

**Water Rights Due Diligence Memo**  
Willow Creek Conservation Easement  
(compiled by Susan Lohr, July 8, 2025)

**General Information**

1. *The water rights associated with the property are:*

The Willow Creek property does not have any developed water resources. No deeded water rights are associated with the property.

2. *The following conservation values associated with this property require irrigation water rights:*

None of the conservation values require irrigation water rights.

3. *Whom did you interview about the water used on the property? What other sources did you use to gather information on the water rights? Confirm that the water rights are owned by the landowner and are being used in accordance with the decrees and that the water rights are not abandoned or in danger of being abandoned. Discuss findings and any issues.*

N/A

4. *Is there a mortgage or deed of trust on the property? If the mortgage covers the water in addition to the land, confirm that the lien holder has agreed to subordinate the mortgage, including the water, to the conservation easement. Does the mortgage restrict the grantor's ability to encumber the land or water rights?*

No, there is no mortgage or deed of trust on the property.

5. *Describe any outstanding ownership issues (gaps in the chain of title, encumbrances, etc.) and how your organization plans to address them.*

There are no outstanding ownership issues. There are no gaps in the chain of title and no encumbrances.

6. *Describe your organization's findings regarding the extent of actual historical use of and the physical and legal reliability of the water rights.*

No water rights are currently associated with this property. Water rights appeared in previous deeds for the property but were formally abandoned in 1985 and 1989. See Table 1 below for those water rights.

7. *Briefly describe your organization's plan for monitoring the encumbered water rights.*

There are no encumbered water rights.

**Surface Water**

1. *Provide:*

– *The name of each ditch or reservoir:*

N/A

– *The decreed amount of water and the average amount of water (in AF or cfs) from each ditch or reservoir that has historically been used on the land:*

N/A

– *The number and location of the irrigated acres.*

N/A

– *Whether the ditch or reservoir is part of an incorporated ditch or reservoir company. If so, provide the name of the company and the number of shares owned by the landowner. Have you acquired and reviewed the articles of incorporation and bylaws of the ditch or reservoir companies?*

N/A

2. *If the ditch or reservoir has not been incorporated, how is it managed?*

N/A

3. Are any water rights delivered under a contract? Have the parties to the contract been notified?  
N/A

**Wells**

There are no wells associated with the property. Permits to construct six wells were filed in 1995 but the wells were never constructed. The permits were numbers 192005, 192006, 192007, 192008, 192009 and 192010.

**Other sources of water**

1. List other decreed sources of water used on the property not already discussed (including springs, waste water, stock ponds, etc.).

The stretch of Willow Creek that flows from south to north through the property is subject to a Colorado Water Conservation Board instream flow decree from 2010 for 2.3 cfs from April 1 – June 30 and 0.5 cfs from July 1 – March 31. The stated purpose of the decree is to “to preserve the natural environment to a reasonable degree.”

2. List sources of water on the property that are not associated with a right, contract, permit or shares (including seeps, wetlands, waste water, subirrigation, springs, stock ponds, ditches, etc.).

The National Wetlands Inventory shows 6.5 acres of Forested/Shrub Wetlands and 0.75 acres of Freshwater Emergent Wetlands along Willow Creek. The property is not in a mapped flood plain. There are no springs, seeps, waste ditches, subirrigation, stock ponds or ditches on the property.

**Conditional Water Rights (rights that have a priority date, but that have yet to be perfected)**

For any water right associated with the property that is conditional, provide the case number in which the water right was first adjudicated and any subsequent decrees associated with the right.

