



WATER-RIGHT DOCKET

Rocky Mountain National Park

Docket No: 40

WELL: GREEN PIPELINE (MORaine PARK)

Preliminary Docket Information

00-00-0000: water right record: application/permit number: filing np-rm-2352

WATER RIGHT RECORD

Park: ROMO

Docket Number:

Federal #40

IDENTIFICATION NO: R G, O 5, 0 4, 7 3, A, F, 4 0,

DITCH/WATER SYSTEM: Green Pipe Line (Moraine Park)

SOURCE OF SUPPLY: Well

LOCATION: At a point whence the SW cor. of Sec. 33, T5N, R73W of the 6th PM bears N 87°33' W, 376.1 feet.

WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number: Filing NP-RM-2352, September 5, 1939

Certificate Record Number:

Date of Priority: May 20, 1923. Domestic Priority #34, Water District No. 4, in accordance with a Decree of Colo. Dist. Court in Case No. 10077,
Quantity of Water: .029 c.f.s. November 14, 1939.

Purpose: Domestic

Irrigated Land Description:

SUMMARY OF STATUS: This is a Federal water right consisting of a well, sump pump, storage tank and distribution system, acquired by purchase from Donald Ricker in January, 1957.
Work was started on May 20, 1923. Water is used in NPS and inholders' cabins.

Loveland, Colo. 100 2nd-59

Judge Wayne Hackett:

● Dear Sir: — Since you were here, Mrs Green has called my attention to the Stanley Right of Way, for the Green pipe line. I did not think of it when you were here. Mr Stanley gave me Quit Claim And. for a right of way on his land for a pipe line for my water system. And reserved the right to use the water for domestic purposes as he required it for the development of his land under the water system. It did not include anything above the water tank.

There was no charge for the Right of way.

● My understanding was that the agreement ~~and~~ ^{to} me was good only as he developed the land; now after nearly forty years, the land has changed hands several times and no development by Mr Stanley. I do not think the agreement is in force. (I am not a lawyer)

● Sixth! All the years up to the time the water decree was issued, every one from Loveland to Stead had used the water from the Thompson river in violation of the State law. As the Irrigation companies had app.

● priated the capacity of the river water, but had not denied the use of same for domestic purposes.

Now comes the Legislature and passes a law requiring all

~~users of~~ users of water for domestic purposes to
file a claim and get a decree before a certain date.
At that time I had a meeting of the people on my
water system, I obtained a decree for the Gree
Water System as outlined by a plat stating the bound-
ary lines which plat is on file in the Boulder Co.
All users of domestic water who did not file a claim
for same were out. At that time John Griff
owned the Stanley land and did not file for water.
And I did not think I was obligated. And as I
it your party has no decree for water on his land,
my agreement ^{was} with Mr Stanley only, and not to his
heirs or assigns. It then we moved from More
Park I kept only records from 26 - on. So I will
have to ^{go to} the Court House to get a copy of right of way
plat which I will forward to you later if you wish.

Yours Truly
G. L. Green
610 West 5th
Longland, Colo.

BOOK 1049 PAGE 471

Recorded AUG 12 1957 at 3:24 clock P.M.
Reception No. 731966 C. Marion Bradford, Recorder

STATE OF COLORADO }
COUNTY OF BOULDER } SS.

IN THE DISTRICT COURT
No. 10077.
Water District No. 4.

GREEN PIPE LINE

(Domestic Priority No. 34; Ditch--Pipe Line--No. 32.)

1. The name is this pipe line is Green Pipe Line, and O. L. Green, whose address is Loveland, Colorado, is the claimant of said Green Pipe Line.

2. Said pipe line is located in the south half ($S\frac{1}{2}$) of section thirty-three (33), township five (5) north, range seventy-three (73) west of the sixth Principal Meridian, and Lots one (1) and two (2), section four (4), township four (4) north, range seventy-three (73) west of the sixth Principal Meridian.

3. That the source of supply of said pipe line is a well and pump sump near the south bank of the Big Thompson River, and the intake of said pipe line is in said well, at a point whence the southwest corner of section thirty-three (33), township five (5) north, range seventy-three (73) west of the sixth Principal Meridian bears north $87^{\circ}33'$ west 376.1 feet; and that from said well said water is pumped through a $1\frac{1}{4}$ inch pipe line which runs from said well south $20^{\circ}57'$ east 134 feet, thence south $17^{\circ}24'$ east 104 feet, thence south $6^{\circ}09'$ east 79 feet to a storage tank, the total length of said supply line being three hundred seventeen (317) feet from the pump to the storage tank. From said storage tank a distribution main carries water by gravity to cottages and homes where it has been used for domestic purposes.

4. Work of construction was commenced May 20, 1923, and completed with diligence, and that the capacity of said pump, originally a gasoline pump, and pipe line was developed to a capacity of twenty-nine thousandths (.029) cubic feet

BOOK 1049 PAGE 472

of water per second of time; that the present installation is an electrically driven pump, which for some reason is temporarily not supplying the full former capacity in second feet.

5. The water from said pipe line is used for domestic purposes in twenty-four (24) cottages and homes owned by different persons, located in the south half ($S\frac{1}{2}$) of Section thirty-three (33), township five (5) north, range seventy-three (73) west of the sixth Principal Meridian, and lots one (1) and two (2), section five (5), township four (4) north, range seventy-three (73) west of the sixth Principal Meridian.

6. As a matter of law, claimant is entitled to a decree to the effect that there be permitted to be pumped from said well through said pipe line for domestic purposes water in amount and at the rate of .029 cubic feet per second of time, with Domestic Priority No. 34, as of date May 20, 1923.

WHEREFORE. IT IS ORDERED, ADJUDGED AND DECREED by the Court, that there be permitted to be pumped from said well through said pipe line into the said storage tank, for use for domestic purposes, water to the capacity of said pump and pipe line, not in excess of .029 cubic feet per second, with DOMESTIC PRIORITY NO. 34, as of date May 20, 1923, subject to the general and paramount provisions of this decree.

Done in OPEN COURT, this 14th day of November, 1939.

CLAUDE C. COFFIN
District Judge

ATTEST: TRUE COPY

Dated

August 7, 1957
Chas. E. Sweeney
Clerk of District Court
Boulder County, Colorado
Louise Badet
Deputy



731966 //

COMPARED

STATE OF COLORADO, SS
COUNTY OF LARIMER

I hereby certify that this instrument was
sent for record in my office at 3:24
o'clock P. M., AUG 12 1957, 19
is duly recorded in book 2447
Page 471.

By *Raymond E. Garrison*
Deputy

AUG 13 1957 8 16 0 \$ 0002.50-H

250
Dept. Rocky Mt. Nat. Park
Est. Park, Colo.

Land History

BOOK 1038 PAGE 244

Recorded at: 14 o'clock P.M. FEB 4- 1957
Reception N. 723907 C. Thomas Buford Recorder.

