGINATIVE FEDERAL
GROUND WATER
DOMESTIC
Q.037 CFS
10190006
SPRINGS CARRY A SMALL TRICKLE - ABANDONED

Rocky Mountain National Park - Water Right Docket No. 49 - Filing No. 16609 (Decreed Domestic Priority No. 30 - Emil O. Schubert - Priority July 31, 1921
(Decreed Domestic Priority No. 48 (former owner) - Priority June 5, 1939
Permit No. 14035 - 100 gals./hr. (Domestic Use) - initiated use - Summer 1957

PART I -
SPRINGS - 1, 2 & 3

NATIONAL PARK SERVICE
Rocky Mountain National Park
and

IN REPLY REFER TO:

April 30, 1963

Reg. Director
A. Irwin, Assoc.
Assoc. to L.
A. Irwin
L. Irwin -
✓ Res. Pl. m. g. 8-53
reg. Coor.
Info. & Pub's.
Bld. Svc.

X Mott

n. Green

To: Regional Director, Midwest Region

From: Superintendent, Rocky Mountain

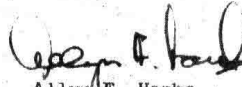
Subject: Water Right Docket Number 49, Former Emil O. Schubert
Water Supply

All three Springs have been abandoned by positive acts. Since we now anticipate no future need for water supplies in this vicinity, we feel it advisable to let the situation stand idle. We cannot justify an attempt to prove completion and beneficial use for filing with the District Court.

Should the need for water supplies in this vicinity eventually arise, the Schubert Well near this location would be far more productive than all three Springs combined. Also, since the collection basin is apparently situated to capture nearly all the water of the three springs, its use could be achieved by a change in point of diversion of the decreed water right at Spring No. 1.