N/A

**Table 1. Water Rights Summary Table (copies of original decrees are included in the Addenda)**

Water Right Decree / Court Cases	Amount (cfs)	Irrigated Acres (Decree)	Decreed Use	Adj. Date	App. Date	Priority No. / Admin. No. / Notes
<b>Mergelman Ditch (Ditch No. 31):</b> WDID = 6201060. Source: Gunnison River. Stream mile 143.39. Diversion T49N R2W S26: NE4NE4NW4, NMPM, UTMX 320973.7, UTM Y 4261544.3.						
CA1319 (DWR 126982) 84CW0311 (DWR 2616420)	4.69	Not stated	Irrigation	3/28/1904	9/1/1882	Priority No. 31 11932.00000 Cancelled 8/8/1989 (Claimed by the U.S. as storage in Blue Mesa, then stipulated as cancelled).
<b>Mergelman No. 1 Ditch (Ditch No. 11):</b> WDID = 6200679. Source: Willow Creek, tributary to Gunnison River at stream mile 142.4. Diversion T49N R2W S34: NW4NW4NE4, NMPM, UTMX 319837.3, UTM Y 4259933.7.						
CA1319 (DWR 126982) 84CW0093 (DWR 2569698)	1.57	Not stated	Irrigation	3/28/1904	5/1/1878	Priority No. 11 10348.00000 Abandoned 12/30/1985
<b>Mergelman No. 2 Ditch (Ditch No. 3):</b> WDID = 6200680. Source: Willow Creek, tributary to Gunnison River at stream mile 142.42. Diversion T49N R2W S34: NW4NW4NE4, NMPM, UTMX 319837.3, UTM Y 4259933.7.						
CA1319 (DWR 126982) 84CW0093 (DWR 2569698)	1.57	Not stated	Irrigation	3/28/1904	5/20/1876	Priority No. 3 09637.00000 Abandoned 12/30/1985
<b>Mergelman No. 3 Ditch (Ditch No. 10):</b> WDID = 6200681. Source: Willow Creek, tributary to Gunnison River at stream mile 142.09. Diversion T49N R2W S28: SW4SW4SW4, NMPM, UTMX 317667.1, UTM Y 4260235.5.						
CA1319 (DWR 126982) 84CW0093 (DWR 2569698)	0.53	Not stated	Irrigation	3/28/1904	4/15/1878	Priority No. 10 11932.00000 Abandoned 12/30/1985



June 26, 2025

<b>Wetlands</b>					
	Estuarine and Marine Deepwater		Freshwater Emergent Wetland		Lake
	Estuarine and Marine Wetland		Freshwater Forested/Shrub Wetland		Other
			Freshwater Pond		Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)  
This page was produced by the NWI mapper

Addenda:

1. Decrees
  - a. Mergelman Ditch, Priority No. 35
  - b. Mergelman No. 1 Ditch, Priority No. 11  
Mergelman No. 2 Ditch, Priority No. 3  
Mergelman No. 3 Ditch, Priority No. 10
  - c. CWCB Instream Flow Decree for Willow Creek
  
2. Court Cases
  - a. Mergelman Ditch, Priority No. 35 - Cancellation
  - b. Mergelman No. 1 Ditch, Priority No. 11; Mergelman No. 2 Ditch, Priority No. 3; Mergelman No.3 Ditch, Priority No. 10 – Abandonment

No. 18.

✓ The George Andrews No. 2 Ditch.

That said ditch is entitled to Priority No. 18, and it is hereby ordered, adjudged and decreed that there be allowed to flow into said ditch from the Gunnison River, for the use and benefit of the parties lawfully entitled thereto and by virtue of actual appropriation and by original construction--Priority No. 18, not to exceed 3.26 cubic feet of water per second of time.

No. 31.

✓ The Mergleman Ditch.

That said ditch is entitled to Priority No. 31, and it is hereby ordered, adjudged and decreed that there be allowed to flow into said ditch from the Gunnison River, for the use and benefit of the parties lawfully entitled thereto, and by virtue of actual appropriation and by original construction--priority No. 31, --not to exceed 4.69 cubic feet of water per second of time.

- o - o o -

No. 33.

✓ The Frank Adams Ditch No. 2.

That said ditch is entitled to Priority No. 33, and it is hereby ordered, adjudged and decreed that there be allowed to flow into said ditch from the Gunnison River, for the use and benefit of the parties lawfully entitled thereto and by virtue of actual appropriation and by original construction--Priority No.33,- not to exceed 3.26 cubic feet of water per second of time.

Page 59A.

Addendum 1.b.

Mergelman No. 1 Ditch, Priority No. 11, Mergelman No. 2 Ditch, Priority No. 3, Mergelman No. 3 Ditch,  
Priority No. 10, Decree: CA1319, DWR Document No. 126982 (3/28/1904)

EAST BRANCH OF SOUTH BRAVER CREEK.