THIS DEED, Made this 4th day of February in the year of our Lord one thousand nine hundred and fifty seven, between Donald C. Ricker and Helen M. Ricker of the County of Larimer and State of Colorado, of the first part, and the United States of America and/or its assigns, of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of - - One & no/100 - DOLLARS, to the said parties of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm, unto the said party of the second part, its heirs and assigns forever, all the following described lot or parcel of land, situate, lying and being in the County of Larimer and State of Colorado, to-wit:

In Lot 2 of Section 5, Township 4 North, Range 73 West of the 6th P. M., the following described tract:

Beginning at a point 936.5 feet East of the Southwest corner of Section 33, Township 5 North, Range 73 West of the 6th P.M., thence East 171 feet, thence South 25 feet, thence West 171 feet, thence North 25 feet to the point of beginning. Together with all rights of way, pipe lines and water rights appurtenant thereto.

TOGETHER with all and singular the hereditaments and appurtenances thereto 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 parties 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, its heirs and assigns forever. And the said parties of the first part, for themselves, their heirs, executors, and administrators, do covenant, grant, bargain, and agree to and with the said party of the second part, its heirs and assigns, that at the time of the encasing and delivery of these presents, are well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have 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 encumbrances of whatever kind or nature soever,

and the above bargained premises in the quiet and peaceable possession of the said party of the second part, its heirs and assigns against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said parties of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seal the day and year first above written.

Donald C. Ricker (SEAL)
Donald C. Ricker (SEAL)

Helen M. Ricker (SEAL)
Helen M. Ricker (SEAL)

STATE OF COLORADO
County of Larimer

The foregoing instrument was acknowledged before me this 4th day of February, A.D. 1957, by Donald C. Ricker and Helen M. Ricker. My commission expires January 18, 1961, 19. Witness my hand and official seal.



Gordon K. Patterson
Notary Public.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

The within deed is accepted on behalf of the United States as of May 15, 1957, under the authority contained in the Interior Department Appropriation Act, 1957, (Public Law 573, 84th Cong.), and pursuant to section 7 of Secretary's Order No. 2640, dated June 11, 1951 (16 F. R. 5846).

Joshua C. Rose
Assistant Director
National Park Service

No. 728907

WARRANTY DEED

Donald C. Ricker & Helen K. Ricker

TO

United States of America

STATE OF COLORADO,

County of Larimer

I hereby certify that this instrument was filed for record in my office this day of

FEB 4 - 1957

A. D. 19

at 3:11 o'clock P. M. and duly recorded in

Book 1038 Page 244

Chas. B. Butler

Recorder

By *Leo J. Hymowitz*

Deputy

Fee \$ 1.00

Return to

Superintendent

Rocky Mountain National Park

Estes Park, Colorado.

21

Call

BOOK 1000 PAGE 6
 Recorded At 1:30 o'clock P. M. JAN 5 1957
 Reception No. 723574 C. M. Ricker Recorder

THIS DEED, Made this 25th day of January in the year of our Lord one thousand nine hundred and fifty seven, between Donald C. Ricker and Helen M. Ricker of the County of Larimer and State of Colorado, of the first part, and the United States of America and/or its assigns, of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of FIFTY THOUSAND DOLLARS, to the said parties of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm, unto the said party of the second part, its heirs and assigns forever, all the following described lots or parcels of land, situate, lying and being in the County of Larimer and State of Colorado, to-wit:

In the South half of the Southwest Quarter of Section 33, Township 5 North, Range 73 West of the 6th P. M., the following described tracts:

(1) Beginning at a point 436 feet West and 165 feet North of the Southeast Corner of the Southwest Quarter of Said Section 33, thence North 165 feet, thence West 128 feet, thence South 165 feet, thence East 128 feet to the point of beginning. (Tract No. 243)

(2) Beginning at a point 564 feet West and 350 feet North of the Southeast Corner of the Southwest Quarter of said Section 33, thence North 140 feet, thence East 156 feet, thence South 140 feet, thence West 156 feet to the point of beginning. (Tract No. 244)

(3) Beginning at a point 427 feet West and 1084 feet North of the Southeast Corner of the Southwest Quarter of said Section 33 this point being on the South side of the Moraine Park road, thence West along the South side of said road 110 feet, thence South 125 feet to the center line of the Big Thompson River, thence Easterly along said center line of river 110 feet, thence North 125 feet to point of beginning. (Tract No. 245)

(4) Beginning on the South line of said Section 33 at a point 260 feet West of the Southeast Corner of the Southwest Quarter of the Southwest Quarter of Section 33, thence North 220 feet, thence West 100 feet, thence South 220 feet, thence East along said South section line 100 feet to the point of beginning. (Tract No. 253)

In Lot 2 of Section 5, Township 4 North, Range 73 West of the 6th P. M., the following described tract:

Beginning on the North line of said Section 5 at a point 936.5 feet East and 25 feet South of the Southwest Corner of Section 33, Township 5 North, Range 73 West of the 6th P. M., thence East along a line parallel to said North section line 171 feet, thence North 25 feet, thence East 75 feet, thence South 261 feet, thence West 246 feet, thence North 236 feet to the point of beginning. (Tract Nos. 282 and 283)

SUBJECT to all easements and rights-of-way of record.

TOGETHER WITH all water rights and all pipe lines appurtenant to or used in connection with the above described tracts, including the right to divert water through the Green Pipe Line in accordance with the terms of the Decree of the District Court of Boulder County, Colorado, Priority No. 34 in case No. 10077, November 14, 1939, and all rights-of-way of every kind and nature connected with the Green Pipe Line, including water pipe lines and reservoirs.



1957 JAN 25 3

TOGETHER with all and singular the hereditaments and appurtenances thereto 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 parties 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, its heirs and assigns forever. And the said parties of the first part, for themselves, their heirs, executors, and administrators, do covenant, grant, bargain, and agree to and with the said party of the second part, its heirs and assigns, that at the time of the ensembling and delivery of these presents, are well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have 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 encumbrances of whatever kind or nature soever, and the above bargained premises in the quiet and peaceable possession of the said party of the second part, its heirs and assigns against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said parties of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Donald C. Ricker (Seal)
Donald C. Ricker

Helen M. Ricker (Seal)
Helen M. Ricker

STATE OF Colorado)
County of Larimer) ss.

The foregoing instrument was acknowledged before me this 25th day of January A. D. 1957, by Donald C. Ricker and Helen M. Ricker.

My commission expires June 15, 1957. Witness my hand and official seal.

Reuben E. Kinn
Notary Public



Warranty Deed

B

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

The within deed is accepted on behalf of the United States as of May 15, 1957, under the authority contained in the Interior Department Appropriation Act, 1957 (Public Law 573, 84th Cong.), and pursuant to section 7 of Secretary's Order No. 2640, dated June 11, 1951 (16 F. R. 5846), delegating authority.

Jason E. Price
Assistant Director
National Park Service

No. 723574

WARRANTY DEED

Donald C. Ricker and
Helen M. Ricker

TO

United States of America

State of Colorado } ss.
County of Larimer }

I hereby certify that this instrument was filed for record in my office this JAN 25 1957 day of JAN, A. D. 1957, at 3:30 o'clock P. M., and duly recorded in Book 1038 Page 1 *C. H. Bennett*

Recorder
By *Raymond H. Hines* Deputy
H 19 - 159-117

Fees, \$

Return to: *James H. Hines, Sup.*
Natchez National Monument, Natchez, Ark.
Natchez National Monument, Natchez, Ark.
John A. Cross
201-203 First Nat'l Bank Bldg.

