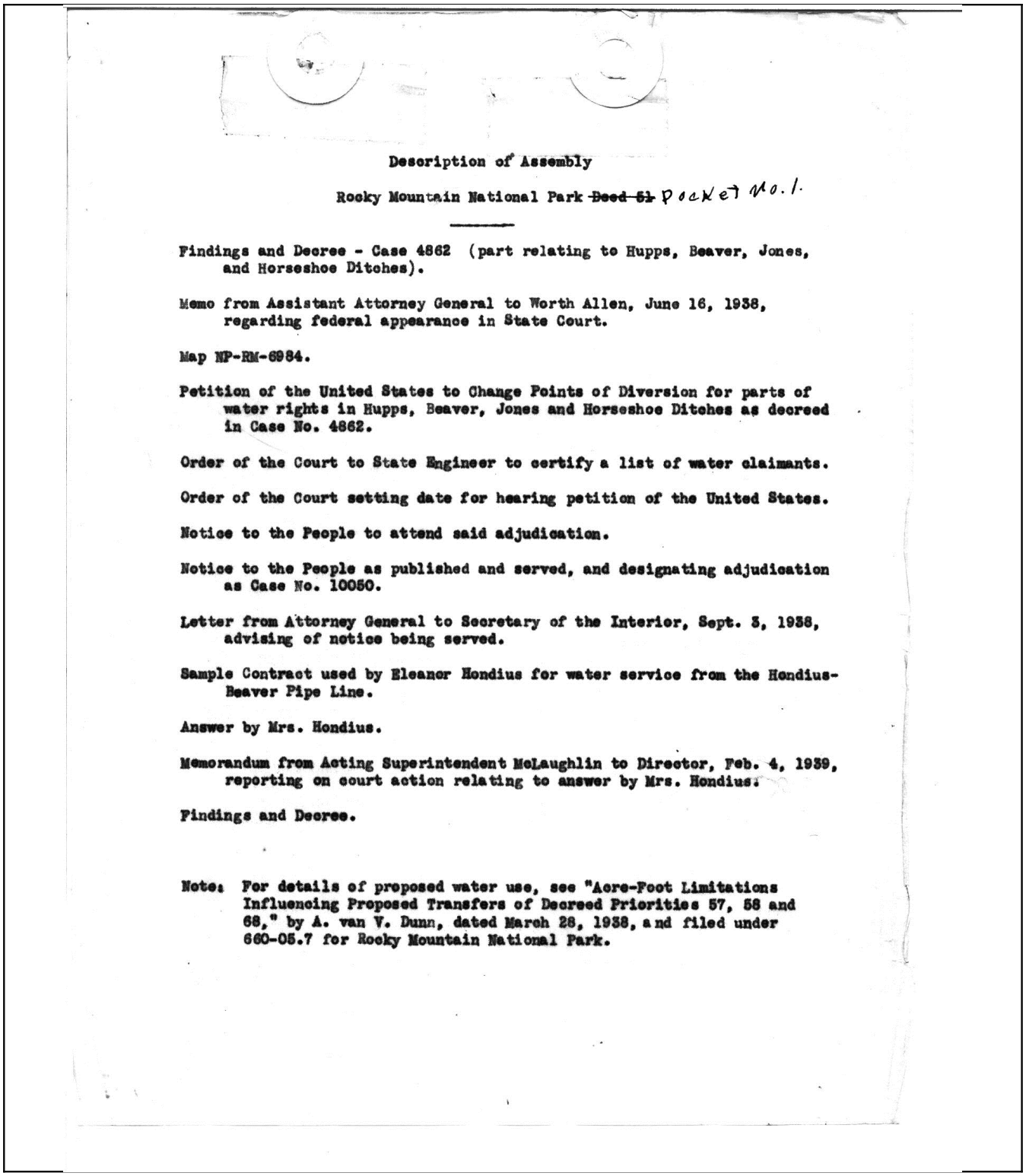
Docket No: 1

HUPPS, BEAVER, JONES, AND HORSESHOE DITCHES

Preliminary Docket Information

00-00-0000: description of assembly



Description of Assembly

Rocky Mountain National Park ~~Deed 61~~ Docket No. 1.

Findings and Decree - Case 4862 (part relating to Hupps, Beaver, Jones, and Horseshoe Ditches).

Memo from Assistant Attorney General to Worth Allen, June 16, 1938, regarding federal appearance in State Court.

Map NP-RM-6984.

Petition of the United States to Change Points of Diversion for parts of water rights in Hupps, Beaver, Jones and Horseshoe Ditches as decreed in Case No. 4862.

Order of the Court to State Engineer to certify a list of water claimants.

Order of the Court setting date for hearing petition of the United States.

Notice to the People to attend said adjudication.

Notice to the People as published and served, and designating adjudication as Case No. 10050.

Letter from Attorney General to Secretary of the Interior, Sept. 3, 1938, advising of notice being served.

Sample Contract used by Eleanor Hondius for water service from the Hondius-Beaver Pipe Line.

Answer by Mrs. Hondius.

Memorandum from Acting Superintendent McLaughlin to Director, Feb. 4, 1939, reporting on court action relating to answer by Mrs. Hondius.

Findings and Decree.

Note: For details of proposed water use, see "Acre-Foot Limitations Influencing Proposed Transfers of Decreed Priorities 57, 58 and 68," by A. van V. Dunn, dated March 28, 1938, and filed under 660-05.7 for Rocky Mountain National Park.

State Water Rights Documentation

C O P Y

STATE OF COLORADO,)
: SS.
County of Boulder.)

IN THE DISTRICT COURT

No. 10050

IN THE MATTER OF PRIORITY OF)
)
WATER RIGHTS IN DISTRICT NO. 4.)
)
)

A N S W E R.

Comes now Eleanor Hondius, Respondent herein, and represents and shows to this Honorable Court that she succeeded to all the real property, rights and interests of her deceased husband, Pieter Hondius, who was formerly the owner of all of the water rights described in the Petition herein filed; that under and by virtue of the Last Will and Testament of the said Pieter Hondius, deceased, which was duly admitted to probate in the County Court of Larimer County, Colorado, administration had and the estate was closed long prior to the commencement of the proceedings herein.

I.

That with respect to the change of point of diversion of Priority No. 57, the Jones Ditch, and Priority No. 68, the Horseshoe Ditch, this respondent states that the same can be done without injury to this respondent.

II.

That as to Priority No. 58, the Hupps and Beaver Ditches, a diversion of 1.015 second feet but not to exceed 11.16 acre feet per annum, would result in injury to this respondent in case a diversion of 1.015 second feet should be made at any one time; that as to the other changes of points of diversion from said Priority No. 58 set forth in the petition, the same would not adversely effect the rights of this respondent.

III.

That this respondent is the holder of a certain Special Use Permit from the United States of America, the same being dated February 23, 1932, pertaining to the following rights:

> "Those certain springs and water rights as a source of water supply for the Hondius Water Supply System, as shown by map or plat of the same now on file in the office of the State Engineer of the State of Colorado, being filing No. 15370, together with right of way for pipe lines leading across sections 27, 28, 29 and 20, Township 5 North, Range 73 West for the purpose of supplying water to various individuals now under contract by the said Pieter Hondius, and for the further purpose of supplying additional water to parties who may purchase properties from said Pieter Hondius in the E½ of SW¼ and SE¼ of Section 27, Township 5 North, Range 73 West together with the right of ingress and egress across lands in Sections 27, 28, 29 and 30 and the use of the tool house in SW¼ of NW¼ of Section 27 for the purpose of repairing and maintaining said water system, it being particularly understood and agree that the privileges herein authorized shall not be construed to permit in any way the furnishing or supplying of water to any party or parties within the authorized boundaries of the Rocky Mountain National Park other than to the parties and in the amounts now under contract with said permittee."

That a diversion of an amount of water in excess of 1.152 second feet from the 4 second feet of said Priority No. 58 would be detrimental and damaging to the rights of respondent herein, as said pipe line requires a continuous flow of water varying in amount but at times requiring nearly 3 second feet.

IV.

That your respondent now furnishes approximately one hundred thirty-five (135) summer cottages with their domestic water supply through the above mentioned pipe lines and water system and is under contract to continue to furnish said supply of water to those now using the same and to others who might build summer cottages in certain subdivisions of land described in certain contracts, executed between the said Pieter Hondius, deceased, and William T. Sinclair and F. W. Blackmer and O. P. Low; that in addition to the rights of respondent herein to said Priority No. 58 by reason of said Special Use Permit, respondent as the successor in interest of said Pieter Hondius, uses water from Beaver Creek and certain springs on the water shed of said Beaver Creek, but not a part of said stream as set forth in certain filings as follows, to-wit:

Map and Plat of Hondius-Beaver pipe line filed with the State Engineer and being No. 14283, and with the County Clerk and Recorder of Larimer County, being file No. 1082; Map and Plat of the Hondius Water Supply filed with the State Engineer, being No. 15370 and filed with the County Clerk and Recorder of Larimer County, being file No. 1109, both of said filings relating to construction thereof commenced September 1, 1906.

V.

That said pipe line has been continually used since said date to and including the present time and it is necessary for respondent to continue the use thereof to supply said owners of summer cottages for domestic purposes as above stated in the future.

WHEREFORE, respondent prays that a diversion of not to exceed $1.152 second feet be permitted and a total acre feet be permitted to remain undiverted from said Beaver Creek of a sufficient amount to supply said pipe line with its needs as hereinabove set forth.

(Sgd) Eleanor E. Hondius
Respondent.

STATE OF COLORADO,)
: SS.
County of Larimer.)

ELEANOR HONDIUS, being first duly sworn upon her oath, deposes and says: That she is the respondent above named; that she has read the above and foregoing Petition, knows the contents thereof, and that the matters and things therein contained are true of her own knowledge.

(Sgd) Eleanor E. Hondius

Subscribed and sworn to before
me this ___day of January, A.D.1939.
My commission expires:

Notary Public.

STATE OF COLORADO,)
) SS.
COUNTY OF BOULDER.)

IN THE DISTRICT COURT

NO. 4862.

IN THE MATTER OF PRIORITY OF WATER RIGHTS IN DISTRICT NO. 4.) ON PETITION OF THE UNITED STATES OF AMERICA TO CHANGE POINTS OF DIVERSION OF A PORTION OF THE WATER HERETOFORE AUTHORIZED TO BE TAKEN AND USED UNDER PRIORITIES NUMBERED 57, 58 and 68.

THE PEOPLE OF THE STATE OF COLORADO TO ALL PERSONS, ASSOCIATIONS AND CORPORATIONS INTERESTED AS OWNERS IN OR CONSUMERS UNDER ANY DITCH, CANAL OR RESERVOIR TAKING WATER FROM BEAVER CREEK, FALL RIVER AND THE BIG THOMPSON RIVER AND TRIBUTARIES IN WATER DISTRICT NO. 4 OF THE STATE OF COLORADO:

YOU ARE HEREBY NOTIFIED that on the day of 1938, being one of the regular judicial days of the term of said Court, an ORDER was made by the said Court, which, after venue and title, is in words and figures, as follows, to-wit:

O R D E R.

NOW, on this day of 1938, the above entitled matter coming on regularly to be heard before the Court upon the Petition of the United States of America to change the points of diversion for a portion of

the waters heretofore authorized to be taken and used under Priorities numbered 57, 58 and 68, as follows:

PRIORITY NO. 57 -- THE JONES DITCH:

(1) New Point of Diversion: Springs tributary to Fall River in Northwest quarter of Northwest quarter (NW¼ NW¼) of Section twenty-one (21), Township five (5) North, Range seventy-three (73) West, from which the Northwest corner of said section bears North 79° 06' West 1236.12 feet. New Use: Domestic supply, sanitation, fire protection, in Aspenglen (public) Campground. Second and Acre Feet to be Devoted to New Use: 0.064 second feet but not to exceed 11.407 acre-feet per annum.

(2) New Point of Diversion: On the right or South bank of Hidden Valley Creek, a tributary of Fall River, in the Southwest quarter of the Southeast quarter (SW¼ SE¼) of Section eighteen (18), Township five (5) North, Range seventy-three (73) West, from which the Southeast corner of said section bears South 85° 02' East 2309.1 feet. New Use: Domestic supply, sanitation, fire protection, at camp in Little Horseshoe Park and adjacent (Ashton) ranch and public campground to be built and established. Second and Acre Feet to be Devoted to New Use: 0.044 second feet but not to exceed 10.493 acre-feet per annum.

PRIORITY NO. 58 -- THE HUPPS AND BEAVER DITCHES:

(1) New Point of Diversion: Springs tributary to Big Thompson River in the Northwest quarter of the Northeast quarter (NW¼ NE¼), Section thirty-four (34), Township five (5) North, Range seventy-three (73) West, from which the North one-half (N½) corner of said Section thirty-four (34) bears North 85° 44' West 376 feet. New Use: Domestic, industrial and fire protection in

Park Utility and employees' residential area. Second and Acre Feet to be Devoted to New Use: 1.015 second feet but not to exceed 11.16 acre feet per annum.

(2) New Point of Diversion: South or right bank of Big Thompson River in Northeast quarter of Northwest quarter ($NE\frac{1}{4}$ $NW\frac{1}{4}$) Section four (4), Township four (4) North, Range seventy-three (73) West, at a point from which the Southeast corner of Section thirty-three (33), Township five (5) North, Range seventy-three (73) West bears North 78° 26' East 1069 feet. New Use: Domestic, sanitation, fire protection for a lodge, store and housekeeping cabins at Camp Woods and Big Thompson Entrance to Park. Second and Acre Feet to be Devoted to New Use: 0.300 second feet but not to exceed 85.973 acre feet per annum.

(3) New Point of Diversion: Springs tributary to Bear Lake, which is tributary to the Big Thompson River through Glacier Creek, in Northeast quarter of Northwest quarter ($NE\frac{1}{4}$ $NW\frac{1}{4}$) of Section fourteen (14), Township four (4) North, Range seventy-four (74) West, from which point the NSSW 1/256 corners of Section seven (7), Township four (4) North, Range seventy-three (73) West, bear North 77° 46' East 10,696 feet. (Corners of Section four (4) burned out about 1898). New Use: Domestic, sanitation, fire protection, for hotel, museum, ranger station, and parking area at end of motor road. Second and Acre Feet to be Devoted to New Use: 0.086 second feet but not to exceed 24.658 acre feet per annum.

(4) New Point of Diversion: Right bank of Boulder Brook, a tributary of the Big Thompson River through Glacier Creek in the Northeast quarter of Northwest quarter ($NE\frac{1}{4}$ $NW\frac{1}{4}$) of Section eighteen (18), Township four (4) North, Range seventy-three (73) West, from which the North quarter corner of said Section eighteen (18) bears North 50° 15' East 1332.6 feet. New Use: Domestic, sanitation, fire protection, at: Sprague's Hotel, Glacier Basin Campground, Mountainside Lodge. Second and Acre Feet to be Devoted to New Use: 0.589 second feet, but not to exceed 112.242 acre feet per annum.

(5) New Point of Diversion: Springs tributary to Fern Lake, which is tributary to the Big Thompson River through Fern Creek, in the Southwest quarter of Southwest quarter ($SW\frac{1}{4}$ $SW\frac{1}{4}$) of Section three (3), Township four (4) North, Range seventy-four (74) West, at a point from which the Southeast corner of Section thirty-five (35), Township five (5) North, Range seventy-four (74) West, bears North 51° 14' East 9346.94 feet. New Use: Domestic, sanitation, fire protection, at Fern Lodge and Fern Lake Ranger Station. Second and Acre Feet to be Devoted to New Use: 0.081 second feet, but not to exceed 18.277 acre feet per annum.

(6) New Point of Diversion: East or right bank of Fern Creek, a tributary of the Big Thompson River in Lot one (1) of the Northeast quarter ($NE\frac{1}{4}$) of Section three (3), Township four (4) North, Range seventy-three (73) West, at a point from which the Southeast quarter ($SE\frac{1}{4}$) of Section thirty-five (35), Township five (5) North, Range seventy-four (74) West bears North 81° 46' East 3956.1 feet. New Use: Domestic, sanitation, fire protection, at Forest Inn. Second and Acre Feet to be Devoted to New Use: 0.081 second feet, but not to exceed 13.297 acre feet per annum.

PRIORITY NO. 68 -- THE HORSESHOE DITCH.

(1) New Point of Diversion: Three springs being headwaters of Sundance Creek, a tributary of Fall River in the Southeast quarter of Northwest quarter (SE¼ NW¼) of Section sixteen (16), Township five (5) North, Range seventy-four (74) West, and from which the Southeast one-sixteenth (1/16) corner of Section fourteen (14), Township five (5) North, Range seventy-four (74) West, bears as follows: From Spring number one (1) South 86° 24' East 13,319 feet. From Spring number two (2) South 85° 54' East 13,328 feet. From Spring number three (3) South 86° 15' East 13,304 feet. New Use: Domestic, sanitation, and fire protection at the Trail Ridge Road Maintenance Camp. Second and Acre Feet to be Devoted to New Use: 0.004 second feet but not to exceed 1.35 acre feet per annum.

(2) New Point of Diversion: On the right or South bank of Hidden Valley Creek, a tributary of Fall River, in the Southwest quarter of the Southeast quarter (SW¼ SE¼) of Section eighteen (18), Township five (5) North, Range seventy-three (73) West, from which the Southeast corner of said section bears South 85° 02' East 2309.1 feet. New Use: Domestic supply, sanitation, fire protection, in Little Horseshoe Park and adjacent (Ashton) ranch, and public campground to be built and established. Second and Acre Feet to be Devoted to New Use: 0.145 second feet but not to exceed 34.499 acre feet per annum.

(3) New Point of Diversion: The North side of a nameless tributary at the headwaters of Fall River in the Northeast quarter of the Northeast quarter (NE¼ NE¼) of Section one (1), Township five (5) North, Range seventy-five (75) West, and from which point the Northeast corner of said Section one (1) bears North 21° 48' East 549 feet. (The corner being a scribed stone of the GLO survey of 1882). New Use: Domestic, sanitation and fire protection, at Fall River Pass Museum, public comfort station and parking area. Second and Acre Feet to be Devoted to New Use: 0.100 second feet but not to exceed 16.947 acre feet per annum.

(4) New Point of Diversion: Chaquita Creek, a tributary of the Fall River in the Southwest quarter of Northwest quarter (SW¼ NW¼) of Section eleven (11), Township five (5) North, Range seventy-four (74) West, at a point from which the Southeast corner of said section corner bears South 58° 53' East 5173.6 feet. New Use: Domestic, sanitation, fire protection, Endovalley Campground. Second and Acre Feet to be Devoted to New Use: 0.110 second feet but not to exceed 20.736 acre feet per annum.

And the Court, being now fully advised in the premises, and good cause having been shown,

IT IS ORDERED That the day of 1938, at o'clock m, in the District Court Room in the Court House in Boulder County, Colorado, be and the same hereby are fixed as the time and place for the hearing on said Petition; that Notice thereof be personally served within ten (10) days after the first publication, hereinafter required to be made, and at least twenty (20) days before said hearing, on all persons, associations and corporations adversely interested who can be found and served in the State of Colorado; that the Clerk of this Court deposit in the Post Office in the City of Boulder, State of Colorado, within ten (10) days after said first publication and at least twenty (20) days before said hearing, duly enclosed in an envelope with proper postage stamps thereon, a copy of said Notice directed to the respective addresses of the parties adversely interested who cannot be found and personally served in the State of Colorado; and that a copy of the said Notice be published for four (4) successive weeks prior to said hearing, the last publication to be made on a day previous to the day appointed as aforesaid, in each of the following public newspapers:

published in the City of Loveland, in Larimer County, Colorado;

published in the City of Longmont, in Boulder County, Colorado; and

published in the City of Greely, in Weld County, Colorado; that ten (10) printed copies of said Notice shall also be posted by the Petitioner herein in ten (10) public places in such Water District not less than twenty (20) days before the day so appointed; that all persons, associations and corporations who desire to resist the said Petition for change of points of diversion shall appear at the Court Room of the District Court in the City of Boulder and the County of Boulder and the State of Colorado at the time and place so appointed to make objections to the said Petition, if any, they or any of them may have, and to offer evidence against the same should they wish so to do.

DONE IN OPEN COURT This day of

A. D. 1938.

JUDGE.

And you, and each of you, are hereby notified to appear in the Court Room of the District Court in the City of Boulder and the County of Boulder and the State of Colorado, at the time so appointed to make objections to the said Petition, if you have any, and offer evidence against the same, should you wish to do so.

AND YOU ARE FURTHER NOTIFIED That, at the time so fixed, or at such time to which said hearing may be adjourned or continued, the Court will proceed to hear and determine the said Petition.

WITNESS my hand as Clerk of said Court and the seal thereof, at Boulder, in said County this

day of 1938.

Clerk of Said Court.

(Seal of District Court, Boulder County.)

Attorneys for Petitioner.

STATE OF COLORADO,)
) SS.
COUNTY OF BOULDER)

IN THE DISTRICT COURT

NO. 4862

IN THE MATTER OF PRIORITY OF WATER RIGHTS IN DISTRICT NO. 4.

ON PETITION OF THE UNITED STATES OF AMERICA TO CHANGE POINTS OF DIVERSION OF A PORTION OF THE WATER HERETOFORE AUTHORIZED TO BE TAKEN AND USED UNDER PRIORITIES NUMBERED 57, 58 and 68.

O R D E R.

NOW, on this day of 1938, the above entitled matter coming on regularly to be heard before the Court upon the Petition of the United States of America to change the points of diversion for a portion of the waters heretofore authorized to be taken and used under Priorities numbered 57, 58 and 68, as follows:

PRIORITY NO. 57 -- THE JONES DITCH:

(1) New Point of Diversion: Springs tributary to Fall River in Northwest quarter of Northwest quarter ($NW\frac{1}{4}$ $NW\frac{1}{4}$) of Section twenty-one (21), Township five (5), North, Range Seventy-three (73) West, from which the Northwest corner of said section bears North 79° 06' West 1236.12 feet. New Use: Domestic supply, sanitation, fire protection, in Aspenglen (public) Campground. Second and Acre Feet to be Devoted to New Use: 0.064 second feet but not to exceed 11.407 acre-feet per annum.

(2) New Point of Diversion: On the right or South bank of Hidden Valley Creek, a tributary of Fall River, in the Southwest quarter of the Southeast quarter ($SW\frac{1}{4}$ $SE\frac{1}{4}$) of Section eighteen (18), Township five (5) North, Range seventy-three (73) West, from which the Southeast corner of said section bears South 85° 02' East 2309.1 feet. New Use: Domestic supply, sanitation, fire protection, at camp in Little Horseshoe Park and adjacent (Ashton) ranch and public campground to be built and established. Second and Acre Feet to be Devoted to New Use: 0.044 second feet but not to exceed 10.493 acre-feet per annum.

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(1) New Point of Diversion: Springs tributary to Big Thompson River in the Northwest quarter of the Northeast quarter ($NW\frac{1}{4}$ $NE\frac{1}{4}$), Section thirty-four (34), Township five (5) North, Range seventy-three (73) West, from which the North one-half ($N\frac{1}{2}$) corner of said Section thirty-four (34) bears North 85° 44' West 376 feet. New Use: Domestic, industrial and fire protection in

Park Utility and employees' residential area. Second and Acre Feet to be Devoted to New Use: 1.015 second feet but not to exceed 11.16 acre feet per annum.

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(3) New Point of Diversion: Springs tributary to Bear Lake, which is tributary to the Big Thompson River through Glacier Creek, in Northeast quarter of Northwest quarter (NE¼ NW¼) of Section fourteen (14), Township four (4) North, Range seventy-four (74) West, from which point the NSSW 1/256 corners of Section seven (7), Township four (4) North, Range seventy-three (73) West, bear North 77° 46' East 10,696 feet. (Corners of Section four (4) burned out about 1898). New Use: Domestic, sanitation, fire protection, for hotel, museum, ranger station, and parking area at end of motor road. Second and Acre Feet to be Devoted to New Use: 0.086 second feet but not to exceed 24.658 acre feet per annum.

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PRIORITY NO. 68 -- THE HORSESHOE DITCH.

(1) New Point of Diversion: Three springs being headwaters of Sundance Creek, a tributary of Fall River in the Southeast quarter of Northwest quarter (SE¼ NW¼) of Section sixteen (16), Township five (5) North, Range seventy-four (74) West, and from which the Southeast one-sixteenth (1/16) corner of Section fourteen (14), Township five (5) North, Range seventy-four (74) West, bears as follows: From Spring number one (1) South 86° 24' East 13,319 feet. From Spring number two (2) South 85° 54' East 13,328 feet. From Spring number three (3) South 86° 15' East 13,304 feet. New Use: Domestic, sanitation, and fire protection at the Trail Ridge Road Maintenance Camp. Second and Acre Feet to be Devoted to New Use: 0.004 second feet but not to exceed 1.35 acre feet per annum.

(2) New Point of Diversion: On the right or South bank of Hidden Valley Creek, a tributary of Fall River, in the Southwest quarter of the Southeast quarter (SW¼ SE¼) of Section eighteen (18), Township five (5) North, Range seventy-three (73) West, from which the Southeast corner of said section bears South 85° 02' East 2309.1 feet. New Use: Domestic supply, sanitation, fire protection, in Little Horseshoe Park and adjacent (Ashton) ranch, and public campground to be built and established. Second and Acre Feet to be Devoted to New Use: 0.145 second feet but not to exceed 34.499 acre feet per annum.

(3) New Point of Diversion: The North side of a nameless tributary at the headwaters of Fall River in the Northeast quarter of the Northeast quarter (NE¼ NE¼) of Section One (1), Township five (5) North, Range seventy-five (75) West, and from which point the Northeast corner of said Section one (1) bears North 21° 48' East 549 feet. (The corner being a scribed stone of the GLO survey of 1882). New Use: Domestic, sanitation and fire protection, at Fall River Pass Museum, public comfort station and parking area. Second and Acre Feet to be Devoted to New Use: 0.100 second feet but not to exceed 16.947 acre feet per annum.