And more particularly with reference to the several  
ditches drawing their supply of water from the East Branch of  
South Beaver Creek, it is decreed as follows:

No. 102.

✓ THE STUBBS GULCH DITCH.

That said ditch is entitled to Priority No. 102, and it  
is hereby ordered, adjudged and decreed that there be allowed to  
flow into said ditch from the East Branch of South Beaver Creek,  
for the use and benefit of the parties lawfully entitled thereto  
and by virtue of actual appropriation and by original construction  
Priority No. 102-- Not to exceed 9.39 cubic feet of water per  
second of time.

- o -

WILLOW CREEK.

And more particularly with reference to the several  
ditches drawing their supply of water from Willow Creek, it is  
decreed as follows:

No. 3.

✓ THE MERGLEMAN NO. 3 DITCH.

That said ditch is entitled to Priority No. 3, and it is hereby ordered, adjudged and decreed that there be allowed to flow into said ditch from the Willow Creek, for the use and benefit of the parties lawfully entitled thereto and by virtue of actual appropriation and by original construction --Priority No. 3, --not to exceed 1.57 cubic feet of water per second of time. ✓

- o -

No. 10.

✓ THE MERGLEMAN NO. 3 DITCH.

That said ditch is entitled to Priority No. 10, and it is hereby ordered, adjudged and decreed that there be allowed to flow into said ditch from the Willow Creek, for the use and benefit of the parties lawfully entitled thereto and by virtue of actual appropriation and by original construction --Priority No. 10, --not to exceed .53 cubic feet of water per second of time. ✓

No. 3.

✓ THE MERGLEMAN NO. 2 DITCH.

That said ditch is entitled to Priority No. 3, and it is hereby ordered, adjudged and decreed that there be allowed to flow into said ditch from the Willow Creek, for the use and benefit of the parties lawfully entitled thereto and by virtue of actual appropriation and by original construction --Priority No. 3, --not to exceed 1.57 cubic feet of water per second of time.

- o -

No. 10.

✓ THE MERGLEMAN NO. 3 DITCH.

That said ditch is entitled to Priority No. 10, and it is hereby ordered, adjudged and decreed that there be allowed to flow into said ditch from the Willow Creek, for the use and benefit of the parties lawfully entitled thereto and by virtue of actual appropriation and by original construction --Priority No. 10, --not to exceed .53 cubic feet of water per second of time.

No. 11.

✓  
The Metzleman No. 1 Ditch.

That said ditch is entitled to Priority No. 11, and it is hereby ordered, adjudged and decreed that there be allowed to flow into said ditch from the Willow Creek, for the use and benefit of the parties lawfully entitled thereto and by virtue of actual appropriation and by original construction-- Priority No. 11, -not to exceed 1.57 cubic feet of water per second of time.

- o -

THE LITTLE BLUE CREEK.

And more particularly with reference to the ditches drawing their supply of water from the Little Blue Creek, it is decreed as follows:

Addendum 1.c.

Colorado Water Conservation Board, Willow Creek Instream Flow Decree: CA1319, DWR Document No. 126982, March 14, 2011

DISTRICT COURT, WATER DIVISION 4 STATE OF COLORADO, 1200 N. GRAND AVE. BIN A MONTROSE, CO 81401	EFILED Document CO Montrose County District Court 7th JD Filing Date: Mar 14 2011 1:36PM MDT Filing ID: 36459192 Review Clerk: Darleen Cappannokeep
<b>Concerning the Application for Water Rights of:</b>  COLORADO WATER CONSERVATION BOARD, IN WILLOW CREEK, A NATURAL STREAM, IN THE UPPER GUNNISON WATERSHED,  IN GUNNISON COUNTY, COLORADO.	
	<b>COURT USE ONLY</b>  Case No. : 10CW128  Div. 4
<b>FINDINGS AND RULING OF REFEREE AND DECREE OF THE WATER COURT</b>	

This matter comes before the Court by Application of the Colorado Water Conservation Board, Department of Natural Resources, State of Colorado ("CWCB"). The Court, having considered all matters raised by the Application, and being fully advised in the premises, does hereby make the following Findings of Fact, Conclusions of Law, Ruling of the Referee, Judgment and Decree:

**FINDINGS OF FACT**

- Name and address of Applicant:  
  
Colorado Water Conservation Board  
1313 Sherman Street, Suite 721  
Denver, Colorado 80203  
(303) 866-3441
- Application: CWCB filed an Application for Water Rights to Preserve the Natural Environment to a Reasonable Degree on October 28, 2010.