COPY

The Larimer County Abstract Co.

O. O. Green, Jessie R. Green

to

Donald C. Ricker

WARRANTY DEED \$10

Dated September 12, 1952

Ack. September 12, 1952 before Jim A. Cross, JP

Seal: Larimer County, Colorado
(Com. Exp. 6/19/53)

Recorded September 22, 1955 at 8:10 A.M.
Book 1003, page 96

Conveys: Part of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 33, Twp. 5 N.R. 73 W. 6th P.M., described as follows: Commencing at a point 260 feet West of SE corner of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$, thence W. 100 feet, thence N. 220 feet, thence E. 100 feet, thence S. 220 feet to point of beginning, and

Commencing at a point 936.5 feet East of the SW corner of Sec. 33, Twp. 5 N.R. 73 W. 6th P.M., thence E. 171 feet, thence S. 25 ft., thence W. 171 feet, thence N. 25 feet to the point of beginning (being a part of Lot 2 in Sec. 5, Twp. 4 N.R. 73 W. 6th P.M.). Together with all easements, rights of way, pipe lines and water rights appurtenant thereto as now of record and as now established. Subject to the rights of way of record; and

That certain pipe line known as Green Pipe Line, located in the S $\frac{1}{2}$ of Sec. 33, Twp. 5 N.R. 73 W. 6th P.M. and Lots 1 and 2, Sec. 5, Twp. 4 N.R. 73 W. 6th P.M., together with all rights of way for said pipe line both as conveyed by Freeman O. Stanley in deed recorded in Book 442 page 91 and any and all other rights of way for said pipe line and Priority No. 34, being the appropriation adjudicated in November 14, 1939 in the District Court of Boulder County in Case #10077 for Green Pipe Line, together with any and all water rights and rights of every kind and nature under and connected with said pipe line and appropriation.

COPY

The Larimer County Abstract Co.

O. L. Green

To

O. L. Green and Jessie
R. Green

WARRANTY DEED: \$1.00

Dated September 27, 1941

Ack. September 27, 1941 before Mary R. Lee, N.I.
Seal, Larimer County, Colorado

Recorded September 29, 1941 at 8:38 A.M. in
Book 732, Page 413

Conveys: No in tenancy in common but in joint tenancy, the survivor of them, their assigns and the heirs and assigns of such survivor forever, that certain pipe line known as Green Pipe Line, located in the S₂ of Section 33, Township 5 North, Range 73 West 6th P.M., and Lots 1 and 2, Section 5, Township 4 North, Range 73 West 6th P.M., together with all rights of way for said pipe line, both as conveyed by Freelan O. Stanley in deed recorded in Book 442 at page 91 of the records of Larimer County, Colorado and any and all other rights of way for said pipe line and priority No. 34, being the appropriation adjudicated on November 14, 1939 in the District Court of Boulder County in case No. 10077 for Green Pipe Line, together with any and all water rights and rights of every kind and nature under and connected with said pipe line and appropriation.

COPY

The Fort Collins Abstract Co.

Conveyance No. 44

Jessie R. Green

to

O. L. Green

QUIT CLAIM DEED

Dated March 24, 1923

Date of Filing March 26, 1923

Recorded in Book 442, Page 150

Ack. March 24, 1923 by Glen O. Draggoo,
N.P., Larimer County, Colorado

Conveys: A right of way for a pipeline over and through a portion of lot 2 of Sec. 5, Township 4, Range 73, containing 5 acres, more or less, and particularly described as follows: Beginning at a point whence the SW Corner of Sec. 33, Township 5, Range 73 is W. 348 ft. and running thence E. 834.5 ft. thence S. 261 ft., thence W. 834.5 ft., thence N. 261 ft. to point of beginning. The line joining the SW. corner with S. center corner of Sec. 33, Township 5 N. R. 73 W. 6th P.M. was assumed E. and W. and all bearings were taken relative thereto.

Subject to a right of way for a road hereby reserved for use of owners of land situated in Lot 4 of Sec. 4 and Lots 1, 2, 3 and 4 of Sec. 5, Township 4 N. R. 73 W. 6th P.M.

GREEN PIPE LINE TITLE

SEP 4 1957

QUIT CLAIM

F. O Stanley
to
O. L. Green

Dated: October 9, 1922.
Recorded: Book 442, Page 91.

Conveys: A right-of-way for a pipe line on, over and through a portion of Lots 1 and 2 of Section 5, Township 4 North, Range 73 West of the 6th P.M. The right to construct a reservoir on said pipe line is also herein conveyed. Said pipe line is to be covered. Party of the first part to have the privilege of tapping said pipe line as he sees fit in the development of his own property and without charge to him other than a rate similar to that charged by the Estes Park Water Company for the use of water under its system.

BILL OF SALE

Ellen E. Foster
to
O. L. Green

Dated: July 12, 1933.
Recorded: Book 665, Page 38.

Conveys: One water system located in Lots 1 and 2 of Section 5, Township 4 North, Range 73 West of 6th P.M., and in Section 33, Township 5 North, Range 73 West of 6th P.M., consisting of gas engine, pump, cement tank and all water lines connecting cottages.

WARRANTY DEED

Jessie R. Green
to
Florence E. Allen (Judge Allen)

Dated: July 21, 1930
Recorded: Book 600, Page 328.

Conveys: That part of Lot of Section 5, Township 4 North, Range 73 West of 6th P.M., described as follows: Beginning at a point whence the Southwest Corner of Section 33, Township 5 North, Range 73 West of 6th P.M., bears West 348 feet, thence East 75 feet, thence South 261 feet, thence West 75 feet, thence North 261 feet to the place of beginning. RESERVING to the grantor and her assigns a right-of-way for a water pipe line and well as now existing.

CHAIN OF TITLE

Stanley to Green; Green to Foster; Foster to Green; Green to Allen;
Allen to Pierce; Pierce to Le Cuyer; Le Cuyer to Gregg; Gregg to Kaley.
Note: Pipe line reservation in conveyances 1, 2, 3, 4 and 8.

COPY

The Fort Collins Abstract Co.

Conveyance No. 43

F. O. Stanley (Other Places
"Freelan O. Stanley")

QUIT CLAIM DEED

Dated October 9, 1922

Date of Filing December 13, 1922

Recorded in Book 442 Page 91

Ack. October 21, 1922 before Cornelius H.