(4) New Point of Diversion: Chaquita Creek, a tributary of the Fall River in the Southwest quarter of Northwest quarter (SW¼ NW¼) of Section eleven (11), Township five (5) North, Range seventy-four (74) West, at a point from which the Southeast corner of said section corner bears South 58° 53' East 5173.6 feet. New Use: Domestic, sanitation, fire protection, Endovalley Campground. Second and Acre Feet to be Devoted to New Use: 0.118 second feet but not to exceed 20.736 acre feet per annum.

And the Court, being now fully advised in the premises, and good cause having been shown,

IT IS ORDERED That the day of 1938, at o'clock m, in the District Court Room in the Court House in Boulder County, Colorado, be and the same hereby are fixed as the time and place for the hearing on said Petition; that Notice thereof be personally served within ten (10) days after the first publication, hereinafter required to be made, and at least twenty (20) days before said hearing, on all persons, associations and corporations adversely interested who can be found and served in the State of Colorado; that the Clerk of this Court deposit in the Post Office in the City of Boulder, State of Colorado, within ten (10) days after said first publication and at least twenty (20) days before said hearing, duly enclosed in an envelope with proper postage stamps thereon, a copy of said Notice directed to the respective addresses of the parties adversely interested who cannot be found and personally served in the State of Colorado; and that a copy of the said Notice be published for four (4) successive weeks prior to said hearing, the last publication to be made on a day previous to the day appointed as aforesaid, in each of the following public newspapers:

published in the City of Loveland, in Larimer County, Colorado;

published in the City of Longmont, in Boulder County, Colorado; and

published in the City of Greely, in Weld County, Colorado; that ten (10) printed copies of said Notice shall also be posted by the Petitioner herein in ten (10) public places in such Water District not less than twenty (20) days before the day so appointed; that all persons, associations and corporations who desire to resist the said Petition for change of points of diversion shall appear at the Court Room of the District Court in the City of Boulder and the County of Boulder and the State of Colorado at the time and place so appointed to make objections to the said Petition, if any, they or any of them may have, and to offer evidence against the same should they wish so to do.

. DONE IN OPEN COURT This day of

A. D. 1938.

JUDGE.

00-00-1938: in the district court 4862: in the matter of priority of water rights in district no. 4; on petition of the u.s. to change point

STATE OF COLORADO,)
) SS.
COUNTY OF BOULDER.)

IN THE DISTRICT COURT

NO. 4862.

IN THE MATTER OF PRIORITY OF WATER RIGHTS IN DISTRICT NO. 4.

ON PETITION OF THE UNITED STATES OF AMERICA TO CHANGE POINTS OF DIVERSION OF A PORTION OF THE WATER HERETOFORE AUTHORIZED TO BE TAKEN AND USED UNDER PRIORITIES NOS. 57, 58 AND 68.

O R D E R.

WHEREAS, in the above-entitled general adjudication proceeding, there has been filed by the United States of America a petition asking for an order by this Court authorizing the said petitioner to change the points of diversion of a portion of the water authorized to be diverted and used under decreed Priorities numbered 57, 58 and 68,

NOW, THEREFORE, IT IS ORDERED that the State Engineer forthwith certify to the Clerk of this Court a true and complete list of all filings or claims for appropriation of water for irrigation or other beneficial uses or purposes within Water District No. 4, not heretofore noted as canceled by the State Engineer, or submitted for adjudication as by law provided, which list shall show the names of the ditches, reservoirs and other means of appropriation, the names and postoffice addresses of claimants and the names and addresses of any persons who appear upon the records of the State Engineer as the last grantees of the original claimants, or as the last grantees of all rival claims, if any, thereto.

Done in open Court this day of 1938.

_____

J U D G E.

COPY

STATE OF COLORADO,)
) SS
COUNTY OF BOULDER.)

IN THE DISTRICT COURT

NO. 4862.

IN THE MATTER OF PRIORITY OF WATER RIGHTS IN DISTRICT NO. 4.

PETITION OF THE UNITED STATES OF AMERICA TO CHANGE POINTS OF DIVERSION AS TO PORTIONS OF WATER UNDER PRIORITIES NUMBERED 57, 58 & 68.

COMES NOW the Petitioner, United States of America, and respectfully shows to the Court that:

1. The Petition herein is filed on behalf of Petitioner by the Superintendent of Rocky Mountain National Park, pursuant to authority and direction of the Attorney General of the United States.

2. Pieter Hondius and Peter Hondius were one and the same person. The said person died February 17, 1934.

3. On September 22, 1923, Pieter Hondius, by warranty deed, filed for record as Instrument No. 269762 in the office of the County Clerk and Recorder of Larimer County on April 8, 1923, and recorded in Book 481, page 101, conveyed to Petitioner the following described lands and property situated in the County of Larimer, State of Colorado:

All that portion of the northeast quarter (N.E.¼) of the southeast quarter (S.E.¼) of section seventeen (17), in township five (5) north of range seventy-three (73) west of the 6th P.M., lying south of the center line of the North Branch of Fall River, containing thirty-seven (37) acres, more or less, also, all that portion of the southeast quarter (S.E.¼) of the northeast quarter (N.E.¼) of said section seventeen (17) lying south of the center line of the North Branch of Fall River, containing four (4) acres, more or less; together with the right of joint use of that certain right of way for road purposes from the main road to the above described tract, over and across that portion of the southeast quarter (S.E.¼) of the northeast quarter (N.E.¼) and the northeast quarter (N.E.¼) of the southeast quarter (S.E.¼) of said section seventeen (17), as described in, and in accordance with, agreement between C. A. Carleton and Pieter Hondius, as recorded in Book 473, at page 162, of the public records of said Larimer County, and together with the right to lay, maintain and operate a pipe line across the northwest quarter (N.W.¼) of the southeast

quarter (S.E.¼) of said section, for the purpose of supplying the above described tract with water, it being grantor's intention to allow grantee the joint use of such right of way as he owns, and nothing more. There is hereby expressly reserved a right of way for road purposes over and across the premises herein conveyed, for the grantor, his heirs and assigns, from and to lands of the grantor lying west and southwest of said described premises. TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainer and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claimand demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

4. On May 8, 1924, Pieter Hondius, by warranty deed filed for record as Instument No. 274366, in the office of the County Clerk and Recorder of Larimer County on June 19, 1924, and recorded in Book 481, page 360, conveyed to Petitioner the following described lands and property situated in the County of Larimer, State of Colorado:

The East one-half (E.½) of the North-east one-quarter (N.E.¼) of the North-west one-quarter (N.W.¼) of Section Thirty-four (Sec. 34), Township Five North, Range Seventy-three West, (T. 5 N., R. 73 W.) of the Sixth Principal Meridian (6 P.M.), containing approximately twenty (20) acres; together with a right of way for road purposes over a practicable route, from the Northern boundary of the above described tract of land to the nearest public road-way. TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

5. On February 18, 1932, Pieter Hondius, by warranty deed filed for record as Instrument No. 390195 in the office of the County Clerk and Recorder of Larimer County on March 15, 1932, and recorded in Book 623, page 423, conveyed to Petitioner the following described lands and property situated in the County of Larimer, State of Colorado:

Parcel 1. The Southwest Quarter of Northwest Quarter and West half of Southwest Quarter of Section Twenty-seven (27), Township Five (5) North, Range Seventy-three (73) West, of the 6th Principal Meridian, less, however, the following described lots and parcels of land heretofore conveyed and segregated from the above described lands by the first party:

(a) That certain piece or parcel of land conveyed by Pieter Hondius to George Matthew Adams by deed designated as

Instrument No. 216185, Larimer County records, and described as follows:

Beginning at a point on the north side of the pipe line road whence the west center corner of Sec. 27, Tp. 5 N., R. 73 W. bears south 86° 28' west 410 feet, thence north 1294.5 feet, thence east 394.3 feet, thence south 1358.3 feet to a point on the north side of pipe line road, thence along the north side of the pipe line road, north 78° 10' west 230 feet, thence north 84° 22' west 170 feet to the point of beginning, being a portion of the SW¼ of NW¼ and NW¼ of SW¼ of Sec. 27, Tp. 5 N., R. 73 W., and containing 11.95 acres, more or less, all bearings assumed north and south.

(b) That certain piece or parcel of land conveyed by Pieter Hondius to W. E. Dixon by deed designated as Instrument No. 247244, Larimer County records, and described as follows:

Beginning at a point whence the E¼ corner of Sec. 28, Tp. 5 N., R. 73 W. bears north 114 feet, thence south 993.5 feet to a point on center line of the right-of-way of 60-foot road, thence in a northeasterly direction along north side of said right-of-way, the center line of which is described as follows: (From the last point above determined on the center line of the right-of-way), thence north 52° 50' east 179.3 feet, thence north 45° 54', east 312.9 feet, thence from this point on the center line of the road north 17° 46' west 219.5 feet, thence north 21° 57' west 109 feet, thence north 40° 57' west 72 feet, thence north 52° 39' west 165.8 feet, thence north 14° 59' west 112 feet, thence north 34° 14' west 105.4 feet to the place of beginning, and containing 4.28 acres, more or less.

(c) That certain piece or parcel of land conveyed by Pieter Hondius to C. Otho and Alta M. Anderson by deed designated as Instrument No. 203349, Larimer County Records, and described as follows:

Beginning at a point whence the intersection of the center lines of the High Drive and the south road of Woodland Heights Second Subdivision, a plat of record, bears North 33° 02' west 150.8 feet, thence south 62° 54' west 425 feet, thence south 38° 42' east 209.3 feet, thence north 62° 54' east 425 feet, thence north 38°42' west 209.3 feet to point of beginning, and containing 2 acres, more or less.

(d) Those certain pieces or parcels of land and being portions of Lots 29, 30, 31 and 42 of Woodland Heights Second Subdivision, (and Lot 45 of Sunny Ridge Subdivision,) situated within the boundaries of the W½ of SW¼ of Sec. 27, Tp. 5 N., R. 73 W. NW¼

Parcel 2. West half of Northeast quarter of Northwest Quarter of Section Thirty-four (34), Township Five (5) North, Range Seventy-three (73) West, of the 6th Principal Meridian.

The net area hereby agreed to be conveyed is approximately 122 acres, more or less. Less, however, rights-of-way for roads heretofore granted to the United States of America or the State of Colorado or the County of Larimer, State of Colorado, and any other rights of way heretofore granted, it hereby being the intention of said Pieter Hondius, party of the first part, to convey to the United States of America all of his right, title and

interest of whatsoever kind that he now owns or possesses within the boundaries of the following described lands:

SW¼ of NW¼ and W½ of SW¼ of Sec. 27 and W½ of NE¼ of NW¼ of Sec. 34, all in Twp. 5 N., R. 73 W.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

6. On February 18, 1932, Pieter Hondius, by warranty deed filed for record as Instrument No. 390196 in the office of the County Clerk and Recorder of Larimer County on March 15, 1932, and recorded in Book 623, page 424, conveyed to Petitioner the following described lands and property situated in the County of Larimer, State of Colorado:

Parcel 1. The Southeast quarter of the Southwest quarter (Se¼ of Sw¼) of Section Eight (8), Township Five North (5N), Range Seventy-three West (73W).

Parcel 2. The North half (N½), the Southwest quarter (Sw¼) and the North half (N½) of the Southeast quarter (Se¼) of Section Seventeen (17), Township Five North (5N), Range Seventy-three West (73W), less, however, the following described lots and parcels heretofore conveyed and segregated from the above described lands by the party of the first part:

(a) That certain piece or parcel of land conveyed by Pieter Hondius to the United States of America by deed designated as Instrument No. 269762, Larimer County records, and described as follows:

All that portion of the Ne¼ of Se¼ of Sec. 17, Tp. 5 N., R. 73 W., lying south of the center line of the north branch of Fall River and containing 37 acres, more or less. Also that portion of the Se¼ of Ne¼ of said Sec. 17 lying south of the center line of the north branch of Fall River, and containing 4 acres, more or less, together with the right of joint use of that certain right-of-way for road purposes from the main road to the above described tract over and across that portion of the Se¼ of Ne¼ and Ne¼ of Se¼ of said Sec. 17, as described in and in accordance with agreement between C.A. Carlton and Pieter Hondius as recorded in Book 473 at page 162 of the public records of said Larimer County, and together with the right to lay, maintain and operate a pipe line across the Nw¼ of Se¼ of said section for the purpose of supplying the above described land with water. It being grantor's intention to allow grantee the joint use of such right-of-way as he owns and nothing more. There is hereby expressly reserved a right-of-way for road purposes over and across the premises herein conveyed for the grantor, his heirs and assigns from and to lands of the grantor lying west and southwest of said described premises.

(b) That certain piece or parcel of land conveyed by Pieter Hondius to one Carlton by deed designated as Instrument No. 188941, Larimer County Records, and described as follows:

Beginning at the east center corner, Sec. 17, Tp. 5 N., R. 73 W., thence North 970 feet, thence south 73° 05' West 150 feet, thence South 22° 58' west 227.2 feet to center line of county road, thence north 72° 39' west 160 feet, thence north 43° 50' west 155 feet, thence north 62° 08' west 125 feet, thence north 71° 25' west 210 feet, thence south 58° 15' west 35 feet, thence south 3° 48' east 90 feet, thence south 36° 27' west 187 feet, thence north 77° 03' west 100 feet, thence south 89° 28' west 55 feet, thence south 65° 27' west 229.3 feet, thence leaving said county road south 0° 08' west 325 feet to a point in the center line of the north branch of Fall River, thence southeasterly along the center line of said river to a point on section line between Sections 16 and 17, thence northerly along said section line 310 feet to the point of beginning, and containing 24.19 acres, more or less.

(c) That certain piece or parcel of land conveyed by Pieter Hondius to Lucinda Halsey by deed designated as Instrument No. 181727, Larimer County records, and described as follows:

Beginning at a point in the center line of Fall River whence the center corner of Sec. 17, Tp. 5 N., R. 73 W., bears north 0° 17' east 66 feet, thence north 0° 17' east 66 feet to center of said section 17; thence north 0° 17' east 849 feet, thence south 87° 42' east 312 feet, thence south 66° 47' east 140 feet to the center line of the Highdrive; thence along the center line of the Highdrive south 64° 40' east 380 feet; thence south 81° 46' east 100 feet, thence north 72° 04' east 150 feet, thence north 86° 33' east 200 feet, thence north 70° 03' east 61 feet to the line between the $SW\frac{1}{4}$ of $NE\frac{1}{4}$ and the $SE\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 17, thence South 0° 08' west 325 feet to the center line of Fall River, thence along the center line of Fall River in a southwesterly direction to the point of beginning, and containing 16.8 acres, subject to right-of-way of Highdrive.

(d) That certain piece or parcel of land conveyed by Pieter Hondius to the predecessors in interest of Anna May Derby as set forth in the Larimer County records, and described as follows:

Beginning at the center corner of said Section 17, Tp. 5 N., R. 73 W., thence north 0° 17' east 1166.5 feet, thence south 87° 42' west 248.5 feet, thence north 68° 03' west 290 feet, thence north 56° 09' west 108 feet, thence north 78° 21' west 539.1 feet, thence south 86° 44' west 170 feet, thence south 0° 44' west 1052.2 feet, thence south 62° 59' west 207 feet, thence south 85° 11' west 125.2 feet, thence south 0° 44' west 112 feet, to the center of Fall River, thence easterly down along the center line of said river to a point whence the place of beginning bears north 0° 17' east 79 feet, thence to the place of beginning, and containing 43.7 acres, more or less. The line joining the center corner and the $N\frac{1}{4}$ corner of said Sec. 17 was assumed as bearing

north 0° 17' east to correspond with description of adjoining property, and all bearings are relative thereto.

Parcel 3. The South half (S½) of the Northeast quarter (Ne¼); Lots (1) and (2) or West half of Northwest quarter (W½ of Nw¼); Southeast quarter of Northwest quarter (Se¼ of Nw¼); Northeast quarter of Southwest quarter (Ne¼ of Sw¼); North half of Southeast quarter (N½ of Se¼); and Southeast quarter of Southeast quarter (Se¼ of Se¼) of Section Eighteen (18), Township Five North (5N), Range Seventy-three West (73W).

Parcel 4. The Northwest quarter of the Northwest quarter (Nw¼ of the Nw¼) and Southwest quarter of Southeast quarter (Sw¼ of Se¼) of Section Twenty (20), Township Five North (5N), Range Seventy-three West (73W).

Parcel 5. The Southeast quarter of Northeast quarter (Se¼ of Ne¼); Southwest quarter (Sw¼); South half of Southeast quarter (S½ of Se¼), and that portion of the Northeast quarter of Southeast quarter (Ne¼ of Se¼), all in Section twenty-eight (28), Township Five North (5N), Range Seventy-three West (73W), described as follows:

All that portion of the Ne¼ of Se¼ of said Sec. 28 lying south and southerly of the center of a public road known as Highdrive, and particularly described as:

Beginning at the Se corner of the Ne¼ of Se¼ of Sec. 28, thence south 86° 47' West 179.9 feet to the center of the Highdrive Road, thence north 36° 7' east 304.9 feet along the center line of said road, thence south 235.1 feet to the place of beginning 0.49 acres, more or less. Less, however, the following described lots and parcels heretofore conveyed and segregated from the above described lands by the party of the first part:

(a) That certain piece or parcel of land conveyed by Pieter Hondius to W. E. Dixon by deeds designated as Instruments Nos. 247244 and 357603, Larimer County records, and described as follows:

All that portion of the Se¼ of the Se¼ of said Sec. 28 lying north and northerly of the center of a public road known as the Highdrive as the same is now established and traveled. Said tract being particularly described as follows:

Beginning at a point whence the Se corner of the Ne¼ of the Se¼ of said Sec. 28 bears north 86° 47' east 1251 feet, thence south 0° 1' west 374.9 feet to center line of right of way of 60-foot road; thence northeasterly along the north boundary of said right-of-way, the center line of which is described as follows: (From the last point above determined on the center line of the right-of-way), thence north 80° 57' east 513.2 feet, thence north 45° 10' east 225.1 feet, thence north 57° 25' east 123.9 feet, thence south 72° 59' east 152.4 feet, thence north 40° 12' east 225.5 feet, thence from this point on the center line of the road south 86° 47' west 1071.1 feet to place of beginning, and containing 5.14 acres, more or less, but, however, less any of the above described land situated within the boundary of the Sw¼ of Se¼ of said Sec. 28.

(b) That certain piece or parcel of land conveyed by Pieter Hondius to Mary D. Mason and designated as Lot 58 of the Sunny Ridge Subdivision as the same is shown and designated on the plat on file in the Larimer County records, reference to which is hereby made, and containing 2.03 acres, more or less.

(c) Those certain pieces or parcels of land conveyed by Pieter Hondius to Philip Mechem and designated as Lots 62, 63 and 64 of the Sunny Ridge Subdivision as the same is shown and designated on the plat on file in the Larimer County records, reference to which is hereby made, and containing 4.06 acres, more or less.

(d) That certain piece or parcel of land conveyed by Pieter Hondius to P. J. Fitzgerald and designated as Lot 45 of Sunny Ridge Subdivision as the same is shown and designated on the plat on file in the Larimer County records, reference to which is hereby made, and containing 10 acres, more or less.

(e) Those certain pieces or parcels of land conveyed by Pieter Hondius to Theodore S. Huntington and Mary E. Huntington by deeds designated as Instruments Nos. 244407 and 244408, Larimer County records, and described as follows:

Commencing at a point from whence the S¼ corner of said Sec. 28 bears south 43° 37' east 1583 feet, thence north 15° 31' east 500 feet, thence north 74° 16' west 150 feet, thence south 15° 26' west 488.5 feet, thence south 89° 45' east 150 feet to the place of beginning and containing 1.7 acres, more or less.

Also commencing at a point from whence the S¼ corner of said Sec. 28 bears south 29° 46' east 1095 feet, thence north 74° 58' west 264.2 feet, thence north 66° 33' west 320 feet, thence north 15° 31' east 500 feet, thence south 81° 43' east 175.6 feet, thence north 86° 02' east 159 feet, thence south 62° 26' east 147.7 feet, thence south 5° 04' west 607 feet to the place of beginning and containing 7 acres, more or less.

(f) Those certain pieces or parcels of land conveyed by Pieter Hondius to E. Tyler Smith by deeds designated as Instruments Nos. 202313 and 243775, Larimer County records, and described as follows:

Beginning at a point on the north side of the Highdrive whence the S¼ corner of said Sec. 28 bears south 7° 01' east 908.3 feet, thence along the north side of the Highdrive south 80° 50' west 60.1 feet, thence south 77° 42' west 45 feet, thence north 88° 13' west 140.2 feet, thence north 78° 08' west 102 feet, thence leaving the north side of Highdrive north 2° 30' east 650 feet to the south side of the pipe line road, thence along the south side of the pipe line road north 88° 06' east 100 feet, thence south 79° 42' east 150 feet, thence south 89° 27' east 94.9 feet, thence leaving the pipe line road south 2° 30' west 631.5 feet to the point of beginning, and containing 5.13 acres more or less.

Also commencing at a point whence the S¼ corner of said Sec. 28 bears south 29° 46' east 1095 feet, thence north 5° 04' east 607 feet, thence north 89° 10' east 65 feet, thence south 2° 30' west 650 feet, thence north 64° 23' west 100 feet to the place of beginning and containing 1.1 acres, more or less.

(g) That certain piece or parcel of land conveyed by Pieter Hondius to Ethel B. Hidenour by deed dated September 17, 1919 and recorded October 29, 1919, in Book 395 at page 255, Larimer County records, and described as follows:

Beginning at a point whence the Ne corner of Se¼ of Se¼ of Sec. 28 bears north 86° 47' east 1474.9 feet, thence south 337 feet to a point on the north side of the Highdrive, thence along the north side of the Highdrive south 81°44' west 154 feet, thence south 87° 47' west 100 feet, thence leaving the north side of the Highdrive north 349.7 feet, thence north 86° 47' east 252.7 feet to the point of beginning, and containing 2 acres, more or less. (The line adjoining the east quarter corner and the southeast corner of Sec. 28 was assumed north and south and all bearings were taken relative thereto.)

Parcel 6. Northwest quarter of Northeast quarter (Nw¼ of Ne¼); South half of Northeast quarter (S½ of Ne¼); South half of Northeast quarter (S½ of Nw¼); North half of Southwest quarter (N½ of Sw¼) and Southeast quarter (Se¼) of Section twentynine (29), Township Five North (5N), Range Seventy-three West (73W).

Parcel 7. South half of Northeast quarter (S½ of Ne¼) and North half of Southeast quarter (N½ of Se¼) of Section Thirty (30), Township Five North (5N), Range Seventy-three West (73W).

Parcel 8. North half of Northeast quarter (N½ of Ne¼) of Section 13, Township Five North (5N), Range Seventy-four West (74W). Less, however, the following described lots and parcels heretofore conveyed and segregated from the above described land by party of the first part:

(a) That certain piece or parcel of land conveyed by Pieter Hondius to Eleanor Hondius by deed designated as Instrument No. 258665, Larimer County records, and described as follows:

All that portion of the N½ of the Ne¼ of said Sec. 13 lying and being situated south or southerly of the center line of Fall River, said center line being determined by the present course of said Fall River and described as follows:

Beginning at a point on the township line between Ranges 73 and 74 and from which the Ne corner of said Sec. 13 bears north 875.5 feet, said point being also in the center line of Fall River, thence westerly along said center line as follows: North 62° 09' east 40.3 feet, thence south 40° 45' west 96.4 feet, thence north 71° 33' west 61.9 feet, thence north 7° 33' west 148.1 feet, thence north 89° 48' west 50.7 feet, thence north 30° 18' west 82 feet, thence north 52° 10' west 238.2 feet, thence north 22° 15' west 118.8 feet, thence north 67° 15' west 129.8 feet, thence south 52° 18' west 199.8 feet, thence south 12° 59' east 89.6 feet, thence south 34° 46' east 119.8 feet, thence north 77° 30' west 134.9 feet, thence south 30° 44' west 115 feet, thence north 61° 16' west 199.1 feet, thence south 33° 10' west 242.2 feet, thence north 27° 12' west 49.9 feet, thence north 24° 36' east 67.1 feet, thence north 32° 22' west 112.4 feet, thence south 41° 04' west 90.3 feet, thence south 11° 53' west 67.3 feet, thence south 68° 15' west 275.7 feet, thence north 25° 15' west 152 feet, thence south 72° 15' west

131.6 feet, thence south 44° 55' west 76.8 feet, thence north 65° 39' west 98.6 feet, thence north 41° 46' east 120.2 feet, thence north 9° 51' west 62.5 feet, thence south 87° 13' west 64.6 feet, thence south 25° 43' west 131.1 feet, thence north 37° 51' west 72.5 feet, thence north 12° 25' east 125.1 feet, thence north 62° 42' west 73.9 feet, thence south 30° 33' west 113 feet, thence north 60° 29' west 93.7 feet, thence north 35° 38' east 132.8 feet, thence north 45° 47' west 86.3 feet, thence south 81° 03' west 84.9 feet, thence south 4° 10' east 101.5 feet, thence north 75° 40' west 109.5 feet, thence north 10o 20' east 97.3 feet, thence north 20° 24' east 105.2 feet, thence north 78° 09' west 99.7 feet, thence south 34° 56' west 74.9 feet, thence south 22° 52' east 116.7 feet, thence south 88° 57' west 131.7 feet, thence north 66° 51' west 155 feet, to the intersection of this center line with the west line of the said Nw¼ of Ne¼ of said Sec. 13, and containing 41.19 acres, more or less.

