



WATER-RIGHT DOCKET

Grand Teton National Park

Docket No: 128

RESERVE CREEK DITCH NO. 2 (P14831.0D) (CR CC41/013)

Preliminary Docket Information

06-28-2017: 14831 Docket Information Summary

DOCKET INFORMATION

Docket #: GRTE 128 Type (PC, APP, RIP, FRR, PWR, GW, ACQ): APP
Docket Title: Reserve Creek Ditch No. 2 (P14831.0D) (CR CC41/013)
Park Unit: GRTE Region: IMR
State: WY County: Lincoln
Source: ☐ Groundwater ☒ Surface Water Source Name: Reserve Creek tributary of Snake River
POD Name / Location: NW1/4, NW1/4, Sec 3, T42N, R116W
POU Name / Location: NW1/4, NE1/4, Sec 3, T42N, R116W & NE1/4, NW1/4, Sec 3, T42N, R116W & SE1/4, NW1/4, Sec 3, T42N
Quantity: 0.21 cfs (include units – gpm, afy, etc.)
Use(s): Irrigation
Permit #: P14831.0D Priority Date: 07/23/1917
License / Certificate #: CR CC41/013 Date Issued: 07/23/1917
Owner: Emma Wallace/Emma Cadwalader

Narrative / Remarks: (history, status, etc)

June 2012 GRTE requested WRB to identify any water rights appurtenant to a parcel of land purchased by the Park in the 1960s from the Barkers. The purchase included a life estate on tract 02-136. An investigation of the Wyoming State Engineer records resulted in four surface water rights and two groundwater rights being identified as having Places of Use appurtenant to the Barker Property. Information regarding the life estate location and the identified water rights is located in the *Other Supporting Information* section of this docket.

WR Number	P3890.0D	
Certificate Number		CR CC31/081
PriorityDate	05/14/1902	05/14/1902
SummaryWRStatus	Fully Adjudicated	Fully Adjudicated
FirstName	JOHN	LOUIS
LastName	STEWART	JOY
FacilityName	Reserve Ditch	RESERVE DITCH
Uses	IRR SW	IRR SW
TwN	043N	043N
Rng	116W	116W
Sec	33	33
Qtr-Qtr	SE1/4SE1/4	SE1/4SE1/4
Survey Type, Survey Number, Survey Suffix		L1
Total Flow(CFS)/ Appropriation(GPM)	1.13	0.21
Stream Source	Reserve Creek	Reserve Creek
Facility type	Stream	Stream
Longitude	-110.768117	-110.768117
Latitude	43.642098	43.642097

Compiled by: J. Chafey Date: 6/28/2017
National Park Service
Water Resources Division, Water Rights Branch
1201 Oakridge Drive, Suite 250
Fort Collins, Colorado 80525

[Print](#)

Permit Summary	
Instrument: FIRST PERMIT ON A FACILITY FOR A DITCH, PIPELINE OR PUMP	
Facility Name: RESERVE CREEK DI	Water Right Status: COMPLETE
Application Number:	Date Accepted for Processing:
Temporary File Number:	Priority Date: 07/23/1917
Permit Number: P14831.0D	Division: 4 District: 16
Proof Number:	SC Original Expiration Date:
Docket Number:	SC Extended Expiration Date:
Order Number:	SC Actual Date:
Certificate Record Number:	BU Original Expiration Date:
Auto Cancellation Date:	BU Extended Expiration Date:
Extended Auto Cancellation Date:	BU Actual Date:
Last Modified By: jsmit161	Last Modified Date: 05/24/2017
Created By:	
General Info	
Type Of Diversion	Supply Type
Stream, Ditch at the Point of Diversion	Original Supply
Prefix	Water Right Number
Suffix	
Appropriator(s)	
Appropriator	Last Name
First Name	Company
City	State
Applicant	WALLACE
EMMA	TETON VILLAGE
	Wyoming
Beneficial Uses	
Beneficial Uses:	
Water Right POD	
Principal Meridian	Township
Range	Section
Quarter	Qtr-Qtr
SurveyType	Number
Primary POD	
06	042N
116W	03
Lot	3
Y	
Stream Source	

Wyoming State Engineer's Office

Page 2 of 2

Source	Tributary Of	Tributary Of	Tributary Of	WR Number Type	WR Number
Reserve Creek	Snake River			P	14831

Water Right POU**Comments**

Created Date	Comment Details	Created by
5/24/2017 2:12:38 PM	Fully Adjudicated. See Board of Control records for adjudicated Points of Use under this permit.	jsmit161
1/1/1800 12:00:00 AM	Remuna AprAmt, AprUnit, Use :0CFSIRR	MIGRATED
1		

Documents

Document Type	Document Name	Document Date	Document Created by	Document Uploaded by	Uploaded Date	View
	Map					
	Micro film					
	Permit					

Remarks**Appropriation Amount****Permitted Amount:**

Total Flow (CFS)	Total Capacity (AF/Yr)	Diversion capacity at the headgate (CFS)
0.210	0.000	3.00

Related Transactions

Instrument Type	Instrument Name	Instrument Code	WR Number Type	WR Number
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[Print](#)