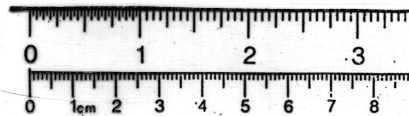
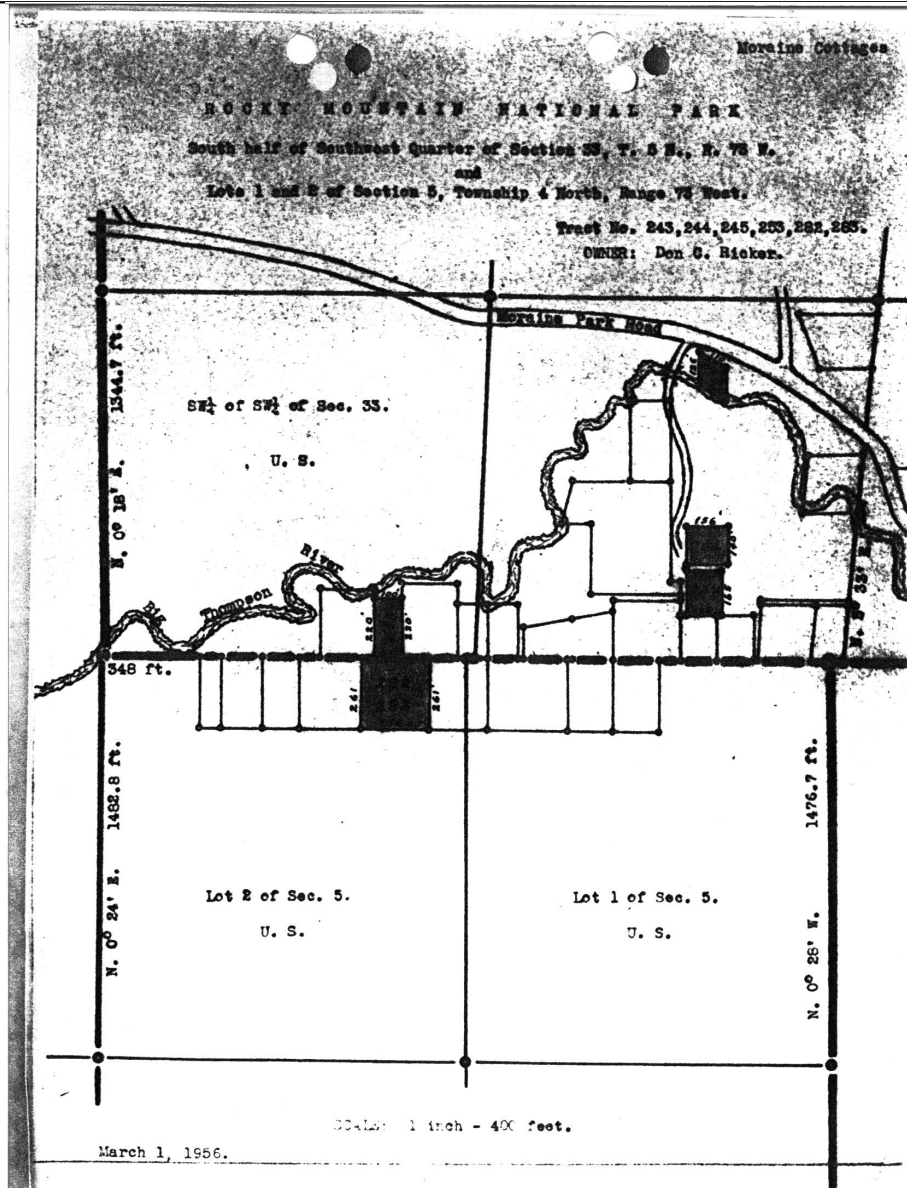
Bond N.P., Larimer County, Colorado

to

O. L. Green

Conveys: The right of way for pipe line over and through
a portion of lots 1 and 2 of Sec. 5, Township 4, Range 73

The right to construct a reservoir on said pipeline is also
herein conveyed. Said pipeline to be covered. Party of the first
part to have the privilege of tapping said pipeline as he sees fit
in the development of his property and without charge to him, other
than a rate similar to that charged by the Estes Park Water Company
for the use of water under its system.



Other Supporting Information

REPORT OF TELEPHONE CONVERSATION

DATE Feb 13, 1990 TIME 4:00 AM/PMPROJECT 3 new wells - ROMONPS PERSON ON CALL Beth Voelkel

I CALLED



S/HE CALLED

PERSON Ray LiesmanORGANIZATION Water Court - Greeley Div. 1

ADDRESS _____

TELEPHONE NUMBER 356-4000 ext. 4598

DISCUSSION For exempt domestic well must be the only well on a tract of 35 or more acres and serve no more than 3 single family dwellings.

For commercial exempt can be used in a variety of situations but may use only 1/3 a/c or less. He knows of one case, based on hard historic evidence of use, that got this status for 1 a/c (300,000 gal). The guy at the State Engineer's Office that got that one through is Brent Sprunk.

We can keep the well as domestic use but NOT exempt. The latest priority dates that don't need to have plan of augmentation are in the late 1800's. Therefore, with 1923 date we may have to come up with augmentation water.

He suggests going with commercial exempt if we can get by with 1/3 a/c. Otherwise leave as domestic and get a plan of augmentation to supply 10% of our diversion.

If new well is 1/2 in 200 ft of original, no need to change point of diversion or well location through water court.

He suggests calling Reiner Humbold at the State Engineer's Office. Reiner specializes in "problems" or can point me to someone who does -- don't let him send me to the "Ground Water Section" where they deal in general terms on general cases.

Alan Williams
Rocky Mountain National Park
Estes Park, CO 80517

Chuck,

Here are our preliminary efforts at the replacement well applications. I didn't type them up on original forms because there will no doubt be some changes or additions to be included. Some questions and comments:

Aspenglen Campground: While our records show a permit number for a well supplying domestic and public campground use, they do not show a court case number.

Mill Creek Ranger Station: Straightforward (I hope) except for being in an irregular section. Included is a USGS topo with approximate locations. Hopefully this will satisfy the engineers' office.

Green Pipeline: More problems. Apparently our decree is for domestic use. Since this supply has been in reality a municipal system for a great number of years, it should have been changed in water court in the 1970's to a municipal decree. It would appear that we have an illegal use of this well. What do your people think?

I will be in training all day Wednesday and Thursday of this week, but you can leave messages for me at the park number, 586-2371 ext. 250. If no messages, then I will call you on Friday.

Thank you,

WRJ-5-Rev. 76

COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in **BLACK INK**. No overstrikes or erasures unless initialed.

() A PERMIT TO USE GROUND WATER
() A PERMIT TO CONSTRUCT A WELL
FOR: (X) A PERMIT TO INSTALL A PUMP

(X) REPLACEMENT FOR NO. NP-RM-2352
() OTHER _____
WATER COURT CASE NO. 10077

(1) APPLICANT - mailing address

UNITED STATES OF AMERICA, NATIONAL PARK
NAME SERVICE, ROCKY MOUNTAIN NATIONAL PARK
STREET ROCKY MOUNTAIN NATIONAL PARK
CITY ESTES PARK CO CO 80517
(State) (Zip)
TELEPHONE NO. (303) 586-2371

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. _____ / _____

Basin _____ Dist. _____

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

(2) LOCATION OF PROPOSED WELL

County LARIMER
Lot 2 1/4 of the _____ 1/4, Section 5
Twp. 4 N, Rng. 73 W, _____ P.M.
(N.S) (E.W)

(3) WATER USE AND WELL DATAProposed maximum pumping rate (gpm) 13Average annual amount of ground water to be appropriated (acre-feet): 1.2Number of acres to be irrigated: noneProposed total depth (feet): 60

Aquifer ground water is to be obtained from:

alluvium, Big Thompson RiverOwner's well designation Green Pipeline**GROUND WATER TO BE USED FOR:**

