



WATER-RIGHT DOCKET

Rocky Mountain National Park

Docket No: 69

MORaine PARK1 AND 0, BIGHORN RANGER STATION, SPRAGUE LAKE RECREATION AREA AND BLAC

State Water Rights Documentation

04-08-1993: revised findings and ruling of the referee and decree of the water court

DISTRICT COURT, WATER DIVISION NO. 1, COLORADO

CASE NO. W-8791-77(A)

REVISED FINDINGS AND RULING OF THE REFEREE AND DECREE OF THE
WATER COURT

IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF
UNITED STATES OF AMERICA, IN LARIMER COUNTY

THIS CLAIM was filed with the Water Clerk, Water
Division 1, on December 29, 1977 and amended on September 4, 1984
and October 4, 1984. The Referee being fully advised in the
premises, does hereby find:

All notices required by law of the filing of this
application were fulfilled, and the Referee has jurisdiction of
this application.

Numerous Statements of Opposition and Entries of
Appearance were filed in all the USA cases. Upon agreement of
all counsel, this case is to be ruled on as if no opposition had
been filed.

All matters contained in the application were reviewed,
and testimony was taken where such testimony was necessary and
such corrections made as were indicated by the evidence
presented.

Moraine Park Well No. 2 and Moraine Park Well No. 3
have been bifurcated and will be adjudicated in case No.
W-8791-77(B). The remaining 5 wells will be case No.
W-8791-77(A).

IT IS HEREBY THE RULING OF THE WATER REFEREE:

1. The name and address of the claimant:

United States of America
Department of Justice
Environment and Natural Resources Division
999 - 18th St., #945
Denver, CO 80202

USA
W-8791-77(A)
Page 2

2. The name of the structures:

USA Rocky Mountain National Park:
Moraine Park Well 1-4019
Moraine Park Well 0-924-N
Bighorn Ranger Station Well 165966
Sprague Lake Recreation Area Well —
Black Cabin Well

ms
5

3. The legal description of the structure:

Moraine Park Well 1-4019: SE1/4 SW1/4, Section 33, Township 5 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 500 feet from the South line and 2100 feet from the West line, Section 33.

Moraine Park Well 0-924-N: SE1/4 SW1/4, Section 33, Township 5 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 520 feet North and 420 feet West of S1/4 Corner, Section 33.

Bighorn Ranger Station Well 165966: NE1/4 NE1/4, Section 17, Township 5 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 625 feet from the North line and 750 feet from the East line, Section 17.

Sprague Lake Recreation Area Well: SW1/4 SE1/4, Section 7, Township 4 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 750 feet from the South line and 2250 feet from the East line, Section 7.

Black Cabin Well: NE1/4 SW1/4, Section 32, Township 5 North, Range 73 West, 6th P.M., Larimer County, at a point approximately 2375 feet from the South line and 1875 feet from the West line, Section 32.

4. The source of the water:

Groundwater for all five wells

5. The date of appropriation:

Moraine Park Well 1-4019: July 1, 1959

Moraine Park Well 0-924-N: August 31, 1957

Bighorn Ranger Station Well 165966:
May 31, 1982

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Sprague Lake Recreation Area Well:
December 31, 1909

Black Cabin Well: December 31, 1937

6. The amount of water:

Moraine Park Well 1-4019: 0.22 cfs (99 gpm)

Moraine Park Well 0-924-N: 0.016 cfs (7 gpm)

Bighorn Ranger Station Well 165966:
0.018 cfs (8 gpm)

Sprague Lake Recreation Area Well:
0.011 cfs (5 gpm)

Black Cabin Well: 0.027 cfs (12 gpm)

7. The use of the water:

Moraine Park Well 1-4019: Livestock, domestic, limited irrigation of lawns and gardens, commercial in administrative and maintenance buildings, Visitor Center, museum and campground.

Moraine Park Well 0-924-N: Domestic for three single family dwellings.

Bighorn Ranger Station Well 165966: Domestic for two single family dwellings including irrigation of approximately 1000 square feet.

Sprague Lake Recreation Area Well: Domestic, commercial, drinking, sanitary and stockwater uses for livery/stable operation at Sprague Lake.

Black Cabin Well: Domestic for one single family dwelling.

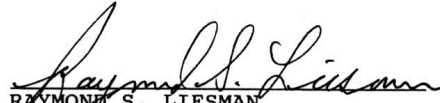
8. Moraine Park Well 0-924N, Bighorn Ranger Station Well 165966 and Black Cabin Well - These water rights, so long as uses are limited to those decreed herein, are exempt from administration by the State Engineer pursuant to CRS, 37-92-602.

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Page 4

9. The Court finds that this application, assigned case No. W-8791-77 (A), is a timely amendment to the United States' claims originally filed in 1976, designated W-8439-76.

The water rights for Moraine Park Well 1-4019 and Sprague Lake Recreation Area Well are entitled to antedation and shall be granted a priority date of July 1, 1959 and December 31, 1909 respectively, and shall be subject to prior vested rights. (Pursuant to 79 SA 99 and 79 SA 100 dated November 29, 1982, 656, P. 2d 1.)

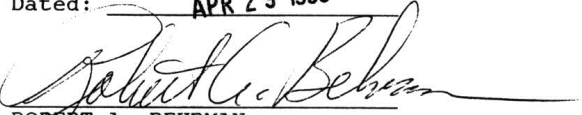
Dated: APR -8 1993


RAYMOND S. LIESMAN
Water Referee
Water Division No. 1

THE COURT FINDS: NO PROTEST WAS FILED IN THIS MATTER.

THE FOREGOING RULING IS CONFIRMED AND APPROVED, AND IS HEREBY MADE THE JUDGMENT AND DECREE OF THIS COURT.

Dated: APR 29 1993


ROBERT A. BEHRMAN
Water Judge
Water Division No. 1
State of Colorado



U.S. Department of Justice

Environment and Natural Resources Division

WMC:JDDraper
90-1-2-892

Denver Field Office
Suite 945
999 18th Street
Denver, Colorado 80202

Commercial Number
(303) 294-1900
FTS/330-1900
Telefax Number
(303) 294-1931
FTS/330-1931

April 12, 1993

Ralph O. Canaday, Esquire
U.S. DEPT. OF INTERIOR
Office of the Solicitor
Rocky Mtn. Region
P. O. Box 25007
Denver, CO 80225

Mr. Owen Williams
Chief, Water Resources Division
NATIONAL PARK SERVICE
1201 Oakridge Drive
Suite 250
Fort Collins, CO 80525

Mr. Kenneth Czarnowski, Hydrologist
NATIONAL PARK SERVICE
Division of Resources Management
Estes Park, CO 80517

Re: Water Division No. 1
Case No.: W-8791-77(A)

Gentlemen:

Enclosed please find copies of the REVISED FINDINGS AND RULING OF THE REFEREE . . . in the above-captioned case. Please let us know by **April 23, 1993**, whether these Rulings are acceptable. Please note that in paragraph 7, Sprague Lake Recreation Area Well, the reference to limitation of 1 acre foot annually should be eliminated.

Respectfully,

Julia D. Draper
Paralegal Specialist
General Litigation Section

enclosures

WATER DIVISION NO. 1
STATE OF COLORADO

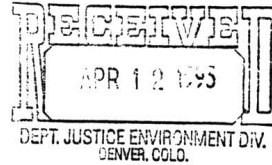
COPY FOR YOUR
INFORMATION

APR -8 1993

Date

TO: Lynn A. Johnson, Esq.
999 - 18th St., #945
Denver, CO 80202

Cliff Seigneur, Esq.
1525 Sherman St., 5th Fl.
Denver, CO 80203

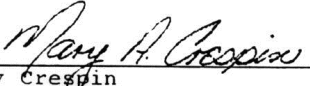


STATE/DIV

The Water Court Referee for Division 1 has instructed me to forward this copy of his Revised Ruling in Case No. W-8791-77(A).

Please check your Ruling very CAREFULLY! If any errors are found, notify the Water Clerk's Office IMMEDIATELY.

You have twenty (20) days after the above date of mailing to file with the Water Clerk, any pleading in protest to or in support of the Referee's Ruling. Any such pleading to the Referee's Ruling must be filed on or before APR 28 1993, plus any additional time allowed by Rule 6(e) CRCP. In the absence of any pleading being received, the Judge of the Water Court will incorporate the Referee's Ruling in the Decree which will be entered after APR 28 1993.