Certificate Summary									
Certificate Info: FIRST PERMIT ON A FACILITY FOR A DITCH, PIPELINE OR PUMP									
Facility Name: RESERVE CREEK DI				Certificate Status: ACTIVE					
Permit Number: P14831.0D				BOC Meeting Date:					
Proof Number: 16310				Priority Date: 07/23/1917					
Docket Number:				Division: 4					
County: TETON				District: 16					
Order Number: OR 05/590				Last Modified Date: 07/07/2010					
Certificate Record Number: CR CC41/013				Last Modified By: dpier					
General Info									
Type Of Diversion:				Supply Type:		Special Cases:			
Stream, Ditch at the Point of Diversion				Original Supply				0.210 CFS	
Appropriator(s)									
Appropriator	Last Name	First Name	Company	City	State				
Applicant	CADWALADER	EMMA		TETON	Wyoming				
Beneficial Uses									
Beneficial Uses: Irrigation-- Surface water									
Water Right POD									
Principal Meridian	Township	Range	Section	Quarter	Qtr-Qtr	SurveyType	Number	Primary POD	
06	042N	116W	03	NW	NWNW	Lot	3	Y	
Stream Source									
Source	Tributary of	Tributary Of	Tributary of	WR Number Type	WR Number				
Reserve Creek	Snake River								
Water Right POU									
Principal Meridian	Township	Range	Section	Quarter	Q-Q	WR Status	Acres	Use	Supply Type
06	042N	116W	03	NE	NWNE	ADJUDICATED	5.000	Irrigation-- Surface water	ORIGINAL
06	042N	116W	03	NW	NENW	ADJUDICATED	5.000	Irrigation-- Surface water	ORIGINAL
06	042N	116W	03	NW	SENW	ADJUDICATED	5.000	Irrigation-- Surface water	ORIGINAL

1

Supply Type	Acres
Original	15.000

Total acres irrigated: 15.000

Comments**Documents**

Document Type	Document Name	Document Date	Document Created by	Document Uploaded by	Uploaded Date	View
	Appropriation Excel					
	Certificate of Record					

Remarks

Appropriation Amount (CFS)

Appropriation AmountPermitted Amount for Surface Water (Irrigation-- Surface water)
Appropriated Amount:

Total Flow (CFS)	Total Capacity (AF/Yr)	Diversion capacity at the headgate (CFS)
0.210	0.000	

Other Info**Active Certificates**

Certificate No.	Applicant Name	Company Name	Appropriation Amount(CFS)	Acres	Summary
CR CC41/013	EMMA CADWALADER		0.210	15	

Inactive Certificates**Related Transactions**

Instrument Type	Instrument Name	Instrument Code	WR Number Type	WR Number
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128

WATER RIGHT RECORD

Docket Number 41

Alien WR Number 18

Water Use Map NP-GT 2174

Sheet Number 1

IDENTIFICATION NO: GRTE R 0 3 4 2 1 1 6 A F 4 1

DITCH/WATER SYSTEM: RESERVE CREEK NO. 2 DITCH

SOURCE OF SUPPLY: Reserve Creek, Tributary of the Snake River

LOCATION:

Legal description and tie:
(Point of Diversion)

Headgate Location: Located in Section 3, Township 42 North, Range 116 West.

WATER RIGHT:

Appropriator: Emma W. Cadwalader

Certificate Record Number: 41-13

Permit Number: 14831

Date of priority: July 23, 1917

Quantity of Water: 0.21 c.f.s.

Purpose: Irrigation

Irrigate Land Description:

(T 42 N, R 116 W)

5 acres - NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35 acres - NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35 acres - SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 3

15 acres - Total

SUMMARY OF STATUS:

The above land was conveyed to the National Park Service by Harry and Margaret Barker by deed dated January 4, 1967, and as contained in National Park Service Deed Number 52.

Now Know Ye, that the Board of Control, under the provisions of Chapter 61, Compiled Statutes of Wyoming, 1910, has, by an order duly made and entered on the 23rd day of November, A. D. 1922, in Order Record No. 5, Page 590, determined and established the priority and amount of such appropriation as follows:

Amount of Appropriation	cu. ft. per sec.	Date of Appropriation	Description of land to be irrigated and for which this appropriation is determined and established; Total Acreage
0.21		July 27, 1917	Fifteen (15) acres

[illegible]

In Testimony Whereof, I, Paul A. Ziegler, President of the State Board of Control, have hereunto set my hand this 23rd day of February, A. D. 1920, and caused the seal of said Board to be hereunto affixed.

ATTEST: _____
Secretary.

President.

16310

DITCH

Proof of Appropriation

UNDER

Permit No. 14831

DIVISION NO. 4 DISTRICT NO. 14

DATE OF PRIORITY
July 23, 1917.

NAME OF STREAM
Reserve Creek 72-116

TRIBUTARY OF
Snake River

DITCH
Reserve Creek No. 2.

NAME OF CLAIMANT
Emma V. Caldwell
formerly Emma A. Wallace.

Filed with me this 12th day of
Sept. 1919.

Superintendent

Filed in this office this 10th day of
Sept. 1919.