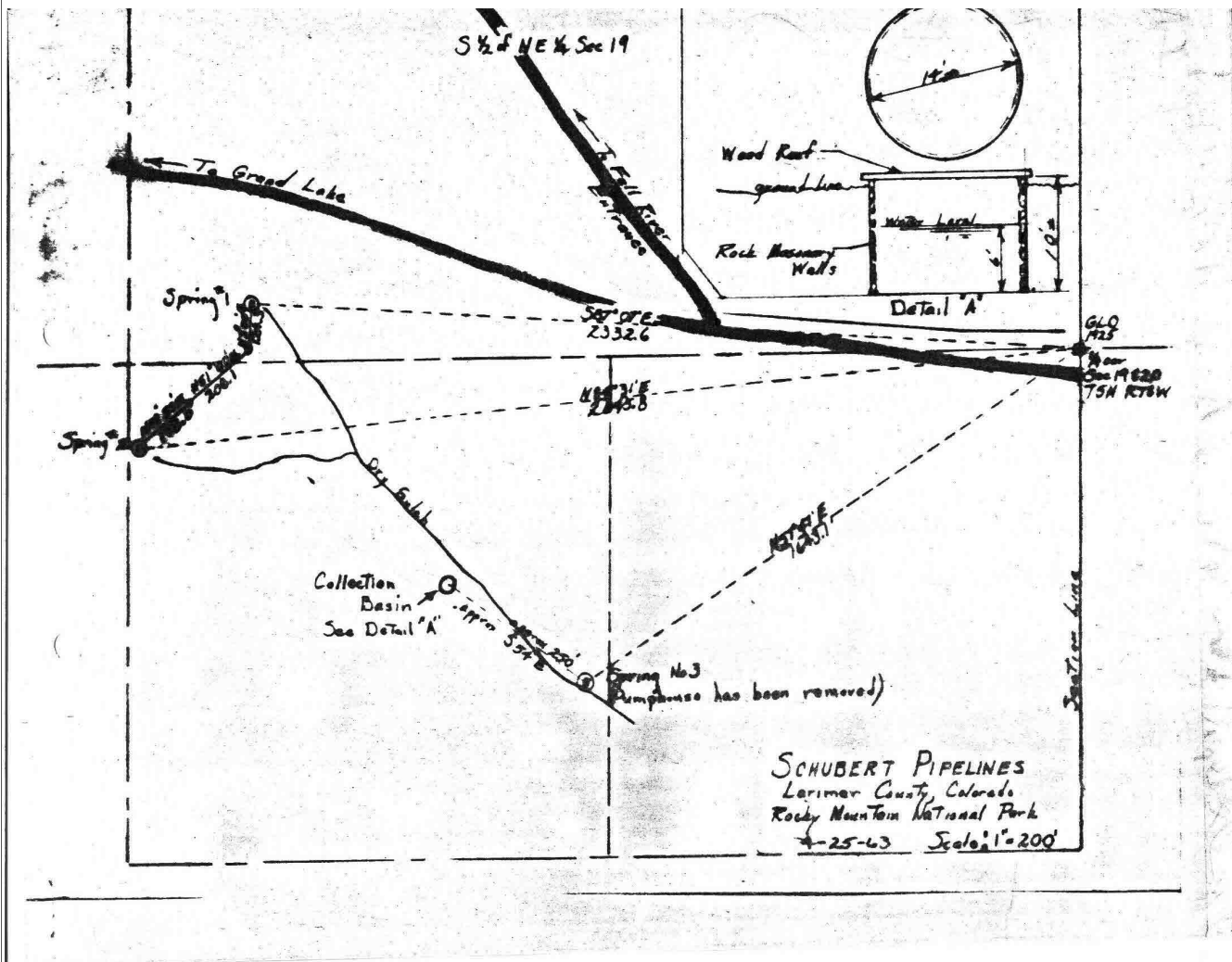
C.C. MAILED TO

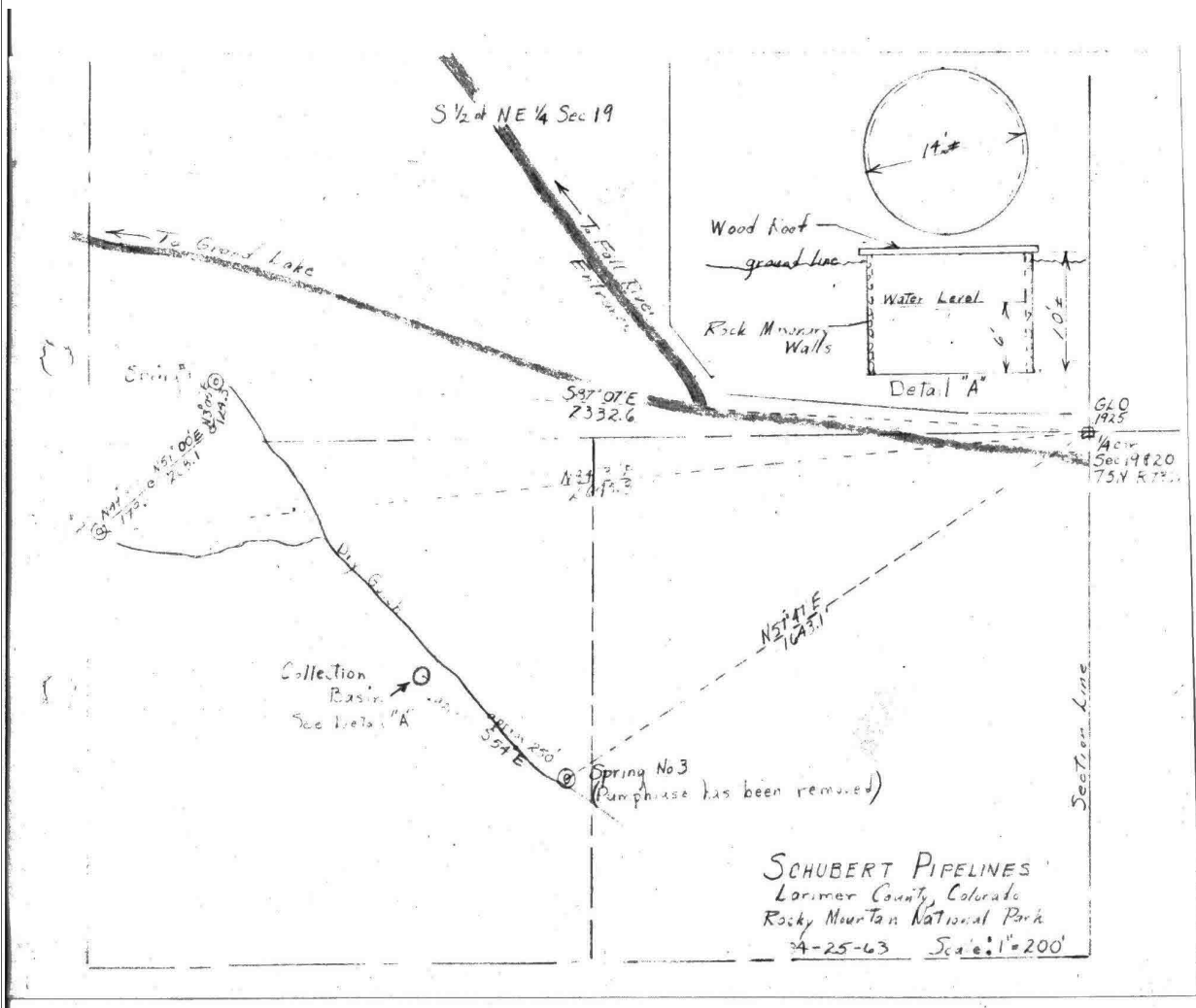
The springs surface and sink back into the ground entirely within the boundary, and entirely on Federally-owned land.


Allyn F. Hanks

Enclosures

In triplicate





Form 10-123(L-3)
(April 1959)UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICETRACT RECORD AND VALUATION DATA
OF LAND TO BE ACQUIREDState ColoradoTract No. 166County LarimerApp. to
Alien Water Right
Deed No. 4

Civil Subdivision

Rocky MountainDeer Ridge Junction

Name of Park or Park or Area

Section of Park or Area

RECORD OF OWNERSHIP

Conveyed to: (Name and address)	Date	Acres	Deed Book	Page	Remarks
<u>Emil O. Schubert</u>	<u>11/39</u>				<u>Decree of</u> <u>Dist. Court #4</u>

CLASSIFICATION AND VALUE OF LAND

Classification	Tax Valuation			Basis		Appraisals		
	Area acres	Year	Value	Tax Rate	Total Tax	1	2	3
Total								

KIND AND VALUE OF IMPROVEMENTS

<u>Decreed priorities:</u>								
<u>Domestic No. 30 (Final)</u>			<u>\$ 750</u>					
<u>Domestic No. 48 (Conditional)</u>			<u>\$ 74</u>					
Total								

RECORD OF APPRAISALS

Name and address of Appraiser	Title	Date
<u>1 A. van V. Dunn</u>	<u>Chief, Water Rights Division</u>	<u>April 23, 1948</u>
<u>2</u>		
<u>3</u>		

If tract is required in Project Construction Program (PCP) give reference number

Will additional personnel, development and/or equipment be needed to administer this tract: Yes If so, state briefly: It is necessary to complete development of springs Nos. 2 and 3, and make full use of the water and record proof with the District Court to make decreed priority No. 48 final.

Form NPS-L-3
Page 2

Legal Description: Decreed Priority No. 30 - A final right to divert 0.03 second foot of water from Spring No. 1 with priority of July 31, 1921 for domestic purposes.
Decreed Priority No. 48 - A conditional right to divert 0.037 second foot of water from Springs Nos. 2 and 3 with priority of June 5, 1939 for domestic purposes.

Liens: None

Description of existing or outstanding rights, rights of way or reservations, if any: Decreed priority No. 48 is subject to final proof of completion of the water system and full beneficial use of the water. The claim is made for more water than can be diverted by authorized conduit, and probably more than the spring flow, and should be protested at time final proof is made to the Court.

Should they be acquired with the land (Yes) or are they administratively acceptable: Yes

Description of Improvements: A collecting sump and pump at Spring No. 1, 600 feet of 1" pipe, and a distribution tank, in connection with Decreed Priority No. 30.

Special Features: These water rights have no value except to land to which they are appurtenant.

Justification for acquisition: To permit use of the lodge on tract No. 166.

Priority in purchase program: No. 1 (as acquisition of tract No. 166 is so listed).

Remarks:

If space is insufficient for any particular subject attach additional sheet and mark "See attached sheet for continuation"

Rocky Mountain National Park

**Alien Water Right No. 4
Appurtenant to Schubert Tract No. 166**

Outline of Assembly

- 1. Filing No. 16609.**
- 2. Copy of Decree.**

**Note: For general conditions of decree, see Rocky Mountain
National Park Deed No. 63.**

ROCKY MOUNTAIN NATIONAL PARK

Form NPS-L-3 (Supplement)
Emil O. Schubert

Page 11 of 17
Tract No. 166

Subject to the general conditions and provisions hereinabove set forth, IT IS FOUND, ORDERED, ADJUDGED AND DECREED BY THE COURT, with respect to each of the several ditches, pipe lines, canals, and reservoirs herein adjudicated as follows:

* * * * *

SCHUBERT SPRINGS AND PIPE LINES 1, 2, and 3.

(Domestic Priorities Nos. 30, and 48 Conditional; Ditch - Pipe Line - No. 28)

1. That the names of these pipe lines are Schubert Pipe Lines Nos. 1, 2, and 3. That the claimant of these pipe lines is Emil O. Schubert, whose post office address is Estes Park, Colorado.

2. That said pipe line No. 1, and Schubert Springs Nos. 1, 2 and 3 are located on and the water of said springs first arises on lands owned by claimant in Section 19, T 5 N, R 73 W of the 6th P.M., on the watershed of the Big Thompson River, all in Water District No. 4, Larimer County, Colorado.