() HOUSEHOLD USE ONLY - no irrigation (0)
(X) DOMESTIC (1) () INDUSTRIAL (5)
() LIVESTOCK (2) () IRRIGATION (6)
() COMMERCIAL (4) (X) MUNICIPAL (8)

() OTHER (9) _____

DETAIL THE USE ON BACK IN (11)

APPLICATION APPROVED

PERMIT NUMBER _____

DATE ISSUED _____

EXPIRATION DATE _____

(STATE ENGINEER)

BY _____

I.D. _____ COUNTY _____

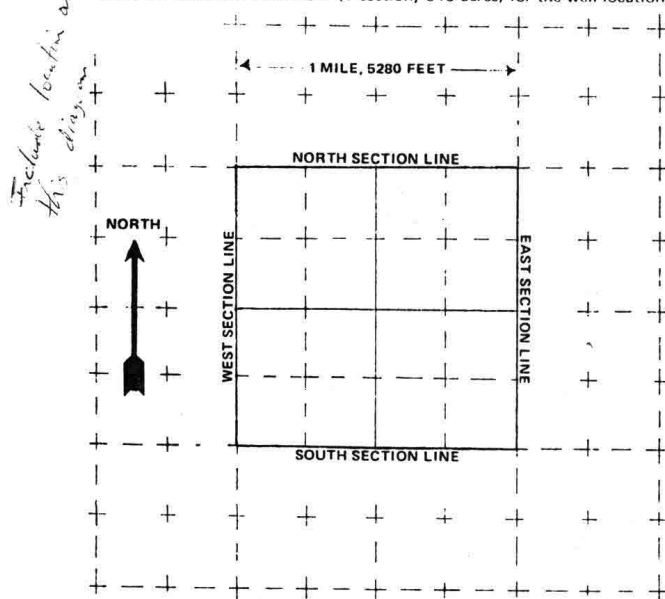
(4) DRILLERName Licensed

Street _____

City _____
(State) (Zip)

Telephone No. _____ Lic. No. _____

(5) THE LOCATION OF THE PROPOSED WELL and the area on which the water will be used must be indicated on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)

An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) ... 449 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year.
1 acre-foot ... 43,560 cubic feet ... 325,900 gallons.
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

(6) THE WELL MUST BE LOCATED BELOW by distances from section lines.

64 ft. from North (north or south) sec. line

1,590 ft. from East (east or west) sec. line

LOT _____ BLOCK _____ FILING # _____

SUBDIVISION _____

(7) TRACT ON WHICH WELL WILL BE LOCATED Owner: United States of America

No. of acres 42.14 Will this be

the only well on this tract? yes

(8) PROPOSED CASING PROGRAM

Plain Casing

6 5/8 in. from 0 ft. to 20 ft.

_____ in. from _____ ft. to _____ ft.

Perforated casing

6 5/8 in. from 20 ft. to 60 ft.

_____ in. from _____ ft. to _____ ft.

(9) FOR REPLACEMENT WELLS give distance and direction from old well and plans for plugging it:

From old well, S 85° 45' E, 760 feet
Abandonment of large diameter
gallery: Inert materials to 3 feet,
one foot thick concrete cap, then
two feet soil to revegetate area.

(10) LAND ON WHICH GROUND WATER WILL BE USED:

Owner(s): United States of America, National Park Service No. of acres: 42.14

Legal description: Lot 2, Section 5, T4N, R73W, 6 PM (except tract #284)

(11) DETAILED DESCRIPTION of the use of ground water: Household use and domestic wells must indicate type of disposal system to be used.

Well will serve 14 single family houses and will operate for less than
six months per year. No irrigation is being done and all disposal systems are septic
tanks and leachfields which are in the same drainage basin.

(12) OTHER WATER RIGHTS used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right

Used for (purpose)

Description of land on which used

(13) THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.

SIGNATURE OF APPLICANT(S)



United States Department of the Interior
NATIONAL PARK SERVICE

IN REPLY REFER TO:

L54

March 29, 1990

Memorandum

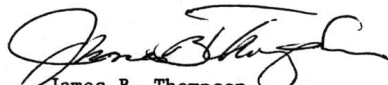
To: Water Resources, Fort Collins
From: Superintendent, Rocky Mountain National Park
Subject: Plan for Augmentation, Green Pipeline Well

We would like to request that your office develop a Plan for Augmentation which would meet conditions set forth by the State of Colorado for the following.

The Green Pipeline well is located in the Moraine Park area of Rocky Mountain National Park in the Big Thompson River drainage. It supplies a seasonal non-community public water system which serves a total of 14 houses, 7 NPS residences, and 7 private inholder properties. This system produces an average of 200,000 to 450,000 gallons of water per season. Our records show a decreed right to 0.029 cfs with Domestic Priority #34, Water District No. 4 Court Case No. 10077, November 14, 1939.

Because this system serves more than three residences from one well, it is believed that this system does not meet the state requirements of a domestic exempt well. Due to the amount of annual usage of water, this well would not meet the state standards for a commercial exempt well. Therefore, it would appear that this well would fall into the category of a domestic non-exempt well.

We are presently filing for a permit from the State Engineer's Office to drill a replacement well for this system. There is a probability that the state will demand either that a Plan for Augmentation be filed as a condition of approval for the replacement well application or that, at a minimum, a Plan for Augmentation be developed in the near future for this system.


James B. Thompson
Superintendent

Contor _____
James _____
Hanks _____

Rocky Mountain National Park
and
Shadow Mountain National Recreation Area
P. O. Box 1000, Estes Park, Colorado
L1425
154-Boxet 40

September 26, 1963

Mr. and Mrs. Howard B. Kaley
Kaley's Cottages
Estes Park, Colorado

Dear Mr. and Mrs. Kaley:

In a conversation recently, you asked if the National Park Service could permit you another water hookup at your cottage court in Moraine Park. You mentioned that it may be necessary for you to build one more cottage unit in order to receive triple A recommendation.

Our staff has carefully reviewed your request as it relates to the available water supply of the Green Pipe Line. As we mentioned to you in our letter of October 25, 1962, third paragraph, the present water use is near the capacity of the pipe line. Each year many of the users modernize by adding additional water consumptive appliances such as washing machines, water heaters, etc. Thus, we ultimately face a shortage of water. Your own remodeling of the Anderson garage into a consumptive cottage unit is an example of the modern trend towards increased water use within each established hookup.

Because of this, we are sorry that we cannot permit any additional hookups on the pipe line. We suggest you explore the possibility of a well as a source of additional water.

Sincerely yours,

(Signed) Allyn F. Hanks

Allyn F. Hanks
Superintendent

cc:
Regional Director, Midwest Region (2)

RJContor:ar

154-L

February 12, 1958

Memorandum

To: Regional Director, Region Two
From: Chief, Water Resources Section
Subject: Green Pipeline, Decreed Priority 34, Water District 4,
 Docket 40, Rocky Mountain

WESTERN OFFICE	
DESIGN & CONSTRUCTION	
FEB 14 1958 A.	
CHIEF	
ADMIN. ASSIST.	
PERSONNEL	
PLANS & PROG.	
SAFETY	
ARCHITECT	
ENGINEER	
LAND. ARCH.	
ACTION TAKEN—DATE	

We have filed the map and photostat of the subject decree, which were received with the memorandum of January 23 from Mr. Aiton, in Part II of our assembly of Docket 40, with the decree on top of the map.