(b) That certain piece or parcel of land conveyed by Pieter Hondius to Minnie E. Marsh by deed designated as Instrument No. 257198, Larimer County records, and described as follows:

That portion of the N½ of the Ne¼ of Sec. 13, described as follows:

Beginning at a point on the section line between Sections 12 and 13 and from whence the Ne corner of said Sec. 13 bears north 89° 46' east 773.6 feet, said point being also situated on the south side of the right-of-way of the Fall River Road, thence south 49° 12' east 432.5 feet along the south side of right-of-way, thence south 22° 24' west 159.6 feet to a point in the center of Fall River, thence westerly along the center line of the present course of Fall River, said center line being determined by courses and distances as follows:
(From the point last above mentioned), thence north 67° 15' west 129.8 feet, thence south 52° 18' west 199.6 feet, thence south 12° 59' east 89.6 feet, thence south 34° 46' east 119.8 feet, thence north 77° 30' west 134.9 feet, thence south 30° 44' west 115 feet, thence north 61° 16' west 199.1 feet, thence south 33°10' west 242.2 feet, thence north 27° 12' west 49.9 feet, thence north 24° 36' east 67.1 feet, thence north 32° 22' west 112.4 feet, thence south 41° 04' west 90.3 feet, thence south 11° 53' west 67.3 feet, thence south 68° 15' west 275.7 feet, thence north 25° 15' west 152 feet, thence south 72° 15' west 131.6 feet, thence south 44° 55' west 76.8 feet, thence north 65° 39' west 98.6 feet, thence north 41° 46' east 120.2 feet, thence north 9°51' west 62.5 feet, thence south 87° 13' west 64.6 feet, thence south 25° 43' west 131.1 feet, thence north 37° 51' west 72.5 feet, thence north 12° 25' east 125.1 feet, thence north 62° 42' west 73.9 feet, thence south 30° 33' west 113 feet, thence north 60° 29' west 93.7 feet; thence North 35° 38' east 132.8 feet, thence north 45° 47' west 86.3 feet, thence south 81° 03' west 84.9 feet, thence south 4° 10' east 101.5 feet, thence north 75° 40' west 109.5 feet, thence north 10° 20' east 97.3 feet, thence north 20° 24' east 105.2 feet, thence north 78° 09' west 99.7 feet, thence south 34° 56' west 74.9 feet, thence south 22° 52' east 116.7 feet, thence south 88° 57' west 131.3 feet, thence north 66° 51' west 155 feet to the point of intersection of this center line with the west line of the Nw¼ of Ne¼ of said Sec. 13; thence from this point of intersection north 0° 36' west 431.8 feet to the N¼ corner of said Sec. 13, thence along the said section line between Sections 12 and 13 north 89° 46' east 1886.4 feet to the place of beginning, and containing 29.84 acres, more or less.

All of the foregoing lands are in Township Five North (5N), Ranges Seventy-three (73) and Seventy-four (74) West of the sixth (6th) Principal Meridian, Colorado. The net area hereby agreed to be conveyed is approximately 1,762 acres, more or less. Less, however, rights-of-way for roads heretofore granted to the United States of America or the State of Colorado, or the County of Larimer, State of Colorado, and also right-of-way granted to the Estes Park Electric and Power Company for so-called Cascade Pipe line, and any other rights-of-way heretofore granted, it hereby being the intention of said Pieter Hondius, party of the first part, to convey to the United States of America all his right, title and interest of whatsoever kind that he now owns or possesses within the boundaries of the following described lands:

Se¼ of Sw¼ of Section 8; N½; Sw¼ and N½ of Se¼ of Section 17; S½ of Ne¼; Lots 1 and 2 of W½ of Nw¼; Se¼ of Nw¼; Ne¼ of Sw¼; N½ of Se¼ and Se¼ of Se¼ of Section 18; Nw¼ of Nw¼ and Sw¼ of Se¼ of Section 20; Se¼ of Ne¼; Sw¼; Ne¼ of Se¼ and S½ of Se¼ of Section 28; Nw¼ of Ne¼; S½ of Ne¼; S½ of NW¼; N½ of Sw¼; and Se¼ of Section 29; S½ of Ne¼ and N½ of Se¼ of Section 30; all in Tp. 5N., R. 73 W., N½ of Ne¼ of Section 13 in Tp. 5N., R. 74 W., all relating to the 6th Principal Meridian, Colorado.

TOGETHER, with all and singular the hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claimand demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

7. With the said lands so conveyed there was transferred and conveyed and there passed to Petitioner, as an appurtenance thereto, the following described water rights decreed by this Court in the general adjudication made on June 29, 1916.

(a) Such part of the water rights in and to and in connection with the Jones Ditch, with Priority No. 57, as to permit the use of five cubic feet per second upon eleven and eight tenths (11.8) acres of land under said ditch, which were conveyed to petitioner, subject to the condition made in said decrees that "three (3) acre feet per annum and no more, is reasonably required for the irrigation of the (said) land."

(b) All of the water rights in and to and in connection with the Horseshoe Ditch, with Priority No. 68.

(c) All of the water rights in and to and in connection with the Hupps Ditch and the Beaver Ditch, which two ditches were given a single Priority No. 58.

8. Petitioner, since the acquisition of said lands, has been continuously and is now the owner of the lands herein described, the water and water rights described in sub-paragraphs (a), (b) and (c) of Paragraph 7 hereof. Since the dates of said acquisition, Petitioner has continuously diverted and used the full amount of water authorized and decreed by said decree to be used under said ditches except such portion of the water diverted by the said Jones Ditch as was appurtenant to land under said ditch not conveyed to petitioner.

9. Petitioner seeks authority to change the points of diversion of a portion of the water so decreed for said ditches with the priorities stated.

10. The proposed new points of diversion, and new uses to be made of the water, the quantity involved in the changed use, the new diversion-system-description, and the new area or points at which the new use is to be made, are stated as follows:

THE JONES DITCH

Present Point of Diversion.

On South or Right bank of Fall River, in SW¼ of NE¼ Section 17, T5N, R73W, at point from which SE corner of SW¼ of NE¼ of said section bears S68° 58' E 41.78 feet.
48.78

	New Points of Diversion.	New Use.	Quantity Involved in Changed Use.	New Diversion System Description.	Area Served.
(1)	Same as present point of diversion.	Retained in ditch for park use in irrigation.	0.875 sec. ft., but not to exceed 13.5 acre-feet per annum.	Nominally as described in original decree.	In Sec. 17, T5N, R73W, NE¼ of SE¼, 11.17 acres. NW¼ of SE¼, 0.36 acres. SE¼ of NE¼ 0.27 acres.
(2)	Springs in NW¼ of NW¼ of Section 21, T5N, R73W from which NW corner of said section bears N79° 08' W 1236.12 ft. Tributary to Fall River.	Domestic supply, sanitation, fire protection, in Aspenglen (Public) Campground.	0.064 sec. ft. but not to exceed 11.407 acre-feet per annum.	Diversion is by 6" farm tile in spring area. There is small concrete collecting sump. The length of main pipe line is 2500 feet. The diameter of main pipe line is 2 inches. The gradient is 77.6 ft. per 1000 ft. The capacity is 0.0927 ft. per second. There is a 6200-gallon concrete distribution reservoir at present time.	In Sec. 17, T5N, R73W, NE¼ of SE¼ south of Fall River. NW¼ of SE¼ south of Fall River SE¼ of NE¼. south of Fall River.

THE JONES DITCH - (Continued)

	New Points of Diversion.	New Use.	Quantity Involved in Changed Use.	New Diversion System Description.	Area Served.
(3)	On the Right or South bank of Hidden Valley Creek in SW¼ of SE¼ of Section 18, T5N, R73W from which SE corner of said section bears S85° 02' E 2309.1 feet. Hidden Valley Creek is tributary to Fall River.	Domestic supply, sanitation, fire protection, at camp in Little Horseshoe Park and adjacent (Ashton) ranch and public campground to be built and established.	0.044 sec. ft. but not to exceed 10.493 acre feet per annum.	Diversion is by dam of loosely piled rock in creek to a ditch. The headgate is an 18" Hardesty type of metal irrigation gate. The main ditch is 525 feet in length. Bottom width 1.5 feet. Top width 2.0 feet. Depth 0.6 feet. Minimum grade 77 feet per 1000 ft. Capacity (n 0.035) 4.68 cub. ft. per second. A short length of galvanized iron pipe conveys the water from the ditch to a 2000-gallon concrete distribution reservoir.	Central and North ½ of the NE¼ of Section 19. T5N, R73W.

THE HORSESHOE DITCH.

Present Point of Diversion.

North or Left bank of Fall River, a tributary of Big Thompson River, in NE¼ of NE¼ of Section 13, T5N, R74W, from which point the N 1/16 corner common to said Section 13, and Section 18, T5N, R73W, bears S26° 27'E 969.46 feet.

	New Points of Diversion.	New Use.	Quantity Involved in Changed Use.	New Diversion System Description.	Area Served.
(1)	Same as present point of diversion.	Retained in ditch for irrigation by National Park Service.	4.633 sec. ft. but not to exceed 181.468 acre-feet per annum.	Same as described in original decree.	In Section 13, T5N, R74W, NE¼ of NE¼, 1.49 acres. In Section 18, T5N, R73W, NW¼ of NW¼, 1.38 acres. SW¼ of NW¼, 11.98 acres, NW¼ of SW¼ 0.40 acres. SE¼ of NW¼, 28.73 acres NE¼ of SW¼ 9.97 acres. SW¼ of NE¼, 17.75 acres. SE¼ of NE¼ 9.92 acres. NE¼ of SE¼ 0.01 acres.
(2)	Three springs, being headwaters of Sundance Creek, a tributary of Fall River in the NW¼ of SW¼ of Section 16, T5N, R74W, and from which the SE 1/16 corner of Sec. 14, T5N, R74W bears as follows: From Spring #1, S86° 24'E 13,319 ft. From Spring #2, S85°54' E 13,328 ft. From Spring #3, S86° 15' E 13,304 ft.	Domestic, sanitation and fire protection at the Trail Ridge Road Maintenance Camp.	0.004 sec. ft., but not to exceed 1.35 acre feet per annum.	Diversion will be by 6" farm tile in the spring area. There is to be: A 6000-gallon concrete regulating reservoir; 2200 feet of 3" galvanized iron pipe with grade of 55 feet per 1000 ft. Capacity 0.234 cubic feet per second.	SE¼ of SW¼ of Section 16, T5N R74W, so far as can be determined (The General Land Office corners were destroyed by fire about 1900.)

THE HORSESHOE DITCH (Continued)

	New Points of Diversion.	New Use.	Quantity Involved in Changed Use.	New Diversion System-Description.	Area Served
(3)	On the Right or South bank of Hidden Valley Creek in SW¼ of SE¼ of Section 18, T5N, R73W from which SE corner of said section bears S85° 02' E 2309.1 feet. Hidden Valley Creek is tributary to Fall River.	Domestic supply, sanitation, fire protection, in Little Horseshoe Park and adjacent (Ashton) ranch and public campground to be built and established.	0.145 sec. ft. but not to exceed 34.499 acre feet per annum.	Diversion is by dam of loosely piled rock in creek to a ditch. The headgate is an 18" Hardesty type of metal irrigation gate. The main ditch is 525 feet in length. Bottom width 1.5 feet. Top width 2.0 feet. Depth 0.6 feet. Minimum grade 77 feet per 1000 ft. Capacity (n 0.035) 4.68 cub. ft. per second. A short length of galvanized iron pipe conveys the water from the ditch to a 2000-gallon concrete distribution reservoir.	Central and North ½ of the NE¼ of Section 19, T5N, R73 W.

THE HORSESHOE DITCH - (Continued)

	New Points of Diversion.	New Use.	Quantity Involved in Changed Use.	New Diversion System Description.	Area Served
(4)	The North side of a nameless tributary at the headwaters of Fall River in the NE¼ of NE¼ of Section 1, T5N, R75W, and from which point the NE corner of said Section 1 bears N21° 48' E. 549 ft. (The corner being a scribed stone of the GLO survey of 1882.)	Domestic, sanitation and fire protection at Fall River Pass Museum, public comfort station and parking area.	0.100 sec. ft. but not to exceed 16.947 acre-feet per annum.	Diversion will be by a small concrete dam and collecting reservoir in the stream channel, a gasoline driven pump of 40-gallon per minute capacity, and 2365 ft. of 2" galvanized iron pipe, and 640 ft. of 6" galvanized iron pipe. There will be a 10,000 gallon concrete distribution reservoir from which 1150 feet of 4" galvanized iron pipe will serve the area. The static pumping head will be 736 feet.	North ½ of SW¼ of SE¼ of Section 36, T6N, R75W, as located from stone corner of GLO Survey.
(5)	Chaquita Creek, a tributary of the Fall River in SW¼ of NW¼ of Section 11, T5N, R74W, at a point from which the SE corner of said section bears S58° 53' E 5173.6 feet.	Domestic, sanitation, fire protection, at Rendovalley Campground.	0.118 sec. ft., but not to exceed 20.736 acre-feet per annum.	Diversion consists of 2" galvanized iron pipe extending to midstream and without diversion dam. The main pipe line is: Length 1930 feet. Diameter 2 inch. Grade 110 feet per 1000 ft. Capacity 0.118 sec. ft. A 50,000 gallon regulating reservoir will be provided at later date.	N½ of SW¼ Section 11, T5N, R74W.

THE HUPPS AND BEAVER DITCHES.

Present Points of Diversion.

Hupps Ditch: In NW¼ of SW¼ of Section 29, T5N, R73W, on both banks of Beaver Creek at a point from which the W¼ corner of said Section 29 bears N48° 13' West 1146.9 feet. There is an auxiliary diversion from the North bank at a point from which the W¼ of said section bears N62° 21' W 1106.2 feet, being below main diversion and needed because of stream erosion which has destroyed part of ditch.

Beaver Ditch: In SW¼ of NE¼ of Section 30, T5N, R73W, on both banks of Beaver Creek, at a point from which the W¼ corner of said Section 30 bears S86° 31'W 3429.1 feet.

	New Points of Diversion.	New Use.	Quantity Involved in Changed Use.	New Diversion System-Description.	Area Served
(1)	Same as present Hupps Ditch point of diversion.	Retained in ditch for irrigation by the National Park Service.	2.848 sec. ft., but not to exceed 94.393 acre-feet per annum.	Nominally as described in original decree.	On South bank in Sec. 29, T5N, R73W, NW¼ of SW¼ 2.30 acres NE¼ of SW¼ 13.60 acres. NW¼ of SE¼ 4.36 acres. On North bank in said Section 29: NW¼ of SW¼ 0.46 acres. NE¼ of SW¼ 9.29 acres. NW¼ of SE¼, 12.21 acres. NE¼ of SE¼, 5.39 acres.

THE HUPPS AND BEAVER DITCHES - (Continued)

	New Points of Diversion.	New Use.	Quantity Involved in Changed Use.	New Diversion System Description.	Area Served
(2)	Same as present Beaver Ditch point of diversion.	Retained in ditch for irrigation by the National Park Service.	As in original decree, any portion of water allocated to Hupps and Beaver Ditches but not diverted at proposed new points of diversion and by the Hupps Ditch.	Nominally as described in original decree.	On South bank in Section 30, T5N, R73W, NW¼ of SE¼, 5.32 acres. NE¼ of SE¼, 0.17 acres. SW¼ of NE¼, 0.40 acres. On North Bank in said Section 30; SW¼ of NE¼, 1.43 acres. SE¼ of NE¼, 0.58 acres. NW¼ of SE¼, 0.63 acres. NE¼ of SE¼, 8.91 acres. On North bank in Section 29 of same Township and Range: NW¼ of SW¼, 13.49 acres. NE¼ of SW¼, 3.85 acres. SW¼ of NW¼, 2.88 acres. SE¼ OF NW¼, 8.26 acres.
(3)	Springs tributary to Big Thompson River in NW¼ of NE¼, Section 34, T5N, R73W, from which N¼ corner of said Sec. 34 bears N85° 44' W 376 feet.	Domestic, industrial and fire protection, in Park Utility and employees' residential area.	0.015 sec. ft., but not to exceed 11.16 acre feet per annum.	Diversion is by 400 ft. of farm tile in spring area. A dam 8 ft. high and 200 ft. long extends across spring area with top 4 feet below ground surface to impound spring flow until used. There is a 2500-gallon concrete	NW¼ of NE¼ and NE¼ of NW¼ of Sec. 34, T5N, R73W.

THE HUPPS AND BEAVER DITCHES - (Continued)

	New Points of Diversion	New Use.	Quantity Involved in Changed Use.	New Diversion System Description.	Area Served.
(3)	(Continued)			collecting reservoir and 10,400-gallon regulating reservoir. An electrically driven pump of 33 g.p.m. capacity delivers water to pressure tank for distribution under 70-pound pressure. There are 1½ miles of distribution pipes, 3/4 inch to 6" in diameter. A 100,000-gallon concrete regulating reservoir is proposed.	
(4)	South or right bank of Big Thompson River in NE¼ of NW¼ Section 4, T4N, R73W at point from which SE corner of Section 33, T5N, R73W, bears N78° 26' E 1069 feet.	Domestic, sanitary, fire protection, for a lodge, store and housekeeping cabins at Camp Woods and Big Thompson River Entrance to Park.	0.300 sec. ft., but not to exceed 85.973 acre-feet per annum.	Diversion is by gravity with 2" pipe extending into river with no dam. Present main pipe length, 800 ft. Diameter 2". Grade 35 ft. per 1000 ft. Capacity, 0.0635 cu.ft. per second. Proposed enlargement: Diameter, 6" Grade, same. Capacity 1.00 cubic feet per second. Also 100,000 gallon concrete regulating reservoir.	Lot 3 and W½ Lot 2, in N½ Section 4, T4N, R73W,

THE HUPPS AND BEAVER DITCHES (Continued)

	New Points of Diversion.	New Use.	Quantity Involved in Changed Use.	New Diversion System-Description.	Area Served.
(5)	Springs tributary to Bear Lake, which is tributary to BigThompson River through Glacier Creek, in NE¼ of NW¼ Sec. 14, T4N, R74W, from which point the NSSW 1/256 corner of Section 7, T4N, R73W, bears N 77° 46' E 10,696 ft. (Corners of Section 14 burned out about 1898.)	Domestic, sanitation, fire protection, for hotel, museum, ranger station, and parking area at end of motor road.	0.086 sec. ft., but not to exceed 24.658 acre-feet per annum.	Diversion is by 4" gravity pipe from spring hole to 770-gallon galvanized iron regulating reservoir. The main pipe line is: Length, 2500 ft. Diameter 1 inch. Grade 95 ft. per 1000 ft. Capacity, 0.043 cubic ft. per second. Proposed enlargement: 100,000 gallon concrete regulating reservoir and 6" distribution pipe line.	NE¼ Section 14, T4N, R74W.
(6)	Right bank of Boulder Brook, a tributary of The Big Thompson River through Glacier Creek, in the NE¼ of NW¼ of Sec. 18, T4N, R73W, from which the N¼ corner of said Sec. 18 bears N50° 15' E 1332.6 feet.	Domestic, sanitation, fire protection, at: Sprague's Hotel, Glacier Basin Campground, Mountainside Lodge.	0.589 sec. ft. but not to exceed 112.242 acre-feet per annum.	Diversion consists of small concrete dam in Boulder Brook, and 3" pipe line. The main pipe line is: Length 7600 ft. Diameter 3 inch Grade 30.8 ft. per 1000 ft. Capacity 0.172 second ft. Proposed enlargement involves: Construction of 1 100,000-gallon concrete regulating reservoir; 1 50,000-gallon concrete regulating reservoir; replace 3" pipe with 5" pipe.	Sprague's Hotel SW¼ of SE¼ Sec. 7, T4N, R73W. Glacier Basin Campground in NW¼ Sec. 8, T4N, R73W. Mountainside Lodge is served under written agreement which may be terminated, in SW¼ of SE¼ of Section 5, T4N, R73W.

THE HUPPS AND BEAVER DITCHES - (Continued)

	New Points of Diversion.	New Use.	Quantity Involved in Changed Use.	New Diversion System-Description.	Area Served
(7)	Springs tributary to Fern Lake, which is tributary to the Big Thompson River through Fern Creek, in SW¼ of SW¼ of Sec. 3, T4N, R74W, at point from which the SE corner of Section 35, T5N, R74W, bears N51° 14' E 9346.94 feet.	Domestic, sanitation, fire protection, at Fern Lodge and Fern Lake Ranger Station.	0.081 sec. ft., but not to exceed 18.277 acre-feet per annum.	Diversion consists of small wooden dam across spring outlet, or stream, and the following pipe line: Length 950 feet. Diameter 1 inch (first 40 ft. 2 inch.). Grade 117 ft. per 1000 ft. Capacity 0.022 sec. ft. Proposed enlargement to consist of: A 50,000-gallon concrete regulating reservoir; change 1-inch to 2-inch pipe.	NW¼ of SW¼ of Sec. 3, T4N, R74W.
(8)	East or Right bank of Fern Creek, a tributary of The Big Thompson River in Lot 1 of the NE¼ of Sec. 3, T4N, R74W, at a point from which the SE corner of Sec. 35, T5N, R74W bears N81°46'E 3956.1 feet.	Domestic, sanitation, fire protection, at Forest Inn.	0.081 sec. ft., but not to exceed 13.297 acre-feet per annum.	Diversion is by ram with 1½-inch intake and 1-inch discharge. The ram has an approximate capacity of 0.03 sec. ft., discharging into a 700-gallon galvanized iron regulating reservoir. A larger ram, or pump, 50,000-gallon concrete regulating reservoir, and 2-inch discharge pipe will be provided when needed.	Lot 1 in NE¼ of Section 3, T4N, R73W.

11. If the Petitioner be authorized and permitted to make said changes in points of diversion, the new uses to be made will not be more burdensome than the uses heretofore made of the water so decreed in said decree and none of the owners of ditches or other structures taking water from Fall River and Beaver Creek, tributaries of the Big Thompson River, and from the Big Thompson River, or from any of the tributaries of any of said streams will be injuriously affected. On the contrary, the water so taken from said new points of diversion will be used at concentrated points, and more quickly be returned to the streams and with less loss thereto because of such concentration and use, and because a large part thereof will quickly pass through septic tanks into which water will be run immediately after domestic and camp uses.

WHEREFORE, this Petitioner prays that the Court proceed with the adjudication of the rights of this Petitioner to make said changes in points of diversion for a portion of the waters of said Priorities 57, 58, and 68, as herein set out; that the Court cause such notice to be given as is required by law and as the Court may deem proper; that during the progress of this case the Court make such interlocutory orders and decrees for temporary changes in points of diversion as shall seem expedient, and that on final hearing the Court decree the changes to the extent prayed herein; and that the Petitioner be awarded such other and further relief as to the Court may seem meet and proper in the premises.

Worth Allen

Wayne C. Williams

Attorneys for Petitioner.

STATE OF COLORADO)
) SS.
COUNTY OF LARIMER)

_____ being first duly sworn, on his oath deposes and says that he is Superintendent of Rocky Mountain National Park; that he has read the above and foregoing petition and knows the contents thereof, and that the same are true of his own personal knowledge.

_____

Subscribed and sworn to before me this _____ day of _____ 1938.

My commission expires _____

_____
Notary Public.

(JUDGMENT BOOK - DECREES WATER DISTRICT - BOOK 3 - PAGE 62)

"STATE OF COLORADO,)
) SS.
COUNTY OF BOULDER.)

IN THE DISTRICT COURT.
NO. 4862.

IN THE MATTER OF PRIORITIES OF WATER RIGHTS IN WATER DISTRICT NO. 4, UPON THE APPLICATION OF THE TOWN OF LOVELAND.

"

FINDINGS AND DECREE.

As rewritten and reentered, pursuant to the remittitur of the supreme court filed herein, directing the rewriting of said decree, omitting certain reservoirs therefrom.

" Signed and filed this 29th day of June, 1916.

Filed in the District Court, Boulder County, Colo., June 29, 1916.

Filed in the District Court, Boulder, Colo., April 3, 1916.

Fred W. Burger, Clerk.

"STATE OF COLORADO,)
) SS.
COUNTY OF BOULDER.)

IN THE DISTRICT COURT.
NO. 4862.

"IN THE MATTER OF PRIORITIES OF WATER RIGHTS IN DISTRICT NO. 4, UPON THE APPLICATION OF THE TOWN OF LOVELAND.

"

FINDINGS AND DECREE.

Now, on this 29th day of June, A. D. 1916, the same being one of the regular juridical days of the April Term, A. D. 1916, of this court, this matter came on for modification of the findings and decree heretofore entered herein on the eighteenth day of March, A. D. 1912, pursuant to the remittitur filed herein, from the Supreme Court of the State of Colorado, and the judgment and opinion of said court, in case No. 8297 of said court, wherein The Greeley and Loveland Irrigation Company, a corporation, was plaintiff in error, and Herman Huppe, et al., were defendants in error, wherein and whereby this court was directed to rewrite said findings and decree of March 18, 1912, and exclude therefrom all reservoirs of the defendants in error, involved in said review,

which were held to be without right to reservoir decrees, and to redraft the decree in accordance with the views and directions therein expressed, etc. (concerning reservoirs); and the court having considered said remittitur and said opinion of said court and its mandate, doth find:"
(Here a list of reservoirs & reservoir claimants previously awarded decrees in March 18, 1912, were declared to be excluded from the decree)
(including Sunny Slope Reservoir, Huppe Reservoir, W. H. McCormick Reservoir).
The remaining reservoirs named in decree of March 18, 1912, were not to be affected (including Lawn Reservoir, Priority 14, and Buckhorn Reservoir, Priority 18).