3. The source of supply of water is from said springs and such water is used for domestic purposes in and about claimant's premises, known as Deer Ridge Chalets.

4. That the intake of Schubert Pipe Line No. 1 is located at Schubert Spring No. 1 from which at present it derives its supply of water; said spring and intake is located at a point whence the East Quarter Corner of said Section 19 bears South 87° 07' East 2332.6 feet. Further supply of water is to be from proposed pipe line No. 2, described below.

5. That the diameter of said pipe line No. 1 is one inch, its height 136 feet, its length 600 feet, extending in a general northeasterly direction to a reservoir, and its carrying capacity is estimated at 0.03 cubic feet of water per second; that water is pumped from said spring through said pipe by an engine driven pump.

6. That work of construction was started on same, and appropriation of said water made, by installation of a 2500 gallon reservoir, 600 feet of one inch galvanized iron pipe, enlarging of said spring to form a supply basin, and installation of engine driven pumps, commenced on or prior to July 31, 1921, and work prosecuted to completion with due diligence, and ever since said completion all of the water from said Spring No. 1 has been diverted through said pipe line by claimant and his predecessors in title and applied to beneficial uses.

7. As a matter of law, claimant is entitled to a decree to the effect that, by virtue of the water in said spring first arising on his own land, and by virtue of construction and appropriation, all the water of said Spring No. 1, estimated at 0.03 cubic feet per second, be permitted to flow into said Pipe Line No. 1, with Domestic Priority No. 30, as of date of July 31, 1921.

ROCKY MOUNTAIN NATIONAL PARK

Form NPS-L-3 (Supplement)
 Emil O. Schubert

Page 12 of 17
 Tract No. 166

8. That Pipe Lines Nos. 2 and 3 are not as yet constructed, but are proposed to divert water from Springs Nos. 2 and 3, for the same purpose as Pipe Line No. 1.

9. That the intake of proposed Pipe Line No. 2 is to be located at Schubert Spring No. 2, from which it will derive its supply of water, whence the East Quarter Corner of said Section 19 bears North 84° 31' East 2645.8 feet, and will feed into Spring No. 1; that the diameter of said proposed pipe line is to be one inch, its fall 20 feet, its length 550 feet, its carrying capacity 0.15 cubic feet of water per second, and that work was started on same by survey and excavation work on June 5, 1939.

10. That the intake of proposed Schubert Pipe Line No. 3 is to be located at Schubert Spring No. 3, from which it is to derive its supply of water, whence the East Quarter Corner of said Section 19 bears North 57° 47' East 1643.1 feet; that its diameter is proposed to be one inch, its height 200 feet, its length 1200 feet, its carrying capacity 0.025 cubic feet of water per second, and that work was started on same by survey and excavation work on June 5, 1939.

11. As a matter of law, claimant is entitled to a decree to the effect that water from said Springs 2 and 3 be permitted to be used on claimant's land by reason of said water first arising thereon, and to the effect that the waters of said Springs 2 and 3 be permitted to flow into said Pipe Lines Nos. 2 and 3 respectively, to the extent of the capacity of said pipe lines, estimated at 0.15 cubic feet and .025 cubic feet per second, respectively, with Domestic Priority No. 48, as of date June 5, 1939; provided construction and use thereof be prosecuted and completed with diligence.

12. That on June 19, 1939, duplicate maps and statements of said Schubert Springs and Pipe Lines Nos. 1, 2, and 3 were approved by the State Engineer of Colorado, a duplicate filed in his office, and that on July 8, 1939, a duplicate thereof was duly filed in the office of the Clerk and Recorder of Larimer County, Colorado.

13. That claimant is the owner of the land on which said Schubert Springs Nos. 1, 2 and 3 first arise, and on which the said Schubert Pipe Line No. 1 is located, and also on which the said Schubert proposed Pipe Lines Nos. 2 and 3 are to be located; that all of the water from said Springs Nos. 1, 2 and 3 are capable of and needed for use on claimant's said lands, which are described as follows, to-wit: The South one half of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 19, T 5 N, R 73 W of the 6th P.M., Larimer County, Colorado, for domestic and other beneficial purposes; and that ever since July 31, 1921, said water has been applied to such uses by the predecessors in interest and by claimant at his resort on said land which is now operated under the name of Deer Ridge Chalets.

ROCKY MOUNTAIN NATIONAL PARK

Form NPS-L-3 (Supplement)
Emil O. Schubert

Page 13 of 17
Tract No. 166

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED BY THE COURT

As follows:

1. That Claimant, by virtue of his ownership of the land upon which the spring water first arises, has a prior right to the use of all of the water arising from said Schubert Springs Nos. 1, 2, and 3, for application to beneficial uses on said land.

2. That by virtue of original construction there be permitted to flow from Schubert Springs No. 1 into Schubert Pipe Line No. 1, water to the capacity of said pipe line, estimated at 0.08 cubic feet per second, with Domestic Priority No. 30, as of date July 31, 1921, subject to the general and paramount provisions of this decree.

3. That by virtue of construction there be permitted to flow from Schubert Spring No. 2 into Schubert Pipe Line No. 2, water to the capacity of said pipe line, estimated at 0.15 cubic feet per second of time, with Domestic Priority No. 48, as of date June 5, 1939; and further, that by virtue of construction, there be permitted to flow from Schubert Spring No. 3, into Schubert Pipe Line No. 3, water to the capacity of said pipe line, estimated at 0.025 cubic feet per second of time, with the same Domestic Priority No. 48, as of the same date, June 5, 1939; provided, as to both said pipe lines Nos. 2 and 3, the same be constructed and completed and put to use with diligence, and claimant may by proper proceedings thereafter, upon showing such diligence, have a final decree to said Pipe Lines Nos. 2 and 3.