Secretary Board of Control

Fees Paid \$ 2.00

STATE ENGINEER'S OFFICE, _____, Wyo., _____ 19____
Cheyenne, Wyoming. Permit No. 14831

Dear Sirs:|

I hereby notify you that the Reserve Creek No. 2 Ditch,
proposing to take water from Reserve Creek
was completed in accordance with the terms of the permit on the
_____ day of June 1919
Emma W. Cadwalader
formerly Emma W. Wallace

1250 P.O.
Sept 12 Wyo., _____ 1919
STATE ENGINEER'S OFFICE, _____
Cheyenne, Wyoming. Permit No. 14831

Dear Sirs:

I hereby notify you that I completed the application of water to
the beneficial uses described in above numbered permit on the
12 day of Sept 1919
Emma W. Cadwalader
formerly Emma W. Wallace

STATE ENGINEER'S OFFICE, _____, Wyo., _____ 19____
Cheyenne, Wyoming. Permit No. 14831

Dear Sirs:

I hereby notify you that work was commenced on the Pearce
Creek to 2 Ditch, proposing to take water from
Pearce Creek, said work having commenced on
the 20th day of October 1914

Emma W. Cadwalader
formally
Emma C. Wallace

The attached deed from Harry C. Barker, Jr. and Margaret S. Barker, husband and wife, recorded January 4, 1967, in the County of Teton, State of Wyoming, is hereby accepted on behalf of The United States of America pursuant to a currently effective delegation of authority this 13th day of FEBRUARY, 19 67.

Bruce J. Miller

Bruce J. Miller, Acting Chief
Office of Land and Water Rights
San Francisco Planning and Service Center
National Park Service

NOTE

TWO DEEDS IN

THIS ASSEMBLY

DEED 52

Harry C. Barker, Jr.
County of Teton,
State of Wyoming,
husband and wife,
do hereby certify that
the attached deed
is a true and correct
copy of the original
deed as recorded in
the County of Teton,
State of Wyoming.

Attest:
Margaret S. Barker,
wife of Harry C. Barker,
Jr., do hereby certify
that the attached deed
is a true and correct
copy of the original
deed as recorded in
the County of Teton,
State of Wyoming.

Parcel A:

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WARRANTY DEED

DEED 52
(PART 2)

Harry C. Barker, Jr., and Margaret S. Barker, husband and wife, of Teton County, Wyoming, grantors, for and in consideration of the sum of four hundred and twenty-nine thousand and seven hundred dollars (\$429,700) in hand paid, the receipt of which is hereby acknowledged, convey and warrant to the United States of America and its assigns, grantees, the following described real estate and property situated in the County of Teton, State of Wyoming, to wit:

All that remaining portion of the real estate and property owned by the grantors on the date of this conveyance and situated within the then established boundaries of Grand Teton National Park, Wyoming, and lying within Sections 3 and 4, T.42N., R.116W., 6th P.M., and Section 34, T.43N., R.116W., 6th P.M., more particularly described as follows:

Parcel A:

- 14.02 All of Lot 1 of said Section 3 except the North 662 feet; - 7.94
 40.00 All of Lot 2 of said Section 3 except the North 662 feet; - 20.00
 40.50 All of Lot 3 of said Section 3;
 34.95 All of Lot 4 of said Section 3 except the West 500 Feet of the South 792 feet;
 40.00 All of the SW 1/4 of said Section 3 except the South 792 feet;
 14.73 All of that portion of Lot 1 of said Section 4 lying East of the centerline (the thread) of Stewart Creek;
 All of that portion of the SE 1/4 of said Section 4 lying East of the centerline (the thread) of Stewart Creek;
 Containing 125.0 acres more or less;

And:

Parcel B:

All that portion of Lot 5 of said Section 34 not previously conveyed and excepting herefrom the following previous conveyances:

(a) Lillian Burnett Barker to V.B. Nichols as recorded in Book 12 of Deeds, Page 39, in the records of the County Clerk of Teton County, Wyoming, more particularly described as beginning at the Northwest Corner of said Lot 5; thence East along the North line of said Lot 5 a distance of 452 feet; thence South 35° 30' West 450 feet; thence South 54° 30' East a distance of 235 feet; thence South 43° 55' West a distance of 294 feet; thence North 40° 11' 30" West a distance of 467 feet; thence South 49° 48' 30" West a distance of 467 feet; thence West 18 feet to a point on the West line of said Lot 5; thence North along the said West line a distance of 671 feet to the point of beginning;

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Parcel B

(b) Lillian Burnett Barker to Leland Curtis as recorded in Book 9 of Deeds, Page 143, and Book 8 of Deeds, Page 505, in the records of the said County Clerk more particularly described as commencing at the Northwest Corner of said Lot 5; thence East along the North line of said Lot 5 a distance of 1,411 feet to the point of beginning; thence West along the said North line a distance of 459 feet; thence South $35^{\circ} 30'$ West 450 feet; thence South $54^{\circ} 30'$ East a distance of 267 feet; thence North $44^{\circ} 06'$ East a distance of 719.7 feet to the point of beginning.

(c) Lillian Burnett Barker to Edward R. and Vivienne B. Flygare as recorded in Book 10 of Deeds, Page 212, in the records of the said County Clerk and more particularly described as follows: Beginning at the Northwest Corner of said Lot 5, thence proceeding South along West boundary of Lot 5 a distance of 472.66 feet; thence South $5^{\circ} 11' 30''$ East a distance of 167.3 feet to Corner No. 1 and the true point of beginning. Thence North $49^{\circ} 48' 30''$ East a distance of 467 feet; thence South $40^{\circ} 11' 30''$ East a distance of 467 feet; thence South $49^{\circ} 48' 30''$ West a distance of 467 feet; thence North $40^{\circ} 11' 30''$ West a distance of 467 feet to the point of beginning.