Mary Cressin
Water Clerk, Water Division 1
P O Box C
Greeley, CO 80632
(303) 356-4000, Ext. 4550

DISTRICT COURT, WATER DIVISION NO. 1, COLORADO

CASE NO. W-8791-77(A)

REVISED FINDINGS AND RULING OF THE REFEREE AND DECREE OF THE
WATER COURT

IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF
UNITED STATES OF AMERICA, IN LARIMER COUNTY

THIS CLAIM was filed with the Water Clerk, Water Division 1, on December 29, 1977 and amended on September 4, 1984 and October 4, 1984. The Referee being fully advised in the premises, does hereby find:

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Numerous Statements of Opposition and Entries of Appearance were filed in all the USA cases. Upon agreement of all counsel, this case is to be ruled on as if no opposition had been filed.

All matters contained in the application were reviewed, and testimony was taken where such testimony was necessary and such corrections made as were indicated by the evidence presented.

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United States of America
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999 - 18th St., #945
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W-8791-77(A)
Page 2

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USA Rocky Mountain National Park:
Moraine Park Well 1-4019
Moraine Park Well 0-924-N
Bighorn Ranger Station Well 165966
Sprague Lake Recreation Area Well
Black Cabin Well

3. The legal description of the structure:

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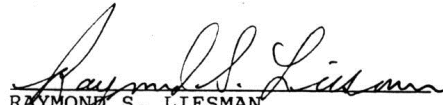
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USA
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Dated: APR -8 1993


RAYMOND S. LIESMAN
Water Referee
Water Division No. 1

THE COURT FINDS: NO PROTEST WAS FILED IN THIS MATTER.

THE FOREGOING RULING IS CONFIRMED AND APPROVED, AND IS HEREBY MADE THE JUDGMENT AND DECREE OF THIS COURT.

Dated: _____

ROBERT A. BEHRMAN
Water Judge
Water Division No. 1
State of Colorado

DISTRICT COURT, WATER DIVISION NO. 1, COLORADO

CASE NO. W-8791-77(A)

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Moraine Park Well 0-924-N: 0.016 cfs (7 gpm)

Bighorn Ranger Station Well 165966:
0.018 cfs (8 gpm)

Sprague Lake Recreation Area Well:
0.011 cfs (5 gpm)

Black Cabin Well: 0.027 cfs (12 gpm)

7. The use of the water:

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including but not limited to domestic, limited irrigation of
lawns, commercial in administrative and maintenance buildings,
Visitor Center, museum and campground.

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three single family dwelling.

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for two single family dwellings including irrigation of
approximately 1000 square feet.

Sprague Lake Recreation Area Well:
Commercial, drinking and sanitary uses at Sprague Lake. Uses
limited to less than 1 acre foot annually.

Black Cabin Well: Domestic for one single
family dwelling.

8. Moraine Park Well 0-924N, Bighorn Ranger
Station Well 165966, Sprague Lake Recreation Area Well and Black
Cabin Well - This water right, so long as uses are limited to
those decreed herein, is exempt from administration by the State
Engineer pursuant to CRS, 37-92-602.

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Dated: OCT 30 1992


RAYMOND S. LIESMAN
Water Referee
Water Division No. 1

THE COURT FINDS: NO PROTEST WAS FILED IN THIS MATTER.

THE FOREGOING RULING IS CONFIRMED AND APPROVED, AND IS HEREBY MADE THE JUDGMENT AND DECREE OF THIS COURT.

Dated: _____

ROBERT A. BEHRMAN
Water Judge
Water Division No. 1
State of Colorado

8 Copies delivered to DOJ
9/28/84 RRE

DISTRICT COURT, WATER DIVISION NO. 1, COLORADO

Case No. W-8439-76 (W-8789-77 through W-8794-77)

AMENDED APPLICATION FOR SURFACE AND UNDERGROUND
WATER RIGHTS

IN THE MATTER OF THE APPLICATION OF THE UNITED STATES OF AMERICA FOR
APPROPRIATIVE WATER RIGHTS IN ROCKY MOUNTAIN NATIONAL PARK IN
LARIMER AND BOULDER COUNTIES.

1. Name and address of Applicant:

United States of America
c/o John E. Linskold
Attorney, Department of Justice
Land and Natural Resources Division
1961 Stout Street, Drawer 3607
Denver, Colorado 80294

2. The United States of America claims a total of ten water rights including four additional surface and underground water rights (diversions, pipelines and wells) situated on lands acquired for and located in Rocky Mountain National Park in Larimer County.
3. The use of the water claimed in this amended application is domestic water for use in picnic areas, campgrounds, ranger stations, cabins under permit from the National Park Service in the Rocky Mountain National Park.
4. Legal descriptions and data pertaining to each well or diversion (all descriptions refer to 6th P.M.):

Larimer County

Name of Structure: Bighorn Ranger Station Well
Legal description: In the NE 1/4 NE 1/14, Section 17, T. 5 N., R. 73 W.
Source: Bighorn Creek, tributary to Big Thompson River
Depth of Well: 128 feet
Date of appropriation: June, 1982
Date water applied to beneficial use: August, 1982
How appropriation was initiated: Drilling well
Amount claimed: 20 gpm Absolute
Use: Domestic, recreation, fire fighting

Name of Structure: Moraine Park Well No. 0
Legal description: In the SE 1/4 SW 1/4, Section 33, T. 5 N., R. 73 W.,
whence the northeast corner of Section 5, T. 4 N., R.
73 W., bears S. 50° 50' E 666.46 feet.

Source: Big Thompson River
Depth of Well: 40 feet
Date of appropriation: August, 1957
Date water applied to beneficial use: June, 1958
How appropriation was initiated: Drilling of well ✓
Amount claimed: 7 gpm Absolute
Use: Domestic, recreation, fire fighting

Name of Structure: Moraine Park Well No. 1
Legal Description: In the SE 1/4 SW 1/4 of Section 33, T. 5 N., R. 73 W.,
whence the NE corner of Section 5, T5N, R73W, bears S
36° 33' E-1463.29 feet.

Source: Big Thompson River
Depth of Well: 15 feet
Date of appropriation: July, 1959
Date water applied to beneficial use: September, 1959
How appropriation was initiated: Drilling of well
Amount claimed: 79 gpm Absolute
Use: Domestic, recreation, fire fighting

Name of Structure: Moraine Park Well No. 2
Legal Description: In the SE 1/4 SW 1/4 of Section 33, T. 5 N., R. 73 W.,
whence the NE corner of Section 5, T5N, R73W, bears S
45° 21' E 1600 feet.

Source: Big Thompson River
Depth of Well: 100 feet
Date of appropriation: September, 1970
Date water applied to beneficial use: June, 1971
How appropriation was initiated: Drilling of well
Amount claimed: 185 gpm Absolute
Use: Domestic, recreation, fire fighting

Name of Structure: Moraine Park Well No. 3
Legal Description: In the SE 1/4 SW 1/4 of Section 33, T. 5 N., R. 73 W.,
whence the NE corner of Section 5, T4N, R73W, bears S
47° 21' E 1600 feet.

Source: Big Thompson River
Depth of Well: 50 feet
Date of appropriation: August, 1984
Date water applied to beneficial use: September, 1984
How appropriation was initiated: Developing well
Amount claimed: 80 gpm Absolute
Use: Domestic, recreation, fire fighting

Name of Structure: Sprague Lake Picnic Area Well
Legal description: In the SW 1/4 SE 1/4, Section 7, T. 4 N., R. 73 W.,
whence the SW corner of Section 7, T. 4 N., R. 73 W.,
bears S. 74° 30' W, 3100 feet.
Source: Glacier Creek, tributary to Big Thompson River
Depth of Well: 63 feet
Date of appropriation: August, 1982
Date water applied to beneficial use: September, 1982
How appropriation was initiated: Drilling of well
Amount claimed: 13 gpm Absolute
Use: Domestic, recreation, fire fighting

Name of Structure: Black Cabin Well
Legal description: In the NW 1/4 SE 1/4, Section 32, T. 4 N., R. 73 W.
Source: Big Thompson River
Depth of well: Alluvium
Date of initiation of appropriation: October, 1964
Date water applied to beneficial use: October, 1964 ¹⁹⁶⁵
How appropriation was initiated: Drilling of well
Amount claimed: 10 gpm Absolute
Use: Domestic, recreation, fire fighting