3. Notice and Jurisdiction: All notices of this matter required by law have been fulfilled and the Court has jurisdiction over the Application and all parties affected thereby, whether or not they have chosen to appear.

4. Objectors: No Statements of Opposition were filed and the time for filing Statements of Opposition has expired.

5. Consultation. The Division Engineer filed a Summary of Consultation pursuant to § 37-92-302(4) C.R.S. dated January 13, 2011, recommending approval of the application.

6. Name of Natural Stream: Willow Creek tributary to Morrow Point Reservoir

7. Location.

a. Legal description of the stream segment through which an instream flow is claimed: The natural stream channel from the confluence with Sugar Creek at latitude 38° 25' 37.03"N and longitude 107° 02' 58.24"W as the upstream terminus and extending to the confluence with Blue Mesa Reservoir at latitude 38° 28' 14.74"N and longitude 107° 03' 48.66"W as the downstream terminus, being a distance of approximately 3.59 miles. This segment can be located on the Big Mesa U.S.G.S. quadrangle.

b. For administrative purposes only:

Upper Terminus =

NE SW S12 T48N R2W NMPM

2528' East of the West Section Line, 2127' North of the South Section Line

UTM North: 4255177.3 UTM East: 321097.9

Lower Terminus =

NW NE S34 T49N R2W NMPM

1505' West of the East Section Line, 226' South of the North Section Line

UTM North: 4260066.2 UTM East: 319984.1

8. Use of the water: Instream flow to preserve the natural environment to a reasonable degree.

9. Date of appropriation and beneficial use: The water was first applied to the above beneficial use on or before January 26, 2010. Under Section 37-92-103(4), C.R.S. (2010), the definition of beneficial use includes "the appropriation by the state of Colorado in the manner prescribed by law of such minimum flows between specific points or levels for and on natural streams and lakes as are required to preserve the natural environment to a reasonable degree." Section 37-92-102(3)(c) states that the CWCB "shall determine that the natural environment will be preserved to a reasonable degree by the water available for the appropriation" to be made. Section 37-92-102(4)(a) states that the CWCB, "in its discretion, may determine whether or not to appropriate minimum stream or lake levels" to preserve the environment to a reasonable degree. Thus, the appropriation of an instream flow right "in the manner prescribed by law," and the "beneficial use" of an instream flow right under section 37-92-103(4) both occur when the CWCB declares its intent to appropriate. In this

case, the CWCB declared its intent to appropriate instream flow water rights during its public meeting on January 26, 2010.

10. Amount of water claimed (ABSOLUTE): Instream flow of 2.3 cfs (April 1 – June 30) and 0.5 cfs (July 1 – March 31).

### **CONCLUSIONS OF LAW**

11. Notice and Jurisdiction. The Water Court for Division 4 has jurisdiction over the subject matter of these proceedings and over all persons, owners of property and water rights that may be affected hereby, whether or not they have chosen to appear. The application in this matter and the resume publication of the application placed such persons on notice of the relief requested by the application and granted by this decree. §§ 37-92-203 and 302 C.R.S. (2010).

12. The CWCB has fulfilled all legal requirements for a decree for water rights including §§ 37-92-302, 304 and 305, C.R.S. (2010).

13. Burden of Proof. The CWCB has complied with all requirements, has met all standards and burdens of proof to adjudicate the water rights requested in the Application and is therefore entitled to a decree approving the requested water rights.

### **JUDGMENT AND DECREE**

14. The foregoing Findings of Fact and Conclusions of Law are hereby approved and incorporated as the Judgment and Decree of the Court by this reference.

15. The Application is granted and the Court hereby approves and decrees the absolute water rights described herein, in the amount of 2.3 cfs (April 1 – June 30) and 0.5 cfs (July 1 – March 31) in order to preserve the natural environment to a reasonable degree in the reach of Willow Creek between the upstream and downstream terminus points described in paragraph 7 above. The appropriation date for this water right is January 26, 2010.