On the table of contents we have crossed out all references to "if any" and "to be supplied."

After reviewing the map I conclude that it was submitted to the court for adjudication, but never submitted to the State Engineer for filing. This is not particularly unusual. The initial purpose of filing with the State Engineer is to be on record for the next adjudication, which was needless at the time the map was prepared. The filing also serves as a warning to other appropriators until time for the next adjudication. Such warning was also needless by the time the claim was submitted for adjudication in 1939.

Mr. Aiton indicates that copies of his memorandum were sent to the Superintendent and WODC, but does not indicate whether copies of the map and decree were attached to each copy of the memorandum. We are assuming that complete distribution was made and counting on you or the Superintendent to supply WODC with copies of the map and decree for its assembly of Docket 40, if such distribution has not been made.

SIGNED

A. van V. Dunn
 Chief, Water Resources Section

Copy to: Superintendent, Rocky Mountain
 ✓WODC (2)

LS4-L

NO COPY MADE IN MAIL ROOM

June 20, 1957

Memorandum

To: Regional Director, Region Four
From: Chief, Water Resources Section
Subject: Water Rights, Green Pipeline, Docket 40, Rocky Mountain

Attached is your assembly of Docket No. 40 covering Federal rights to the Green Pipeline at Rocky Mountain, so far as we have the information.

We still need the photostat copy or direct print of the filing from which the Park Service made the copy designated as I-G in the Docket. We also need a copy of the particular pages of the decree, in case No. 10077, which define the rights under Domestic Priority No. 34. We ordinarily purchase a vandyke negative of the filing and photostat negatives of the pages of the decree from the Cardwell Blue Print Company, through the State Engineer, and then make copies therefrom for the Docket. Before we place such an order we should like to know whether you or the Superintendent already have copies from which four copies for the Docket could be made.

SIGNED

A. van V. Dunn
 Chief, Water Resources Section

Attachment

Copy to: Superintendent, Rocky Mountain, w/c attachment
 Chief, WOCC, w/c attachment

WESTERN OFFICE	
DESIGN & CONSTRUCTION	
JUN 24 1957 A.M.	
CHIEF	
ADMIN. ASSIST.	
PERSONNEL	
PLANS & PROG.	
SAFETY	
ARCHITECT	
ENGINEER	RC 1/24
LAND. ARCH.	
JUN 25	
ACTION TAKEN - D.A.L.	

7

154-L

July 24, 1957

Memorandum

To: Regional Director, Region Two

From: Chief, Water Resources Section

Subject: Green Pipeline, Docket 40 and Schnoor and Hertel Ditches,
Alien Water Right 48 to be Docket 41, Rocky Mountain

The memoranda of July 11 and 12 from Mr. Robertson are somewhat confusing.

From the former we gather that our memorandum of July 3, with copy of land deed 142 and abstract, which were sent to Region Four in error, have been received by you from Region Four. These should be placed in folder for Alien Water Right 48, even if a temporary folder has to be made.

Attached is a list of Alien Water Rights 38-57, which you say are missing. Alien Water Right 40 should now be found as Docket 22. The rest all seem to have been mailed to you in duplicate on July 10, 1951. You may have placed them in the docket series, or forwarded both assemblies to the Park. Before we make further duplicates, we shall appreciate further check in your Office and the Park.

The Lyons Reservoirs 1 and 2, formerly Alien Water Right 40, now Docket 22, were forfeited as a result of failure to construct and the resulting decree in U.S. vs. Town of Lyons, Case 1952. Attached is an extra copy of the decree, which seems to have been filed with the Federal and State District Courts, but may or may not have been reported to the State Engineer. Filing 7949 might be cancelled, and the Superintendent should determine what the State Engineer has, or may be able to do about it.

The Item I-G in Docket 40, covering the Green Pipeline, is the filing in the State Engineer's Office. The Docket now contains a print of a copy of map made by the Park Service in August 1956, which does not include the file number. We also lack the

19

JUL 29 1957

CHIEF	
ASST. CHIEF	
PLANNING & DEV.	
SAFETY	
WATER RES.	
LAND ACQ.	
RECORDS & COMM.	
ADMIN. SERV.	
TRAINING	
GENERAL INVEST.	
LEG. COUNSEL	
LABORATORY	
RESEARCH	
STATION WAREHOUSE	

None

one or two pages of the decree describing the water system covered by Priority No. 34 in Case 10077. Assuming that the map was made by Park Engineer, he must have print of the map (with statement of claim and file number) as filed with State Engineer. We should at least like the file number if we are to order the reproducible copies of both instruments from the State Engineer.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachments 2

Copy to: Superintendent, Rocky Mountain, w/c one attachment
Chief, WODC, w/c one attachment

List of Missing (?) Alien Water Rights
Rocky Mountain

AWR 38 - Filings 1204 10501	Copeland Reservoir	Mailed 7/10/51
AWR 39 -	Hutchins Reservoirs 1, 2 and 3	Mailed 7/10/51
AWR 40 - Now Docket 22	Lyons Reservoirs 1 and 2	Mailed 1/18/47
AWR 41 - Filings 3145 5983	Supply Reservoir #1 (Sand Beach Lake)	Mailed 7/10/51
AWR 42 - Filing 1032	Virginia Reservoir (R/W Permit Revoked)	Mailed 7/10/51
AWR 43 - Filing 1523	Carnes Resvoir & Pipeline (abandoned)	Mailed 7/10/51
AWR 44 - Filing 1988	Carnes Reservoir No. 2	Mailed 7/10/51
AWR 45 - Filing 1989	Carnes Reservoir No. 3	Mailed 7/10/51
AWR 46 - Filing 5287	Carnes No. 6 Ditch	Mailed 7/10/51
AWR 47 - Filing 9856	Quincy Ditch	Mailed 7/10/51
AWR 48 - To be Docket 41	- Schnoor Ditch & Hertel Ditch	Mailed 7/10/51
AWR 49 - Filing 5288	Kauffman Ditch (Summerland Area)	Mailed 7/10/51
AWR 50 - Filing 12503	Porter Pipeline	Mailed 7/10/51
AWR 51 - Filing 14928	Phantom Ditch	Mailed 7/10/51
AWR 52 - Filing 14990	Wheeler Ditch	Mailed 7/10/51
AWR 53 - Filing 15312	Squeak Pipeline	Mailed 7/10/51
AWR 54 - Filing 14764	Greeby-Boulder Pipeline	Mailed 7/10/51
AWR 55 - Filing 1769	Fleshuts Ditch	Mailed 7/10/51
AWR 56 - Filing 13611	Sanborn Water Company Pipeline	Mailed 7/10/51
AWR 57 - Filing 15041	Cascade Pipeline	Mailed 10/1/46

L54-L

October 10, 1957

Memorandum

To: Regional Director, Region Two
From: Chief, Water Resources Section
Subject: Green Pipeline, Filing 7, Decreed Priority 34, Docket 40 Rocky Mountain

We have received the memorandum of September 6 from Mr. Baggle, with copy of the memorandum of August 22 to you from Superintendent Lloyd.