" And now this matter coming on for final hearing before the Court, upon the evidence heretofore produced, before T. M. Robinson, referee, and by him taken and extended and filed herein, concerning the several ditches, canals, pipelines, and reservoirs, mentioned herein, as well as upon the findings, recommended decree, and report of said referee filed herein, and the various exceptions thereto made and filed herein by divers claimants, and also upon the evidence heretofore produced before Christian A. Bennett, referee, to whom said matter was re-referred by order of this court made and entered March 4, A. D. 1907, and November 4, A. D. 1907, and by him taken and extended, and filed herein, concerning the several ditches, canals, pipelines and reservoirs herein as well as upon the findings recommended decree, and report of said referee filed herein, and the various exceptions thereto made and filed herein by divers claimants, and also upon the remittitur from the Supreme Court and the opinion and mandate of said court of and concerning said recommended findings and decree, and the decree, and the decree heretofore entered herein; and the court having considered the same, as well as the several notices, certificates of publication, affidavits, and certificates of each of said referees, that the testimony returned by each of said referees, and upon which each made his findings,

returned and filed in court herein, was taken upon due and lawful notice, in all respects according to the statutesof the state of Colorado, in such cases made and provided, and the rules and the several orders of this court, in that behalf made and entered, and that notice of the filing of the said reports, findings and recommended decrees, and of the time set for hearing upon said reports, findings and recommended decrees, and each and all of the exceptions thereto, has been duly given and served, upon all parties entitled to notice, as by law, rules, and orders of this court provided, in relation thereto, and, further, that all persons and corporations, interested in this matter, and entitled to notice, in any stage of the proceedings herein, have at all times been duly notified according to law and the orders of this court; and the court having duly considered all of said matters, and the exceptions filed herein, doth overrule each and all of said exceptions, both to the findings and recommended decree of referee Robinson and the findings and recommended decree of referee Bennett and doth approve said findings and recommended decrees of each of said referees, save and except insofar as the same are changed, modified, or set aside by this findings and decree of the court under the directions of the supreme court, made and entered herein.

The Court having now fully considered the evidence heretofore taken before each of said referees and their respective reports, findings and recommended decrees, together with the various exceptions filed thereto, and having heard the arguments of counsel for the respective parties doth find and decree as follows concerning the respective ditches, canals and reservoirs that the same and each thereof, are subject to the following ten provisions, to-wit:

11th. Concerning each ditch, pipeline and reservoir, for which a priority of appropriation has been found and determined herein, the Court doth find that each ditch and each reservoir and the priority

of appropriation for each thereof should be numbered in consecutive order, beginning with the next consecutive number of the ditch or reservoir, and the number of the priority thereof awarded the last or junior ditch or reservoir in the former decrees of this court, made and entered May 28, 1883, and March 22, 1890, instead of adopting a new system of numbering as recommended by the referees herein.

IT IS THEREFORE ORDERED, that the ditches herein be numbered consecutively, and that the priorities herein awarded thereto be numbered consecutively, beginning with the next consecutive number following the junior ditch in the decree of May 28, 1883, and that the reservoirs herein be numbered consecutively, and that the priorities herein awarded thereto be numbered consecutively, beginning with the next consecutive number following the junior reservoir in the decree of March 22, 1890, and that the numbering of the priorities of appropriation shall determine the priority of right in the successive decrees.

Concerning each and all of the reservoirs, pipelines, and ditches herein, the court doth find and decree as follows:

DITCH CLAIMANT NUMBER THIRTY-THREE.

THE JONES DITCH.

1st. The claimants of this ditch are Peter Hondius and Mrs. W. E. James, of Larimer County, Colorado.

2nd. This ditch was constructed and it has been kept and maintained for the taking, diverting and conveying of water for agricultural purposes.

3rd. The natural stream from which water has been diverted by means of this ditch is Fall River a tributary of the Big Thompson river.

4th. The headgate of this ditch is located in the northeast quarter of section seventeen (17), township five (5) north, range seventy-three (73) west of the 6th P. M. The ditch is about one and one-half miles long, and does not depart from the channel of Fall River to exceed two hundred and fifty yards.

5th. The size and dimensions of this ditch are as follows: width on top four (4) feet; width on bottom three (3) feet; depth one and one-half (1 1/2) feet; grade very heavy. Its carrying capacity is estimated at five (5) cubic feet per second.

6th. The work of construction of this ditch was originally commenced and partially completed as early as the spring of 1876 and it was enlarged or completed in the spring of 1879, and water was thereby diverted and applied to the irrigation of sixty (60) acres of land, which land is so situated that water run upon it soon finds its way back to the stream.

7th. Three (3) acre feet per acre per annumand no more, is reasonably required for the irrigation of the land mentioned in paragraph six (6) hereof.

8th. As a matter of law the claimants are entitled to a decree to the effect that there be permitted to flow out of said Fall River into this ditch, under and by virtue of appropriation as by original construction so much water as will flow in a ditch having the dimensions found in paragraph five (5) hereof,-in quantity estimated at five (5)

cubic feet per second, for the use of the party or parties entitled to the enjoyment thereof, for immediate use in direct irrigation, with priority No. 57, as of the thirtieth day of April, A. D. 1876; provided such decree be so limited in its operation as not to authorize the diversion of more than one hundred and eighty (180) acre feet of water per annum.

IT IS, THEREFORE, ADJUDGED AND DECREED BY THE COURT, that for agricultural purposes and under and by virtue of appropriation as by original construction, and for the benefit of the party or parties entitled to the enjoyment thereof, there by permitted to flowout of said Fall River and into this ditch so much water as will flow into a ditch having the dimensions found and stated in paragraph five of the finding inserted in this section, estimated at five (5) cubic feet per second, with ditch priority No. 57; subject to the general and paramount provisions of this decree, the appropriation of which water may be deemed to have taken effect on, and said priority No. 57 to date from the thirtieth day of April, A. D. 1876.

It is further ordered by the Court that nothing in this decree contained shall be deemed, taken or held to authorize the diversion, under said priority No. 57 of more than one hundred and eighty (180) acre feet of water per annum.

DITCH CLAIMANT NUMBER THIRTY-FOUR.

THE HUPPS DITCH AND THE BEAVER DITCH.

1st. The claimant of these ditches is Peter Hondius of Larimer County, Colorado.

2nd. These ditches were constructed and they have been kept and maintained for taking, diverting and conveying water for agricultural purposes, and have been operated as one system for the diversion and distribution of water originally appropriated through the said Hupps ditch.

3rd. The natural stream from which water has been diverted by means of these ditches is Beaver Creek, a tributary of the Big Thompson River.

4th. The headgate of said Hupps Ditch is located in the northwest quarter of the southwest quarter of section twenty-nine (29) township five (5) north, range seventy-three (73) west. The headgate of said Beaver ditch is located in the southwest quarter of the north east quarter of section thirty (30), township five (5) north, range seventy-three (73) west of the 6th P. M. These ditches do not depart more than one-fourth (1/4) of a mile from the channel of the said Beaver creek.

5th. The size and dimensions of these ditches are: width on top five (5) feet; width on bottom (3) feet; depth five (5) feet; grade heavy; and the carrying capacity of each one is estimated at four (4) cubic feet per second.

6th. The work of construction of the said Hupps ditch was commenced on the fifth day of May, A. D. 1876, and was prosecuted to completion with reasonable diligence.

7th. Within a reasonable time after the completion of the said Hupps ditch water was diverted thereby to the extent of its carrying capacity, and the same was thereafter applied to the irrigation of one hundred and twenty (120) acres of land lying under said Hupps ditch and the Beaver Ditch.

8th. Three (3) acre feet of water per acre per annum, and no

more, is reasonably required for the irrigation of the land mentioned in paragraph seven (7) hereof.

9th. As a matter of law the claimant is entitled to a decree to the effect that there be permitted to flow out of the said Beaver creek and into either of these ditches, under and by virtue of appropriation as by original construction, so much water as will flow in a ditch having the dimensions found in paragraph five (5) hereof - in quantity estimated at four (4) cubic feet per second, for the use and benefit of the party or parties entitled to the enjoyment thereof, for immediate use in direct irrigation, with priority No. 58, as of the fifth day of May, A. D. 1876; provided such decree be so limited in its operation as not to authorize the diversion of more than three hundred and sixty (360) acres feet of water per annum.

IT IS, THEREFORE, ADJUDGED AND DECREED BY THE COURT, that, for agricultural purposes and under and by virtue of appropriation as by original construction, and for the benefit of the party or parties entitled to the enjoyment thereof, there be permitted to flow out of said Beaver creek and into either of these ditches so much water as will flow into a ditch having the dimensions found and stated in paragraph five (5) of the finding inserted in this section, estimated at four (4) cubic feet per second, with ditch priority No. 58; subject to the general and paramount provisions of this decree the appropriation of which water may be deemed to have taken effect on, and said priority No. 58 to date from the fifth day of May, A. D. 1876.

IT IS FURTHER ORDERED BY THE COURT that nothing in this decree contained shall be deemed, taken or held to authorize the diversion, under said priority No. 58 of more than three hundred and sixty (360) acre feet of water per annum.

DITCH CLAIMANT NUMBER THIRTY-EIGHT

THE HORSESHOE DITCH.

1st. The claimant of this ditch is Peter Hondius of Larimer County, Colorado.

2nd. This ditch was constructed and it has been kept and maintained for taking, diverting and conveying water for agricultural purposes.

3rd. The natural stream from which water has been diverted by means of this ditch is Fall River, a tributary of the Big Thompson River.

4th. The headgate of this ditch is located in the northeast quarter of the northeast quarter of section thirteen (13) township five (5) north, range seventy-four (74) west of the 6th P. M. The ditch is about three-fourths of a mile long and does not depart from the channel of Fall River more than one-fourth of a mile.

5th. The size and dimensions of this ditch are: width on top five (5) feet; width on bottom three (3) feet; depth one and one-half (1 1/2) feet; grade ten (10) feet per mile; and its carrying capacity is estimated at five (5) cubic feet per second.

6th. The work of construction of this ditch was commenced on the first day of May, A. D. 1886, and was prosecuted to completion with reasonable diligence.

7th. Within a reasonable time after the completion of the construction of this ditch water was diverted thereby to the extent of its carrying capacity and applied to the irrigation of eighty-five (85) acres of land.

8th. Three (3) acre feet of water per acre per annum, and no more, are reasonably required for the irrigation of the land mentioned in paragraph seven (7) hereof.

9th. As a matter of law the claimant is entitled to a decree to the effect that under and by virtue of appropriation by original construction, there be permitted to be diverted from said Fall River by means of this ditch so much water as will flow in a ditch of the dimensions found in paragraph five (5) hereof, estimated at five (5) cubic feet per second, for the use and benefit of the party or parties entitled to the enjoyment

thereof for immediate use in agricultural purposes, with priority No. 68, as of the first day of May, A. D. 1886; provided said decree should be so limited in its operations as not to authorize the diversion of more than two hundred and twenty-five (225) acre feet of water per annum.

IT IS, THEREFORE, ADJUDGED AND DECREED BY THE COURT, that, for agricultural purposes, and under and by virtue of appropriation as by original construction, and for the benefit of the party or parties entitled to the enjoyment thereof, there be permitted to flow out of said Fall River and into this ditch so much water as will flow into a ditch having the dimensions found and stated in paragraph five (5) of the finding inserted in this section, estimated at five (5) cubic feet per second, with ditch priority No. 68; the appropriation of which water took effect on, and said priority No. 68 dates from the first day of May, A. D. 1886.

IT IS FURTHER ORDERED BY THE COURT that nothing in this decree contained shall be deemed, taken or held to authorize the diversion, under said priority No. 68, of more than two hundred and twenty-five (225) acre feet of water per annum.

IT IS FURTHER ORDERED BY THE COURT that all the evidence heretofore taken by said referees in this matter, and by them extended and filed in this court, including all the exhibits being part of said evidence, be and the same are hereby made a general bill of exceptions herein, and any party or parties aggrieved by any finding or provision of this decree are hereby granted two years from date of the entry of this decree in which to make and tender a particular bill of exceptions involving such matters as they 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 said court and shall be filed herein as of this date.

IT IS FURTHER ORDERED BY THE COURT that the sum of $185.be, and the same is hereby allowed as the expenses of rewriting and reentering said decree pursuant to the orders of the Supreme Court, and that said sum be taxed as costs in this proceeding, and the same, together with the costs and expenses of the clerk of this court, in filing, indexing and recording the same, and making certified copies hereof as by law required, be also taxed as costs, and are hereby allowed and approved by the court, and all of said costs are hereby ordered to be paid by the counties of Boulder, Larimer and Weld, being all of the counties in said water district number four, in equal amount as by law provided, said costs and expenses to be certified by the clerk of this court to the respective counties for allowance and payment by the boards of county commissioners of said County.

Done in Open Court this 29th day of June, A. D. 1916.

NEIL F. GRAHAM,
JUDGE.

ON PETITION OF THE UNITED STATES OF AMERICA TO CHANGE POINTS OF DIVERSION OF A PORTION OF THE WATER HERETOFORE AUTHORIZED TO BE TAKEN AND USED UNDER PRIORITIES NUMBERED 57, 58 AND 68.

State of Colorado,)
)ss.
County of Boulder.)

In the District Court

No. 10050

IN THE MATTER OF) PRIORITY OF W A T E R) RIGHTS IN DISTRICT NO.) 4.)

THE PEOPLE OF THE STATE OF COLORADO TO ALL PERSONS, ASSOCIATIONS AND CORPORATIONS INTERESTED AS OWNERS IN OR CONSUMERS UNDER ANY DITCH, CANAL OR RESERVOIR TAKING WATER FROM BEAVER CREEK, FALL RIVER AND THE BIG THOMPSON RIVER AND TRIBUTARIES IN WATER DISTRICT NO. 4 OF THE STATE OF COLORADO:

YOU ARE HEREBY NOTIFIED That on the 11th day of August, 1938, being one of the regular judicial days of the April term of said Court, an ORDER was made by the said Court, which, after venue and title, is in words and figures, as follows, to-wit:

ORDER

NOW, on this 11th day of August, 1938, the above entitled matter coming on regularly to be heard before the Court upon the Petition of the United States of America to change the points of diversion for a portion of the waters heretofore authorized in Case No. 4862 to be taken and used under Priorities numbered 57, 58 and 68, as follows:

PRIORITY NO. 57—THE JONES DITCH:

(1) **New Point of Diversion:** Springs tributary to Fall River in Northwest quarter of Northwest quarter (NW¼ NW¼) of Section twenty-one (21), Township five (5) North, Range Seventy-three (73) West, from which the Northwest corner of said section bears North 79° 06' West 1236.12 feet. **New Use:** Domestic supply, sanitation, fire protection, in Aspenglen (public) Campground. **Second and Acre Feet to be Devoted to New Use:** 0.064 second feet but not to exceed 11.407 acre feet per annum.

(2) **New Point of Diversion:** On the right or South bank of Hidden Valley Creek, a tributary of Fall River, in the Southwest quarter of the Southeast quarter (SW¼ SE¼) of Section eighteen (18), Township five (5) North, Range seventy-three (73) West, from which the Southeast corner of said section bears South 85° 02' East 2309.1 feet. **New Use:** Domestic supply, sanitation, fire protection, in Little Horseshoe Park and adjacent (Ashton) ranch and public campground to be built and established. **Second and Acre Feet to be Devoted to New Use:** 0.044 second feet but not to exceed 10.493 acre feet per annum.

PRIORITY NO. 58—THE HUPPS AND BEAVER DITCHES:

(1) **New Point of Diversion:** Springs tributary to Big Thompson River in the Northwest quarter of the Northeast quarter (NW¼ NE¼), Section thirty-four (34), Township five (5) North, Range seventy-three (73) West, from which the North quarter (N¼) corner of said Section thirty-four (34) bears North 85° 44' West 376 feet. **New Use:** Domestic, industrial and fire protection in Park Utility and employees' residential area. **Second and Acre Feet to be Devoted to New Use:** 1.015 second feet but not to exceed 11.16 acre feet per annum.

(2) **New Point of Diversion:** South or right bank of Big Thompson River in Northeast quarter of Northwest quarter (NE¼ NW¼) Section four (4), Township four (4) North, Range seventy-three (73) West, at a point from which the Southeast corner of Section thirty-three (33), Township five (5) North, Range seventy-three (73) West bears North 78° 26' East 1069 feet. **New Use:** Domestic, sanitation, fire protection, for a lodge, store and housekeeping cabins at Camp Woods and Big Thompson Entrace to Park. **Second and Acre Feet to be Devoted to New Use:** 0.300 second feet but not to exceed 85.973 acre feet per annum.

(3) **New Point of Diversion:** Springs tributary to Bear Lake, which is tributary to Big Thompson River through Glacier Creek, in Northeast quarter of Northwest quarter (NE¼ NW¼ of Section fourteen (14) Township four (4) North, Range seventy-four (74) West, from which point the NSSW 1/256 corner of Section Seven (7), Township four (4) North, Range seventy-three (73) West, bears North 77° 46' East 10,696 feet. (Corners of Section fourteen (14) burned out about 1898). **New Use:** Domestic, sanitation, fire protection, for hotel, museum, ranger station, and parking area at end of motor road. **Second and Acre Feet to be Devoted to New Use:** 0.086 second feet but not to exceed 24.658 acre feet per annum.

(4) **New Point of Diversion:** Right bank of Boulder Brook, a tributary of Big Thompson River through Glacier Creek in the Northeast quarter of Northwest quarter (NE¼ NW¼) of Section eighteen (18), Township four (4) North, Range seventy-three (73) West, from which the North quarter corner of said Section eighteen (18) bears North 50° 15' East 1332.6 feet. **New Use:** Domestic, sanitation, fire protection, at: Sprague's Hotel, Glacier Basin Campground, Mountainside Lodge. **Second and Acre Feet to be Devoted to New Use:** 0.589 second feet, but not to exceed 112.242 acre feet per annum.

(5) **New Point of Diversion:** Springs tributary to Fern Lake, which is tributary to the Big Thompson River through Fern Creek, in the Southwest quarter of Southwest quarter (SW¼ SW¼) of Section three (3), Township four (4) North, Range seventy-four (74) West, at a point from which the Southeast corner of Section thirty-five (35), Township five (5) North, Range seventy-four (74) West, bears North 51° 14' East 9346.94 feet. **New Use:** Domestic, sanitation, fire protection, at Fern Lodge and Fern Lake Ranger Station. **Second and Acre Feet to be Devoted to New Use:** 0.081 second feet, but not to exceed 18.277 acre feet per annum.

(6) **New Point of Diversion:** East or right bank of Fern Creek, a tributary of the Big Thompson River in Lot one (1) of the Northeast quarter (NE¼) of Section three (3), Township four (4) North, Range seventy-four (74) West, at a point from which the Southeast corner of Section thirty-five (35), Township five (5) North, Range seventy-four (74) West bears North 81° 46' East 3956.1 feet. **New Use:** Domestic, sanitation, fire protection, at Forest Inn. **Second and Acre Feet to be Devoted to New Use:** 0.081 second feet, but not to exceed 13.297 acre feet per annum.

PRIORITY NO. 68—THE HORSESHOE DITCH.

(1) **New Point of Diversion:** Three springs being headwaters of Sundance Creek, a tributary of Fall River in the Northwest quarter of Southwest quarter (NW¼ SW¼) of Section sixteen (16), Township five (5) North, Range seventy-four (74) West, and from which the Southeast one-sixteenth (1/16) corner of Section fourteen (14), Township five (5) North, Range seventy-four (74) West bears as follows: From Spring number one (1) South 86° 24' East 13,319 feet. From Spring number two (2) South 85° 54' East 13,328 feet. From Spring number three (3) South 86° 15' East 13,304 feet. **New Use:** Domestic, sanitation, and fire protection at the Trail Ridge Road Maintenance Camp. **Second and Acre Feet to be Devoted to New Use:** 0.004 second feet but not to exceed 1.35 acre feet per annum.

(2) **New Point of Diversion:** On the right or South bank of Hidden Valley Creek, a tributary of Fall River, in the Southwest quarter of the Southeast quarter (SW¼ SE¼) of Section eighteen (18), Township five (5) North, Range seventy-three (73) West, from which the Southeast corner of said section bears South 85° 02' East 2309.1 feet. **New Use:** Domestic supply, sanitation, fire protection, in Little Horseshoe Park and adjacent (Ashton) ranch, and public campground to be built and established. **Second and Acre Feet to be Devoted to New Use:** 0.145 second feet but not to exceed 34.499 acre feet per annum.

(3) **New Point of Diversion:** The North side of a nameless tributary at the headwaters of Fall River in the Northeast quarter of the Northeast quarter (NE¼ NE¼) of Section one (1), Township five (5) North, Range seventy-five (75) West, and from which point the Northeast corner of said Section one (1) bears North 21° 48' East 549 feet. (The corner being a scribed stone of the GLO survey of 1882). **New Use:** Domestic, sanitation and fire protection, at Fall River Pass Museum, public comfort station and parking area. **Second and Acre Feet to be Devoted to New Use:** 0.100 second feet but not to exceed 16.947 acre feet per annum.

(4) **New Point of Diversion:** Chiquita Creek, a tributary of the Fall River in the Southwest quarter of Northwest quarter (SW¼ NW¼) of Section eleven (11), Township five (5) North, Range seventy-four (74) West, at a point from which the Southeast corner of said Section bears South 58° 53' East 5173.6 feet. **New Use:** Domestic, sanitation, fire protection, Endovalley Campground. **Second and Acre Feet to be Devoted to New Use:** 0.118 second feet but not to exceed 20.736 acre feet per annum.

And the Court, being now fully advised in the premises, and good cause having been shown,

IT IS ORDERED That the 28th day of September, 1938, at ten o'clock A. M., in the District Court Room in the Court House in Boulder County, Colorado, be and the same hereby are fixed as the time and place for the hearing on said Petition; that Notice thereof be personally served within ten (10) days after the first publication, hereinafter required to be made, and at least twenty (20) days before said hearing on all persons, associations and corporations who may be affected by the proposed changes and who may be adversely interested, who can be found and served in the State of Colorado; that the Clerk of this Court deposit in the Post Office in the City of Boulder, State of Colorado, at least twenty (20) days before said hearing, duly enclosed in an envelope with proper postage stamps thereon, a copy of said Notice directed to the respective addresses of the parties who may affected and who may be adversely interested, who cannot be found and personally served in the State of Colorado; and that a copy of the said Notice be published once in each week until four (4) successive weekly publications have been made, the last publication to be made on a day previous to the day appointed as aforesaid, in each of the following public newspapers: The Loveland Reporter-Herald, published in the City of Loveland, in Larimer County Colorado; The Longmont Times-Call, published in the City of Longmont, in Boulder County, Colorado; and the Greeley Booster, published in the City of Greeley, in Weld County, Colorado; that ten (10) printed copies of said Notice shall also be posted by the Petitioner herein in ten (10) public places in such Water District not less than twenty (20) days before the day so appointed; that all persons, associations and corporations who desire to resist the said Petition for change of points of diversion shall appear at the Court Room of the District Court in the City of Boulder, and County of Boulder and the State of Colorado, at the time and place so appointed to make objections to the said Petition, if any they or any of them may have, and to offer evidence against the same should they wish so to do.

DONE IN OPEN COURT This 11th day of August, A. D., 1938.

FREDERICK W. CLARK,
Judge.

And you, and each of you, are hereby notified to appear in the Court Room of the District Court in the City of Boulder and the County of Boulder and the State of Colorado, at the time so appointed to make objections to the said Petition, if you have any, and offer evidence against the same, should you wish to do so.

AND YOU ARE FURTHER NOTIFIED That, at the time so fixed, or at such time to which said hearing may be adjourned or continued, the Court will proceed to hear and determine the said Petition.

WITNESS my hand as Clerk of said Court and the seal thereof, at Boulder, in said County this 11th day of August, 1938.

C. W. ATKINSON,
(Seal of District Court, Boulder County.) Clerk of Said Court.

WORTH ALLEN,
WAYNE C. WILLIAMS,
Attorneys for Petitioner.

First publication Aug. 19, 1938
Last publication Sept. 9, 1938.

ON PETITION OF THE UNITED STATES OF AMERICA TO CHANGE POINTS OF DIVERSION OF A PORTION OF THE WATER HERETOFORE AUTHORIZED TO BE TAKEN AND USED UNDER PRIORITIES NUMBERED 57, 58 AND 68.

State of Colorado,)
)ss.
County of Boulder.)

In the District Court
No. 10050

IN THE MATTER OF) PRIORITY OF WATER) RIGHTS IN DISTRICT NO.) 4.)

THE PEOPLE OF THE STATE OF COLORADO TO ALL PERSONS, ASSOCIATIONS AND CORPORATIONS INTERESTED AS OWNERS IN OR CONSUMERS UNDER ANY DITCH, CANAL OR RESERVOIR TAKING WATER FROM BEAVER CREEK, FALL RIVER AND THE BIG THOMPSON RIVER AND TRIBUTARIES IN WATER DISTRICT NO. 4 OF THE STATE OF COLORADO:

YOU ARE HEREBY NOTIFIED That on the 11th day of August, 1938, being one of the regular judicial days of the April term of said Court, an ORDER was made by the said Court, which, after venue and title, is in words and figures, as follows, to-wit:

ORDER

NOW, on this 11th day of August, 1938, the above entitled matter coming on regularly to be heard before the Court upon the Petition of the United States of America to change the points of diversion for a portion of the waters heretofore authorized in Case No. 4862 to be taken and used under Priorities numbered 57, 58 and 68, as follows:

PRIORITY NO. 57—THE JONES DITCH:

(1) **New Point of Diversion:** Springs tributary to Fall River in Northwest quarter of Northwest quarter (NW¼ NW¼) of Section twenty-one (21), Township five (5) North, Range Seventy-three (73) West, from which the Northwest corner of said section bears North 79° 06' West 1236.12 feet. **New Use:** Domestic supply, sanitation, fire protection, in Aspenglen (public) Campground. **Second and Acre Feet to be Devoted to New Use:** 0.064 second feet but not to exceed 11.407 acre feet per annum.