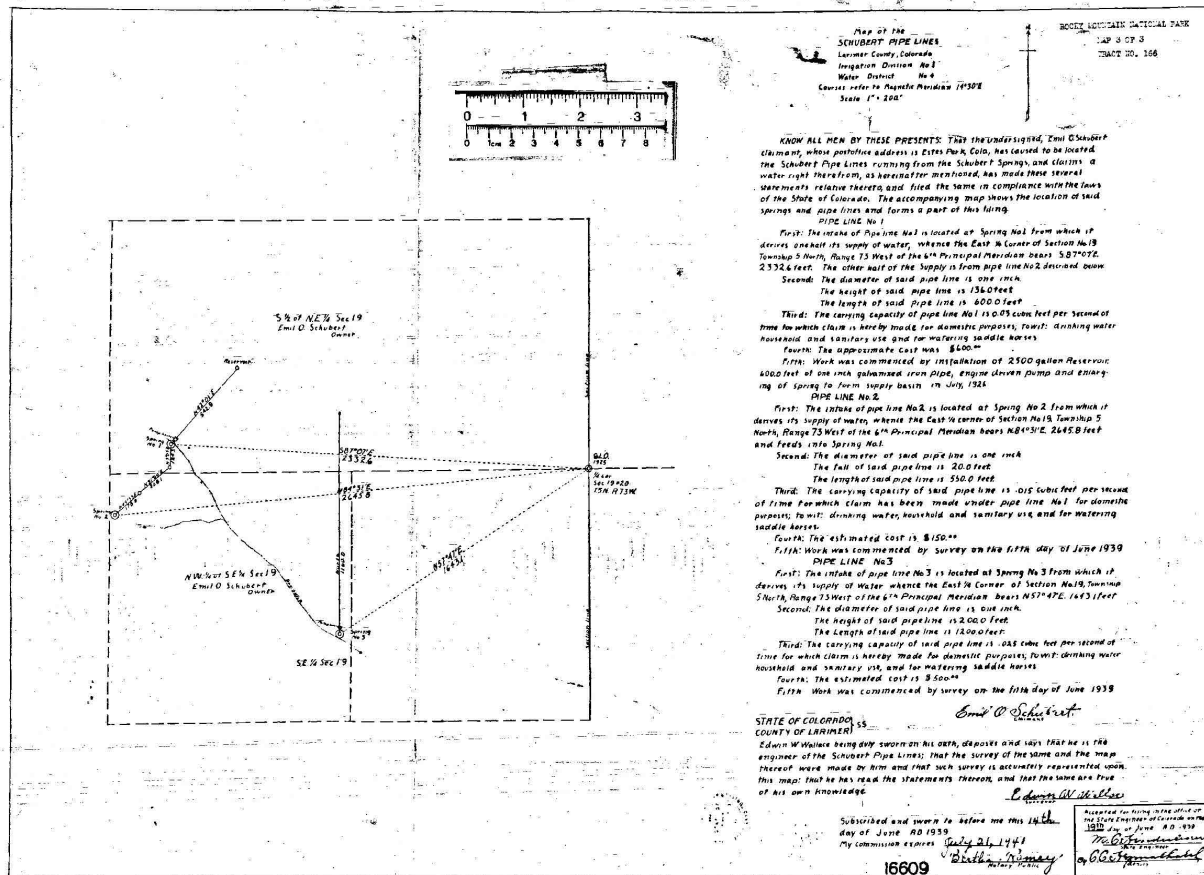
(Domestic Priority No. 30 and Conditional Priority No. 48)

* * * * *

IT IS FURTHER ORDERED BY THE COURT that all the evidence taken in this matter and extended and filed in this Court, including all exhibits, being a part of said evidence, be and the same is hereby made a general bill of exceptions herein, and any party aggrieved by any finding or provision of this decree is hereby granted one year from the date of entry of this decree in which to make and tender a particular bill of exceptions involving such matters as he may desire to have reviewed by the Supreme Court, said bill of exceptions to be made from what is hereinbefore described as a general bill of exceptions herein, and when so made, may be then tendered, signed and sealed by any Judge of this Court and filed herein.

DONE IN OPEN COURT, this 14th day of November, A.D. 1939.

(Sgd) Claude C. Coffin
Judge.



PART II -
Water Well Supply
Permit No. 14035

CLAIMANT'S STATEMENT

KNOW ALL MEN By these presents, that the undersigned, THE UNITED STATES OF AMERICA, claimant, whose post office address is Rocky Mountain National Park, Estes Park, Colorado, has caused to be located the Deer Ridge well as hereinafter mentioned, has made these several statements relative thereto, and filed the same in compliance with the laws of the State of Colorado. The accompanying map shows the location of said well and forms a part of this filing.

First: The well is located in Larimer County in the northwest quarter of the northwest quarter of section 18, township 5 north, range 73 west, 6th principal meridian, whence the west 1/4th corner of sections 18 and 19, township 5 north, range 73 west, bears N 21°12' W, 678.64'.

Second: The depth of said well is 105 feet with a 6 inch diameter steel casing.

The elevation of said well is 8980 feet above mean sea level.

Third: The yield of said well is 1.87 gallons per minute, for which claim is hereby made for domestic and other beneficial purposes.

Fourth: The work on said well was completed in June 1957.

Fifth: The survey of said well was made in June 1963.

Sixth: The estimated cost of said well is \$800.

UNITED STATES OF AMERICA

By *Robert C. Harnden*

Robert C. Harnden
Supt. ROCKY MOUNTAIN NATIONAL PARK

THE UNITED STATES OF AMERICA

DISTRICT OF COLORADO

Robert C. Harnden, being duly sworn, deposes and says that the survey and map of the Deer Ridge well was made under his supervision and instructions, and that such survey is accurately represented on this map, that he has read the statements thereon, and that the same are true to his knowledge.

Robert C. Harnden
Registered Professional Engineer
(Colorado No. 4841)

Park Engineer
Rocky Mountain National Park

Subscribed and sworn to before me this 17 day of June, 1964.

Norman J. Gantner
UNITED STATES COMMISSIONER

ROCKY MOUNTAIN NATIONAL PARK
DISTRICT OF COLORADO

ROCKY MOUNTAIN
NATIONAL PARK
(Government owned)