The correspondence relates to the Green Pipeline and water rights under Decreed Priority No. 34, which are supposed to be filed in Rocky Mountain No. 40. Mr. Baggle reports that he has erroneously filed the instruments from Mr. Lloyd in Docket No. 22, which was formerly Alien Water Right No. 40 and contains the records of Lyons Lake Reservoirs 1 and 2.

The Docket No. 22 was assigned to the Lyons Lake Reservoirs on the basis of regaining clear Federal land title in the decree of October 29, 1946. The decree was awarded on the basis that the Town of Lyons had not constructed either reservoir under its state water right filing 7949 within the time specified by ELM in its conditions for land use.

We have not received a copy of the original filing for the Green Pipeline, or of the pages of the decree covering Priority No. 34 for that pipeline, as requested in my memorandum of July 24. The certified true copy and the original blueprint of the file map, are also the "originals" which should ultimately be in the Park assembly of Docket 40 as Parts II A and B.

I gather that Mr. Lloyd forwarded the two instruments to you for duplication. Photostat copies should be made and distributed for the assemblies of Docket 40 in your office, WODC and here, and the originals should be returned to the Park.

It is noted that Mr. Lloyd has had the decree recorded in the county, paying the fee from funds of the Rocky Mountain Nature Association. I do not know whether the county recording was

DESIGN & CONSTRUCTION	
OCT 14 1957A	
CHIEF	
ADMIN. ASSIST.	
PERSONNEL	
PLANS & PROG.	
SAFETY	
ARCHITECT	
ENGINEER	10/14
LAND ARCH.	10/14
ACTION TAKEN—DATE	
None	

necessary, but source of funds seems rather unusual. I should ordinarily expect records for land status to come from Land Acquisition funds, those in connection with water right acquisition to come from water right funds under Account 347 from either your office or here, and costs relating to general water right studies to come from our M&P Account 0140 (143.2) until there are enough funds to permit some distribution to the regions for contingencies.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Rocky Mountain
~~Chief~~, WODC (2)

L. Land. Colo. Dec-2nd-59

Judge Wayne Hackett:

Dear Sir: — Since you were here, Mrs Green has called my attention to the Stanley Right of Way, for Green pipe line. I did not think of it when you were here. Mr Stanley gave me Suit Claim Recd. for right of way on his land for a pipe line for my tier system. And reserved the right to use the tier for domestic purposes as he required it for the placement of his land under the water system. did not include anything above the water tank.

There was no charge for the Right of way. My understanding was that the agreement ~~and~~ ^{to} me was void only as he developed the land; now after nearly 50 years, The land has changed hands several times and no development by Mr Stanley. I do not think agreement is in force. (I am not a lawyer)

All the years up to the time the water decree was issued, every one from Loveland to Stead had used the water from the Thompson river in violation of State law. As the Irrigation companies had appropriated the capacity of the river water, but had not denied the use of same for domestic purposes.

Yours truly,
O. L. Green

~~users of~~ users of water for domestic purposes to
 file a claim and get a decree before a certain date.
 At that time I had a meeting of the people on my
 water system. I obtained a decree for the Green
 water System as outlined by a plat stating the bound-
 lines which plat is on file in the Boulder Court
 users of domestic water who did not file a claim
 came were out.

At that time John Griffith
 owned the Stanley land and did not file for water.
 And as I see
 I did not think I was obligated.

Your party has no decree for water on his land,
 agreement ^{was} with Mr Stanley only, and not to his
 heirs or assigns.

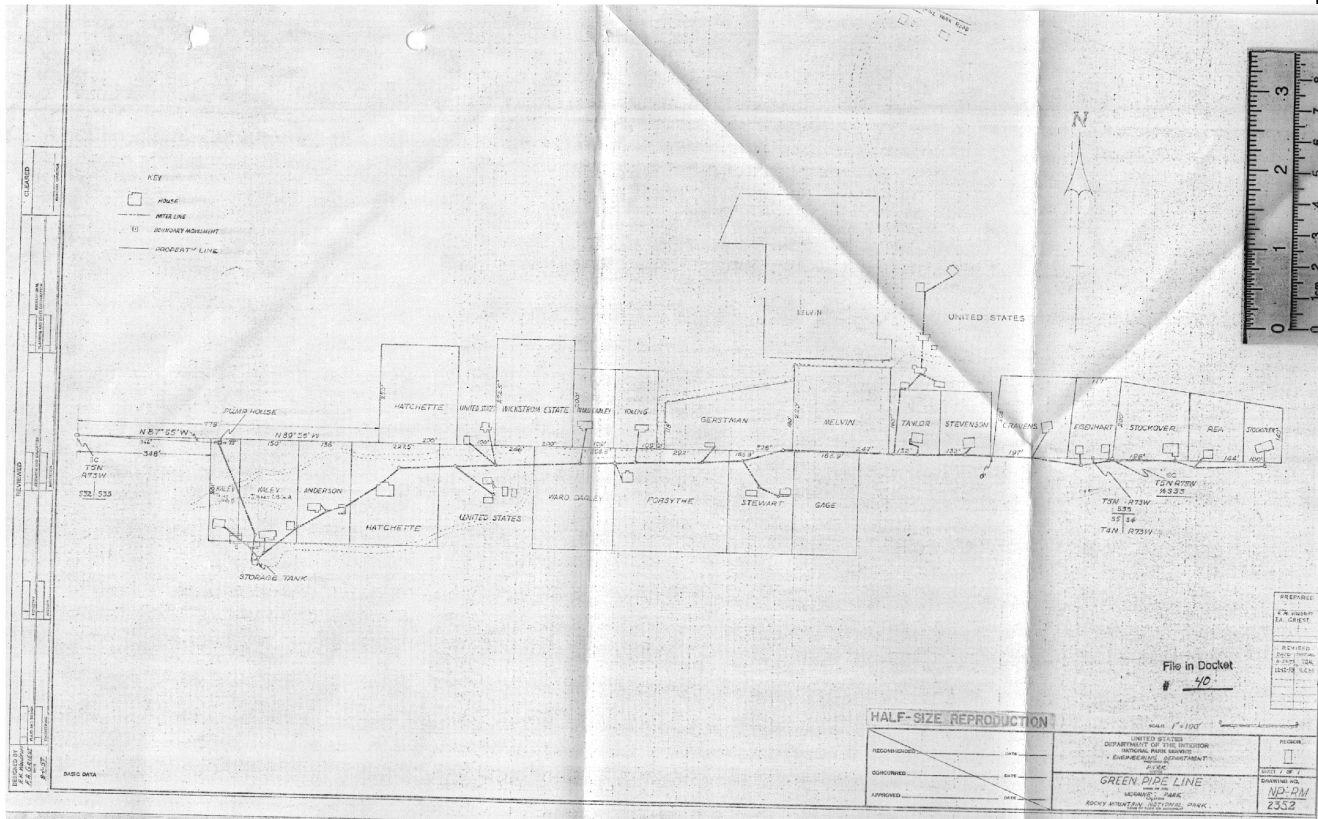
When we moved from Moraine
 I kept only records from 26 - on. So I will
 go to the Court House to get a copy of right of way,
 which I will forward to you later if you wish.