Name of Structure: Hallowell Park Well
Legal description: In the SE 1/4 NW 1/4 of Section 6, T. 4 N., R. 73 W.,
whence the monumented corner common to lots 6, 7, 10, 8
and 11, of said Section 6 bears N 2° 24' E, 1335.60
feet.
Source: Glacier Creek, tributary to Big Thompson River
Depth of well: 122 feet
Date of appropriation: April, 1965
Date water applied to beneficial use: June, 1965
How appropriation was initiated: Drilling of well
Amount claimed: 50 gpm Absolute
Use: Domestic, recreation, fire fighting

Name of Structure: Aspenglen Campground Well
Legal description: In the SE 1/4 NE 1/4 of Section 17, T. 5 N., R. 73 W.,
at a point whence the N. 1/16 corner of Sections 16 and
17, T5N, R73W, bears N 67° 39' E., 1056.36 feet.
Source: Fall River, tributary to Big Thompson River
Depth of well: 101 feet
Date of appropriation: June, 1965
Date water applied to beneficial use: August, 1965
How appropriation was initiated: Drilling of well
Amount claimed: 55 gpm Absolute
Use: Domestic, recreation, fire fighting

Boulder County

Name of Structure: Deer Haven Well

Legal description: In the SE 1/4 NW 1/4 of Section 22, T. 3 N., R. 73 W.,
whence the NE corner of Sections 22, bears N51° 15' E
3700 feet.

Source: North Saint Vrain Creek

Depth of well: 150 feet

Date of appropriation: May, 1977

Date water applied to beneficial use: July, 1977

Amount claimed: 10 gpm Absolute

Use: Domestic, recreation, fire fighting

5. This is a partial amendment of the application filed by the United States of America in Case No. W-8439-76, as amended W-8789-77 through W-8794-77. This amendment is in lieu of the amendment filed on September 4, 1984.
6. The United States of America seeks to antedate the adjudication dates of earlier decrees insofar as they, in conjunction with applicable statutes, appear or purport to preclude this Court from awarding to the United States its water rights bearing their true priority date.

ROBERT N. MILLER
UNITED STATES ATTORNEY

By

JOHN E. LINDSKOLD
Attorney, Dept. of Justice
Land and Natural Resources Div.
1961 Stout Street, Drawer 3607
Denver, Colorado 80294

Telephone: (303) 844-3627

STATE OF COLORADO)
) ss:
CITY AND COUNTY OF Denver)

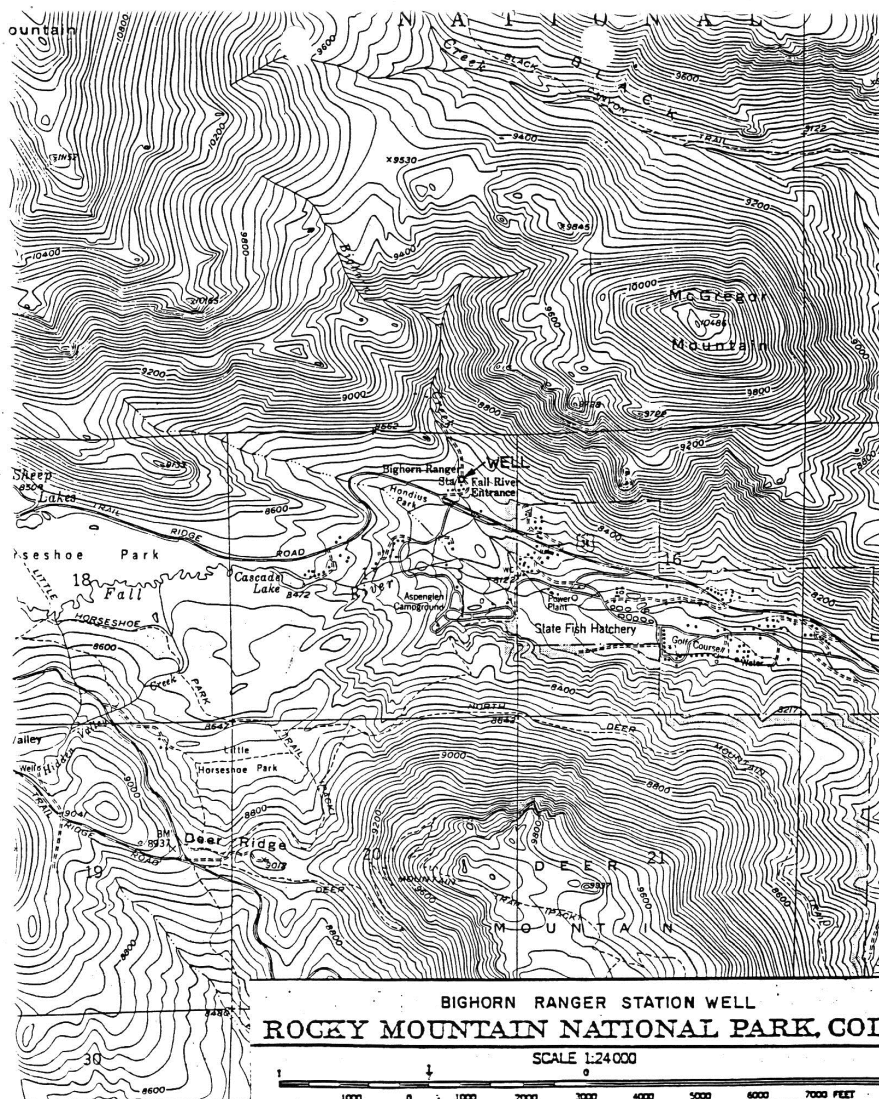
I, Stanley L. Ponce, state under oath that I have read this amended application, and verify its content.

STANLEY L. PONCE

Subscribed and sworn to before me this ____ day of _____, 1984.

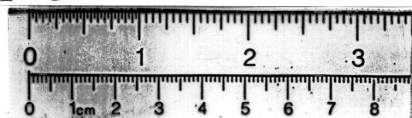
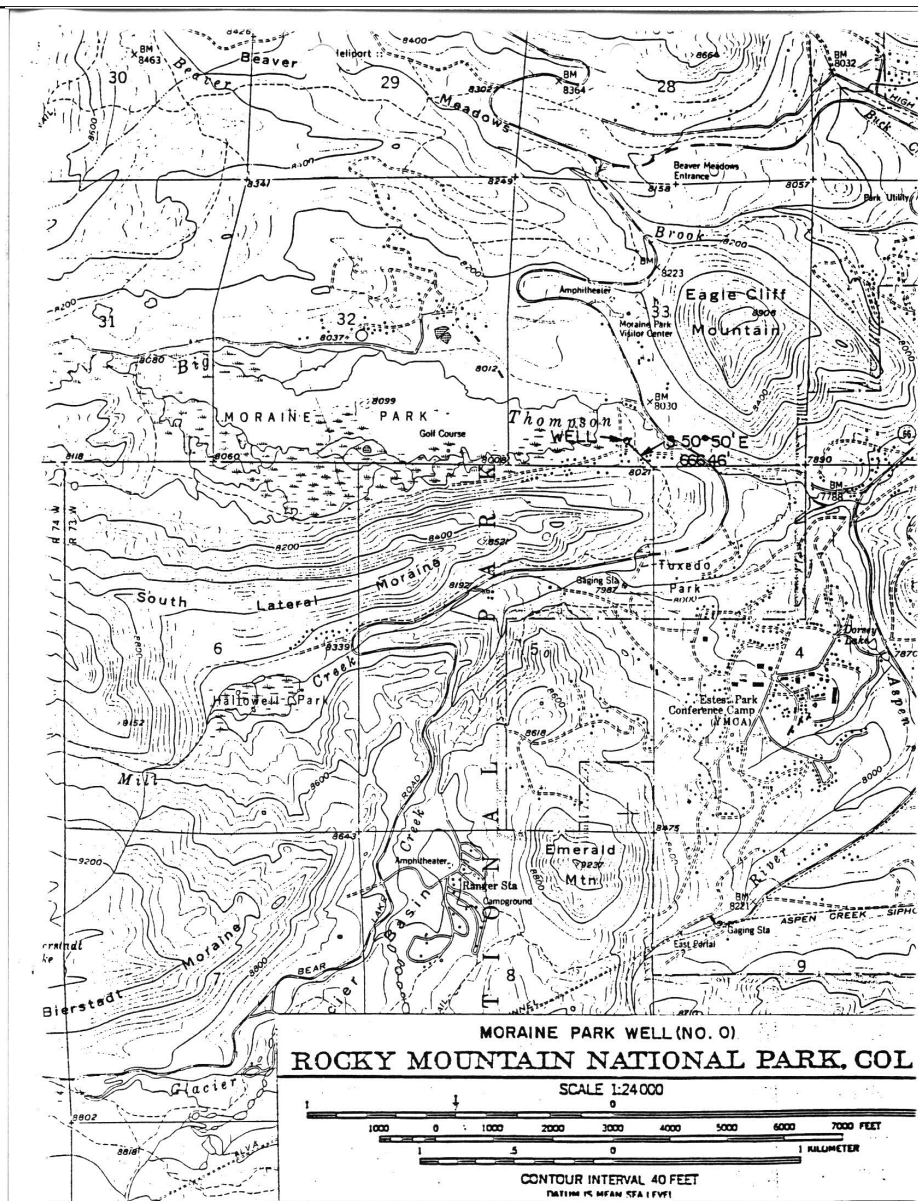
My commission expires:

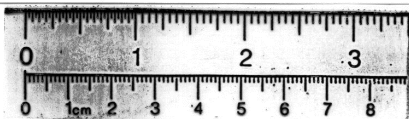
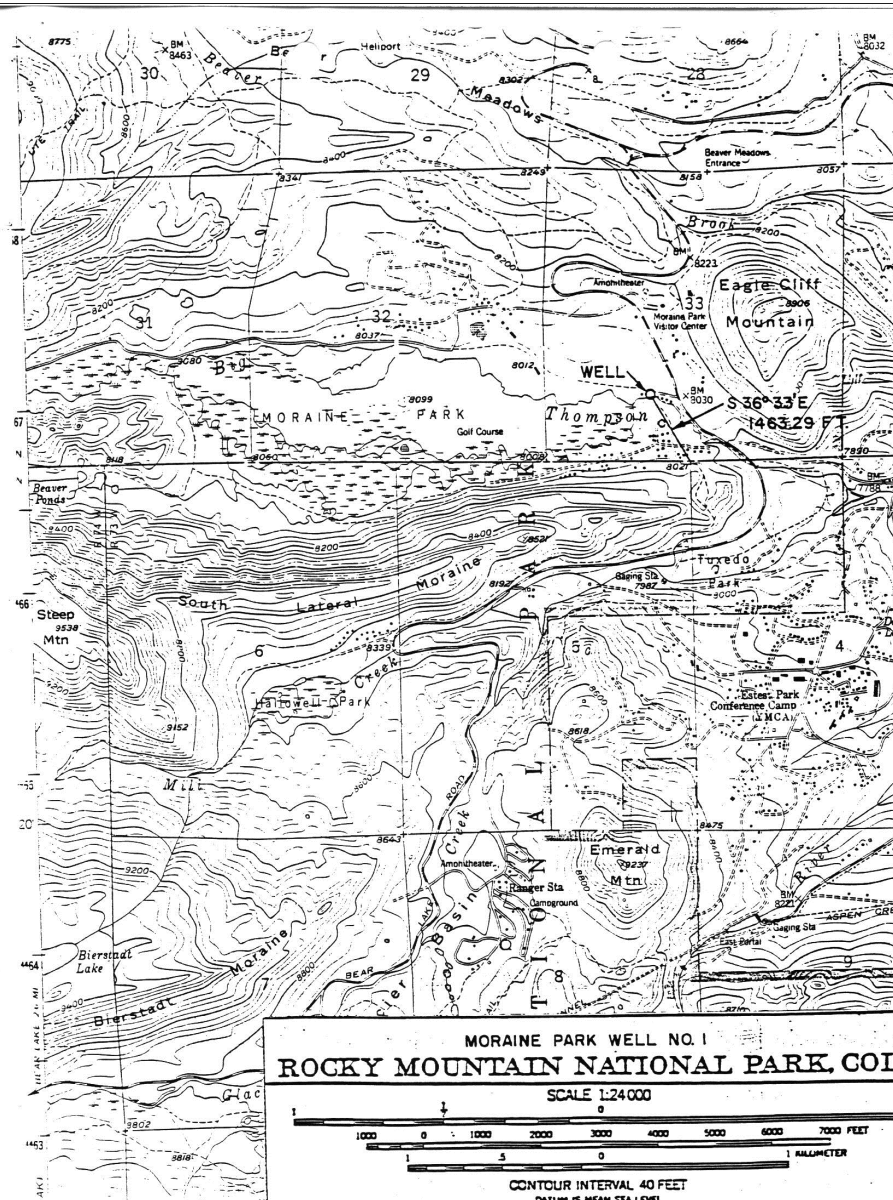
NOTARY PUBLIC