T2N
R73W
SEC 18
SEC 19

PT D

PT C

PT E

PT B

PT F

PT A

PT G

PT H

PT I

PT J

PT K

PT L

PT M

PT N

PT O

PT P

PT Q

PT R

PT S

PT T

PT U

PT V

PT W

PT X

PT Y

PT Z

PT AA

PT AB

PT AC

PT AD

PT AE

PT AF

PT AG

PT AH

PT AI

PT AJ

PT AK

PT AL

PT AM

PT AN

PT AO

PT AP

PT AQ

PT AR

PT AS

PT AT

PT AU

PT AV

PT AW

PT AX

PT AY

PT AZ

PT BA

PT BB

PT BC

PT BD

PT BE

PT BF

PT BG

PT BH

PT BI

PT BJ

PT BK

PT BL

PT BM

PT BN

PT BO

PT BP

PT BQ

PT BR

PT BS

PT BT

PT BU

PT BV

PT BW

PT BX

PT BY

PT BZ

PT CA

PT CB

PT CC

PT CD

PT CE

PT CF

PT CG

PT CH

PT CI

PT CJ

PT CK

PT CL

PT CM

PT CN

PT CO

PT CP

PT CQ

PT CR

PT CS

PT CT

PT CU

PT CV

PT CW

PT CX

PT CY

PT CZ

PT DA

PT DB

PT DC

PT DD

PT DE

PT DF

PT DG

PT DH

PT DI

PT DJ

PT DK

PT DL

PT DM

PT DN

PT DO

PT DP

PT DQ

PT DR

PT DS

PT DT

PT DU

PT DV

PT DW

PT DX

PT DY

PT DZ

PT EA

PT EB

PT EC

PT ED

PT EE

PT EF

PT EG

PT EH

PT EI

PT EJ

PT EK

PT EL

PT EM

PT EN

PT EO

PT EP

PT EQ

PT ER

PT ES

PT ET

PT EU

PT EV

PT EW

PT EX

PT EY

PT EZ

PT FA

PT FB

PT FC

PT FD

PT FE

PT FF

PT FG

PT FH

PT FI

PT FJ

PT FK

PT FL

PT FM

PT FN

PT FO

PT FP

PT FQ

PT FR

PT FS

PT FT

PT FU

PT FV

PT FW

PT FX

PT FY

PT FZ

PT GA

PT GB

PT GC

PT GD

PT GE

PT GF

PT GG

PT GH

PT GI

PT GJ

PT GK

PT GL

PT GM

PT GN

PT GO

PT GP

PT GQ

PT GR

PT GS

PT GT

PT GU

PT GV

PT GW

PT GX

PT GY

PT GZ

PT HA

PT HB

PT HC

PT HD

PT HE

PT HF

PT HG

PT HH

PT HI

PT HJ

PT HK

PT HL

PT HM

PT HN

PT HO

PT HP

PT HQ

PT HR

PT HS

PT HT

PT HU

PT HV

PT HW

PT HX

PT HY

PT HZ

PT IA

PT IB

PT IC

PT ID

PT IE

PT IF

PT IG

PT IH

PT II

PT IJ

PT IK

PT IL

PT IM

PT IN

PT IO

PT IP

PT IQ

PT IR

PT IS

PT IT

PT IU

PT IV

PT IW

PT IX

PT IY

PT IZ

PT JA

PT JB

PT JC

PT JD

PT JE

PT JF

PT JG

PT JH

PT JI

PT JJ

PT JK

154

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

January 31, 1963

Memorandum

To: Regional Director, Midwest Region
From: Superintendent, Rocky Mountain
Subject: Water well permit No. 14035, Deer Ridge

Enclosed in triplicate are copies of the subject water well permit for the well in the valley of Hidden Valley Creek, purchased with the Deer Ridge property. This matter was pending for some time until we were able to obtain specifications of the well and drilling data.

We would appreciate receiving a water docket number for this well and other water rights at Deer Ridge (formerly Alien No. 4).

/s/ Allyn F. Hanks
Allyn F. Banks

In triplicate

Enclosures

Form D (Rev.)

11/62

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

PERMIT

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

Form C Rev.

9-62/10M

STATE OF COLORADO

APPLICATION FOR:

☒ A PERMIT TO USE GROUND WATER☒ A PERMIT TO CONSTRUCT A WELL

JAN 23 1963

GROUND WATER SIT

National Park Service
Applicant Rocky Mountain National Park

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

Quantity applied for 100 ~~gallons~~ or AF Storage

Used for domestic Purposes

on/at Deer Ridge
(legal description of land site)

Total acreage irrigated and other rts.

ESTIMATED DATA OF WELL

Hole size: 6 in. to 105 ft.
in. to ft.

Casing Plain 6 in. from 0 to 65 ft.
in. from to ft.

Open or Perf. 6 in. from 65 to 105 ft.
in. from to ft.

PUMP
DATA: Type cyl. c-18 HP Size

Use initiation date 1957-Summer 19
(Use Supplemental pages for additional data)

Late Registration

THIS APPLICATION APPROVED

PERMIT NO. 14035 14035

ISSUED: JAN 23 1963

DATE 19

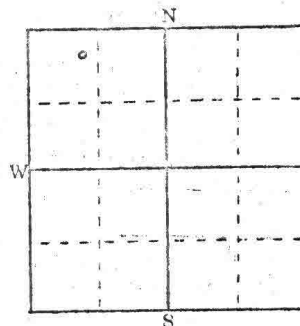
Driller to furnish Log and History (Form E)
within 30 days after completion of well.

County Larimer

NW $\frac{1}{4}$ of EW $\frac{1}{4}$ of Sect. 19, Twp. 5N

Rge. 73W, 6th P.M. OR

Street Address or Lot & Block No.
in valley of Hidden Valley Creek
Town or Subdivision



Locate
well in
40 acre
(small)
square
as near
as possible.

Large square
is one section.

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

Applicant *Chas. R. Smith*
Agent or Superintendent
Driller No.

Address

NOTE - SATISFACTORY COMPLETION REQUIRED FOR APPROVAL OF APPLICATION

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

SEAL

By

STATE ENGINEER

Authorized
Agent

ROCKY MOUNTAIN NATIONAL PARK

Form NPS-L-3 (Supplement)
Emil O. Schubert

Page 11 of 17
Tract No. 166

Subject to the general conditions and provisions hereinabove set forth, IT IS FOUND, ORDERED, ADJUDGED AND DECREED BY THE COURT, with respect to each of the several ditches, pipe lines, canals, and reservoirs herein adjudicated as follows:

* * * * *

SCHUBERT SPRINGS AND PIPE LINES 1, 2, and 3.

(Domestic Priorities Nos. 30, and 48 Conditional; Ditch - Pipe Line - No. 28)

1. That the names of these pipe lines are Schubert Pipe Lines Nos. 1, 2, and 3. That the claimant of these pipe lines is Emil O. Schubert, whose post office address is Estes Park, Colorado.

2. That said pipe line No. 1, and Schubert Springs Nos. 1, 2 and 3 are located on and the water of said springs first arises on lands owned by claimant in Section 19, T 5 N, R 73 W of the 6th P.M., on the watershed of the Big Thompson River, all in Water District No. 4, Larimer County, Colorado.

3. The source of supply of water is from said springs and such water is used for domestic purposes in and about claimant's premises, known as Deer Ridge Chalets.

4. That the intake of Schubert Pipe Line No. 1 is located at Schubert Spring No. 1 from which at present it derives its supply of water; said spring and intake is located at a point whence the East Quarter Corner of said Section 19 bears South 87° 07' East 2332.6 feet. Further supply of water is to be from proposed pipe line No. 2, described below.

5. That the diameter of said pipe line No. 1 is one inch, its height 136 feet, its length 600 feet, extending in a general northeasterly direction to a reservoir, and its carrying capacity is estimated at 0.03 cubic feet of water per second; that water is pumped from said spring through said pipe by an engine driven pump.

6. That work of construction was started on same, and appropriation of said water made, by installation of a 2500 gallon reservoir, 600 feet of one inch galvanized iron pipe, enlarging of said spring to form a supply basin, and installation of engine driven pumps, commenced on or prior to July 31, 1921, and work prosecuted to completion with due diligence, and ever since said completion all of the water from said Spring No. 1 has been diverted through said pipe line by claimant and his predecessors in title and applied to beneficial uses.