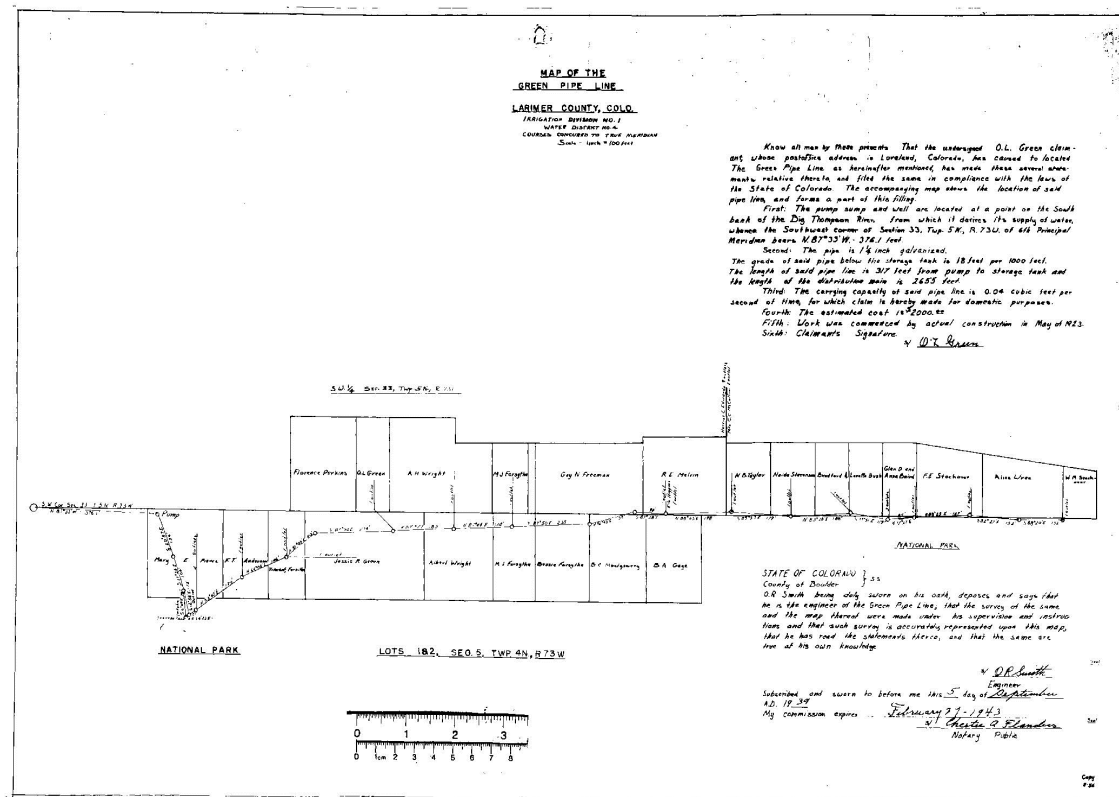
Yours Truly

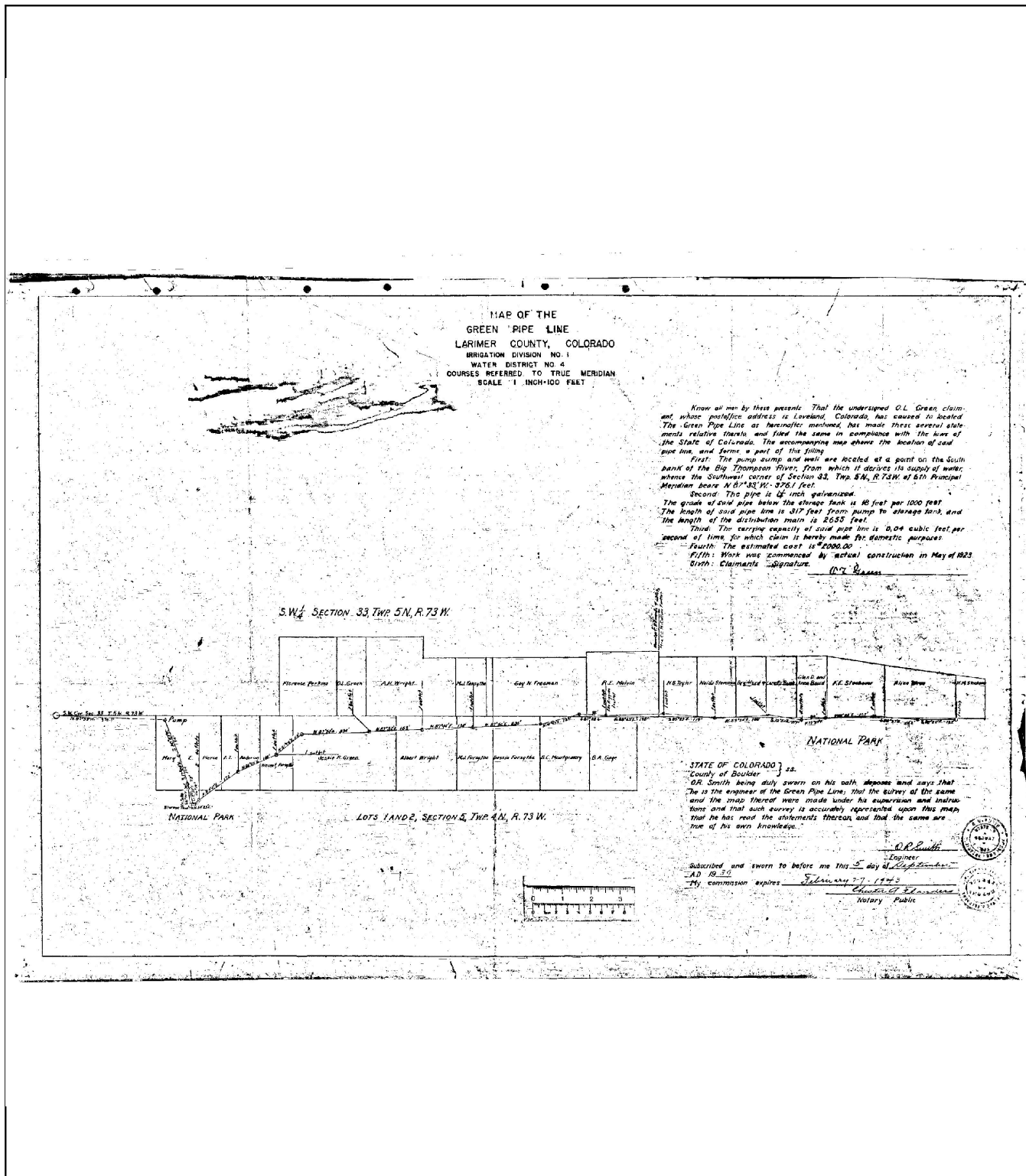
O. L. Green

610 West 5th

Longland, Colo.





**Docket Information**

Number of Documents in Docket 37

Documents Dated from 10/9/1922 to 9/26/1963

Docket Compiled: 6/8/2016