Said unconveyed lands containing 5.1 acres more or less;

And;

Parcel C:

Commencing at Corner No. 3 of Homestead Entry Survey No. 61 situated in Sections 33 and 34, T.43N., R.116W., 6th P.M., thence Westerly on and along the North boundary of said H.E.S. #61 a distance of 317.9 feet to a point on the said North boundary which is the true point of beginning; thence South 20 feet to the Northeast Corner (Corner No. 4) of the Hartgrave tract as recorded in Book 8 of Deeds, Page 535, in the records of the County Clerk of Teton County, Wyoming; thence West 225.7 feet to the Northwest Corner (Corner No. 2) of the Hartgrave tract as recorded in Book 8, Page 483, in the records of the said County Clerk; thence South $55^{\circ} 00'$ West a distance of 112.2 feet; more or less, to Corner No. 3 of the said Hartgrave tract as recorded in Book 8, Page 483, in said records; thence South $42^{\circ} 30'$ West a distance of 55 feet, more or less, to a point which is East 1,860 feet from the line between Corners 1 and 2 of said H.E.S. #61; thence North 105 feet more or less to the line between Corners Nos. 2 and 3 of said H.E.S. #61; thence East a distance of approximately 462.1 feet on and along the said line between Corners Nos. 2 and 3 to the true point of beginning; containing 0.3 acres, more or less;

Or, a total of 131 acres, more or less, together with all the improvements located thereon.

Subject to right of way easements to the Mountain States Telephone and Telegraph Company, the Lower Valley Power and Light Company, those easements previously granted for purposes of access and egress passing over Parcel C above to previously conveyed lands in said Lot 5 of said Section 34 and as cited above as exceptions to this conveyance,

and an easement to Emily Burgman for an approximate 10 foot intrusion by her former residence as recorded in Book 10 of Mixed Records, Page 300, in the records of the said County Clerk; and excepting and reserving only the following rights and interest in the said property for the period of the lifetimes of the grantors, or for a period of thirty years for their children, whichever is the longer:

(a) the right of use and occupancy of the main residence, the tack shed, the equipment shed, the well building and related roads, utilities and improvements together with an area containing 3.14 acres, described as follows: Beginning at a point on the North line of said Section 3 located North 89° 54' East a distance of 724.62 feet from the corner common to said Sections 3 and 4; thence North 89° 54' East on and along said North line a distance of 441.37 feet; thence South a distance of 803.43 feet; thence South 89° 54' West a distance of 441.37 feet; thence North a distance of 803.43 feet to the point of beginning; and further provided said lands shall be used solely by the grantors or their children for residential purposes for themselves, their children or their guests;

(b) On all of the lands conveyed hereunder the right to graze not to exceed ten head of horses between May 1 and November 30 of each year; and,

(c) On all of the lands conveyed hereunder the right to gather and use dead or fallen trees in reasonable amounts for use as firewood to be consumed on the premises; and;

(d) Further reserving an access right or way containing 1.86 acres and beginning at a point in the center of the Moose-Wilson road located North 66° 53' West a distance of 882.65 feet from the brass cap monument for the corner common to said Sections 3 and 4; thence on and along the center line of the existing access road:

South 19° 34' 30" East a distance of 133.14 feet;
thence South 28° 42' 00" East a distance of 192.50 feet;
thence South 22° 15' 30" East a distance of 285.19 feet;
thence South 01° 11' 30" East a distance of 354.30 feet;
thence South 26° 44' 30" East a distance of 156.03 feet;
thence South 77° 49' 00" East a distance of 99.14 feet;
thence North 69° 06' 30" East a distance of 152.62 feet;
thence South 68° 47' 30" East a distance of 307.11 feet;
thence South 60° 32' 30" East a distance of 220.79 feet;
thence South 76° 44' 00" East a distance of 101.30 feet;
thence South 42° 16' 30" East a distance of 97.31 feet;
thence South 79° 36' 00" East a distance of 100.55 feet;
thence North 60° 21' 30" East a distance of 459.73 feet;

Such right of way to be 30 feet wide, 15 feet on each side of the above described centerline.

In consideration of which the grantors agree for themselves and their children for the lifetimes of the grantors, or for a period of thirty years, whichever is the longer, to:

(a) maintain, protect and preserve in the name of the United States of America all water rights, ditches and ditch rights conveyed under this instrument;

(b) that they and their children shall not sell, assign or make any other attempt to alienate said estate. Should such occur the estate set forth herein shall terminate at the option of the grantee unless consent for such act shall have been given in writing therefore by the grantee;

(c) keep all structures and improvements in good repair, not to suffer or commit waste thereof, nor of said lands, nor to erect additional structures thereon, or substantially alter existing structures and improvements, except with the written consent of the grantee;

(d) use ordinary care to prevent fires from originating on the premises, use their best efforts to have all such fires and fires originating on adjacent premises extinguished and to notify immediately the agent of the grantee of the existence of such fires;

(e) to carry such insurance against losses by fire or other hazards as is customary and prudent among landowners or lessees of similar property, and;

(f) to use said lands and improvements in a manner consistent with the policies governing the National Park Service.

Being acquired for the National Park Service, together with all and singular the tenements, hereditaments, appurtenances, and improvements thereon or thereunto belonging, including all mineral and all water and water rights and privileges, and ditches and ditch rights, if any, and all rights of way thereto.