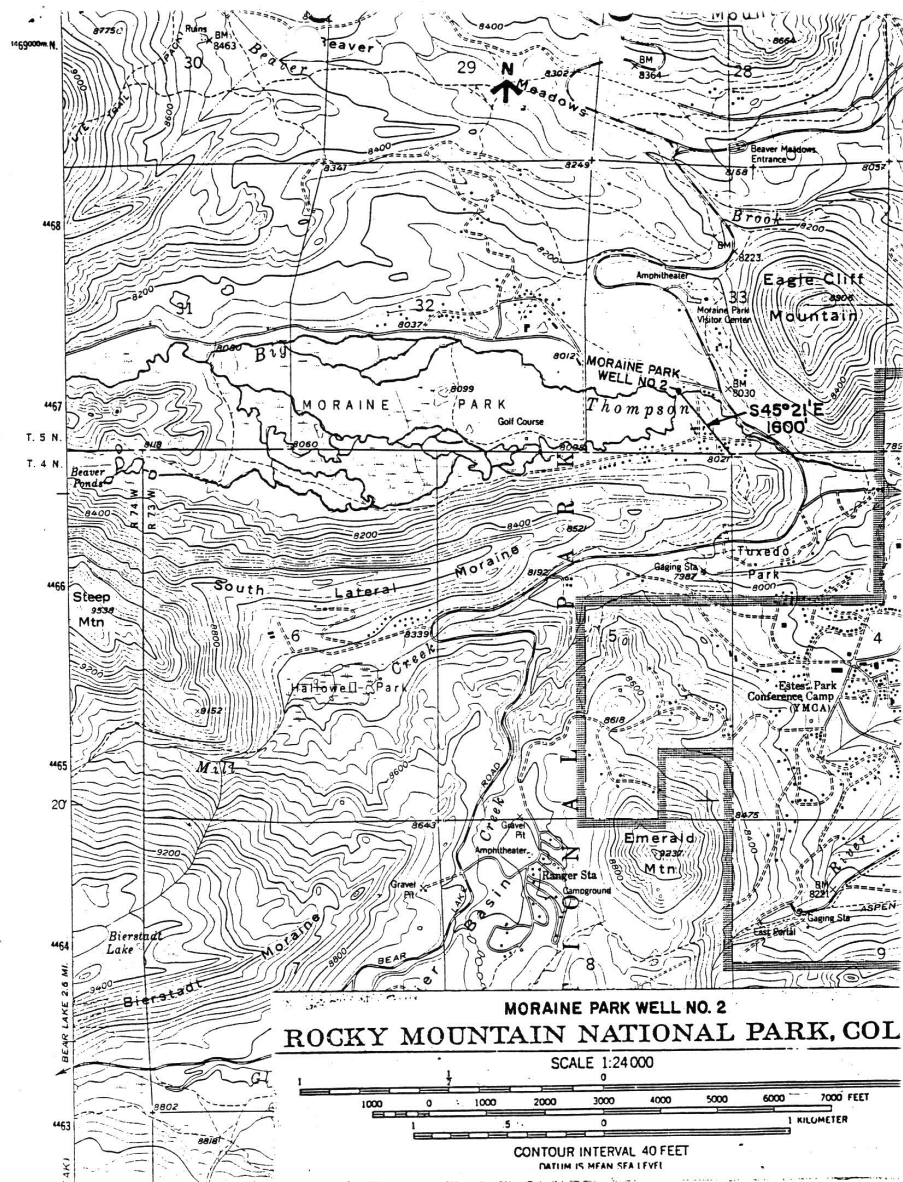


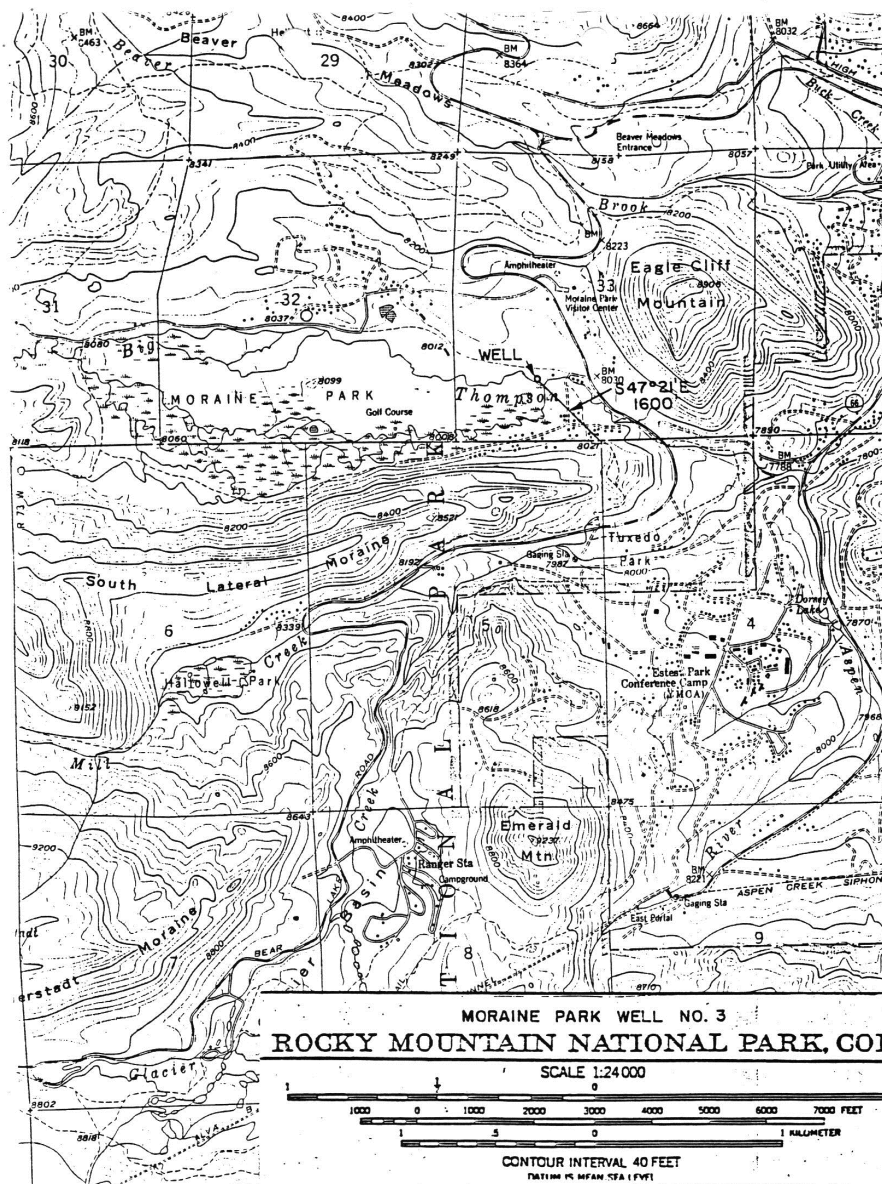
Revised, and published by the Geological Survey, U.S. Department of the Interior, in cooperation with the National Park Service, U.S. Department of the Interior, for the development of the Missouri River Basin.