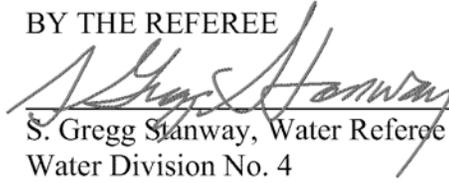
16. The priority herein awarded was filed in the water court in the year of 2010 and shall be junior to all priorities filed in previous years. As between all rights filed in the same calendar year, priorities shall be determined by historical date of appropriation and not affected by the date of entry of ruling. The Applicant shall install and maintain such measuring devices and keep such records as the Division Engineer may require for administration of this right.

It is accordingly **ORDERED** that this Ruling shall be filed with the water clerk subject to judicial review.

It is further **ORDERED** that a copy of this Ruling shall be filed with the Division Engineer and the State Engineer.

Dated this 17<sup>th</sup> day of February, 2011.

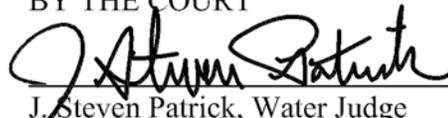
BY THE REFEREE

  
S. Gregg Stanway, Water Referee  
Water Division No. 4  
State of Colorado

No protest was filed in this matter. The foregoing Ruling is confirmed and approved, and is made the Judgment and Decree of this Court.

Dated this 14<sup>th</sup> day of March, 2011.

BY THE COURT

  
J. Steven Patrick, Water Judge  
Water Division No. 4  
State of Colorado

Addendum 2.a.

Court Case 84CW0311, DWR Document 2931940, Cancellation of Mergelman Ditch, Priority No. 35  
(8/8/1989)

DISTRICT COURT, WATER DIVISION NO. 4, COLORADO

Case Nos. 84CW093, 84CW303 through 84CW337 and 86CW083

---

ORDER CANCELLING WATER RIGHTS

---

IN THE MATTER OF THE DIVISION ENGINEER'S ABANDONMENT LIST IN WATER DIVISION  
NO. 4

CASE NO. 84CW093

---

IN THE MATTER OF THE PROTEST OF THE UNITED STATES OF AMERICA TO THE ABANDONMENT  
LIST OF WATER RIGHTS AND CONDITIONAL WATER RIGHTS IN WATER DIVISION NO. 4,  
INVOLVING WATER RIGHTS IN GUNNISON AND DELTA COUNTIES

CASE NOS. 84CW303 THROUGH 84CW337

---

IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF THE UNITED STATES OF  
AMERICA

CASE NO. 86CW083

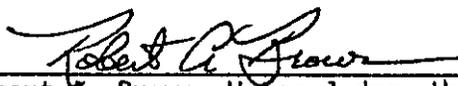
IN GUNNISON COUNTY

---

THE COURT, having reviewed the Motion for Cancellation of Water Rights  
submitted by the State and Division Engineers, and being fully advised  
therein, hereby orders that the motion is granted and the 35 water rights  
listed on the attached Exhibit A are hereby cancelled.

Done this 8<sup>th</sup> day of August, 1989.

BY THE COURT

  
Robert A. Brown, Water Judge, Water  
Division No. 4

---

Exhibit A

Case #	WD	Applicant	Structure	cfs
84CW303	84CW93	62 USA	Stevens D	8.6
84CW304	"	62 "	Mergleman D	13.31
84CW305	"	62 "	Stevens D	24.4
84CW306	"	62 "	Mergleman D	.8
84CW307	"	62 "	Hewitt D	5.0
84CW308	"	62 "	Dickerson #1 D	2.0
84CW309	"	62 "	Moncrief D	5.0
84CW310	"	62 "	Blackstock D	15.0
84CW311	"	62 "	Mergleman D	4.69
84CW312	"	62 "	Sunderlin D	5.0
84CW313	"	59 "	Louis D	.75
84CW314	"	59 "	Rouviere D	3.25
84CW315	"	59 "	Havell D	2.125
84CW316	"	59 "	Elk Creek High Line D	1.25
84CW317	"	59 "	Red Creek D	3.0
84CW318	"	59 "	Soap Creek D	2.125
84CW319	"	59 "	River D	1.5
84CW321	"	59 "	Soap Creek D	14.75
84CW320	"	59 "	River D	.5
84CW322	"	59 "	River D	6.0
84CW323	"	59 "	Sapinero D	6.25
84CW324	"	59 "	Dry Creek D	1.0
84CW325	"	59 "	Harry F. D	1.875
84CW326	"	59 "	Rhamy D	44.5
84CW327	"	59 "	Hewitt #2 D	5.0
84CW328	"	59 "	Soap Creek Highline D	15.0
84CW329	"	59 "	Havell D	6.375
84CW330	"	59 "	D L Dyer #1 D	.5
84CW331	"	59 "	Santarelli Spg	.3