DEED 52
(PART 1)

WARRANTY DEED

Harry C. Barker, Jr., and Margaret S. Barker, husband and wife, of Teton County, Wyoming, grantors, for and in consideration of the sum of one hundred and fifty thousand dollars (\$150,000) in hand paid, the receipt of which is hereby acknowledged, convey and warrant to the United States of America and its assigns, grantees, the following described real estate and property situated in the County of Teton, State of Wyoming, to wit:

That part of Homestead Entry Survey No. 61 in Section 34, T.43N., R.116W., 6th P.M. not previously described for the purpose of conveyance of property, located in said Section 34 and more particularly described as follows: Beginning at Corner No. 6 of said H. E. S. No. 61, thence Westerly on and along the south line of said H. E. S. No. 61 a distance of 2,092 feet; thence North 959 feet, to a point of intersection with the south line of the Theodore C. Hartgrave tract; thence South 80°00' East on and along the said south line 461.5 feet, to the southeast corner of the said Hartgrave tract; thence South 01°02' West a distance of 11 feet to the southwest corner of the property conveyed to the United States of America by Mrs. Eileen M. Hunter in that certain deed dated July 27, 1960 and recorded

RECORDED 2/16 1966 AT 11:25 A.M. L.C.C.
IN BOOK 14 OF Deeds PAGE 26
NO. 88001 COUNTY CLERK

8

in Book 11 of Deeds at page 239 in the records of Teton County, Wyoming; thence East on and along the south line of the said property conveyed to the United States of America by the same deed dated July 27, 1960, 1,640 feet to the east line of said H. E. S. No. 61; thence South on and along the said east line 868 feet, to the point of beginning; containing 42 acres, more or less,

And also, the north 662 feet of Lots 1 and 2 of Section 3, T.42N., R.116W., 6th P.M., containing 28 acres, more or less, for a grand total of 70 acres, more or less.

Subject to right of way easements to the Mountain States Telephone and Telegraph Company and the Lower Valley Power and Light Company; and excepting and reserving only the following rights and interests in the said property:

The right of use for themselves and their children for the lifetimes of the grantors, or for a period of thirty years, whichever is the longer, for the following only; (a) the grazing of not to exceed ten head of horses between May 1 and November 30 of each year; (b) the gathering of reasonable amounts of dead or fallen trees for use as firewood to be

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consumed by themselves; (c) the right of access to maintain water rights appurtenant to the said lands and other lands now owned by the grantors.

In consideration of which the grantors agree for themselves and their children for the lifetimes of the grantors, or for a period of thirty years, whichever is the longer, to:

(a) maintain, protect and preserve in the name of the United States of America all water rights, ditches and ditch rights conveyed under this instrument; (b) keep all improvements in good repair, not to suffer or commit waste thereof, nor of the said lands, nor to erect additional structures or substantially alter existing improvements except with the written consent of the grantees; (c) use ordinary care to prevent fires from originating on the premises, use their best efforts to have all such fires and fires originating on adjacent premises extinguished and to notify immediately the agent of the grantee of the existence of such fires; and (d) use said lands and improvements in a manner consistent with the policies governing the National Park Service.

Being acquired for the National Park Service, together with all and singular the tenements, hereditaments, appurtenances, and improvements thereon or thereunto belonging, including all mineral and all water and water rights and privileges, and ditches and ditch rights, if any, and all rights of way thereto.

Hereby releasing and waiving all rights under and by virtue of
the Homestead Exemption Laws of the State of Wyoming.

Dated this 16th day of February, 1966.

Harry C. Barker, Jr.
Harry C. Barker, Jr.

Margaret S. Barker
Margaret S. Barker

STATE OF WYOMING)
COUNTY OF TETON) SS

On this 16th day of Feb., 1966, before me personally
appeared Harry C. Barker, Jr., to me known as the person described
in and who executed the foregoing instrument, and acknowledged
that he executed the same as his free act and deed.

R. Stewart
Notary Public my com. exp. 6/24/67

My commission expires on:

STATE OF WYOMING)
COUNTY OF TETON) SS

On this 16th day of Feb., 1966, before me personally
appeared Margaret S. Barker, to me known as the person described
in and who executed the foregoing instrument, and acknowledged
that she executed the same as her free act and deed.

R. Stewart
Notary Public

My commission expires on: June 22, 1967.



Office of the Attorney General
Washington, D. C.

February 2, 1967

Honorable Stewart L. Udall
Secretary of the Interior
Washington, D. C.

My dear Mr. Secretary:

Re: File No. 33-52-233-1
Tract No. B of Tracts Nos. 4-A and 4-A-1
County Teton State Wyoming

An examination has been made of the title evidence and related papers pertaining to certain land in which interests have been acquired under authority of existing legislation. The land and estate acquired by the United States are more particularly described in the enclosed deed.

The title evidence and accompanying data disclose valid title to be vested in the United States of America subject to the rights and easements noted in Schedule A attached hereto which your Department has advised will not interfere with the proposed use of the land.

The title evidence and related papers are enclosed.

Sincerely yours,

Samuel Black
Acting Attorney General

SCHEDULE A

File No. 33-52-233-1

Tract B of Tracts Nos. 4-A and 4-A-1

Project: Grand Teton National Park located in Teton County,
Wyoming

Estate Acquired: Fee

Acreage: 131 acres

not been

Consideration: \$429,700.00

The deed to the United States of America was executed by Harry C. Barker, Jr., and Margaret S. Barker, husband and wife, on October 3, 1966, filed for record on January 4, 1967, and recorded in Book 14 at page 244.

The abstract of title was last satisfactorily certified as of January 6, 1967, by Teton Land Title Company.