7. As a matter of law, claimant is entitled to a decree to the effect that, by virtue of the water in said spring first arising on his own land, and by virtue of construction and appropriation, all the water of said Spring No. 1, estimated at 0.03 cubic feet per second, be permitted to flow into said Pipe Line No. 1, with Domestic Priority No. 30, as of date of July 31, 1921.

ROCKY MOUNTAIN NATIONAL PARK

Form NPS-L-3 (Supplement)
Emil O. Schubert

Page 12 of 17
Tract No. 166

8. That Pipe Lines Nos. 2 and 3 are not as yet constructed, but are proposed to divert water from Springs Nos. 2 and 3, for the same purpose as Pipe Line No. 1.

9. That the intake of proposed Pipe Line No. 2 is to be located at Schubert Spring No. 2, from which it will derive its supply of water, whence the East Quarter Corner of said Section 19 bears North $84^{\circ} 31'$ East 2645.8 feet, and will feed into Spring No. 1; that the diameter of said proposed pipe line is to be one inch, its fall 20 feet, its length 550 feet, its carrying capacity 0.15 cubic feet of water per second, and that work was started on same by survey and excavation work on June 5, 1939.

10. That the intake of proposed Schubert Pipe Line No. 3 is to be located at Schubert Spring No. 3, from which it is to derive its supply of water, whence the East Quarter Corner of said Section 19 bears North $57^{\circ} 47'$ East 1643.1 feet; that its diameter is proposed to be one inch, its height 200 feet, its length 1200 feet, its carrying capacity 0.025 cubic feet of water per second, and that work was started on same by survey and excavation work on June 5, 1939.

11. As a matter of law, claimant is entitled to a decree to the effect that water from said Springs 2 and 3 be permitted to be used on claimant's land by reason of said water first arising thereon, and to the effect that the waters of said Springs 2 and 3 be permitted to flow into said Pipe Lines Nos. 2 and 3 respectively, to the extent of the capacity of said pipe lines, estimated at 0.15 cubic feet and .025 cubic feet per second, respectively, with Domestic Priority No. 48, as of date June 5, 1939; provided construction and use thereof be prosecuted and completed with diligence.

12. That on June 19, 1939, duplicate maps and statements of said Schubert Springs and Pipe Lines Nos. 1, 2, and 3 were approved by the State Engineer of Colorado, a duplicate filed in his office, and that on July 8, 1939, a duplicate thereof was duly filed in the office of the Clerk and Recorder of Larimer County, Colorado.

13. That claimant is the owner of the land on which said Schubert Springs Nos. 1, 2 and 3 first arise, and on which the said Schubert Pipe Line No. 1 is located, and also on which the said Schubert proposed Pipe Lines Nos. 2 and 3 are to be located; that all of the water from said Springs Nos. 1, 2 and 3 are capable of and needed for use on claimant's said lands, which are described as follows, to-wit: The South one half of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 19, T 5 N, R 73 W of the 6th P.M., Larimer County, Colorado, for domestic and other beneficial purposes; and that ever since July 31, 1921, said water has been applied to such uses by the predecessors in interest and by claimant at his resort on said land which is now operated under the name of Deer Ridge Chalets.

ROCKY MOUNTAIN NATIONAL PARK

Form NPS-L-3 (Supplement)
Emil O. Schubert

Page 13 of 17
Tract No. 166

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED BY THE COURT

As follows:

1. That Claimant, by virtue of his ownership of the land upon which the spring water first arises, has a prior right to the use of all of the water arising from said Schubert Springs Nos. 1, 2 and 3, for application to beneficial uses on said land.

2. That by virtue of original construction there be permitted to flow from Schubert Springs No. 1 into Schubert Pipe Line No. 1, water to the capacity of said pipe line, estimated at 0.03 cubic feet per second, with Domestic Priority No. 30, as of date July 31, 1921, subject to the general and paramount provisions of this decree.

3. That by virtue of construction there be permitted to flow from Schubert Spring No. 2 into Schubert Pipe Line No. 2, water to the capacity of said pipe line, estimated at 0.15 cubic feet per second of time, with Domestic Priority No. 48, as of date June 5, 1939; and further, that by virtue of construction, there be permitted to flow from Schubert Spring No. 3, into Schubert Pipe Line No. 3, water to the capacity of said pipe line, estimated at 0.025 cubic feet per second of time, with the same Domestic Priority No. 48, as of the same date, June 5, 1939; provided, as to both said pipe lines Nos. 2 and 3, the same be constructed and completed and put to use with diligence, and claimant may by proper proceedings thereafter, upon showing such diligence, have a final decree to said Pipe Lines Nos. 2 and 3.

(Domestic Priority No. 30 and Conditional Priority No. 48)

* * * * *

IT IS FURTHER ORDERED BY THE COURT that all the evidence taken in this matter and extended and filed in this Court, including all exhibits, being a part of said evidence, be and the same is hereby made a general bill of exceptions herein, and any party aggrieved by any finding or provision of this decree is hereby granted one year from the date of entry of this decree in which to make and tender a particular bill of exceptions involving such matters as he may desire to have reviewed by the Supreme Court, said bill of exceptions to be made from what is hereinbefore described as a general bill of exceptions herein, and when so made, may be then tendered, signed and sealed by any Judge of this Court and filed herein.

DONE IN OPEN COURT, this 14th day of November, A.D. 1939.

(Sgd) Claude C. Coffin
Judge.

Form D (Rev.)
11/62STATE OF COLORADO
DIVISION OF WATER RESOURCES
OFFICE OF THE STATE ENGINEER
GROUND WATER ADMINISTRATION

PERMIT

NOTE: This permit is issued for the purposes
indicated in the application.Form C Rev.
9-62/10M

STATE OF COLORADO

APPLICATION FOR:

☒ A PERMIT TO USE GROUND WATER
☒ A PERMIT TO CONSTRUCT A WELL

National Park Service

Applicant Rocky Mountain National ParkP.O. Address Box 1080 Estes Park, Colo.Quantity applied for 100 gph or
AF StorageUsed for domestic Purposeson/at Deer Ridge
(legal description of land site)

Total acreage irrigated and other rts.

ESTIMATED DATA OF WELL

Hole size: 6 in. to 105 ft.
in. to ft.Casing Plain 6 in. from 0 to 65 ft.
in. from to ft.Open or Perf. 6 in. from 65 to 105 ft.
in. from to ft.PUMP _____ Outlet
DATA: Type cyl. c-48 HP _____ Size _____Use initiation date 1957-Summer 19____
(Use Supplemental pages for additional data)*Late Registration*

THIS APPLICATION APPROVED

PERMIT NO. 11035 14035
ISSUED: JAN 23 1963
DATE _____ 19____Driller to furnish Log and History (Form E)
within 30 days after completion of well.