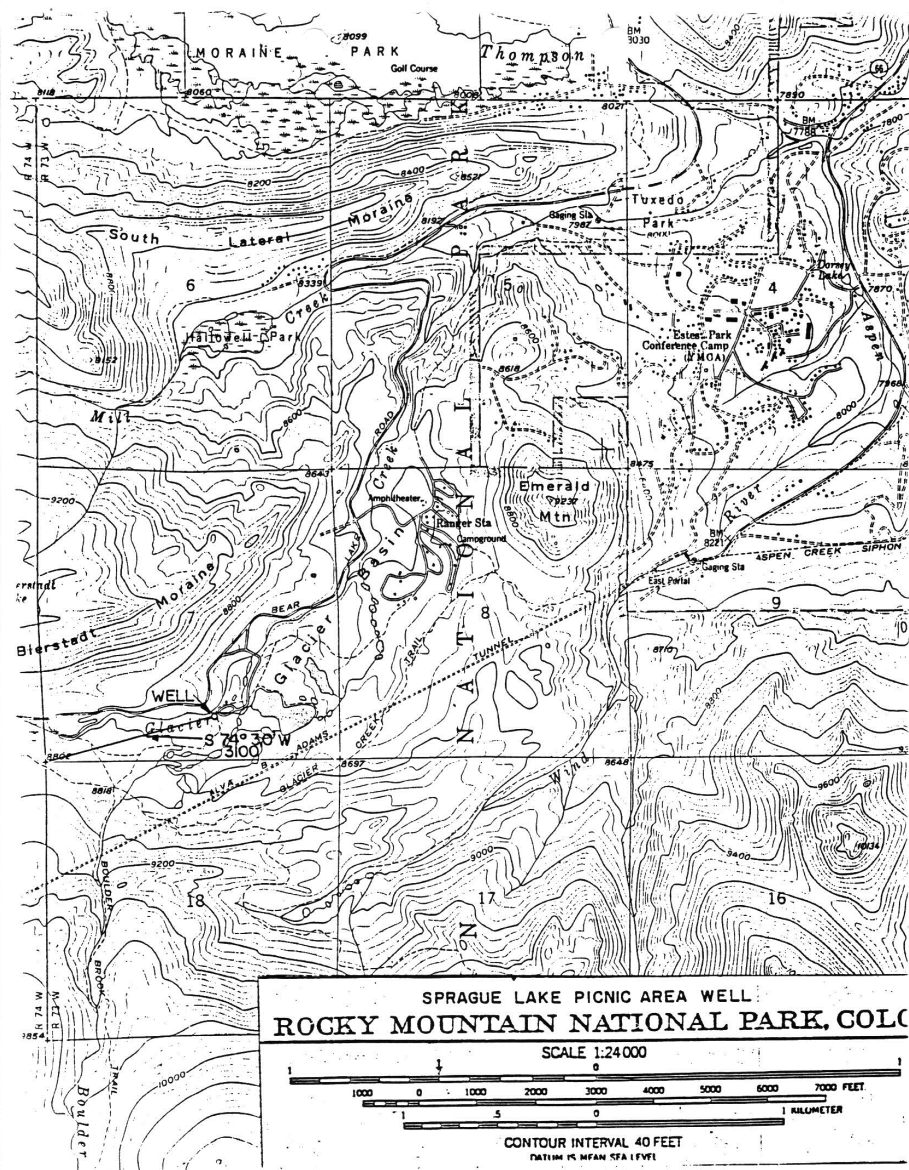


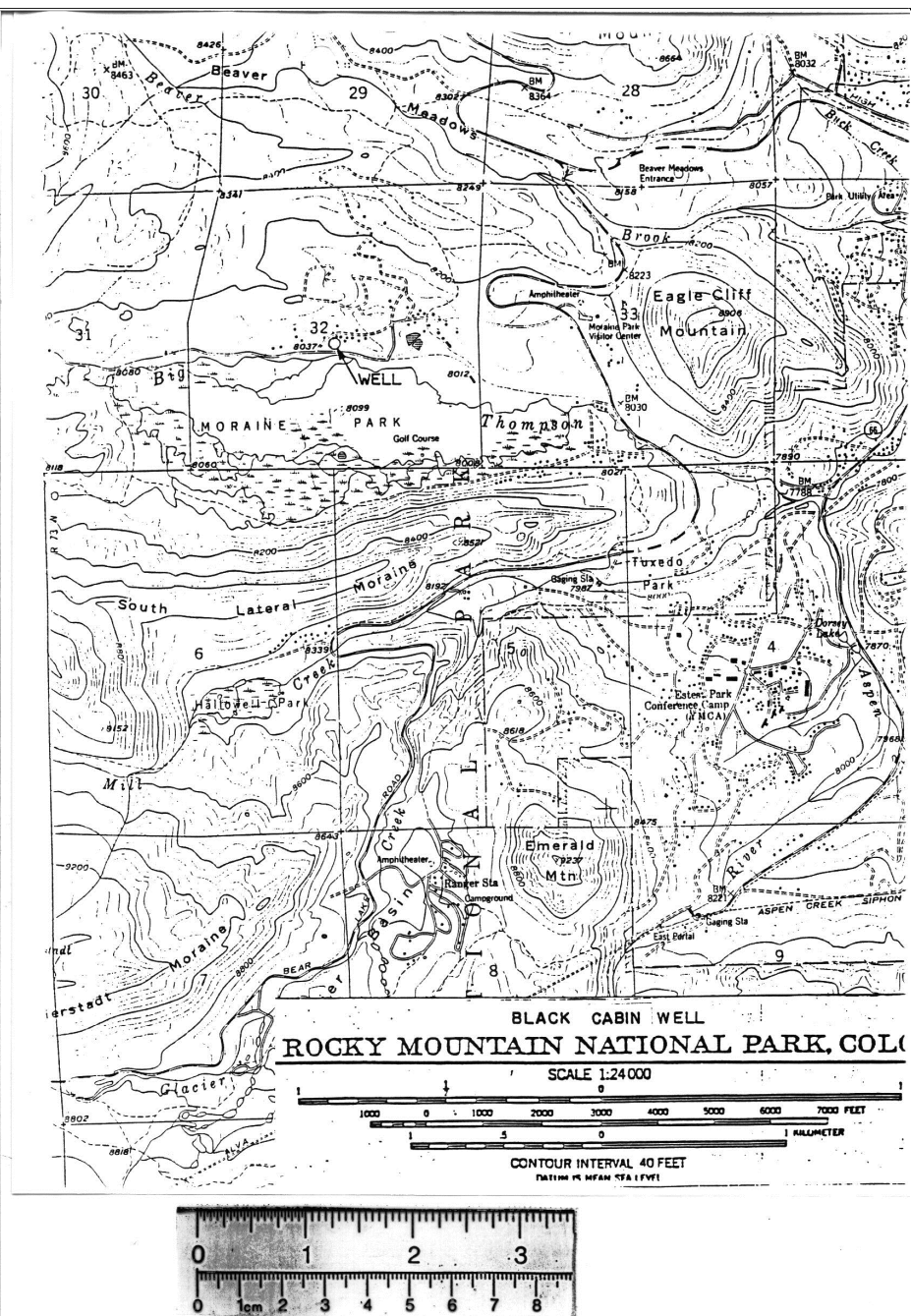


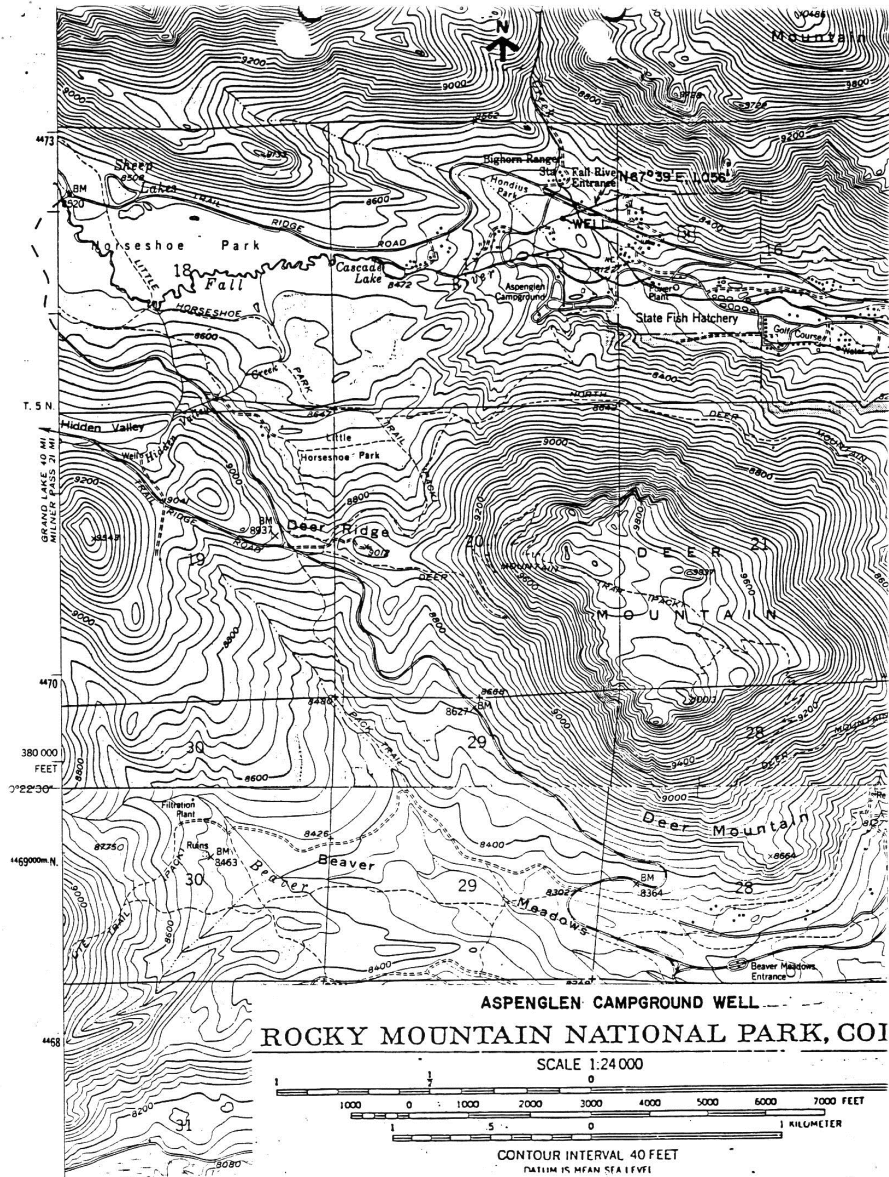




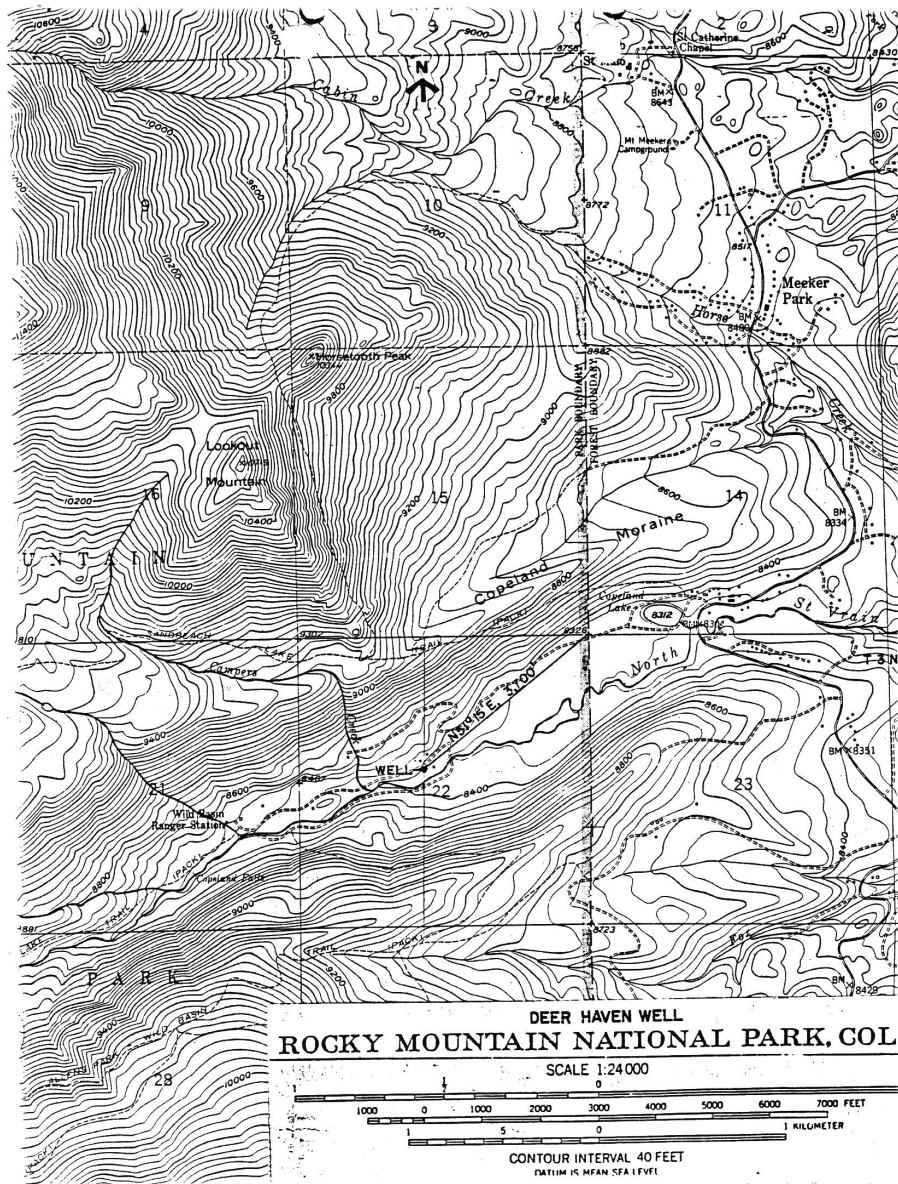












Case No. 8791-77

BLACK CABIN WATER SYSTEM

This is a domestic water system serving only a single residence known as the Black Cabin, #658. The house was built in 1937. Water is supplied by a well which was in use when the property was acquired. The well is located in the NE1/4 SW1/4, S.32, T 5N, R73W, 6th P.M. (See attached map). The well is located 2,375 feet from the south section line and 1,875 feet from the west section line.

It is presumed the well was drilled in about 1937, but the exact date is unknown. Normally there are only two people occupying this residence which is operated seasonally from May through September. Uses are for domestic purposes; there is no irrigation associated with this property. The wastewater system consists of a concrete septic tank and leachfield which returns water to the Big Thompson River.

This property, located near Moraine Park Campground was acquired from Richard and Gladys Black on January 10, 1964. Approximately 2.5 acres of land, a main house of about 1000 square feet, a 300 square foot basement garage plus two small cabins were purchased. The two cabins have since been removed by the NPS.