The title is subject to the following:

1. Existing easements for public roads, highways, railroads, pipelines, utilities, ditches, canals, flumes, telephone and telegraph and power transmission lines, including, but not limited to existing rights of way of the Mountain States Telephone and Telegraph Company and the Lower Valley Power and Light Company; and easements for access and egress passing over Parcel C, to previously conveyed lands in Lot 5 of Sec. 34 and an easement to Emily Burgman as recorded in Book 10 of Mixed Records, page 300.

-2-

2. Reservation by the grantors of the right to occupy the premises as set forth in the deed to the United States.
3. Reservation by the grantors of an access right of way as set forth in the deed to the United States.

It is noted that the purchase price for the land has not been paid.

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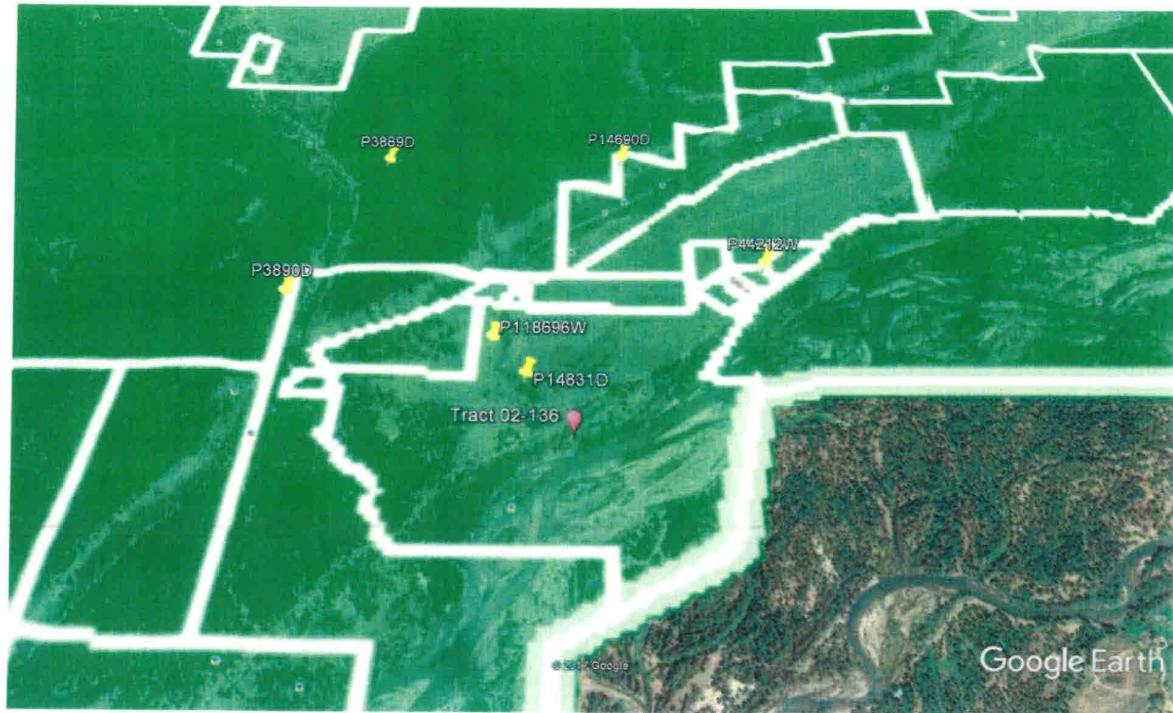
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Other Supporting Information