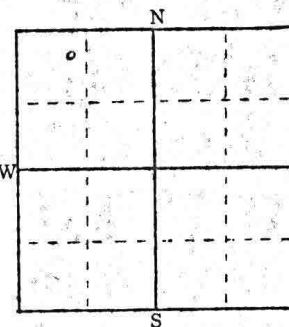
RECEIVED

JAN 23 1963

GROUND WATER SECT

COLORADO

STATE ENGINEER

LOCATION OF WELL
County LarimerNW 1 of NW 1 of Sect. 19, Twp. 5NRge. 73W, 6th P.M. ORStreet Address or Lot & Block No.
in valley of Hidden Valley Creek
Town or SubdivisionLocate
well in
40 acre
(small)
square
as near
as possible.
Large square
is one section.\$25.00 fee required for uses other
than Domestic or Livestock.Applicant C. R. Paul
Agent or Superintendent
Driller _____ No. _____

Address _____

NOTE — SATISFACTORY COMPLETION REQUIRED FOR APPROVAL OF APPLICATION

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

SEAL

J. B. Whitten
STATE ENGINEERBy W. W. Colburn

Other Supporting Information

Docket No. 49

SCHUBERT SPRINGS No. 1

USE

Domestic, formerly Deer Ridge Chalet supply.

HEADGATE

Intake of Schubert Spring No. 1 located at a point whence the East quarter corner of Section 19, T5N, R73W of the 6th P. M. bears south 87°07' East 2,332.6 feet.

PRIORITY

Domestic Priority No. 30, Water District No. 4, as of July 31, 1921.

AMOUNT OF DECREE

0.03 cubic feet per second of time.

OWNERSHIP

Owned by the United States, acquired by purchase (condemnation) from Deer Ridge, Inc. (Emil O. Schubert) about November, 1961 (final decree).

MAPS

Filing No. 16609 accepted by State Engineer of Colorado on June 19, 1939.

NOTE: Same filing and decree gives provisional priority No. 48 for Springs No. 2 and 3 for 0.15 and 0.25 c.f.s. respectively. This decree was never made final to the best of our knowledge and all three springs abandoned when the well was installed in 1957. In April, 1963, Spring No. 1 was said to have been dry with the other two carrying only a small trickle. All pipelines, pumps, and checkdams involving the springs had been removed by that time.

FEB 17 1967

154 RLW

W O D C	
JAI 16 1004	
CHF	
ADM	
PERS	
P & P	
ARCH	
L.A.	
SPEC	
CONT	
SFTY	
HABS	
ACTION WHEN DATE	

Memorandum

To: The Director
From: Acting Assistant Regional Director, Midwest Region
Subject: Water Right Docket Number 49, Former Emil O. Schubert Water Supply, Rocky Mountain

Enclosed is a copy of Superintendent Hanks' April 30, 1963 memorandum, and a sketch of Schubert Pipe Lines. We are placing a copy of the enclosures in Rocky Mountain Water Right Docket No. 49 on top of Part I just above the Form L-3 which shows the evaluation data of the water right filings.

The enclosed sketch is identical to Application No. 16609 except it shows the location of a collection basin approximately 250' upstream from Spring No. 3.

We concur with Mr. Hanks that we are not justified in proving the completion and beneficial use of the 3 spring developments for filing with the District Court. The water rights on these three springs might be transferred at some later date and used at a different location should such need arise.

In duplicate

Acting Assistant Regional Director

Enclosures

cc:
The Director
> Chief, WODC

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

April 30, 1963

Memorandum

To: Regional Director, Midwest Region
From: Superintendent, Rocky Mountain
Subject: Water Right Docket Number 49, Former Emil O. Schubert
Water Supply

We have made a field study of Schubert's Springs, No's 1, 2, and 3, as requested in Mr. Mott's memorandum of March 8, 1963. All three Springs were apparently abandoned when the Schubert's drilled their new well in 1957 (Permit No. 14035). Evidence of trench digging and pump installation appears at the sites of all three Springs, but the pipelines, pumps, and check dams have been removed. Spring No. 1 is dry. The other two carry a small trickle. Approximately 250 ft. upstream from Spring No. 3 is a large collection basin which was apparently installed some years after the 1939 adjudication, and at variance with the original plans of Filing No. 16609. Evidence indicates that water was collected in this basin and pumped directly to the reservoir on the ridge lying north of the drainage. We enclose drawings of this collection basin. Its use also was apparently discontinued in 1957.

All three Springs have been abandoned by positive acts. Since we now anticipate no future need for water supplies in this vicinity, we feel it advisable to let the situation stand idle. We cannot justify an attempt to prove completion and beneficial use for filing with the District Court.

Should the need for water supplies in this vicinity eventually arise, the Schubert Well near this location would be far more productive than all three Springs combined. Also, since the collection basin is apparently situated to capture nearly all the water of the three springs, its use could be achieved by a change in point of diversion of the decreed water right at Spring No. 1.

The springs surface and sink back into the ground entirely within the boundary, and entirely on Federally-owned land.

(Signed) Allyn F. Hanks

Allyn F. Hanks

Enclosures

In triplicate

154

W O D C	MAR 11 1963	CHF	ADM	PERS	P & P	ARCH	ENG	L. A.	SPEC	CONT	SFTY	HABS	ACTION TAKEN
							4						

W. A. Mott
W. A. Mott
3. Stettin

MAR 8 1963

Memorandum

To: Superintendent, Rocky Mountain National Park
From: Hydraulic Engineer, Midwest Region
Subject: Water Right Docket No. 49, Former Emil O. Schubert Water Supply

Enclosed is subject docket folder including an index of the documents in our docket file and copy of Form NFS-L-3, Tract No. 166 which shows values for the springs as appraised by Mr. A. van V. Dunn, April 23, 1946.

Please note Mr. Dunn's comment at bottom of page one of Form NFS-L-3 pertinent to completed development of springs numbered 2 and 3. Please advise of the status of the conditional decree for these springs (Domestic No. 48).

We presume springs numbered 2 and 3 have been developed and used for some time past. If this is true, you should make sure a record of completion and beneficial use have been filed with the District Court. Copies of such records should be furnished for distribution to WODC, the Washington Office and the Regional docket files.

Please check the enclosed index of materials with your Alien Water Right assembly and advise this office of any discrepancies so reproductions may be supplied so docket files are identical.

WED
William A. Mott
Hydraulic Engineer

Enclosure

cc:
Director (2), w/enclosure
Chief, WODC (2), w/enclosure

154

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

January 31, 1963

Memorandum

To: Regional Director, Midwest Region

From: Superintendent, Rocky Mountain

Subject: Water well permit No. 14035, Deer Ridge

Enclosed in triplicate are copies of the subject water well permit for the well in the valley of Hidden Valley Creek, purchased with the Deer Ridge property. This matter was pending for some time until we were able to obtain specifications of the well and drilling data.