Case #		WD	Applicant	Structure	cfs
84CW332	84CW93	59	USA	Red Creek D	9.0
84CW333	"	59	"	Soap Creek Highline D	8.0
84CW334	"	59	"	Scott D	4.6
84CW335	"	59	"	Glen Eden D	2.4
84CW336	"	59	"	Enbom D	8.0
84CW337	"	59	"	D L Dyer #1 D	1.0

Addendum 2.b.

Court Case 84CW0093, DWR Document 2569698, Abandonment Decree for Mergelman No. 1, No. 2 and No. 3 Ditches, December 30, 1985

IN THE DISTRICT COURT, WATER DIVISION NO. 4, COLORADO  
Case No. 84-CW-93

IN THE MATTER OF THE DIVISION ENGINEER'S ABANDONMENT LIST

INTERLOCUTORY DECREE INCORPORATING AND CONFIRMING THE DIVISION ENGINEER'S  
ABANDONMENT LIST WITH RESPECT TO NON-PROTESTED WATER RIGHTS

On June 29, 1984, the Division Engineer for Water Division No. 4, State of Colorado, filed with this Court a tabulation of all decreed water rights and conditional water rights within Division 4 and a separate listing of all such rights which had been omitted from the tabulation, the Division Engineer having determined them to be abandoned. This separate listing is referred to herein as the "Abandonment List". Said filing by the Division Engineer was done in accordance with, and pursuant to, C.R.S. 37-92-402(4). The Abandonment List was published with the August resume of all filings made in Division 4, as required by C.R.S. 37-92-402(4). Protests were filed against the abandonment of certain of the water rights on the Abandonment List, and those protests were assigned separate case numbers by the Water Clerk. Those cases, and the rights considered therein, are not made a part of this Interlocutory Decree.

The statute, C.R.S. 37-92-402(5), provides that protests to the inclusion of a water right on the Abandonment List must have been filed by December 31, 1984. No protest has been timely filed with respect to the water rights and conditional water rights specified below. Therefore, pursuant to C.R.S. 37-92-402(7), this Court hereby CONFIRMS THE ABANDONMENT LIST, as modified by the Division Engineer, as to the non-protested water rights and conditional water rights listed thereon, and DECREES THAT THE FOLLOWING WATER RIGHTS AND CONDITIONAL WATER RIGHTS HAVE BEEN ABANDONED: (Note that amounts are given in cubic feet per second of time unless otherwise specified.)

<u>STRUCTURE NAME</u>	<u>SOURCE NAME</u>	<u>DECREED AMOUNT</u>	<u>ABAND. AMOUNT</u>	<u>ADJUD. DATE</u>	<u>APPROP. DATE</u>
Denver & Rio Grande Western Railroad Pipe- line and Tank No.5, Parlin	Tomichi Cr.	0.08	0.08	04/19/43	12/31/81
Denver & Rio Grande Western Railroad Pipe- line and Tank No.7	Marshall Cr.	0.09	0.09	04/19/43	12/31/81
Denver & Rio Grande Western Railroad Pipe- line and Tank No.4, Sargent	Marshall Cr.	0.08	0.08	04/19/43	12/31/81