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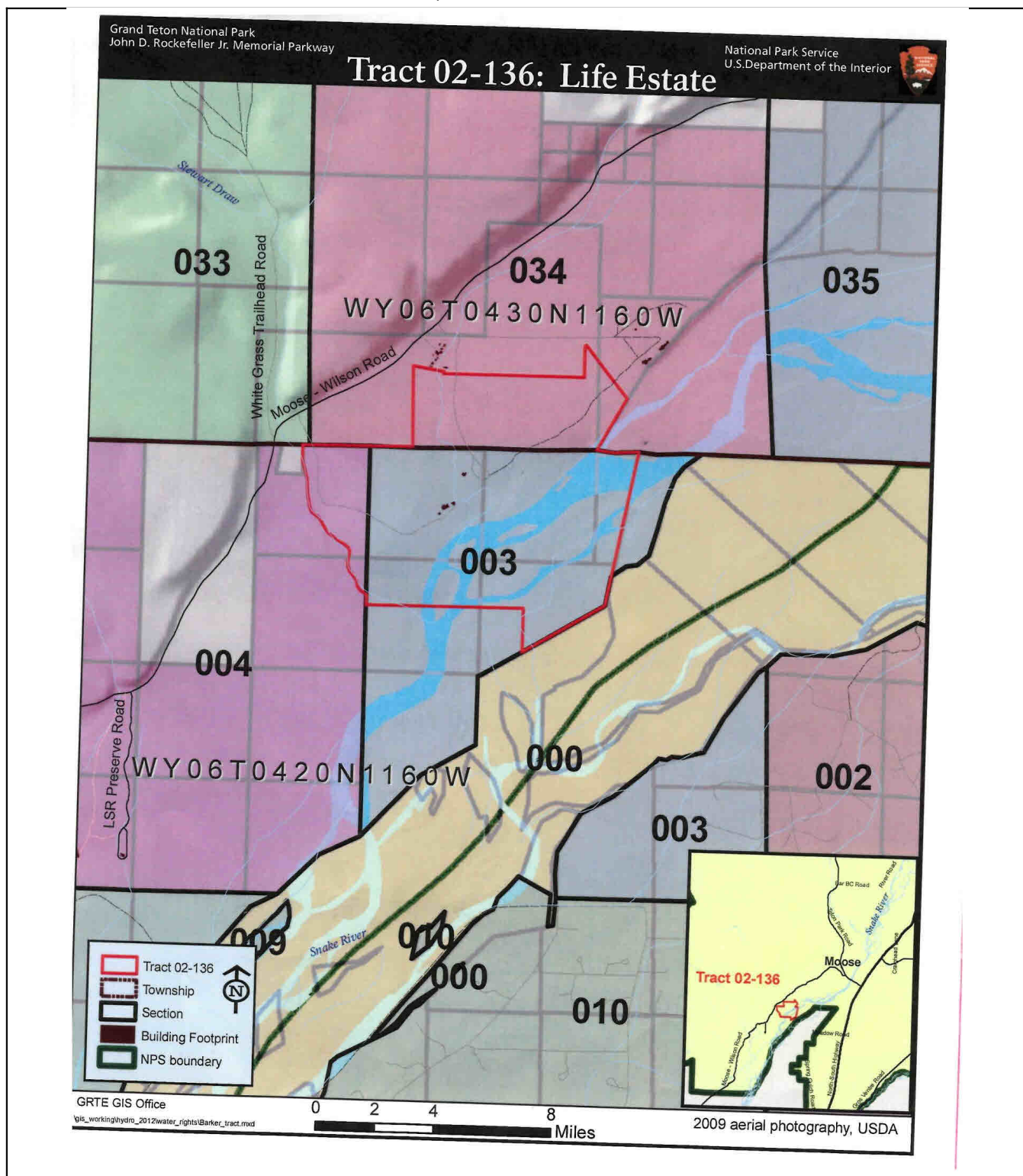
GRAND TETON NATIONAL PARK
Water Rights Appurtenant to Barker Parcel

Permit	Source	Amount	Purposes	Facility	Status	Place of Use
SURFACE WATER						
P1483ID	Reserve Creek	0.21 cfs	Irrigation	Reserve Creek Ditch No. 2	Adjudicated	NW NE (Sa), NE NW (Sa), SE NW (Sa), Section 3, T42N, RI 16W
P14690D	Reserve Creek	0.76	Irrigation; Domestic	Trse No. 2 Ditch	Unadjudicated	SE SW (30a) Section 34, T43N, RI 16W
P3889D	Stewart Creek	0.71	Irrigation; Domestic	Stewart Ditch	Adjudicated	NW NW (30 a), SW NW (20 a), Section 3, T42N, RI 16W
P3890D	Stewart Creek		Irrigation; Domestic	Stewart Ditch	Unadjudicated	NE NE, SE NE, Section 4, T42N, RI 16W (Wyo. SE records indicate this has expired.)
P3890D	Reserve Creek	0.21 cfs	Irrigation	Reserve Ditch	Adjudicated	NE NE (iOa), SE NE (Sa) Section 4, T42N, RI 16W
GROUNDWATER						
P44212W	Well		Domestic	O'Brien #1	Complete	SW SE Section 34 (River Lot 5), T43N, RI 16W (It's not entirely clear that this is located within the Barker Property.)
P118696W	Well		Bottled Water	1-102	Complete	Point of Diversion: Homestead Entry #61, SE SW Section 34, T43N, RI 16W (It's not entirely clear that this is located within the Barker Property.)

An "adjudicated" right is one for which an application has been made, a permit granted, proof of beneficial use has been filed, and a certificate issued reflecting the beneficial use. The amount certificated may be less than the amount permitted. This will leave some lands authorized for irrigation under the permit for which no certificate has been issued. This is an "unadjudicated" right.

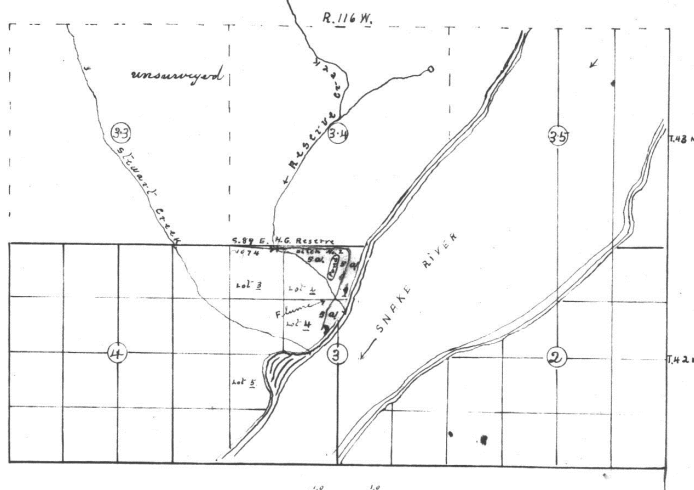
An "unadjudicated" right is the same except no proof of beneficial use has been filed and/or no certificate has been issued. In some instances, proof of beneficial use has been filed but the right holder did not thereafter pursue a license nor had one issued. Unadjudicated right exist on the books but are likely worthless given that any attempt to revive them would likely be defeated due to nontuse. The SE considers them to be expired.