(2) **New Point of Diversion:** On the right or South bank of Hidden Valley Creek, a tributary of Fall River, in the Southwest quarter of the Southeast quarter (SW¼ SE¼) of Section eighteen (18), Township five (5) North, Range seventy-three (73) West, from which the Southeast corner of said section bears South 85° 02' East 2309.1 feet. **New Use:** Domestic supply, sanitation, fire protection, in Little Horseshoe Park and adjacent (Ashton) ranch and public campground to be built and established. **Second and Acre Feet to be Devoted to New Use:** 0.044 second feet but not to exceed 10.493 acre feet per annum.

PRIORITY NO. 58—THE HUPPS AND BEAVER DITCHES:

(1) **New Point of Diversion:** Springs tributary to Big Thompson River in the Northwest quarter of the Northeast quarter (NW¼ NE¼), Section thirty-four (34), Township five (5) North, Range seventy-three (73) West, from which the North quarter (N¼) corner of said Section thirty-four (34) bears North 85° 44' West 376 feet. **New Use:** Domestic, industrial and fire protection in Park Utility and employees' residential area. **Second and Acre Feet to be Devoted to New Use:** 1.015 second feet but not to exceed 11.16 acre feet per annum.

(2) **New Point of Diversion:** South or right bank of Big Thompson River in Northeast quarter of Northwest quarter (NE¼ NW¼) Section four (4), Township four (4) North, Range seventy-three (73) West, at a point from which the Southeast corner of Section thirty-three (33), Township five (5) North, Range seventy-three (73) West bears North 78° 26' East 1069 feet. **New Use:** Domestic, sanitation, fire protection, for a lodge, store and housekeeping cabins at Camp Woods and Big Thompson Entrace to Park. **Second and Acre Feet to be Devoted to New Use:** 0.300 second feet but not to exceed 85.973 acre feet per annum.

(3) **New Point of Diversion:** Springs tributary to Bear Lake, which is tributary to Big Thompson River through Glacier Creek, in Northeast quarter of Northwest quarter (NE¼ NW¼) of Section fourteen (14) Township four (4) North, Range seventy-four (74) West, from which point the NSSW 1/256 corner of Section Seven (7), Township four (4) North, Range seventy-three (73) West, bears North 77° 46' East 10,696 feet. (Corners of Section fourteen (14) burned out about 1898). **New Use:** Domestic, sanitation, fire protection, for hotel, museum, ranger station, and parking area at end of motor road. **Second and Acre Feet to be Devoted to New Use:** 0.086 second feet but not to exceed 24.658 acre feet per annum.

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(5) **New Point of Diversion:** Springs tributary to Fern Lake, which is tributary to the Big Thompson River through Fern Creek, in the Southwest quarter of Southwest quarter (SW¼ SW¼) of Section three (3), Township four (4) North, Range seventy-four (74) West, at a point from which the Southeast corner of Section thirty-five (35), Township five (5) North, Range seventy-four (74) West, bears North 51° 14' East 9346.94 feet. **New Use:** Domestic, sanitation, fire protection, at Fern Lodge and Fern Lake Ranger Station. **Second and Acre Feet to be Devoted to New Use:** 0.081 second feet, but not to exceed 18.277 acre feet per annum.

(6) **New Point of Diversion:** East or right bank of Fern Creek, a tributary of the Big Thompson River in Lot one (1) of the Northeast quarter (NE¼) of Section three (3), Township four (4) North, Range seventy-four (74) West, at a point from which the Southeast corner of Section thirty-five (35), Township five (5) North, Range seventy-four (74) West bears North 81° 46' East 3956.1 feet. **New Use:** Domestic, sanitation, fire protection, at Forest Inn. **Second and Acre Feet to be Devoted to New Use:** 0.081 second feet, but not to exceed 13.297 acre feet per annum.

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(1) **New Point of Diversion:** Three springs being headwaters of Sundance Creek, a tributary of Fall River in the Northwest quarter of Southwest quarter (NW¼ SW¼) of Section sixteen (16), Township five (5) North, Range seventy-four (74) West, and from which the Southeast one-sixteenth (1/16) corner of Section fourteen (14), Township five (5) North, Range seventy-four (74) West bears as follows: From Spring number one (1) South 86° 24' East 13,319 feet. From Spring number two (2) South 85° 54' East 13,328 feet. From Spring number three (3) South 86° 15' East 13,304 feet. **New Use:** Domestic, sanitation, and fire protection at the Trail Ridge Road Maintenance Camp. **Second and Acre Feet to be Devoted to New Use:** 0.004 second feet but not to exceed 1.35 acre feet per annum.

(2) **New Point of Diversion:** On the right or South bank of Hidden Valley Creek, a tributary of Fall River, in the Southwest quarter of the Southeast quarter (SW¼ SE¼) of Section eighteen (18), Township five (5) North, Range seventy-three (73) West, from which the Southeast corner of said section bears South 85° 02' East 2309.1 feet. **New Use:** Domestic supply, sanitation, fire protection, in Little Horseshoe Park and adjacent (Ashton) ranch, and public campground to be built and established. **Second and Acre Feet to be Devoted to New Use:** 0.145 second feet but not to exceed 34.499 acre feet per annum.

(3) **New Point of Diversion:** The North side of a nameless tributary at the headwaters of Fall River in the Northeast quarter of the Northeast quarter (NE¼ NE¼) of Section one (1), Township five (5) North, Range seventy-five (75) West, and from which point the Northeast corner of said Section one (1) bears North 21° 48' East 549 feet. (The corner being a scribed stone of the GLO survey of 1882). **New Use:** Domestic, sanitation and fire protection, at Fall River Pass Museum, public comfort station and parking area. **Second and Acre Feet to be Devoted to New Use:** 0.100 second feet but not to exceed 16.947 acre feet per annum.

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And the Court, being now fully advised in the premises, and good cause having been shown,

IT IS ORDERED That the 28th day of September, 1938, at ten o'clock A. M., in the District Court Room in the Court House in Boulder County, Colorado, be and the same hereby are fixed as the time and place for the hearing on said Petition; that Notice thereof be personally served within ten (10) days after the first publication, hereinafter required to be made, and at least twenty (20) days before said hearing on all persons, associations and corporations who may be affected by the proposed changes and who may be adversely interested, who can be found and served in the State of Colorado; that the Clerk of this Court deposit in the Post Office in the City of Boulder, State of Colorado, at least twenty (20) days before said hearing, duly enclosed in an envelope with proper postage stamps thereon, a copy of said Notice directed to the respective addresses of the parties who may affected and who may be adversely interested, who cannot be found and personally served in the State of Colorado; and that a copy of the said Notice be published once in each week until four (4) successive weekly publications have been made, the last publication to be made on a day previous to the day appointed as aforesaid, in each of the following public newspapers: The Loveland Reporter-Herald, published in the City of Loveland, in Larimer County Colorado; The Longmont Times-Call, published in the City of Longmont, in Boulder County, Colorado; and the Greeley Booster, published in the City of Greeley, in Weld County, Colorado; that ten (10) printed copies of said Notice shall also be posted by the Petitioner herein in ten (10) public places in such Water District not less than twenty (20) days before the day so appointed; that all persons, associations and corporations who desire to resist the said Petition for change of points of diversion shall appear at the Court Room of the District Court in the City of Boulder, and County of Boulder and the State of Colorado, at the time and place so appointed to make objections to the said Petition, if any they or any of them may have, and to offer evidence against the same should they wish so to do.

DONE IN OPEN COURT This 11th day of August, A. D., 1938.

FREDERICK W. CLARK,
Judge.

And you, and each of you, are hereby notified to appear in the Court Room of the District Court in the City of Boulder and the County of Boulder and the State of Colorado, at the time so appointed to make objections to the said Petition, if you have any, and offer evidence against the same, should you wish to do so.

AND YOU ARE FURTHER NOTIFIED That, at the time so fixed, or at such time to which said hearing may be adjourned or continued, the Court will proceed to hear and determine the said Petition.

WITNESS my hand as Clerk of said Court and the seal thereof, at Boulder, in said County this 11th day of August, 1938.

C. W. ATKINSON,
(Seal of District Court, Boulder County.) Clerk of Said Court.

WORTH ALLEN,
WAYNE C. WILLIAMS,
Attorneys for Petitioner.

First publication Aug. 19, 1938
Last publication Sept. 9, 1938.

ON PETITION OF THE UNITED STATES OF AMERICA TO CHANGE POINTS OF DIVERSION OF A PORTION OF THE WATER HERETOFORE AUTHORIZED TO BE TAKEN AND USED UNDER PRIORITIES NUMBERED 57, 58 AND 68.

State of Colorado,)
)ss.
County of Boulder.)

In the District Court

No. 10050

IN THE MATTER OF) PRIORITY OF W A T E R) RIGHTS IN DISTRICT NO.) 4.)

THE PEOPLE OF THE STATE OF COLORADO TO ALL PERSONS, ASSOCIATIONS AND CORPORATIONS INTERESTED AS OWNERS IN OR CONSUMERS UNDER ANY DITCH, CANAL OR RESERVOIR TAKING WATER FROM BEAVER CREEK, FALL RIVER AND THE BIG THOMPSON RIVER AND TRIBUTARIES IN WATER DISTRICT NO. 4 OF THE STATE OF COLORADO:

YOU ARE HEREBY NOTIFIED That on the 11th day of August, 1938, being one of the regular judicial days of the April term of said Court, an ORDER was made by the said Court, which, after venue and title, is in words and figures, as follows, to-wit:

ORDER

NOW, on this 11th day of August, 1938, the above entitled matter coming on regularly to be heard before the Court upon the Petition of the United States of America to change the points of diversion for a portion of the waters heretofore authorized in Case No. 4862 to be taken and used under Priorities numbered 57, 58 and 68, as follows:

PRIORITY NO. 57—THE JONES DITCH:

(1) **New Point of Diversion:** Springs tributary to Fall River in Northwest quarter of Northwest quarter (NW¼ NW¼) of Section twenty-one (21), Township five (5) North, Range Seventy-three (73) West, from which the Northwest corner of said section bears North 79° 06' West 1236.12 feet. **New Use:** Domestic supply, sanitation, fire protection, in Aspendell (public) Campground. **Second and Acre Feet to be Devoted to New Use:** 0.064 second feet but not to exceed 11.407 acre feet per annum.

(2) **New Point of Diversion:** On the right or South bank of Hidden Valley Creek, a tributary of Fall River, in the Southwest quarter of the Southeast quarter (SW¼ SE¼) of Section eighteen (18), Township five (5) North, Range seventy-three (73) West, from which the Southeast corner of said section bears South 85° 02' East 2309.1 feet. **New Use:** Domestic supply, sanitation, fire protection, in Little Horseshoe Park and adjacent (Ashton) ranch and public campground to be built and established. **Second and Acre Feet to be Devoted to New Use:** 0.044 second feet but not to exceed 10.493 acre feet per annum.

PRIORITY NO. 58—THE HUPPS AND BEAVER DITCHES:

(1) **New Point of Diversion:** Springs tributary to Big Thompson River in the Northwest quarter of the Northeast quarter (NW¼ NE¼), Section thirty-four (34), Township five (5) North, Range seventy-three (73) West, from which the North quarter (N¼) corner of said Section thirty-four (34) bears North 85° 44' West 576 feet. **New Use:** Domestic, industrial and fire protection in Park Utility and employees' residential area. **Second and Acre Feet to be Devoted to New Use:** 1.015 second feet but not to exceed 11.16 acre feet per annum.

(2) **New Point of Diversion:** South or right bank of Big Thompson River in Northeast quarter of Northwest quarter (NE¼ NW¼) Section four (4), Township four (4) North, Range seventy-three (73) West, at a point from which the Southeast corner of Section thirty-three (33), Township five (5) North, Range seventy-three (73) West bears North 78° 26' East 1069 feet. **New Use:** Domestic, sanitation, fire protection, for a lodge, store and housekeeping cabins at Camp Woods and Big Thompson Entrace to Park. **Second and Acre Feet to be Devoted to New Use:** 0.300 second feet but not to exceed 85.973 acre feet per annum.

(3) **New Point of Diversion:** Springs tributary to Bear Lake, which is tributary to Big Thompson River through Glacier Creek, in Northeast quarter of Northwest quarter (NE¼ NW¼) of Section fourteen (14) Township four (4) North, Range seventy-four (74) West, from which point the N88W 1/256 corner of Section Seven (7), Township four (4) North, Range seventy-three (73) West, bears North 77° 46' East 10,696 feet. (Corners of Section fourteen (14) burned out about 1896). **New Use:** Domestic, sanitation, fire protection, for hotel, museum, ranger station, and parking area at end of motor road. **Second and Acre Feet to be Devoted to New Use:** 0.086 second feet but not to exceed 24.658 acre feet per annum.

(4) **New Point of Diversion:** Right bank of Boulder Brook, a tributary of Big Thompson River through Glacier Creek in the Northeast quarter of Northwest quarter (NE¼ NW¼) of Section eighteen (18), Township four (4) North, Range seventy-three (73) West, from which the North quarter corner of said Section eighteen (18) bears North 50° 15' East 1332.6 feet. **New Use:** Domestic, sanitation, fire protection, at: Sprague's Hotel, Glacier Basin Campground, Mountainside Lodge. **Second and Acre Feet to be Devoted to New Use:** 0.589 second feet, but not to exceed 112.242 acre feet per annum.

(5) **New Point of Diversion:** Springs tributary to Fern Lake, which is tributary to the Big Thompson River through Fern Creek, in the Southwest quarter of Southwest quarter (SW¼ SW¼) of Section three (3), Township four (4) North, Range seventy-four (74) West, at a point from which the Southeast corner of Section thirty-five (35), Township five (5) North, Range seventy-four (74) West, bears North 51° 14' East 9346.94 feet. **New Use:** Domestic, sanitation, fire protection, at Fern Lodge and Fern Lake Ranger Station. **Second and Acre Feet to be Devoted to New Use:** 0.081 second feet, but not to exceed 18.277 acre feet per annum.

(6) **New Point of Diversion:** East or right bank of Fern Creek, a tributary of the Big Thompson River in Lot one (1) of the Northeast quarter (NE¼) of Section three (3), Township four (4) North, Range seventy-four (74) West, at a point from which the Southeast corner of Section thirty-five (35), Township five (5) North, Range seventy-four (74) West bears North 81° 46' East 3956.1 feet. **New Use:** Domestic, sanitation, fire protection, at Forest Inn. **Second and Acre Feet to be Devoted to New Use:** 0.081 second feet, but not to exceed 13.297 acre feet per annum.

PRIORITY NO. 68—THE HORSESHOE DITCH.

(1) **New Point of Diversion:** Three springs being headwaters of Sundance Creek, a tributary of Fall River in the Northwest quarter of Southwest quarter (NW¼ SW¼) of Section sixteen (16), Township five (5) North, Range seventy-four (74) West, and from which the Southeast one-sixteenth (1/16) corner of Section fourteen (14), Township five (5) North, Range seventy-four (74) West bears as follows: From Spring number one (1) South 86° 24' East 13,319 feet. From Spring number two (2) South 85° 54' East 13,328 feet. From Spring number three (3) South 86° 15' East 13,304 feet. **New Use:** Domestic, sanitation, and fire protection at the Trail Ridge Road Maintenance Camp. **Second and Acre Feet to be Devoted to New Use:** 0.004 second feet but not to exceed 1.35 acre feet per annum.

(2) **New Point of Diversion:** On the right or South bank of Hidden Valley Creek, a tributary of Fall River, in the Southwest quarter of the Southeast quarter (SW¼ SE¼) of Section eighteen (18), Township five (5) North, Range seventy-three (73) West, from which the Southeast corner of said section bears South 85° 02' East 2309.1 feet. **New Use:** Domestic supply, sanitation, fire protection, in Little Horseshoe Park and adjacent (Ashton) ranch, and public campground to be built and established. **Second and Acre Feet to be Devoted to New Use:** 0.145 second feet but not to exceed 34.499 acre feet per annum.

(3) **New Point of Diversion:** The North side of a nameless tributary at the headwaters of Fall River in the Northeast quarter of the Northeast quarter (NE¼ NE¼) of Section one (1), Township five (5) North, Range seventy-five (75) West, and from which point the Northeast corner of said Section one (1) bears North 21° 48' East 549 feet. (The corner being a scribed stone of the GLO survey of 1882). **New Use:** Domestic, sanitation and fire protection, at Fall River Pass Museum, public comfort station and parking area. **Second and Acre Feet to be Devoted to New Use:** 0.100 second feet but not to exceed 16.947 acre feet per annum.

(4) **New Point of Diversion:** Chiquita Creek, a tributary of the Fall River in the Southwest quarter of Northwest quarter (SW¼ NW¼) of Section eleven (11), Township five (5) North, Range seventy-four (74) West, at a point from which the Southeast corner of said Section bears South 58° 53' East 5173.6 feet. **New Use:** Domestic, sanitation, fire protection, Endovalley Campground. **Second and Acre Feet to be Devoted to New Use:** 0.118 second feet but not to exceed 20.736 acre feet per annum.

And the Court, being now fully advised in the premises, and good cause having been shown,

IT IS ORDERED That the 28th day of September, 1938, at ten o'clock A. M., in the District Court Room in the Court House in Boulder County, Colorado, be and the same hereby are fixed as the time and place for the hearing on said Petition; that Notice thereof be personally served within ten (10) days after the first publication, hereinafter required to be made, and at least twenty (20) days before said hearing on all persons, associations and corporations who may be affected by the proposed changes and who may be adversely interested, who can be found and served in the State of Colorado; that the Clerk of this Court deposit in the Post Office in the City of Boulder, State of Colorado, at least twenty (20) days before said hearing, duly enclosed in an envelope with proper postage stamps thereon, a copy of said Notice directed to the respective addresses of the parties who may affected and who may be adversely interested, who cannot be found and personally served in the State of Colorado; and that a copy of the said Notice be published once in each week until four (4) successive weekly publications have been made, the last publication to be made on a day previous to the day appointed as aforesaid, in each of the following public newspapers: The Loveland Reporter-Herald, published in the City of Loveland, in Larimer County Colorado; The Longmont Times-Call, published in the City of Longmont, in Boulder County, Colorado; and the Greeley Booster, published in the City of Greeley, in Weld County, Colorado; that ten (10) printed copies of said Notice shall also be posted by the Petitioner herein in ten (10) public places in such Water District not less than twenty (20) days before the day appointed; that all persons, associations and corporations who desire to resist the said Petition for change of points of diversion shall appear at the Court Room of the District Court in the City of Boulder, and County of Boulder and the State of Colorado, at the time and place so appointed to make objections to the said Petition, if any they or any of them may have, and to offer evidence against the same should they wish so to do.

DONE IN OPEN COURT This 11th day of August, A. D., 1938.

FREDERICK W. CLARK,
Judge.

And you, and each of you, are hereby notified to appear in the Court Room of the District Court in the City of Boulder and the County of Boulder and the State of Colorado, at the time so appointed to make objections to the said Petition, if you have any, and offer evidence against the same, should you wish to do so.

AND YOU ARE FURTHER NOTIFIED That, at the time so fixed, or at such time to which said hearing may be adjourned or continued, the Court will proceed to hear and determine the said Petition.

WITNESS my hand as Clerk of said Court and the seal thereof, at Boulder, in said County this 11th day of August, 1938.

C. W. ATKINSON,
(Seal of District Court, Boulder County.) Clerk of Said Court.

WORTH ALLEN,
WAYNE C. WILLIAMS,
Attorneys for Petitioner.

First publication Aug. 19, 1938
Last publication Sept. 9, 1938.

Recorded JUL 7, 1939 at 9:00 o'clock A. M.

Reception No. 480428 Stanley A. Curtis, Recorder

STATE OF COLORADO, } ss.
COUNTY OF BOULDER. }

IN THE DISTRICT COURT

No. 10050.

IN THE MATTER OF PRIORITY OF WATER RIGHTS IN DISTRICT NO. 4,

ON PETITION OF THE UNITED STATES OF AMERICA TO CHANGE POINTS OF DIVERSION OF A PORTION OF THE WATER HERETOFORE AUTHORIZED TO BE TAKEN AND USED UNDER PRIORITIES NUMBERED 57, 58 AND 66.

FINDINGS AND DECREE.

THIS MATTER NOW COMING ON TO BE HEARD in open Court this 30th day of January A. D. 1939, upon the petition of the UNITED STATES OF AMERICA, praying for authority to make changes in points of diversion of a portion of the waters authorized to be taken under adjudication priorities numbered 57, 58 and 66, in Water District No. 4, within and for the State of Colorado.

And the petitioner, appearing by Wm Orth Allen and Wayne G. Williams, special assistants to the Attorney General of the United States, and the objectors or protestants or others appearing in person or by counsel as follows: Eleanor E. Hondius in person and by her attorneys, Fred W. Stover and Dale E. Shannon.

And this cause having been originally set by order of this court made on August 11, 1938, for hearing on the 28th day of September, 1938 and having been duly continued from time to time by order of this court, each continuance having been made at or before the time for which the matter previously had been set,

And the Court having heard and received evidence, and heard argument of attorneys, and being fully advised in the premises, finds that:

1. All parties who may be affected by the proposed changes in points of diversion have been duly notified, as by law required, and that the following named persons and corporations, in written instruments filed with the Clerk of this Court, acknowledged service upon them on the dates set opposite their respective names, of a printed copy of the notice issued by the Clerk of this Court:

Gertrude H. Grant, August 22, 1938.

The Farmers Irrigating Ditch and Reservoir Company, a corporation, by T. H. McKee, President, August 24, 1938.

Florence H. Kistler,
by C Laremie L. Ireland, her attorney, August 26, 1938.

Alice G. Henry, August 27, 1938.

The Eaton Investment Company, a corporation,
by Robert G. Smith, its attorney, September 1, 1938.

2. The Petitioner, United States of America, is now the lawful owner of and is entitled to exercise the rights in and to, said adjudicated priorities numbered 57, 58, and 68, in Water District No. 4, within and for the State of Colorado, having acquired said rights as appurtenances to land purchased by it from Pieter (Peter) Hondius in the years 1923, 1924 and 1928, which said lands are described in detail in the petition filed herein, and which said conveyances are more particularly described as follows:

Warranty deed dated September 22, 1923, filed for record as Instrument No. 269762 in theoffice of the County Clerk and Recorder of Larimer County, State of Colorado, on April 8, 1924, and recorded in Book 401, page 108 of the public records of said county.

Warranty deed dated May 6, 1924, filed for record as Instrument No. 274966, in the office of the County Clerk and Recorder of Larimer County, State of Colorado, on June 19, 1924, and recorded in Book 401, page 360 of the public records of said county.

Warranty deed dated February 15, 1932, filed for record as Instrument No. 390196, in the office of the County Clerk and Recorder of Larimer County, State of Colorado, on March 15, 1932, and recorded in Book 625, page 424 of the public records of said county.

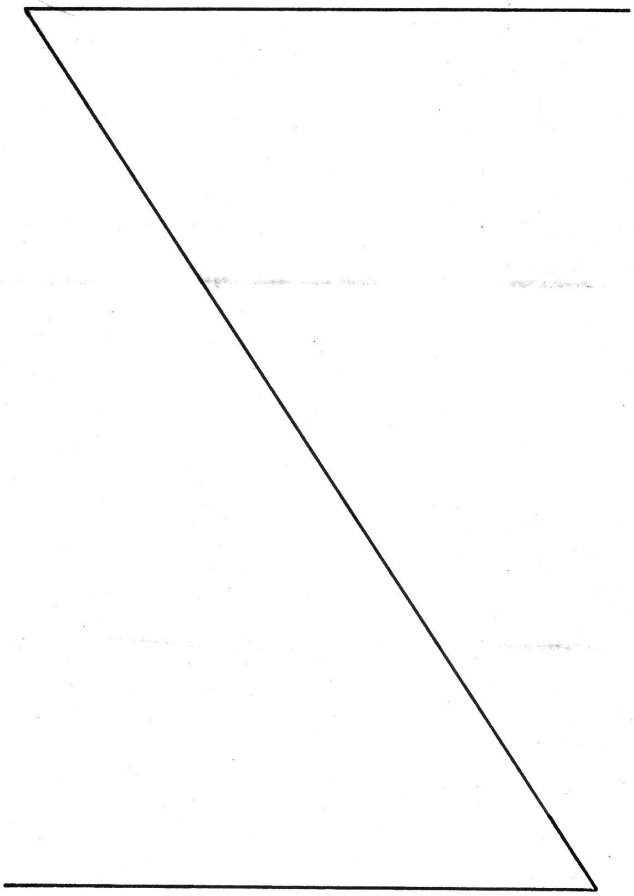
The Petitioner has made continuous use of the full amount of water authorized to be taken under and by said priorities numbered 57, 58, and 66, except as to Priority Right Number 57. Under said priority right number 57, it has continuously used nine hundred and eighty three one-thousandths (0.983) of one cubic foot of water per second upon eleven and eight-tenths (11.8) acres of land. It has not used and is not entitled to use water under said priority right upon any more land than 11.8 acres.

3. The changes in points of diversion sought in the petition to be made will not injuriously affect the rights of any water users in said Water District No. 4.

Authority should, therefore, be granted to the petitioner to make the changes in points of diversion as prayed, but with a proviso and condition that, in taking water from the new points of diversion, the rights of the petitioner to water shall not become superior with respect to the matter of priority to any rights that are now senior thereto. In other words, a condition should be made to the effect that no greater priority right shall be obtained by reason of making a domestic or other use of the water taken from said new points of diversion than such right or rights as are now held in connection with the use of water taken under said adjudi-

cated rights for irrigation purposes.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that authority be and the same is hereby granted to the United States of America to make the following changes in points of diversion of a portion of the water authorized to be taken under said priority rights numbered 57, 58 and 62, in Water District No. 4, State of Colorado, the points of diversion, the new use, and the amount of water in both second feet, and acred feet per annum, to be used from both the original and new points of diversion, being stated as follows:



4

PRIORITY NUMBER 57.

THE JOHNS RIVER.