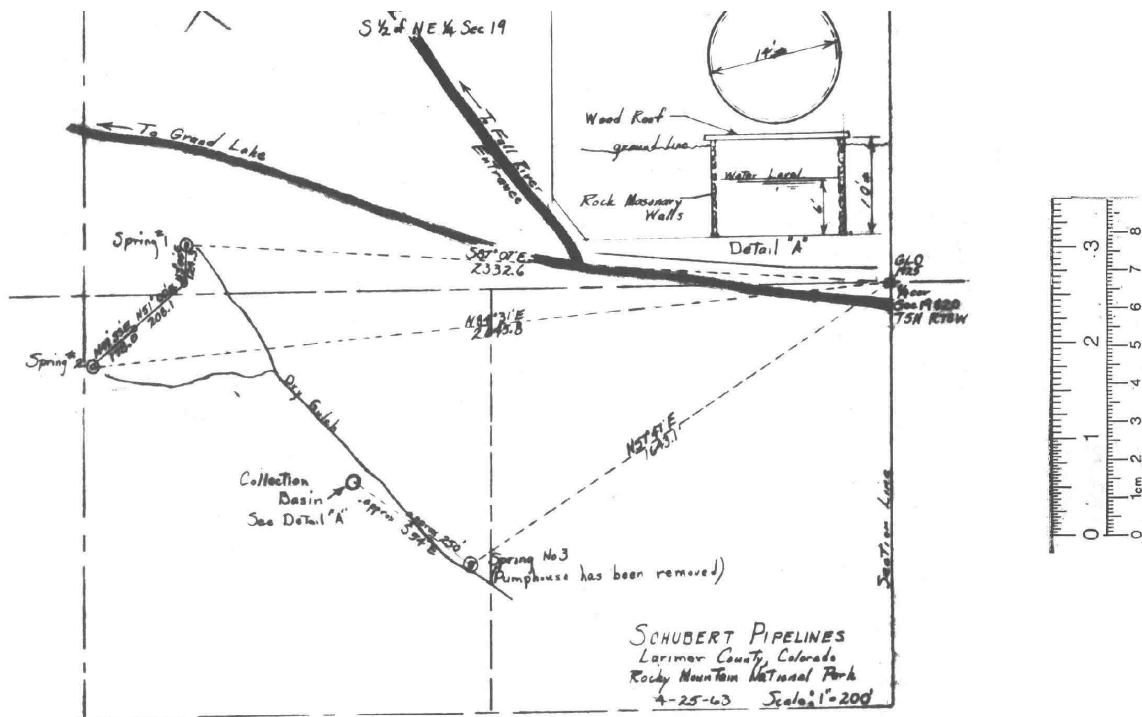
We would appreciate receiving a water docket number for this well and other water rights at Deer Ridge (formerly Alien No. 4).

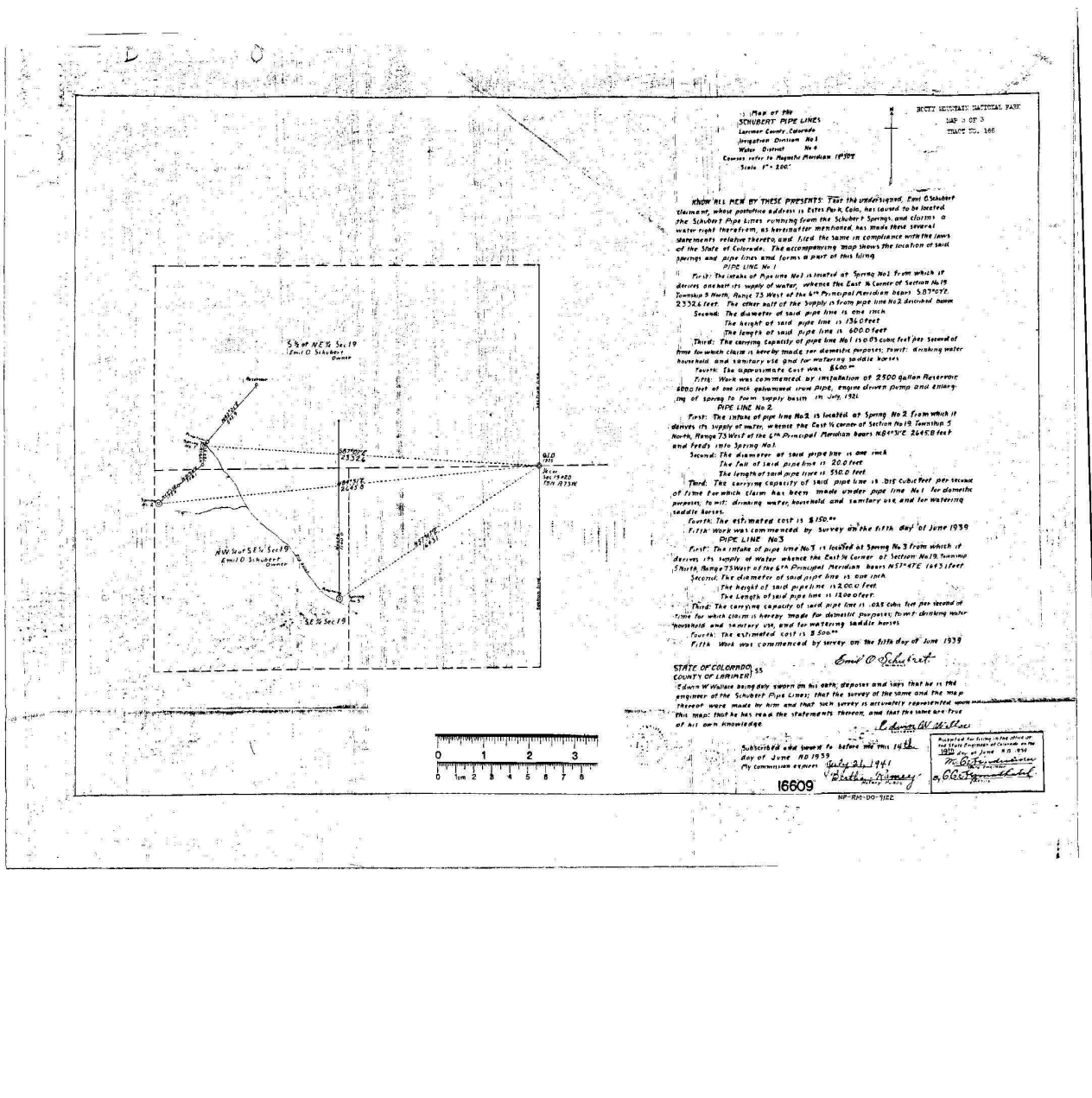
(Signed) Allyn F. Hanks

Allyn F. Hanks

In triplicate

Enclosures





Docket Information

Number of Documents in Docket 39

Documents Dated from 6/15/1939 to 2/17/1967

Docket Compiled: 6/16/2011