Compiled by Eric Lord, WRB - WRD
June 2012



Maps and Miscellaneous Information

Map to accompany application of Emma A. Wallace of Eaton
Wyoming. Scale 2 1/2 miles.
Reserve Ditch No. 2, taking water from Reserve creek
Legend — ~~See~~ ~~See~~ ~~See~~ lands to be irrigated from proposed ditch.



Grade 3 per 1000 feet
velocity 1.5 feet per second
capacity 3 cubic feet per second
length 0.7 mile
magnetic variation 19.5° East

State of Wyoming
County of Lincoln S.S.

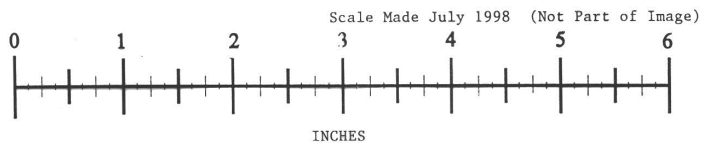
I, Otto E. Williams of Jackson Wyoming, hereby certify
that this map was made from notes taken by me during an actual survey
made by me on September 19-1916, and that it correctly represents the
irrigation works described in the accompanying application, together
with a meander of streams, and shows accurately the location and
area of the lands proposed to be irrigated in each subdivision.

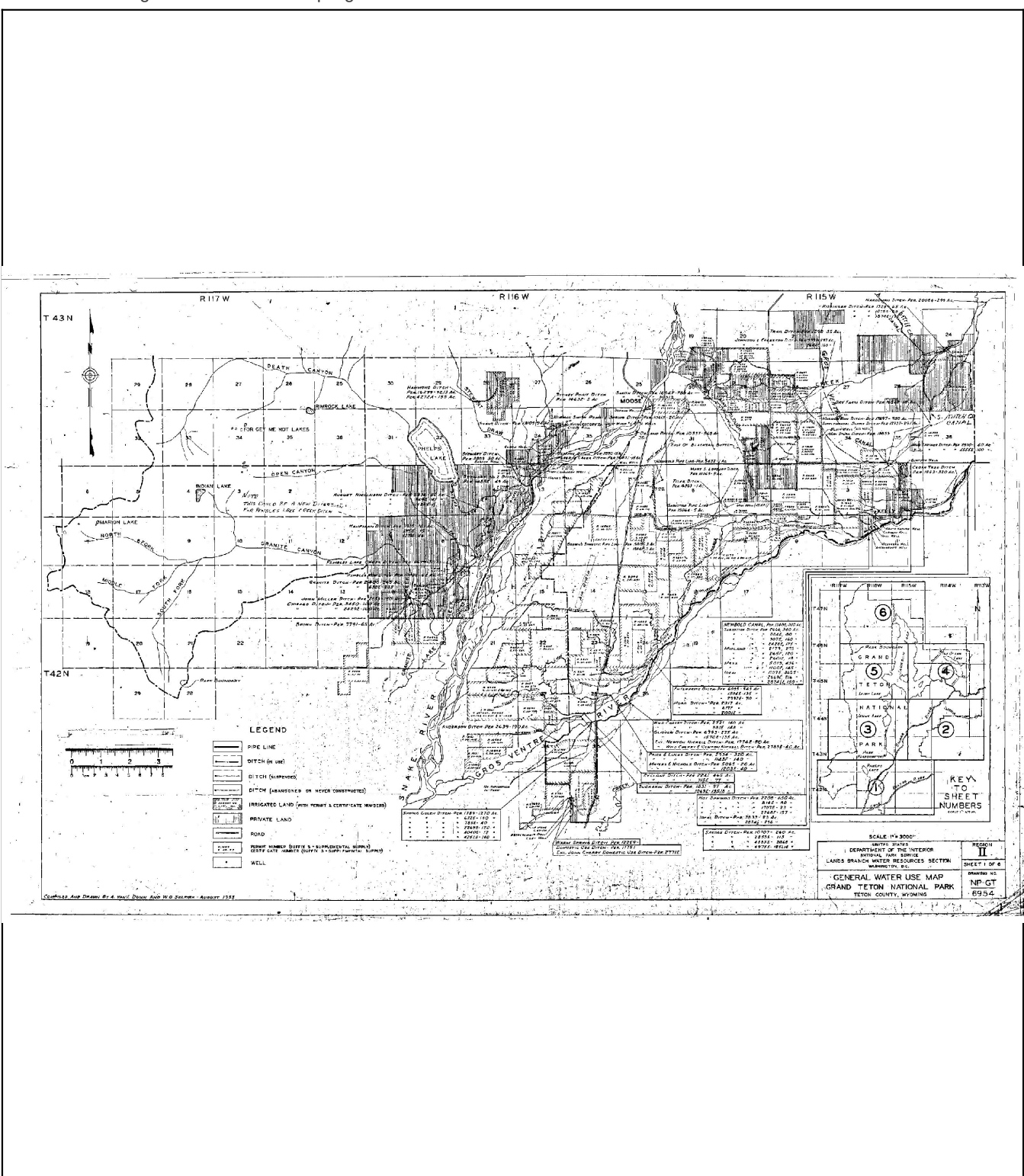
Otto E. Williams
Surveyor No. 176.

Approved September 25th 1917

J. O. Dine
State Engineer.

1483/12
11/30/21





Docket Information

Number of Documents in Docket 29

Documents Dated from 10/20/1914 to 6/28/2017

Docket Compiled: 7/6/2017