The well is about 40 feet deep. Original casing, at least at the surface is 6" steel. Production is 12 gpm based on tests taken with the permanent pump installed. Prior to 1989, the wellhead was located in a concrete block pit with a metal cover. The well cap was located about 1 foot below the surface in this pit. In 1989, the concrete block pit was removed and the well casing was extended about 18" above the ground surface in order to comply with health standards. Not knowing the condition or existence of subsurface original well casing, 4" PVC casing was inserted into the well, 20 feet of slotted well screen and 20 feet of solid plastic pipe. A chlorination system and a water meter were also added in 1989.

Based on the above, it is believed that the Black Cabin well should be deemed exempt as provided for in Colorado Statutes, Section 37-92-602(1)(e).

STATE OF CALIFORNIA
County of Santa Clara

I hereby certify that this instrument was filed for record in my office this 10 day of JAN 10 1934 A.D. 1934 at 9 o'clock A.M. and duly recorded in Book 10 Page 10

WITNESSES my hand and the seal of my office this 10 day of JAN 10 1934 A.D. 1934

Notary Public for California

WARRANTY DEED

ROCKY MOUNTAIN
D. 233

Chief, Division of Land and Water Rights
National Park Service

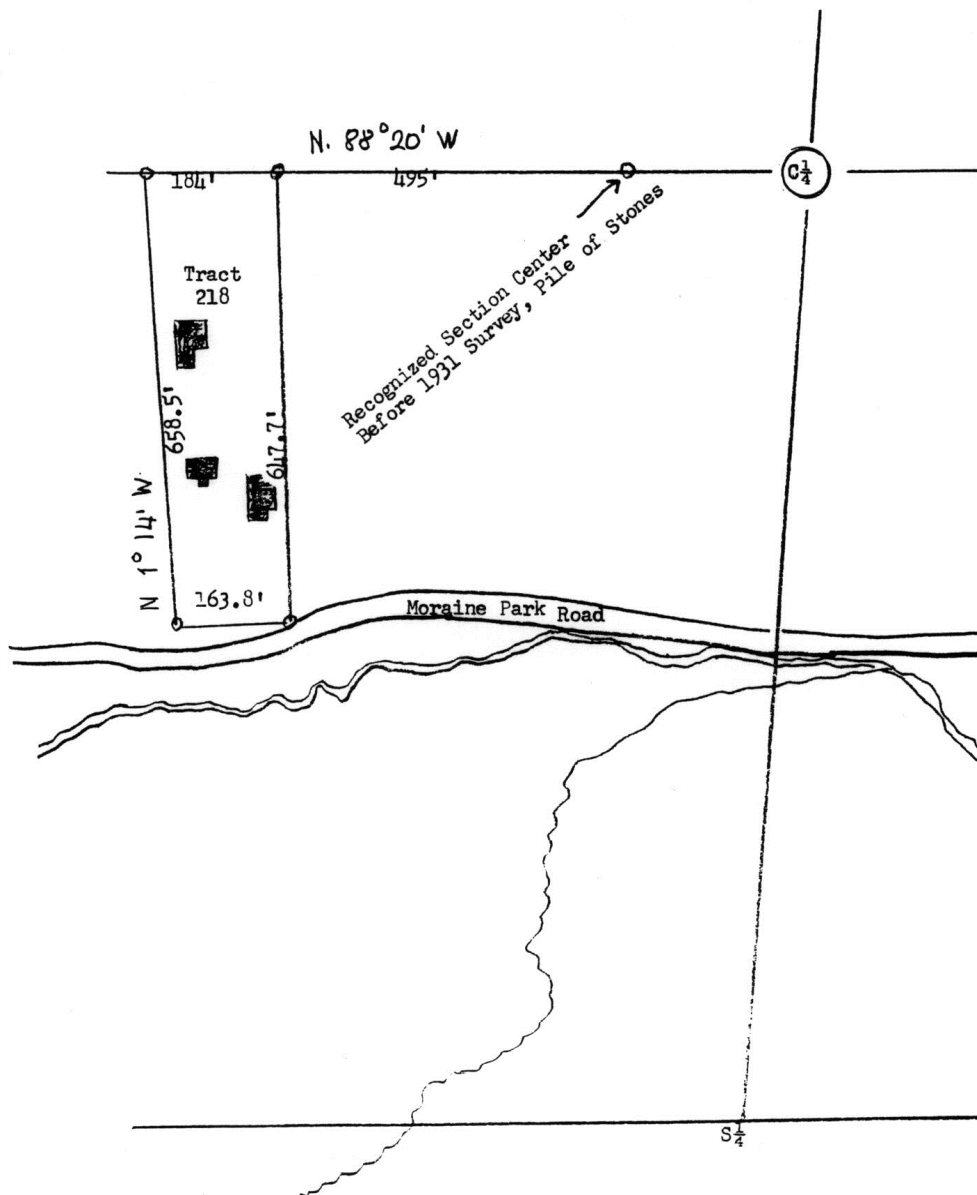
The within deed is accepted on behalf of the United States as of January 10, 1934, under authority conferred in the Department of the Interior and limited Agencies Appropriation Act of 1903 (76 Stat. 315), and authorized in 240 Stat. 111 (27 U.S.C. 5395) and National Park Service Order 29 (88 U.S. 10300), delegating authority to the Chief, Division of Land and Water Rights of this Service to accept deeds.