New Points of Diversion.	New Use.	Quantity to be Used from New Point of Diversion.
(1) Springs tributary to Fall River in the Northwest quarter (NW¼) of the Northwest quarter (NW¼) of Section 22, Township 5 North, Range 73 West of the Sixth Principal Meridian* from which the Northwest corner of said section bears North 79° 00' West 1257.12 feet.	Domestic supply, sanitation, fire protection, in Aspendam (Public) Campground.	0.05 second-foot, but not to exceed 11.477 acre-feet per annum.
*The Sixth Principal Meridian is hereafter referred to as the 6th P. M.		
(2) On the right or South bank of Hidden Valley Creek, a tributary of Fall River, in the Southeast quarter (SE¼) of the Southeast quarter (SE¼) of Section 15, Township 5 North, Range 73 West of the 6th P. M. from which the Southeast corner of said section bears South 89° 00' E.at 2309.1 feet.	Domestic supply, sanitation, fire protection, at camp in Little Horseshoe Park and adjacent (Ashton) ranch, and public campground to be built and established.	0.04 second-foot, but not to exceed 10.455 acre-feet per annum.
		Quantity hereafter to be used from original point of diversion.
		0.875 second-foot, but not to exceed 13.5 acre-feet per annum.

PRIORITY NUMBER 68.

THE HORSESHOE DITCH.

New Points of Diversion.	Use Use.	Quantity to be Used from New Point of Diversion.
(1) Three springs, being headwaters of Sandcage Creek, a tributary of Bull River, in the Northeast quarter (NE¼) of Southeast quarter. (SE¼) of Section 16, Township 5 North, Range 74 West of the 6th P. M., and from which the Southeast one-sixteenth (1/16) corner of Section 14, Township 5 North, Range 74 West of the 6th P. M., bears as follows: From Spring No. 1, South 69° 20' East 13,119 feet. From Spring No. 2 South 69° 50' East 13,328 feet. From Spring No. 3, South 69° 15' East 13,304 feet.	Domestic, sanitation and fire protection at the Bull Ridge Road Maintenance Camp.	0.05¼ second-feet, but not to exceed 1.35 acre-feet per annum.
(2) On the right or South bank of Hidden Valley Creek, a tributary of Bull River, in the Southwest quarter (SW¼) of the Southeast quarter. (SE¼) of Section 15, Township 5 North, Range 73 West of the 6th P.M. from which the Southeast corner of said section bears south 69° 08' East 2309.1 feet.	Domestic supply, sanitation, fire protection, in Little Horseshoe Park and adjacent (Ashton) ranch, and public campground to be built and established.	0.1¼5 second-feet, but not to exceed 3¼.499 acre-feet per annum.
(3) The North side of a nameless tributary at the headwaters of Bull River in the North-east quarter (NE¼) of the Northeast quarter (NE¼) of Section 1, Township 5 North, Range 73 West of the 6th P.M., and from which point the Northeast corner of said Section 1 bears North 21° 40' East 949 feet. (The corner being a cortbat stone of the survey of 1882).	Domestic, sanitation and fire protection at Bull River Pass Museum, public comfort station and parking area.	0.100 second-feet, but not to exceed 16.947 acre-feet per annum.

THE HUNSAKER DITCH. - (Continued)

	New Points of Diversion.	New Use.	Quantity to be Used from New Point of Diversion.
(4)	Chiquita Creek, a tributary of Fall River, in the Southwest quarter (SW¼) of the Northwest quarter (NW¼) of section 11, Township 5 North, Range 7½ West of the 6th P. M., at a point from which the Southeast corner of said section bears South 58° 53' East 5173.6 feet.	Domestic, sanitation, fire protection, at Hulevalley Campground.	0.115 second-foot, but not to exceed 20.736 acre-feet per annum.

Quantity hereafter to be used from original point of diversion.

4.633 second-foot, but not to exceed 181.468 acre-feet.

PRIORITY NUMBER 58.

THE HUPPS AND BEAVER DITCHES.

	New Points of Diversion.	New Use.	Quantity to be used from New Point of Diversion.
(1)	Springs tributary to Big Thompson River in the Northwest quarter (NW¼) of the Northeast quarter (NW¼) of Section 34, Township 5 North, Range 73 West of the 6th P. M., from which the North quarter corner of said Section 34 bears North 89° 40' West 376 feet.	Domestic, industrial and fire protection, in Park Utility and employees' residential area.	0.015 second-foot, but not to exceed 11.16 acre-feet per annum.

THE HUPPS AND BEAVER DITCHES (Continued)

	New Points of Diversion.	New Use.	Quantity to be Used from New Point of Diversion.
(2)	South or right bank of Big Thompson River in the Northeast quarter (NE¼) of the Northwest quarter (NW¼) of Section 4, Township 4 North, Range 73 West of the 6th P. M., at a point from which the Southeast corner of Section 33, Township 5 North, Range 73 West of the 6th P. M. bears North 70° 26' East 1069 feet.	Domestic, sanitation, fire protection, for a lodge, store and housekeeping cabins at Camp Wrain and Big Thompson River Entrance to Park.	0.300 second-foot, but not to exceed 65.973 acre-feet per annum.
(3)	Springs tributary to Bear Lake, which is tributary to Big Thompson River through Glacier Creek, in the Northeast quarter (NE¼) of the Northwest quarter (NW¼) of Section 18, Township 4 North, Range 74 West of the 6th P. M., from which point the NE¼ NW¼ corner of Section 7, Township 4 North, Range 73 West of the 6th P. M. bears North 77° (77°) 40' East 10,695 feet. (2 corners of Section 18, burned out about 1898.)	Domestic, sanitation, fire protection, for hotel-but not to exceed museum, ranger station, and parking area at end of motor road at Bear Lake.	0.035 second-foot, 24.695 acre-foot per annum.
(4)	Right bank of Boulder Brook, a tributary of Big Thompson River through Glacier Creek, in the Northeast quarter (NE¼) of the Northeast quarter(NE¼) of Section 18, Township 4 North, Range 73 West of the 6th P. M., from which the North quarter (N¼) corner of said Section 18 bears North 70° 19' East 1332.6 feet.	Domestic, sanitation, fire protection, at Sprague's Hotel, Glacier Basin Campground, and Mountain side Lodge.	0.589 second-foot, but not to exceed 112.242 acre-feet per annum.
(5)	Springs tributary to Fern Lake, which is tributary to Big Thompson River through Fern Creek, in the Southeast quarter (SE¼) of the Southwest quarter (SW¼) of Section 3, Township 4 North, Range 74 West of the 6th P. M., at a point from which the Southeast corner of Section 33, Township 5 North, Range 74 West of the 6th P. M. bears North 31° 14' East 9340.9 feet.	Domestic, sanitation, fire protection, at Fern Lodge and Fern Lake Ranger Station.	0.081 second-foot, but not to exceed 16.277 acre-feet per annum.

HUNT AND BEAVER RIVERS (Continued)

New Points of Diversion.	New Use.	Quantity to be used from New Point of Diversion.
(6) East or right bank of Corn Creek, a tributary of Big Thompson River in Lot one (1) of the Northeast quarter (NE¼) of Section 3, Township 4 North, Range 70 West of the 6th P. M., at a point from which the Southeast corner of Section 33, Township 5 North, Range 70 West of the 6th P.M., bears North 42° 45' East 3995.1 feet.	Domestic, sanitation, fire-protection, at Forest Inn.	0.01 second-feet, but not to exceed 13.297 acre-feet per annum.
		Quantity hereafter to be used from original points of diversion.
		2.98 second-feet, but not to exceed 96.355 acre-feet per annum.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the authority hereby granted is subject to the condition hereby made, that in making the said changes in points of diversion, United States of America, and all future owners of the water rights under which water shall be diverted from said new points of diversion, shall acquire no greater or different priority rights by reason of making a domestic or other use of the water so diverted than if the water so diverted were used for irrigation purposes, as authorized in the general adjudication decree made and signed by this Court on June 29, 1935.

DONE IN OPEN COURT this 30th day of January, 1939.

FREDERIC W. CLARK
JUDGE.

C O P Y

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STATE OF COLORADO,)
) SS.
COUNTY OF BOULDER.)

I, C. W. ATKINSON, Clerk of the District Court in and for said County, in the State aforesaid, and as such Clerk custodian of the files and records of said Court, do hereby certify that the foregoing is a full, true and correct copy of FINDINGS AND DECREE, in Case No. 10050, duly entered on the 30th day of January, A. D. 1939, IN THE MATTER OF PRIORITY OF WATER RIGHTS IN DISTRICT NO. 4, ON PETITION OF THE UNITED STATES OF AMERICA TO CHANGE POINTS OF DIVERSION OF A PORTION OF THE WATER HERETOFORE AUTHORIZED TO BE TAKEN AND USED UNDER PRIORITIES NUMBERED 57, 58 and 68, as the same appears of record in this Court.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said Court, at my office in Boulder, this 16th day of February, A. D. 1939.

(SEAL)

/s/ C. W. Atkinson
Clerk.

(JUDGMENT BOOK - DECREES WATER DISTRICT - BOOK 3 - PAGE 62)

"STATE OF COLORADO,)
) SS.
COUNTY OF BOULDER.)

IN THE DISTRICT COURT.
NO. 4862.

IN THE MATTER OF PRIORITIES OF WATER RIGHTS IN WATER DISTRICT NO. 4, UPON THE APPLICATION OF THE TOWN OF LOVELAND.

"

FINDINGS AND DECREE.

As rewritten and reentered, pursuant to the remittitur of the supreme court filed herein, directing the rewriting of said decree, omitting certain reservoirs therefrom.

"

Signed and filed this 29th day of June, 1916.

Filed in the District Court, Boulder County, Colo., June 29, 1916.

Filed in the District Court, Boulder, Colo., April 3, 1916.

Fred W. Burger, Clerk.

"STATE OF COLORADO,)
) SS.
COUNTY OF BOULDER.)

IN THE DISTRICT COURT.
NO. 4862.

"IN THE MATTER OF PRIORITIES OF WATER RIGHTS IN DISTRICT NO. 4, UPON THE APPLICATION OF THE TOWN OF LOVELAND.

"

FINDINGS AND DECREE.

Now, on this 29th day of June, A. D. 1916, the same being one of the regular juridical days of the April Term, A. D. 1916, of this court, this matter came on for modification of the findings and decree heretofore entered herein on the eighteenth day of March, A. D. 1912, pursuant to the remittitur filed herein, from the Supreme Court of the State of Colorado, and the judgment and opinion of said court, in case No. 8297 of said court, wherein The Greeley and Loveland Irrigation Company, a corporation, was plaintiff in error, and Herman Huppe, et al., were defendants in error, wherein and whereby this court was directed to rewrite said findings and decree of March 18, 1912, and exclude therefrom all reservoirs of the defendants in error, involved in said review,

which were held to be without right to reservoir decrees, and to redraft the decree in accordance with the views and directions therein expressed, etc. (concerning reservoirs); and the court having considered said remittitur and said opinion of said court and its mandate, doth find:"
(Here a list of reservoirs & reservoir claimants previously awarded decrees in March 18, 1912, were declared to be excluded from the decree)
(including Sunny Slope Reservoir, Huppe Reservoir, W. H. McCormick Reservoir).
The remaining reservoirs named in decree of March 18, 1912, were not to be affected (including Lawn Reservoir, Priority 14, and Buckhorn Reservoir, Priority 18).

" And now this matter coming on for final hearing before the Court, upon the evidence heretofore produced, before T. M. Robinson, referee, and by him taken and extended and filed herein, concerning the several ditches, canals, pipelines, and reservoirs, mentioned herein, as well as upon the findings, recommended decree, and report of said referee filed herein, and the various exceptions thereto made and filed herein by divers claimants, and also upon the evidence heretofore produced before Christian A. Bennett, referee, to whom said matter was re-referred by order of this court made and entered March 4, A. D. 1907, and November 4, A. D. 1907, and by him taken and extended, and filed herein, concerning the several ditches, canals, pipelines and reservoirs herein as well as upon the findings recommended decree, and report of said referee filed herein, and the various exceptions thereto made and filed herein by divers claimants, and also upon the remittitur from the Supreme Court and the opinion and mandate of said court of and concerning said recommended findings and decree, and the decree, and the decree heretofore entered herein; and the court having considered the same, as well as the several notices, certificates of publication, affidavits, and certificates of each of said referees, that the testimony returned by each of said referees, and upon which each made his findings,

returned and filed in court herein, was taken upon due and lawful notice, in all respects according to the statutesof the state of Colorado, in such cases made and provided, and the rules and the several orders of this court, in that behelf made and entered, and that notice of the filing of the said reports, findings and recommended decrees, and of the time set for hearing upon said reports, findings and recommended decrees, and each and all of the exceptions thereto, has been duly given and served, upon all parties entitled to notice, as by law, rules, and orders of this court provided, in relation thereto, and, further, that all persons and corporations, interested in this matter, and entitled to notice, in any stage of the proceedings herein, have at all times been duly notified according to law and the orders of this court; and the court having duly considered all of said matters, and the exceptions filed herein, doth overrule each and all of said exceptions, both to the findings and recommended decree of referee Robinson and the findings and recommended decree of referee Bennett and doth approve said findings and recommended decrees of each of said referees, save and except insofar as the same are changed, modified, or set aside by this findings and decree of the court under the directions of the supreme court, made and entered herein.

The Court having now fully considered the evidence heretofore taken before each of said referees and their respective reports, findings and recommended decrees, together with the various exceptions filed thereto, and having heard the arguments of counsel for the respective parties doth find and decree as follows concerning the respective ditches, canals and reservoirs that the same and each thereof, are subject to the following ten provisions, to-wit:

11th. Concerning each ditch, pipeline and reservoir, for which a priority of appropriation has been found and determined herein, the Court doth find that each ditch and each reservoir and the priority

of appropriation for each thereof should be numbered in consecutive order, beginning with the next consecutive number of the ditch or reservoir, and the number of the priority thereof awarded the last or junior ditch or reservoir in the former decrees of this court, made and entered May 28, 1883, and March 22, 1890, instead of adopting a new system of numbering as recommended by the referees herein.

IT IS THEREFORE ORDERED, that the ditches herein be numbered consecutively, and that the priorities herein awarded thereto be numbered consecutively, beginning with the next consecutive number following the junior ditch in the decree of May 28, 1883, and that the reservoirs herein be numbered consecutively, and that the priorities herein awarded thereto be numbered consecutively, beginning with the next consecutive number following the junior reservoir in the decree of March 22, 1890, and that the numbering of the priorities of appropriation shall determine the priority of right in the successive decrees.

Concerning each and all of the reservoirs, pipelines, and ditches herein, the court doth find and decree as follows:

DITCH CLAIMANT NUMBER THIRTY-THREE.

THE JONES DITCH:

1st. The claimants of this ditch are Peter Hondius and Mrs. W. E. James, of Larimer County, Colorado.

2nd. This ditch was constructed and it has been kept and maintained for the taking, diverting and conveying of water for agricultural purposes.

3rd. The natural stream from which water has been diverted by means of this ditch is Fall River a tributary of the Big Thompson river.

4th. The headgate of this ditch is located in the northeast quarter of section seventeen (17), township five (5) north, range seventy-three (73) west of the 6th P. M. The ditch is about one and one-half miles long, and does not depart from the channel of Fall River to exceed two hundred and fifty yards.

5th. The size and dimensions of this ditch are as follows: width on top four (4) feet; width on bottom three (3) feet; depth one and one-half (1 1/2) feet; grade very heavy. Its carrying capacity is estimated at five (5) cubic feet per second.

6th. The work of construction of this ditch was originally commenced and partially completed as early as the spring of 1876 and it was enlarged or completed in the spring of 1879, and water was thereby diverted and applied to the irrigation of sixty (60) acres of land, which land is so situated that water run upon it soon finds its way back to the stream.

7th. Three (3) acre feet per acre per annumand no more, is reasonably required for the irrigation of the land mentioned in paragraph six (6) hereof.

8th. As a matter of law the claimants are entitled to a decree to the effect that there be permitted to flow out of said Fall River into this ditch, under and by virtue of appropriation as by original construction so much water as will flow in a ditch having the dimensions found in paragraph five (5) hereof,-in quantity estimated at five (5)

cubic feet per second, for the use of the party or parties entitled to the enjoyment thereof, for immediate use in direct irrigation, with priority No. 57, as of the thirtieth day of April, A. D. 1876; provided such decree be so limited in its operation as not to authorize the diversion of more than one hundred and eighty (180) acre feet of water per annum. .

IT IS, THEREFORE, ADJUDGED AND DECREED BY THE COURT, that for agricultural purposes and under and by virtue of appropriation as by original construction, and for the benefit of the party or parties entitled to the enjoyment thereof, there by permitted to flowout of said Fall River and into this ditch so much water as will flow into a ditch having the dimensions found and stated in paragraph five of the finding inserted in this section, estimated at five (5) cubic feet per second, with ditch priority No. 57; subject to the general and paramount provisions of this decree, the appropriation of which water may be deemed to have taken effect on, and said priority No. 57 to date from the thirtieth day of April, A. D. 1876.

It is further ordered by the Court that nothing in this decree contained shall be deemed, taken or held to authorize the diversion, under said priority No. 57 of more than one hundred and eighty (180) acre feet of water per annum.

DITCH CLAIMANT NUMBER THIRTY-FOUR.

THE HUPPS DITCH AND THE BEAVER DITCH.

1st. The claimant of these ditches is Peter Hondius of Larimer County, Colorado.

2nd. These ditches were constructed and they have been kept and maintained for taking, diverting and conveying water for agricultural purposes, and have been operated as one system for the diversion and distribution of water originally appropriated through the said Hupps ditch.

3rd. The natural stream from which water has been diverted by means of these ditches is Beaver Creek, a tributary of the Big Thompson River.

4th. The headgate of said Hupps Ditch is located in the northwest quarter of the southwest quarter of section twenty-nine (29) township five (5) north, range seventy-three (73) west. The headgate of said Beaver ditch is located in the southwest quarter of the north east quarter of section thirty (30), township five (5) north, range seventy-three (73) west of the 6th P. M. These ditches do not depart more than one-fourth (1/4) of a mile from the channel of the said Beaver creek.

5th. The size and dimensions of these ditches are: width on top five (5) feet; width on bottom (3) feet: depth five (5) feet; grade heavy; and the carrying capacity of each one is estimated at four (4) cubic feet per second.

6th. The work of construction of the said Hupps ditch was commenced on the fifth day of May, A. D. 1876, and was prosecuted to completion with reasonable diligence.

7th. Within a reasonable time after the completion of the said Hupps ditch water was diverted thereby to the extent of its carrying capacity, and the same was thereafter applied to the irrigation of one hundred and twenty (120) acres of land lying under said Hupps ditch and the Beaver Ditch.

8th. Three (3) acre feet of water per acre per annum, and no

more, is reasonably required for the irrigation of the land mentioned in paragraph seven (7) hereof.

9th. As a matter of law the claimant is entitled to a decree to the effect that there be permitted to flow out of the said Beaver creek and into either of these ditches, under and by virtue of appropriation as by original construction, so much water as will flow in a ditch having the dimensions found in paragraph five (5) hereof - in quantity estimated at four (4) cubic feet per second, for the use and benefit of the party or parties entitled to the enjoyment thereof, for immediate use in direct irrigation, with priority No. 58, as of the fifth day of May, A. D. 1876; provided such decree be so limited in its operation as not to authorize the diversion of more than three hundred and sixty (360) acres feet of water per annum.

IT IS, THEREFORE, ADJUDGED AND DECREED BY THE COURT, that, for agricultural purposes and under and by virtue of appropriation as by original construction, and for the benefit of the party or parties entitled to the enjoyment thereof, there be permitted to flow out of said Beaver creek and into either of these ditches so much water as will flow into a ditch having the dimensions found and stated in paragraph five (5) of the finding inserted in this section, estimated at four (4) cubic feet per second, with ditch priority No. 58; subject to the general and paramount provisions of this decree the appropriation of which water may be deemed to have taken effect on, and said priority No. 58 to date from the fifth day of May, A. D. 1876.

IT IS FURTHER ORDERED BY THE COURT that nothing in this decree contained shall be deemed, taken or held to authorize the diversion, under said priority No. 58 of more than three hundred and sixty (360) acre feet of water per annum.

DITCH CLAIMANT NUMBER THIRTY-EIGHT

THE HORSESHOE DITCH.

1st. The claimant of this ditch is Peter Hondius of Larimer County, Colorado.

2nd. This ditch was constructed and it has been kept and maintained for taking, diverting and conveying water for agricultural purposes.

3rd. The natural stream from which water has been diverted by means of this ditch is Fall River, a tributary of the Big Thompson River.

4th. The headgate of this ditch is located in the northeast quarter of the northeast quarter of section thirteen (13) township five (5) north, range seventy-four (74) west of the 6th P. M. The ditch is about three-fourths of a mile long and does not depart from the channel of Fall River more than one-fourth of a mile.

5th. The size and dimensions of this ditch are: width on top five (5) feet; width on bottom three (3) feet; depth one and one-half (1 1/2) feet; grade ten (10) feet per mile; and its carrying capacity is estimated at five (5) cubic feet per second.

6th. The work of construction of this ditch was commenced on the first day of May, A. D. 1886, and was prosecuted to completion with reasonable diligence.

7th. Within a reasonable time after the completion of the construction of this ditch water was diverted thereby to the extent of its carrying capacity and applied to the irrigation of eighty-five (85) acres of land.

8th. Three (3) acre feet of water per acre per annum, and no more, are reasonably required for the irrigation of the land mentioned in paragraph seven (7) hereof.

9th. As a matter of law the claimant is entitled to a decree to the effect that under and by virtue of appropriation by original construction, there be permitted to be diverted from said Fall River by means of this ditch so much water as will flow in a ditch of the dimensions found in paragraph five (5) hereof, estimated at five (5) cubic feet per second, for the use and benefit of the party or parties entitled to the enjoyment

thereof for immediate use in agricultural purposes, with priority No. 68, as of the first day of May, A. D. 1886; provided said decree should be so limited in its operations as not to authorize the diversion of more than two hundred and twenty-five (225) acre feet of water per annum.

IT IS, THEREFORE, ADJUDGED AND DECREED BY THE COURT, that, for agricultural purposes, and under and by virtue of appropriation as by original construction, and for the benefit of the party or parties entitled to the enjoyment thereof, there be permitted to flow out of said Fall River and into this ditch so much water as will flow into a ditch having the dimensions found and stated in paragraph five (5) of the finding inserted in this section, estimated at five (5) cubic feet per second, with ditch priority No. 68; the appropriation of which water took effect on, and said priority No. 68 dates from the first day of May, A. D. 1886.

IT IS FURTHER ORDERED BY THE COURT that nothing in this decree contained shall be deemed, taken or held to authorize the diversion, under said priority No. 68, of more than two hundred and twenty-five (225) acre feet of water per annum.

IT IS FURTHER ORDERED BY THE COURT that all the evidence heretofore taken by said referees in this matter, and by them extended and filed in this court, including all the exhibits being part of said evidence, be and the same are hereby made a general bill of exceptions herein, and any party or parties aggrieved by any finding or provision of this decree are hereby granted two years from date of the entry of this decree in which to make and tender a particular bill of exceptions involving such matters as they 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 said court and shall be filed herein as of this date.

IT IS FURTHER ORDERED BY THE COURT that the sum of $185.be, and the same is hereby allowed as the expenses of rewriting and reentering said decree pursuant to the orders of the Supreme Court, and that said sum be taxed as costs in this proceeding, and the same, together with the costs and expenses of the clerk of this court, in filing, indexing and recording the same, and making certified copies hereof as by law required, be also taxed as costs, and are hereby allowed and approved by the court, and all of said costs are hereby ordered to be paid by the counties of Boulder, Larimer and Weld, being all of the counties in said water district number four, in equal amount as by law provided, said costs and expenses to be certified by the clerk of this court to the respective counties for allowance and payment by the boards of county commissioners of said County.

Done in Open Court this 29th day of June, A. D. 1916.

NEIL F. GRAHAM,
JUDGE.

3.

Deed #21-G
Deed Date 2/18/32
Dat Rec. 4/5/32
17.2 +- acres

Docket No. 1

CERTIFICATE OF ACCEPTANCE

irtue of and pursuant to the authority conferred by the Act ngress approved January 26, 1915, (38 Stat. 798), and the Act ved February 14, 1931, (45 Stat. 1115), I, the undersigned, as A ant Secretary of the Interior, do hereby accept the atta eed dated February 18, 1932, wherein and whereby Pieter Hond onveys to the United States of America certain land situ within the area of the Rocky Mountain National Park.

itness whereof, I, as said Assistant Secretary, hereunto set d officially and have caused the seal of said department to b ixed hereto and in attestation hereof this 2nd day April, 1932.

John H. Edwards
Assistant Secretary.

MES.

THIS DEED, Made this 18th day of February, in the year of our Lord one thousand nine hundred and thirty two, between Pieter Hondius, (sometimes written Peter Hondius or P. Hondius) of Estes Park of the County of Larimer and State of Colorado, party of the first part, and the United States of America, party of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One hundred forty thousand seven hundred twenty ($140,720.00) Dollars, to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the said party of the second part forever, all the following described lots or parcels of land, situate, lying and being in the County of Larimer and State of Colorado, and described as follows towit:-

Parcel 1. The Southeast quarter of the Southwest quarter (Se¼ of Sw¼) of Section Eight (8), Township Five North (5N), Range Seventy-three West (73W).