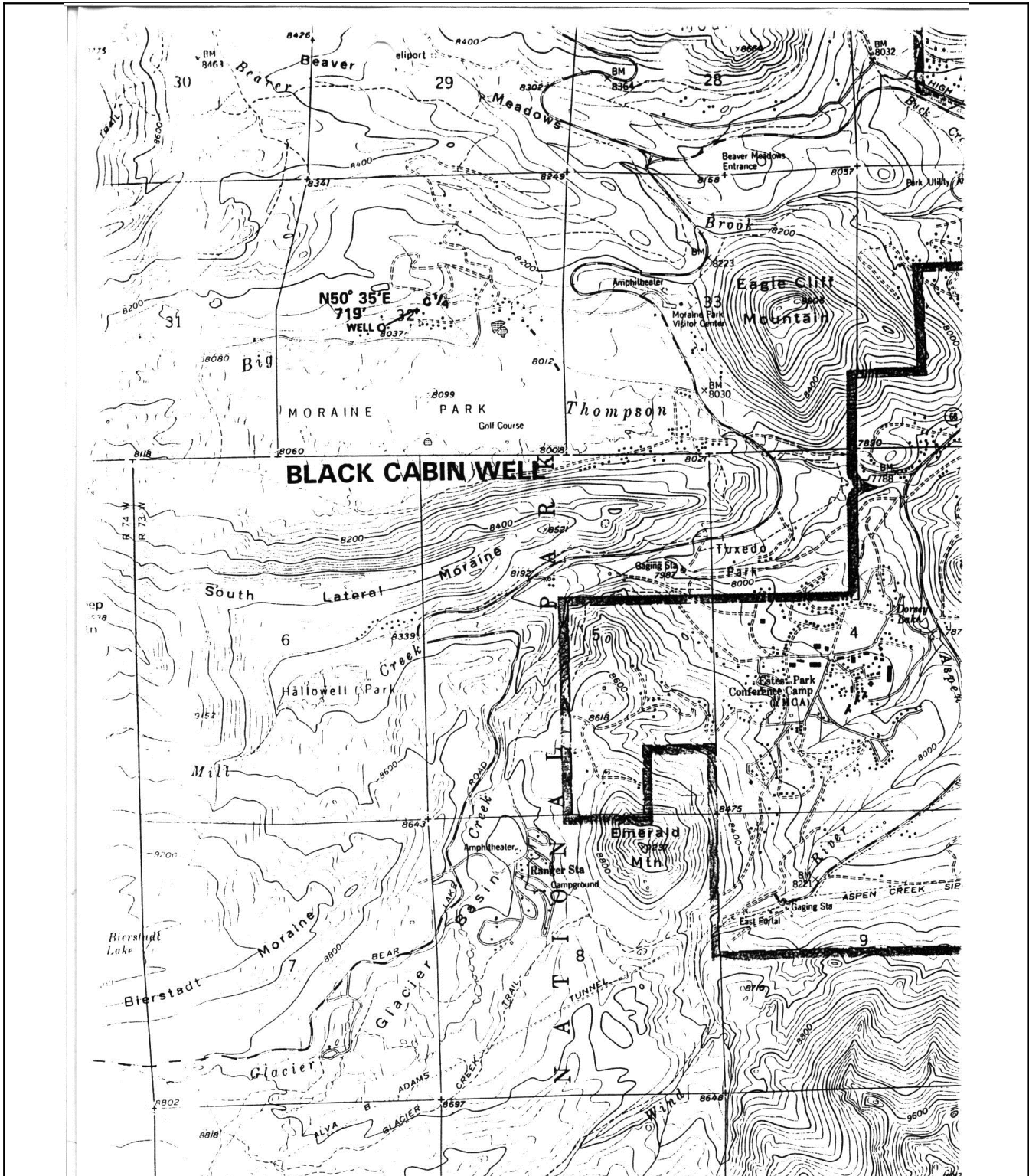
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Rocky Mountain National Park

S $\frac{1}{2}$ Section 32 T5N R73 W of 6th P.M.

Tract 218 - Owned by Richard E. Black and Gladys K. Black





Other Supporting Information



United States Department of the Interior

NATIONAL PARK SERVICE
Rocky Mountain National Park
Estes Park, Colorado 80517



IN REPLY REFER TO:

November 13, 1992

Received NCV 14 1992
Water Referee Branch

Ms. Deirdre Hills
U.S. Department of Justice
Environment and Natural Resources Division
999 18th Street - Suite 945
Denver, CO 80202

Re: Water Division No. 1 - Case Nos. W-8789-77 and W-8791-77(A)

Dear Deirdre:

We have reviewed the above referenced cases and the findings and rulings of the water referee. They are acceptable as written.

Thank you for the opportunity to review these cases.

Sincerely,

[Signature]
for Kenneth Czarnowski
Hydrologist

cc: WRD - Williams
SOL - Canaday
RMR - Wise



Environment and Natural
Resources Division

~~WMC:LAJohnson~~
90-1-2-1377

Denver Field Office
999 - 18th Street
Suite 945
Denver, Colorado 80202

Commercial Number
(303) 294-1900
FTS/330-1900

Telefax Number
(303) 294-1931
FTS/330-1931

January 9, 1992

1-9-92
RECEIVED
WFO - FT COLLINS

Raymond A. Leisman
Water Referee
Water Division No. 1
P. O. Box C
Greeley, CO 80632

Re: W-8789-77 RMNP Deer Haven Well
W-8791-77 RMNP Moraine Park, et al
W-8794-77 RMNP Bear Lake Pipeline No. 3

Dear Ray:

As requested in your letter of October 3, 1991, attached are statements prepared by staff at Rocky Mountain National Park responding to the questions you raised. Also included are copies of applications for well permits or late registration of wells as appropriate.

We request that you defer any decision on Moraine Park Wells Nos. 2 and 3 at this time. Your assistance and patience in these matters is very much appreciated. If you have any questions or need additional information, please call me at 294-1900 or Ken Czarnowski at 586-0131, ext. 263.

Sincerely,

Lynn A. Johnson
Attorney
General Litigation Section

Enclosures

cc: Mr. Owen Williams (w/encls.)
Mr. Ken Czarnowski (w/encls.)
Mr. Ralph Canaday (w/encls.)



L54

December 17, 1991

Lynn A. Johnson, Attorney
U.S. Department of Justice
Environment and Natural Res. Division
999 18th Street
Suite 945
Denver, CO 80202

Dear Ms. Johnson:

Enclosed are statements responding to questions raised by the Water Referee, Water Division 1, regarding selected claimed water rights in the park. Please transmit this information along with the attached copies of well permit applications and late registrations to the Water Referee. A draft transmittal letter has been prepared for your consideration.

If you have any questions, please call Ken Czarnowski at 586-3565, ext. 263. Your assistance in this matter is very much appreciated.

Sincerely,

(Sgd) James B. Thompson

James B. Thompson
Superintendent

Enclosures

cc:

SOL - Canaday

WRD - Williams

RMR - Chaney

DRAFT

Raymond A. Leisman
Water Referee
Water Division No. 1
P.O. Box C
Greeley, Co 80632

Re: W-8789-77 RMNP Deer Haven Well
W-8791-77 RMNP Moraine Park et. al.
W-8794-77 RMNP Bear Lake Pipeline No. 3

Dear Mr. Leisman:

As requested in your letter of October 3, 1991, attached are statements prepared by staff at Rocky Mountain National Park responding to the questions you raised. We have also included copies of applications for well permits or late registration of wells as appropriate.

We request that you defer any decision on Moraine Park Wells Nos. 2 and 3 at this time. Your assistance and patience in these matters is very much appreciated. If you have any questions or need additional information, please call me at 294-1900 or Ken Czarnowski at 586-0131, ext. 263.

Sincerely,

Lynn A. Johnson
Attorney

s/b
Contor
James
Hanks

Rocky Mountain National Park
and
Shadow Mountain National Recreation Area
P. O. Box 1080, Estes Park, Colorado 80517
11425
(Tract 218)

January 21, 1964

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
Memorandum

To: Regional Solicitor, Denver
From: Superintendent, Rocky Mountain

Subject: Review of curative data in acquisition of 2.5 acres of
land, more or less, Tract 218, being acquired from
Richard E. Black, Rocky Mountain National Park

For your review as to the sufficiency of the curative data requested
by the Attorney General in his enclosed preliminary title opinion
dated November 15, 1963, we are attaching the following:

1. Abstract of Title No. 52368.
2. Warranty Deed by which Richard E. Black conveys subject property
to the United States.
3. Certificate of Inspection and Possession signed by Management
Assistant Contor.

The enclosed items should satisfy objections 1, 2, and 3. Objections
4 and 6 will not interfere with the contemplated use of the land.
Objection No. 5 refers to Item 31 of the abstract which defines the
point of diversion of the Stead Ditch. We believe the abstractor
included this because of the somewhat confusing land surveys in the
Moraine Park area. As a matter of fact, the point of diversion of
the ditch is on the south bank of the north branch of the Big Thompson
River, whereas subject property is entirely north of said stream.
Also, Stead Ditch is now owned by the United States and no conflict
would occur.

If examination by your office finds these instruments sufficient for
acceptance of the title by the Attorney General, please notify us so
that we may make payment of the purchase price to the vendor.

(Signed) Allyn F. Hanks

Allyn F. Hanks

Enclosures 4

cc: Regional Director, Midwest Region v/enc. (2)
RJContor:vp

Docket Information

Number of Documents in Docket 39

Documents Dated from 1/21/1964 to 4/12/1993

Docket Compiled: 6/8/2016