Parcel 2. The North half (N½), the Southwest quarter (Sw¼) and the North half (N½) of the Southeast quarter (Se¼) of Section Seventeen (17), Township Five North (5N), Range Seventy-three West (73W), less, however, the following described lots and parcels heretofore conveyed and segregated from the above described lands by the party of the first part:

(a) That certain piece or parcel of land conveyed by Pieter Hondius to the United States of America by deed designated as Instrument No. 269762, Larimer County records, and described as follows:

All that portion of the Ne¼ of Se¼ of Sec. 17, Tp. 5 N., R. 73 W., lying south of the center line of the north branch of Fall River and containing 37 acres, more or less. Also that portion of the Se¼ of Ne¼ of said Sec. 17 lying south of the center line of the north branch of Fall River, and containing 4 acres, more or less, together with the right of joint use of that

certain right-of-way for road purposes from the main road to the above described tract over and across that portion of the Se¼ of Ne¼ and Ne¼ of Se¼ of said Sec. 17, as described in and in accordance with agreement between C. A.Carlton and Pieter Hondius as recorded in Book 473 at page 162 of the public records of said Larimer County, and together with the right to lay, maintain and operate a pipe line across the Nw¼ of Se¼ of said section for the purpose of supplying the above described tract with water. It being the grantor's intention to allow grantee the joint use of such right-of-way as he owns and nothing more. There is hereby expressly reserved a right-of-way for road purposes over and across the premises herein conveyed for the grantor, his heirs and assigns from and to lands of the grantor lying west and southwest of said described premises.

(b) That certain piece or parcel of land conveyed by Pieter Hondius to one Carlton by deed designated as Instrument No. 188941, Larimer County Records, and described as follows:

Beginning at the east center corner, Sec. 17, Tp. 5 N., R. 73 W., thence North 970 feet, thence south 73° 05' west 150 feet, thence south 22° 58' west 227.2 feet to center line of county road, thence north 72° 39' west 160 feet, thence north 43° 50' west 155 feet, thence north 62° 08' west 125 feet, thence north 71° 25' west 210 feet, thence south 58° 15' west 35 feet, thence south 3° 48' east 90 feet, thence south 36° 27' west 187 feet, thence north 77° 03' west 100 feet, thence south 89° 28' west 55 feet, thence south 65° 27' west 229.3 feet, thence leaving said county road south 0° 08' west 325 feet to a point in the center line of the north branch of Fall River, thence southeasterly along the center line of said river to a point on section line between Sections 16 and 17; thence northerly along said section line 310 feet to the point of beginning, and containing 24.19 acres, more or less.

(c) That certain piece or parcel of land conveyed by Pieter Hondius to Lucinda Halsey by deed designated as Instrument No. 181727, Larimer County records, and described as follows:

Beginning at a point in the center line of Fall River whence the center corner of Sec. 17, Tp. 5 N., R. 73 W., bears north 0° 17' east 66 feet, thence north 0° 17' east 66 feet to center of said section 17; thence north 0° 17' east 849 feet, thence south 87° 42' east 312 feet, thence south 66° 47' east 140 feet to the center line of the Highdrive; thence along the center line of the Highdrive south 64° 40' east 380 feet; thence south 81° 46' east 100 feet, thence north 72° 04' east 150 feet, thence north 86° 33' east 200 feet, thence north 70° 03' east 61 feet to the line between the Sw¼ of Ne¼ and the Se¼ of Ne¼ of Sec. 17, thence south 0° 08' west 325

feet to the center line of Fall River, thence along the center line of Fall River in a southwesterly direction to the point of beginning, and containing 16.8 acres, subject to right-of-way of Highdrive.

(d) That certain piece or parcel of land conveyed by Pieter Hondius to the precedessors in interest of Anna May Derby as set forth in the Larimer County records, and described as follows:

Beginning at the center corner of said Section 17, Tp. 5 N., R. 73 W., thence north 0° 17' east 1166.5 feet, thence south 87° 42' west 248.5 feet, thence north 68° 03' west 290 feet, thence north 56° 09' west 108 feet, thence north 78° 21' west 539.1 feet, thence south 86° 44' west 170 feet, thence south 0° 44' west 1052.2 feet, thence south 62° 59' west 207 feet, thence south 85° 11' west 125.2 feet, thence south 0° 44' west 112 feet, to the center of Fall River, thence easterly down along the center line of said river to a point whence the place of beginning bears north 0° 17' east 79 feet to the place of beginning, and containing 43.7 acres, more or less. The line joining the center corner and the N¼ corner of said Sec.17 was assumed as bearing north 0° 17' east to correspond with description of adjoining property, and all bearings are relative thereto.

Parcel 3. The South half (S½) of the Northeast quarter (Ne¼); Lots (1) and (2) or West half of Northwest quarter (W½ of Nw¼); Southeast quarter of Northwest quarter (Se¼ of Nw¼); Northeast quarter of Southwest quarter (Ne¼ of Sw¼); North half of Southeast quarter (N½ of Se¼) and Southeast quarter of Southeast quarter (Se¼ of Se¼) of Section Eighteen (18), Township Five North (5N), Range Seventy-three West (73W).

Parcel 4. The Northwest quarter of the Northwest quarter (Nw¼ of the Nw¼) and Southwest quarter of Southeast quarter (Sw¼ of Se¼) of Section Twenty (20), Township Five North (5N), Range Seventy-three West (73W).

Parcel 5. The Southeast quarter of Northeast quarter (Se¼ of Ne¼); Southwest quarter (Sw¼); South half of Southeast quarter (S½ of Se¼), and that portion of the Northeast quarter of Southeast quarter (Ne¼ of Se¼), all in Section twenty-eight (28), Township Five North (5N), Range Seventy-three West (73W), described as follows:

All that portion of the Ne¼ of Se¼ of said Sec. 28 lying south and southerly of the center of a public road known as Highdrive, and particularly described as:

Beginning at the Se corner of the Ne¼ of Se¼ of Sec. 28, thence south 86° 47' West 179.9 feet to the center of the Highdrive Road, thence north 36° 7' east 304.9 feet along the center line of said road, thence south

235.1 feet to the place of beginning and containing 0.49 acres, more or less. Less, however, the following described lots and parcels heretofore conveyed and segregated from the above described lands by the party of the first part:

(a) That certain piece or parcel of land conveyed by Pieter Hondius to W. E. Dixon by deeds designated as Instruments Nos. 247244 and 357603, Larimer County records, and described as follows:

All that portion of the SE¼ of the SE¼ of said Sec. 28 lying north and northerly of the center of a public road known as the Highdrive as the same is now established and traveled. Said tract being particularly described as follows:

Beginning at a point whence the SE corner of the NE¼ of the SE¼ of said Sec. 28 bears north 86° 47' east 1251 feet, thence south 0° 1' west 374.9 feet to center line of right of way of 60-foot road; thence northeasterly along the north boundary of said right-of-way, the center line of which is described as follows: (From the last point above determined on the center line of the right-of-way), thence north 80° 57' east 513.2 feet, thence north 45° 10' east 225.1 feet, thence north 57° 25' east 123.9 feet, thence south 72° 59' east 152.4 feet, thence north 40° 12' east 225.3 feet, thence from this point on the center line of the road south 86° 47' west 1071.1 feet to place of beginning, and containing 5.14 acres, more or less, but, however, less any of the above described land situated within the boundary of the SW¼ of SE¼ of said Sec. 28.

(b) That certain piece or parcel of land conveyed by Pieter Hondius to Mary D. Mason and designated as Lot 58 of the Sunny Ridge Subdivision as the same is shown and designated on the plat on file in the Larimer County records, reference to which is hereby made, and containing 2.03 acres, more or less.

(c) Those certain pieces or parcels of land conveyed by Pieter Hondius to Philip Mechem and designated as Lots 62, 63 and 64 of the Sunny Ridge Subdivision as the same is shown and designated on the plat on file in the Larimer County records, reference to which is hereby made, and containing 4.06 acres, more or less.

(d) That certain piece or parcel of land conveyed by Pieter Hondius to P. J. Fitzgerald and designated as Lot 45 of Sunny Ridge Subdivision as the same is shown and designated on the plat on file in the Larimer County records, reference to which is hereby made, and containing 10 acres, more or less.

(e) Those certain pieces or parcels of land conveyed by Pieter Hondius to Theodore S. Huntington and Mary E. Huntington by deeds designated as Instruments Nos. 244407 and 244408, Larimer County records, and described as follows:

Commencing at a point from whence the S¼ corner of said Sec. 28 bears south 43° 37' east 1583 feet, thence north 15° 31' east 500 feet, thence north 74° 16' west 150 feet, thence south 15° 26' west 488.5 feet, thence south 89° 45' east 150 feet to the place of beginning and containing 1.7 acres, more or less.

Also commencing at a point from whence the S¼ corner of said Sec. 28 bears south 29° 46' east 1095 feet, thence north 74° 58' west 264.2 feet, thence north 66° 33' west 320 feet, thence north 15° 31' east 500 feet, thence south 81° 43' east 175.6 feet, thence north 86° 02' east 159 feet, thence south 62° 26' east 147.7 feet, thence south 5° 04' west 607 feet to the place of beginning and containing 7 acres, more or less.

(f) Those certain pieces or parcels of land conveyed by Pieter Hondius to E. Tyler Smith by deeds designated as Instruments Nos. 202313 and 243775, Larimer County records, and described as follows:

Beginning at a point on the north side of the Highdrive whence the S¼ corner of said Sec. 28 bears south 7° 01' east 908.3 feet, thence along the north side of the Highdrive south 80° 50' west 60.1 feet, thence south 77° 42' west 45 feet, thence north 88° 13' west 140.2 feet, thence north 78° 06' west 102 feet, thence leaving the north side of Highdrive north 2° 30' east 650 feet to the south side of the pipe line road, thence along the south side of the pipe line road north 88° 06' east 100 feet, thence south 79° 42' east 150 feet, thence south 89° 27' east 94.9 feet, thence leaving the pipe line road south 2° 30' west 631.5 feet to the point of beginning, and containing 5.13 acres more or less.

Also commencing at a point whence the S¼ corner of said Sec. 28 bears south 29° 46' east 1095 feet, thence north 5° 04' east 607 feet, thence north 89° 10' east 65 feet, thence south 2° 30' west 650 feet, thence north 64° 23' west 100 feet to the place of beginning and containing 1.1 acres, more or less.

(g) That certain piece or parcel of land conveyed by Pieter Hondius to Ethel B. Ridenour by deed dated September 17, 1919 and recorded October 29, 1919, in Book 395 at page 255, Larimer County records, and described as follows:

Beginning at a point whence the NE corner of SE¼ of SE¼ of Sec. 28 bears north 86° 47' east 1474.9 feet, thence south 337 feet to a point on the north side of the Highdrive, thence along the north side of the Highdrive south

81° 44' west 154 feet, thence south 87° 47' west 100 feet, thence leaving the north side of the Highdrive north 349.7 feet, thence north 86° 47' east 252.7 feet to the point of beginning, and containing 2 acres, more or less. (The line adjoining the east quarter corner and the southeast corner of Sec. 28 was assumed north and south and all bearings were taken relative thereto).

Parcel 6. Northwest quarter of Northeast quarter (Nw¼ of Ne¼); South half of Northeast quarter (S½ of Ne¼); South half of Northwest quarter (S½ of Nw¼); North half of Southwest quarter (N½ of Sw¼) and Southeast quarter (Se¼) of Section twenty-nine (29), Township Five North (5N), Range Seventy-three West (73W).

Parcel 7. South half of Northeast quarter (S½ of Ne¼) and North half of Southeast quarter (N½ of Se¼) of Section Thirty (30), Township Five North (5N), Range Seventy-three West (73W).

Parcel 8. North half of Northeast quarter (N½ of Ne¼) of Section 13, Township Five North (5N), Range Seventy-four West (74W). Less, however, the following described lots and parcels heretofore conveyed and segregated from the above described land by party of the first part:

(a) That certain piece or parcel of land conveyed by Pieter Hondius to Eleanor Hondius by deed designated as Instrument No. 258665, Larimer County records, and described as follows:

All that portion of the N½ of the Ne¼ of said Sec. 13 lying and being situated south or southerly of the center line of Fall River, said center line being determined by the present course of said Fall River and described as follows:

Beginning at a point on the township line between Ranges 73 and 74 and from which the Ne corner of said Sec. 13 bears north 875.5 feet, said point being also in the center line of Fall River, thence westerly along said center line as follows: North 62° 09' east 40.3 feet, thence south 40° 45' west 96.4 feet, thence north 71° 33' west 61.9 feet, thence north 7° 33' west 148.1 feet, thence north 89° 48' west 50.7 feet, thence north 30° 18' west 82 feet, thence north 52° 10' west 238.2 feet, thence north 22° 15' west 118.8 feet, thence north 67° 15' west 129.8 feet, thence south 52° 18' west 199.6 feet, thence south 12° 59' east 89.6 feet, thence south 34° 46' east 119.8 feet, thence north 77° 30' west 134.9 feet, thence south 30° 44' west 115 feet, thence north 61° 16' west 199.1 feet, thence south 33° 10' west 242.2 feet, thence north 27° 12' west 49.9 feet, thence north 24° 36' east 67.1 feet, thence north 32° 22' west 112.4

feet, thence south 41° 04' west 90.3 feet, thence south 11° 53' west 67.3 feet, thence south 68° 15' west 275.7 feet, thence north 25° 15' west 152 feet, thence south 72° 15' west 131.6 feet, thence south 44° 55' west 76.8 feet, thence north 65° 39' west 98.6 feet, thence north 41° 46' east 120.2 feet, thence north 9° 51' west 62.5 feet, thence south 87° 13' west 64.6 feet, thence south 25° 43' west 131.1 feet, thence north 37° 51' west 72.5 feet, thence north 12° 25' east 125.1 feet, thence north 62° 42' west 73.9 feet, thence south 30° 33' west 113 feet, thence north 60° 29' west 93.7 feet, thence north 35° 38' east 132.8 feet, thence north 45° 47' west 86.3 feet, thence south 81° 03' west 84.9 feet, thence south 4° 10' east 101.5 feet, thence north 75° 40' west 109.5 feet, thence north 10° 20' east 97.3 feet, thence north 20° 24' east 105.2 feet, thence north 78° 09' west 99.7 feet, thence south 34° 56' west 74.9 feet, thence south 22° 52' east 116.7 feet, thence south 88° 57' west 131.7 feet, thence north 66° 51' west 155 feet, to the intersection of this center line with the west line of the said NW¼ of NE¼ of said Sec. 13, and containing ~~41.19~~ 39.32 acres, more or less.

(b) That certain piece or parcel of land conveyed by Pieter Hondius to Minnie E. March by deed designated as Instrument No. 257198, Larimer County records, and described as follows:

That portion of the NW¼ of the NE¼ of Sec. 13, described as follows:

Beginning at a point on the section line between Sections 12 and 13 and from whence the NE corner of said Sec. 13 bears north 89° 46' east 773.6 feet, said point being also situated on the south side of the right-of-way of the Fall River Road, thence south 49° 12' east 432.5 feet along the south side of right-of-way, thence south 22° 24' west 159.6 feet to a point in the center of Fall River, thence westerly along the center line of the present course of Fall River, said center line being determined by courses and distances as follows:
(From the point last above mentioned), thence north 67° 15' west 129.8 feet, thence south 52° 18' west 199.6 feet, thence south 12° 59' east 89.6 feet, thence south 34° 46' east 119.8 feet, thence north 77° 30' west 134.9 feet, thence south 30° 44' west 115 feet, thence north 61° 16' west 199.1 feet, thence south 33° 10' west 242.2 feet, thence north 27° 12' west 49.9 feet, thence north 24° 36' east 67.1 feet, thence north 32° 22' west 112.4 feet, thence south 41° 04' west 90.3 feet, thence south 11° 53' west 67.3 feet, thence south 68° 15' west 275.7 feet, thence north 25° 15' west 152 feet, thence south 72° 15' west 131.6 feet, thence south 44° 55' west 76.8 feet, thence north 65° 39' west 98.6 feet, thence north 41° 46' east 120.2 feet, thence north 9° 51' west 62.5

feet, thence south 87° 13' west 64.6 feet, thence south 25° 43' west 131.1 feet, thence north 37° 51' west 72.5 feet, thence north 12° 25' east 125.1 feet, thence north 62° 42' west 73.9 feet, thence south 30° 33' west 113 feet, thence north 60° 29' west 93.7 feet, thence north 35° 38' east 132.8 feet, thence north 45° 47' west 86.3 feet, thence south 81° 03' west 84.9 feet, thence south 4° 10' east 101.5 feet, thence north 75° 40' west 109.5 feet, thence north 10° 20' east 97.3 feet, thence north 20° 24' east 105.2 feet, thence north 78° 09' west 99.7 feet, thence south 34° 56' west 74.9 feet, thence south 22° 52' east 116.7 feet, thence south 88° 57' west 131.3 feet, thence north 66° 51' west 155 feet to the point of intersection of this center line with the west line of the NW¼ of NE¼ of said Sec. 13; thence from this point of intersection north 0° 36' west 431.8 feet to the N¼ corner of said Sec. 13, thence along the said section line between Sections 12 and 13 north 89° 46' east 1886.4 feet to the place of beginning, and containing ~~29.84~~ acres, more or less.

All of the foregoing lands are in Township Five North (5N), Ranges Seventy-three (73) and Seventy-four (74) West of the Sixth (6th) Principal Meridian, Colorado. The net area hereby agreed to be conveyed is approximately 1,762 acres, more or less. Less, however, rights-of-way for roads heretofore granted to the United States of America or the State of Colorado, or the County of Larimer, State of Colorado, and also right-of-way granted to the Estes Park Electric and Power Company for so-called Cascade Pipe line, and any other rights-of-way heretofore granted, it hereby being the intention of said Pieter Hondius, party of the first part, to convey to the United States of America all his right, title and interest of whatsoever kind that he now owns or possesses within the boundaries of the following described lands:

SE¼ of SW¼ of Section 8; N½; SW¼ and N½ of SE¼ of Section 17; S½ of NE¼; Lots 1 and 2 of W½ of NW¼; SE¼ of NW¼; NE¼ of SW¼ N½ of SE¼ and SE¼ of SE¼ of Section 18; NW¼ of NW¼ and SW¼ of SE¼ of Section 20; SE¼ of NE¼; SW¼; NE¼ of SE¼ and S½ of SE¼ of Section 28; NW¼ of NE¼; S½ of NE¼; S½ of NW¼; N½ of SW¼; and SE¼ of Section 29; S½ of NE¼ and N½ of SE¼ of Section 30; all in Tp. 5 N., R. 73 W., N½ of NE¼ of Section 13 in Tp. 5 N., R. 74 W., all relating to the 6th Principal Meridian, Colorado.

TOGETHER, with all and singular the hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances unto the said party of the second part. And the said party of the first part, for himself and his heirs, executors, and administrators, does covenant, grant, bargain and agree to and with the said party of the second part, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and incumbrances of whatever kind or nature soever, and the above bargained premises in the quiet and peacable possession of the said party of the second part, against

State of California,
COUNTY OF Riverside } ss.

On this 18th day of February, A.D., 19.32 before me, Robert L. Edwards a Notary Public in and for said County and State, personally appeared Lucius Thomas (sometimes written Lucius Thomas or L. Thomas), known to me, (~~or proved to me on the oath of~~.....), to be the person whose name is subscribed to the within Instrument, and acknowledged to me that he executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My Commission expires Mar. 30, 1934.

Robert L. Edwards
Notary Public in and for said County and State.

*ACKNOWLEDGMENT—GENERAL—WOLCOTTS FORM 233.

22

TOGETHER, with all and singular the hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances unto the said party of the second part. And the said party of the first part, for himself and his heirs, executors, and administrators, does covenant, grant, bargain and agree to and with the said party of the second part, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and incumbrances of whatever kind or nature soever, and the above bargained premises in the quiet and peacable possession of the said party of the second part, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Peter Houdini (SEAL)

D. [illegible]

9 23

Compared

390196

D E E D.

PIETER HONDIUS (sometimes written Peter Hondius or P. Hondius)

-to-

UNITED STATES OF AMERICA.

Dated: February _____, 1932.

STATE OF COLORADO,)
COUNTY OF LARIMER) ss.

I hereby certify that this instrument was filed for record in my office at 9:39 *o'clock* A. M., MAR 15 1932, 19.... *and is duly recorded in book* 623 *page* 424.

Witness my hand and official seal.

Recorder

By ..... Deputy.

Title Guaranty Company
15th. St. at Court Place
Denver, Colo.

*AI-5.50 70941 MAR 15 -32

00-00-0000: authority for water service to mountainside lodge from glacier basin water system

Authority for water service to Mountainside Lodge
from Glacier Basin Water System

Special Use Permit I-14p-298 to John J. Bittel, January 1 to December 31, 1936.

Special Use Permit I-14p-366 to J. J. Bittle Estate, C. H. Woods, Administrator, January 11, 1940 to December 31, 1940, with automatic renewals not to exceed 5 years.

Special Use Permit I-14p-366 to Mrs. J. J. Bittel, January 1, 1942, to December 31, 1942, with automatic renewals not to exceed 5 years.

Special Use Permit I-35np-12 to Mrs. J. J. Bittell, January 1, 1946, to December 31, 1946, with automatic renewals not to exceed 5 years.

Memorandum of November 1, 1949, to Superintendent, Rocky Mountain National Park, from Regional Director, advising that Permit I-35np-12 is hereby canceled as of December 31, 1948, since when no benefit has been derived therefrom.

11-01-1949: memorandum to superintendent, rocky mtn. national park from regional director regarding special use permit

C O P Y

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION TWO
OMAHA, NEBRASKA

NOV 1 1949

Memorandum

To: Superintendent, Rocky Mountain National Park

From: Regional Director

Subject: Special Use Permit, Mrs. J. J. Bittell, Rocky Mountain National Park

We have received your memorandum of September 22 recommending that Special Use Permit No. I-35np-12 issued to Mrs. J. J. Bittell for a right-of-way for the purpose of maintaining a water line in Rocky Mountain National Park be canceled as of December 31, 1948.

As the permittee has apparently received no benefits under the permit since that date, the permit, No. I-35np-12, is hereby canceled effective December 31, 1948.

(SGD.) LAWRENCE C. MERRIAM

Lawrence C. Merriam
Regional Director

In duplicate

Copy to: Director, in duplicate
Audit Division, General Accounting Office

No. I-35np-12
Superseding No. I-14p-407
YEAR, 19 46

10—114
(November 1937)

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
ROCKY MOUNTAIN NATIONAL PARK

RECEIVED JAN 16 1946 REGION TWO N.P.S.

SPECIAL USE PERMIT

Mrs. J. J. Bittell, of Estes Park, Colorado, is hereby authorized during the term of one year from January 1, 19 46, to December 31, 19 46, to use the following-described land in the above-named park:

A right of way, 1146 feet in length, being 1½ feet on each side of the following described line: Beginning at the quarter corner common to Sections 5 and 8, Township 4 North, Range 73 West of the 6th P.M.; thence running south 89 degrees 32 minutes east, a distance of 312 feet to the true point of beginning; thence south 48 degrees 21 minutes west, a distance of 1146 feet; together with authority to tap the existing Glacier Basin Water System where above-described line intersects the water system.

for the purpose of maintaining a two-inch underground water line to supply water to be furnished by the Government for domestic use only during the summer season to the existing lodge development in the southwest quarter of the southeast quarter, Section 5, T4N, R73 W. of the 6th P.M.

subject to the conditions on the reverse hereof and to the payment to the Government of the United States of the sum of Fifteen dollars ($ 15.00) per annum in advance, or as follows: .....

....., payment to be made through the Superintendent of the Park by express or postal money order, certified check, or draft payable to Treasurer, United States.

Signed at Estes Park, Colorado, this 9th day of January, 19 46

David T. Canfield
Superintendent.

The undersigned hereby accepts the above permit and the right to exercise the privileges granted, subject to the terms, covenants, obligations, and reservations, expressed or implied, therein.

Two witnesses to signatures:

David T. Canfield
Address Estes Park

George W. Miller
Address Estes Park, Colo.

Mrs. J. J. Bittell.
By Chas A Woods
Agent
Address Estes Park, Colo.

Address .....

Address .....

APPROVED:
MAR 18 1946

Associate Director, National Park Service.
ACTING

[In quintuple]

*Sign name or names as written in body of permit; for copartnership, permittees should sign as "Members of firm"; for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the secretary, with corporate seal, in lieu of witnesses.

16—35968-1

SPECIAL CONDITIONS OF THIS PERMIT

1. Permittee shall exercise this privilege subject to the supervision of the Superintendent of the Park and shall comply with the regulations of the Secretary of the Interior governing the park.

2. Use by the permittee of the land covered hereby is subject to the right of the Director, National Park Service, to establish trails, roads, and other improvements and betterments over, upon, or through said premises, and further to the use by travelers and others of such roads and trails as well as of those already existing.

3. No building or other structure shall be erected under this permit except upon plans and specifications approved by the Director, National Park Service, and the premises and all appurtenances thereto shall be kept in a safe, sanitary, and sightly condition.

4. Permittee shall dispose of brush and other refuse as required by the Superintendent.

5. Permittee shall pay the United States for any damage resulting from this use.

6. Permittee and his employees shall take all reasonable precautions to prevent forest fires and also shall assist the Superintendent to extinguish forest fires in the vicinity of any tract which may be used hereunder, and in the preservation of good order within the metes and bounds of the park.

7. No timber may be cut or destroyed without first obtaining permit therefor from the Director, National Park Service, in writing.

8. This permit may not be transferred or assigned without the consent of the Director, National Park Service, in writing.

9. This permit shall terminate upon the violation of any of the conditions hereof or of any Act of Congress or regulation of the Secretary of the Interior governing the park or anything in it, or at the discretion of the Director, National Park Service.

10. Neither Members of, nor Delegates to Congress, or Resident Commissioners, officers, agents, or employees of the Government shall be admitted to any share or part of this permit or derive, either directly or indirectly, any pecuniary benefit to arise therefrom.

11. There is reserved to the United States the right, at any and all times, to enter upon the lands herein described, and mine and remove radio-active mineral substances.

12. It is understood and agreed that the United States shall not be under any obligation either to furnish water (except during summer season) or assume any responsibility for the delivery of water to permittee.

13. Permittee shall install and maintain a shut-off valve at point of tapping the Glacier Basin water system, and install and maintain automatic shut-off valves at all outlets to eliminate waste of water.

14. Permission of the Superintendent of the park must be secured before water service is extended to additional or new structures and the fee charged will be revised in accordance, if such permission is granted.

15. This permit shall be automatically renewable at its expiration for further periods of one year upon payment of the annual fee, but said permit shall not be continued in effect for a term longer than five years unless extended by written renewal.

U. S. GOVERNMENT PRINTING OFFICE 16 [illegible]-1

08-21-1942: special use permit

No. 2-N.P-366 - Revised

10—114
(November 1937)

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Rocky Mountain Natl. Park

SPECIAL USE PERMIT

Mrs. J. J. Zittel, of Estes Park, Colorado, is hereby authorized during the term of one year from January 1, 19 42, to December 31, 19 42, to use the following-described land in the above-named national park:

A right of way, 1116 feet in length, being 15 feet on each side of the following described line: Beginning at the quarter corner common to Sections 5 and 8, Township 4 North, Range 73, West of the 6th P.M.; thence running south 89 degrees 32 minutes east, a distance of 312 feet to the true point of beginning; thence south 18 degrees 21 minutes west, a distance of 1116 feet; together with authority to tap the existing Glacier Basin Water System where above-described line intersects the water system

for the purpose of maintaining a two-inch underground water line to supply water to be furnished by the Government for domestic use only to the existing lodge development in the southwest quarter of the southeast quarter, Section 5, T.4N., R.73W., of the 6th P.M.,

subject to the conditions on the reverse hereof and to the payment to the Government of the United States of the sum of fifteen dollars ($15.00), in advance, or as follows: annually, payment to be made through the Superintendent of the Park by express or postal money order, certified check, or draft payable to Treasurer, United States.

Signed at Estes Park, Colorado, this 23rd day of July 19 42

Isaac Kreamer
Superintendent.

The undersigned hereby accepts the above permit and the right to exercise the privileges granted, subject to the terms, covenants, obligations, and reservations, expressed or implied, therein.

Two witnesses to signatures:

G. R. Bussey
Address Estes Park, Colorado

Wallace O. McCaw
Address Estes Park, Colorado

Thos. H. Woods (Agent)*
Address Estes Park

Address

APPROVED: AUG 21 1942

G. A. Moskey
Chief Associate Director, *National Park Service.*

[In quintuple]

*Sign name or names as written in body of permit; for copartnership, permittees should sign as "Members of firm"; for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the secretary, with corporate seal, in lieu of witnesses. 6—8216

08-21-1942: special use permit

Contract No.
No. I-142-366

YEAR, 19 40

10—114
(November 1937)

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SPECIAL USE PERMIT

5 yrs

John Bittle Estate,
G. H. Woods, Administrator, of Estes Park, Colorado, is hereby authorized during the term of one year from January 1, 19 40, to December 31, 19 40, to use the following-described land in the above-named national park:

A right of way, 1146 feet in length, being 1½ feet on each side of the following described line: Beginning at the quarter corner common to Sections 5 and 8, Township 4 North, Range 73, West of the 6th P.M.; thence running south 89 degrees 32 minutes east, a distance of 312 feet to the true point of beginning; thence south 48 degrees 21 minutes west, a distance of 1146 feet; together with authority to tap the existing Glacier Basin Water System where above-described line intersects the water system.

for the purpose of maintaining a two-inch underground water line to supply water for domestic use only to the existing lodge development in the southwest quarter of the southeast quarter, Section 5, T. 4 N., R. 73 W. of the 6th P.M.

subject to the conditions on the reverse hereof and to the payment to the Government of the United States of the sum of Fifteen dollars ($ 15.00), in advance, or as follows: annually

, payment to be made through the Superintendent of the Park by express or postal money order, certified check, or draft payable to Treasurer, United States.

Signed at Estes Park, Colorado, this 12th day of July 19 40

Superintendent.

The undersigned hereby accepts the above permit and the right to exercise the privileges granted, subject to the terms, covenants, obligations, and reservations, expressed or implied, therein.

Two witnesses to signatures:

L E Hamaker
Address Estes Park

Norman Cyr
Address Estes Park

John Bittle Estate By G H Woods Ancillary Administrator
Address Estes Park

Address

APPROVED: [illegible]

Associate Director, National Park Service.

[In quintuple]

*Sign name or names as written in body of permit: for copartnership, permittees should sign as "Members of firm"; for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the secretary, with corporate seal, in lieu of witnesses. 6—8216

5

No. I-14p-295 (ext)

YEAR, ~~XXXX~~ 1936

10-114

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

Rocky Mountain NATIONAL PARK

SPECIAL USE PERMIT.

John J. Bittel of Chicago, Illinois is hereby authorized during the term of one year, from January 1, 1936 ~~XXXX~~, to December 31, 1936 ~~XXXX~~, to use the following-described land in the above-named national park:

A right-of-way, 1146 feet in length, being 1½ feet on each side of the following described line: beginning at the quarter corner common to Sections 5 and 8, Township 4 North, of Range 73, West of the 6th P.M.; thence running south 89 degrees 32 minutes east, a distance of 312 feet to the true point of beginning; thence south 48 degrees 21 minutes west, a distance of 1146 feet; together with authority to tap the existing Glacier Basin Water System where above described line intersects the water system.

for the purpose of construction, building and maintaining a two-inch underground water line to supply water for domestic use only to the existing development known as Mountainside Inn, in southwest quarter of southeast quarter, Section 5, T. 4 N., R. 73 W., 6th P.M.

subject to the conditions on the reverse hereof and to the payment to the Government of the United States of the sum of --Fifteen and 00/100------ dollars ($15.00), in advance, or as follows: .....

....., payment to be made through the Superintendent of the Park by express or postal money order, certified check, or draft payable to the ~~Director of the National Park Service~~ Treasurer of the United States.

Signed at Estes Park, Colorado, this 18th day of May, 1936

L. A. Rogers

Superintendent.

The undersigned hereby accepts the above permit and the right to exercise the privileges granted, subject to the terms, covenants, obligations, and reservations, expressed or implied, therein.

Two witnesses to signatures:

Thos. Beaks

Address Estes Park, Colo.

Nona M. Walker

Address Estes Park, Colo.

John J Bittel

By Chas H Windsor Agt

Address Estes Park, Colo

Address .....

Approved:

Hillory A. Tolson

Acting Assoc. *Director, National Park Service.*

[In quintuple.]

* Sign name or names as written in body of permit; for copartnership, permittees should sign as "Members of firm;" for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the secretary, with corporate seal, in lieu of witnesses.

7

SPECIAL CONDITIONS.

1. Permittee shall exercise this privilege subject to the supervision of the Superintendent of the Park and shall comply with the regulations of the Secretary of the Interior governing the park.

2. Use by the permittee of the land covered hereby is subject to the right of the Director of the National Park Service to establish trails, roads, and other improvements and betterments over, upon, or through said premises, and further to the use by travelers and others of such roads and trails as well as of those already existing.

3. No building or other structure shall be erected under this permit except upon plans and specifications approved by the Director of the National Park Service, and the premises and all appurtenances thereto shall be kept in a safe, sanitary, and sightly condition.

4. Permittee shall dispose of brush and other refuse as required by the superintendent.

5. Permittee shall pay the United States for any damage resulting from this use.

6. Permittee and his employees shall take all reasonable precautions to prevent forest fires and also shall assist the superintendent to extinguish forest fires in the vicinity of any tract which may be used hereunder, and in the preservation of good order within the metes and bounds of the park.

7. No timber may be cut or destroyed without first obtaining permit therefor from the Director of the National Park Service.

8. This permit may not be transferred or assigned without the consent of the Director of the National Park Service in writing.

9. This permit shall terminate upon the violation of any of the conditions hereof or of any Act of Congress or regulation of the Secretary of the Interior governing the park or any thing in it, or at the discretion of the Director of the National Park Service.

10. Neither Members of, nor Delegates to Congress, or Resident Commissioners, officers, agents, or employees of the Government shall be admitted to any share or part of this permit or derive either directly or indirectly any pecuniary benefit to arise therefrom.

11. Permittee to abandon and remove existing water line and pump on Glacier Creek.

12. It is understood and agreed that the United States shall not be under any obligation either to furnish water (except during summer season) or assume any responsibility for the delivery of water to Permittee.

13. Permittee shall install and maintain a shut-off valve at point of tapping Glacier Basin Water System, and install and maintain automatic shut-off valves at all outlets to eliminate waste of water.

Other Supporting Information

143-E-12-63

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
MIDWEST REGION
1709 Jackson Street
Omaha 2, Nebraska

IN REPLY REFER TO:
L54

APR 11 1963

R L enclosed 4/16

Memorandum

To: The Director

From: Acting Assistant Regional Director, Midwest Region

Subject: Water Rights on Hupps, Beaver, Jones and Horseshoe Ditches.

Enclosed is a copy of Mr. Whitcraft's comments regarding the status of subject water rights. This reply is with reference to Mr. Dunn's August 28, 1962 memorandum.

The following is a tabular summary of the use of subject rights and the availability for transfer:

Hupps - Beaver Ditches — Priority No. 58

System	Quantity	Remarks
Forest Inn	.081 c.f.s.	Abandoned
Fern Lake	.081 c.f.s.	Will use at Fern Lake Patrol Cabin
Camp Woods	.300 c.f.s.	Plan to use at picnic ground, later
Glacier Basin	.589 c.f.s.	In use
Bear Lake Pipeline No. 2	.120 c.f.s.	In use
Utility Area	.015 c.f.s.	In use

Jones Ditch — Priority No. 57

Aspenglen	.064 c.f.s.	In use
Little Horseshoe	.044 c.f.s.	Available for transfer
Federal owned (Jones Ditch)	.875 c.f.s.	(.775 c.f.s. available for transfer (.10 c.f.s. retained to irrigate campground
Estes Park	4.017	(Diverting in pen-stock of Hondius Cascade pipeline.
Total	5.000	

Horseshoe Ditch — Priority No. 68

Horseshoe Ditch	4.633 c.f.s.	Retained and available for transfer
Little Horseshoe Park	.145 c.f.s.	Availability for transfer
Endovalley Campground	.118 c.f.s.	In use
Trail Ridge Road Camp	.004 c.f.s.	In use
Fall River Pass	.100 c.f.s.	In use

Pending further developments where some of the available water rights can be used, we will hold the dockets in their present status.

Harry B. Salisbury

In duplicate — Acting Assistant Regional Director

cc: Superintendent, Rocky Mountain
Chief, WODC - in duplicate w/enclosure

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

L54

January 3, 1963

Memorandum

To: Regional Director, Midwest Region

From: Acting Superintendent, Rocky Mountain

Subject: Water rights on Hupps, Beaver, Jones and Horseshoe Ditches

Mr. Malaas' September 12, 1962, memorandum asked for a review of the status of the above water rights and if any of them might be transferred or used by new systems in the same drainage areas.

Docket No. 28, Hupps and Beaver Ditches, indicates that we retained a right to use 2.848 cubic feet per second under this right. It has not been abandoned and is used occasionally to irrigate portions of Beaver Meadows. At this time the ditches and headgates are in need of repair. This water right originally had four cubic feet decreed to it, but in the change in point of diversion made in 1939 by the National Park Service, 1.152 cubic feet of water were transferred to water systems at Forest Inn, Fern Lake, Camp Woods, Glacier Basin, Bear Lake and the Utility Area. Of these, the .081 c.f.s. used at Forest Inn has been abandoned and is available for transfer to other systems. The .081 c.f.s. transferred to Fern Lake is not currently being used but it is our plan to move the pipeline to the Fern Lake patrol cabin when Fern Lake Lodge is torn down in the near future. The .300 c.f.s. of water transferred to Camp Woods is not currently being used, as Camp Woods has been removed. However, our long range planning includes a picnic area in this location and therefore only part of this right is available for transfer to other locations. Water transferred in 1939 to Glacier Basin, Bear Lake and the Utility Area is still in use.

In the same 1939 adjudication .108 c.f.s. of the Jones Ditch water right was transferred to Aspenglen (.064) and the Little Horseshoe Pipeline (.044). The Aspenglen water is being used for the campground but the water at Little Horseshoe has not been used since the Public Health Department declared it unsafe for human consumption at the Little Horseshoe residences. This .044 c.f.s. is available for transfer to the other systems. The remainder of 4.892 c.f.s. of decreed

water left in Jones Ditch is divided between the United States (.875 c.f.s.) and the Town of Estes Park (4.017 c.f.s.). The United States-owned water is allowed to run through the campground in the original Jones Ditch where it helps maintain plant growth in the heart of the campground. The Town of Estes Park is now diverting its share of the water further up in the penstock of the Hondius Cascade Pipeline. Headgate repairs are needed on the Jones Ditch point of diversion. A large share of the .875 c.f.s. owned by the United States would be available for transfer to some other system as .10 c.f.s. would be adequate for the ditch flow through the campground.

Horseshoe Ditch (Docket No. 35) retains a decreed right of 4.633 c.f.s. and is used several times a year to irrigate the meadows in Horseshoe Park. In the 1939 change in point of diversion .367 c.f.s. of the original 5 c.f.s. was transferred to Little Horseshoe, Endovalley Campground, Trail Ridge Road Camp, and Fall River Pass water systems. These are all in use with the exception of Little Horseshoe mentioned above concerning Jones Ditch.

Much of the 4.633 c.f.s. retained in the Horseshoe Ditch right is available for transfer to other systems.

At the time of this writing, there are no new systems in the drainage areas occupied by the Hupps, Beaver, Jones and Horseshoe Ditches which are in need of water right protection which could be gained by transferring parts of the above rights thereto. We are grateful, however, to Mr. Dunn for suggesting this review, as it reminded us of the .081 c.f.s. available for transfer from the abandoned Forest Inn Pipeline and the .189 c.f.s. now in disuse at Little Horseshoe Park residence area.

[illegible] L. Whitcraft

Thomas E. Whitcraft

In duplicate

Docket 1

CONFERENCE AT ROCKY MOUNTAIN
AUGUST 28, 1957

United States Commissioner Hackett advised that Beaver Point was then using water from Estes Park Water System, and Baldwin Ditch was no longer used. He suggested purchasing Baldwin Ditch and appurtenant water rights which were decreed in 1939, suggesting cost at about $1,000.

I recommend that purchase be attempted when funds are available. This would eliminate encumberance on Federal land in Park, and one of the decreed rights to Beaver Creek water which conflict with rights appurtenant to Hupps and Beaver Ditches, and Hondius-Beaver Pipeline.

CONTRACT

THIS CONTRACT, made and entered into this_____day of_____

19_____by and between P. Hondius, party of the first part, and_____

_____party of the second part, is upon the following terms and conditions, to-wit:

I.

This contract shall run and be in force for such time as the party of the first part, his heirs, executors, administrators, or assigns shall elect, and it is expressly understood and agreed that the party of the first part, his heirs, executors, administrators, or assigns shall have the right to terminate the same upon thirty days written notice of such election. Provided he shall deliver the water plant hereinafter mentioned to the party of the second part and such other persons, jointly, as may be entitled to service from said plant, in which event the said users of water shall become the joint owners of said plant and of all water rights used in connection therewith, subject to the rights of certain parties of the second part and consumers mentioned in that certain contract dated December 2, 1910, between P. Hondius and F. W. Blackmer and William T. Sinclair, which contract shall in all instances limit and control this contract when in conflict herewith.

II.

The said party of the first part hereby agrees to furnish, during the existence of this contract, an ample supply of water for domestic purposes, to be used in all cottages now constructed or hereafter to be constructed upon the following

lands:_____

_____

_____

_____, in Larimer County, Colorado, as well as upon other and additional land. And for supplying such water the party of the first part has laid certain water mains or may lay such mains leading from certain springs, streams and from any reservoirs which may be constructed for the purpose of storing water, as may be found necessary and determined by the party of the first part, as the increase in the number of consumers may require. Provided, however, that the expense of piping from main line to the cottages of the party of the second part including corporation cock and expansion joint and in fact all plumbing except the main line shall be borne by the party of the second part, but the party of the second part shall make no connection with the main line without the consent of the party of the first part nor extend any plumbing already made without such consent and all connections and extensions shall be made and done under the direction of the party of the first part.

III.

The party of the first part agrees to furnish a continuous flow of water for domestic purposes, subject only to inevitable accident not due to the gross negligence of the party of the firt part, and subject further to the failure of the natural supply, and always subject to the rights granted in the contract dated December 2, 1910, and heretofore mentioned.

IV.

The party of the second part _____heirs, executors, administrators and assigns further definitely and expressly agree as follows:

1. That the party of the second part will place a shut-off or stop-box at some convenient place outside of each cottage and accessible to the party of the first part, and that the party of the first part is hereby given the right of ingress and egress to said shut-off at any and all times for the purpose of shutting off the water for any violation of any of the terms of this contract.

2. That all water rates herein are made payable in advance and that no person shall be entitled to water until the Rates therefor have been paid, and a request for water made directly to the party of the first part, or to such other person as he may designate.

3. That none of the users of water hereunder shall have the right to use the

(Continued on page 2.)

same for sprinkling, irrigation, nor for water motors or water power of any kind, and that no water shall be wasted in any way. That the party of the first part, or his authorized agent, shall have the right to inspect the plumbing on any premises and in any house using water for the purpose of detecting any leakage or waste of water, and that the right to use said water for domestic purposes shall not include the right to connect with barns or any other outhouse, and that in the event of leakage, waste or unauthorized use the party of the first part shall have the right to shut the water from the service pipes of the users until the proper conditions are made for authorized use only.

4. That the party of the second part,_____heirs, executors, administrators and assigns will pay as rental for the service herein agreed to be furnished the following rates:

For each cottage directly, or indirectly connected with said system the sum of _____dollars for one sink, one lavatory, one water closet and one bath tub;

For each additional water closet_____dollars;

For each additional bath tub_____dollars;

For each additional lavatory_____dollars;

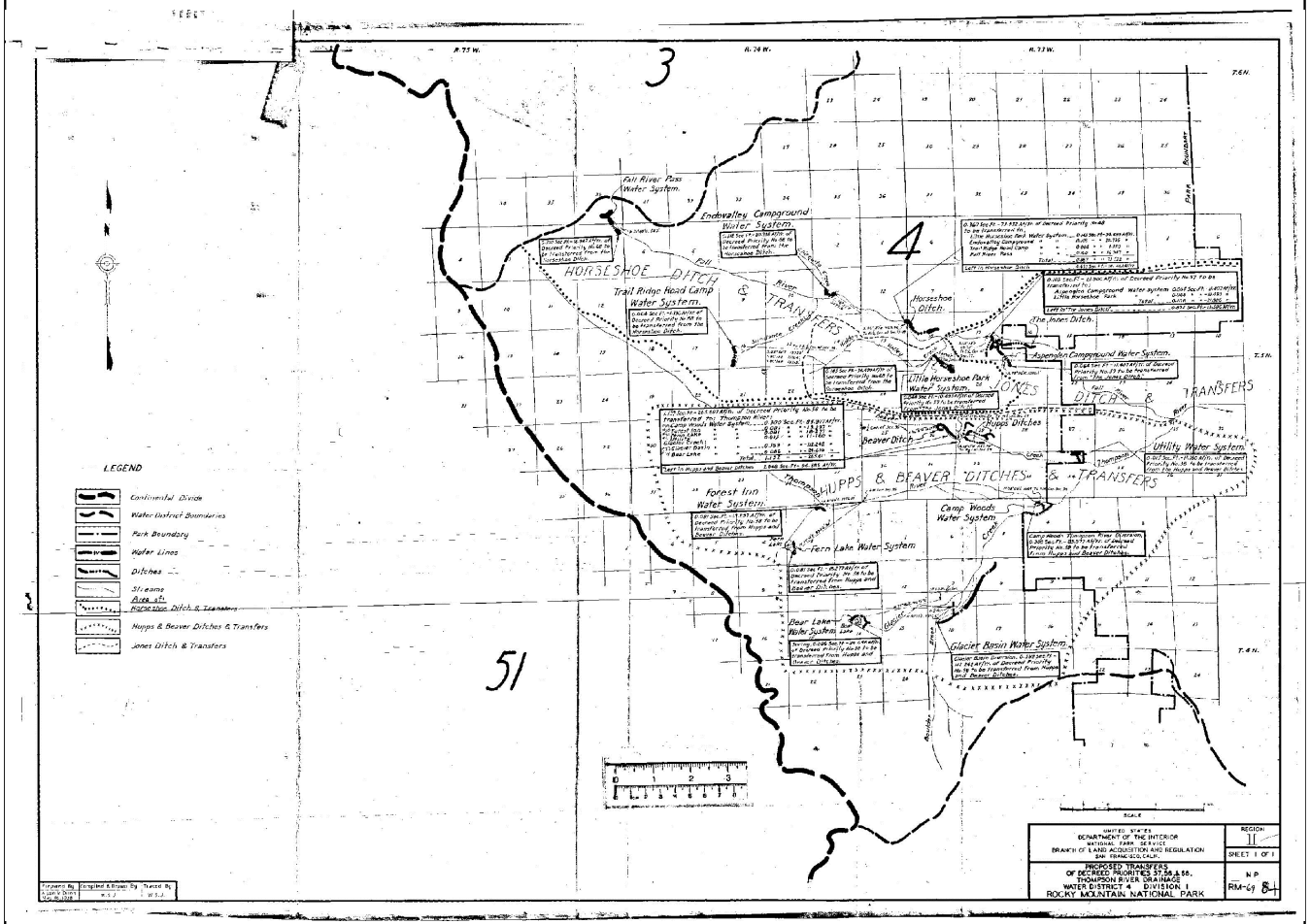
All of which rates shall be for the season beginning May 1st and ending September 30th of each year, or any part thereof.

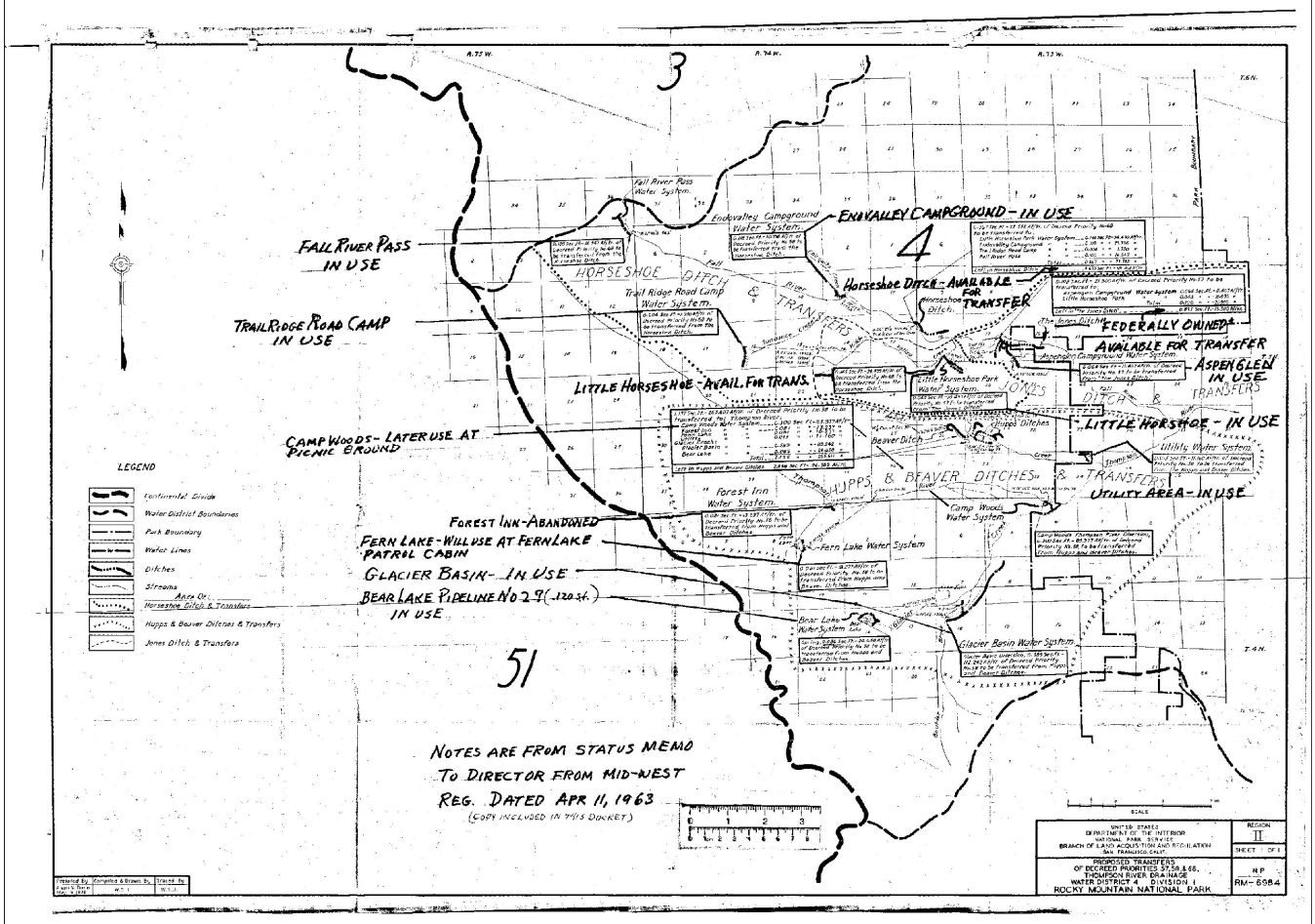
IN WITNESS WHEREOF, The parties hereto have executed this contract in duplicate the day and year first above written.

_____

_____

05-16-1958: map of the proposed transfers 0f decreed priorities 57, 58, and 68 - thompson river drainage





Docket Information

Number of Documents in Docket 104

Documents Dated from 6/29/1916 to 1/3/1963

Docket Compiled: 6/8/2016