84-CW-93

Denver and Rio Grande Western Railroad Pipe- line and Tank No.2, Shawano	Marshall Cr.	0.0310	0.0310	4/19/43	12/31/81
Arch Irrigating Ditch (Priority 253)	Tomichi Cr.	115.85	27.41	4/19/43	12/31/87
Arch Irrigating Ditch (Priority 254)	Tomichi Cr.	33.4	33.4	4/19/43	5/01/88
Arch Irrigating Ditch (Priority 283)	Tomichi Cr.	0.4	0.4	4/19/43	6/01/03
Arch Irrigating Ditch (Priority 293)	Tomichi Cr.	7.35	7.35	4/19/43	5/15/10
Arch Irrigating Ditch Enlarged (Priority 297)	Tomichi Cr.	102.0	102.0	4/19/43	6/01/12
Arch Irrigating Ditch Association Enlargement (Priority 315)	Tomichi Cr.	7.95	7.95	4/19/43	6/01/20
Arch Irrigating Ditch (Priority 328)	Tomichi Cr.	15.08	15.08	4/15/46	6/01/05
Phelps Enlargement of the Parlin-Quartz Creek Ditch	Quartz Cr.	3.2	3.2	4/16/56	5/04/55
Cluff Ditch	Cottonwood Cr.	1.0	1.0	6/17/89	4/1/82
Barlow Ditch	N. Fork Gunn.	1.0	1.0	6/17/89	7/10/87
Desire Friend Ditch	Bell Cr.	0.8	0.8	6/17/89	11/25/87
Jerome Ditch	Iron Cr.	0.65	0.65	6/17/89	1/10/88
R.T. Fluke Ditch	Iron Cr.	0.5	0.5	6/17/89	1/14/88
Forrest Ditch	N. Fork Gunn.	0.5	0.5	4/12/01	7/1/96
Rocky Mountain Ditch	Iron Cr.	1.03	1.03	2/27/03	6/8/86
Chas. J. Tyler Ditch	Smith Fork Cr.	0.094	0.094	2/27/03	7/2/87
Cabbage Ditch	Iron Cr.	0.186	0.186	2/27/03	6/1/98
Roberts Ditch	N. Fork Gunn.	1.0	1.0	2/20/04	12/31/82
Burdick Ditch	N. Fork Gunn.	2.0	2.0	2/20/04	3/31/83
Wiley Waste Water Ditch	Cottonwood Cr.	0.26	0.26	2/20/04	12/31/87
Chapin Waste Water Ditch	Bell Creek	1.0	1.0	2/20/04	7/15/96

Carville Ditch	N. Fork Gunn.	1.167	1.167	2/20/04	3/31/01
Carbonate Camp Reser- voir No.2 (Priority 2)	Surface Cr.	17.46 (acre feet)	17.46	9/28/07	8/31/88
Carbonate Camp Reser- voir No.1 (Priority 4)	Surface Cr.	4.4 (acre feet)	4.4	9/28/07	5/31/89
Carbonate Camp Reser- voir No.4 (Priority 6)	Surface Cr.	5.73 (acre feet)	5.73	9/28/07	5/31/90
Carbonate Camp Reser- voir No.5 (Priority 7)	Youngs Cr.	35.3 (acre feet)	35.3	9/28/07	12/31/91
Rocklake Reservoir	Ward Cr.	247.5 (acre feet)	180.0	9/28/07	6/17/96
P.C. And G. Reservoir No. 2 (Priority 21)	Kiser Cr.	15.0 (acre feet)	15.0	9/28/07	10/15/96
McCollar Reservoir	Surface Cr.	32.0 (acre feet)	32.0	9/28/07	6/30/99
Daisy Dell Reservoir	Surface Cr.	15.0 (acre feet)	15.0	9/28/07	10/1/02
Dog Fish Ditches A,B,C	Leroux Cr.	3.0	3.0	3/20/08	5/18/96
Aspen Ditch	Dry Cr.	4.62	4.62	3/20/08	5/7/00
Last Dollar Ditch	Gunnison R.	3.125	3.125	6/23/14	12/1/02
North Ditch	Dry Cr.	0.6	0.6	6/23/14	4/15/05
Wilson Ditch	Gunnison R.	0.25	0.25	6/23/14	2/1/06
Burtis Ditch	N. Fork Gunn.	0.15	0.15	6/23/14	4/15/06
Jensen Ditch No. 1	Alkali Cr.	1.5	1.5	6/23/14	10/3/07
Orchard Mesa Ditch (Priority A-104)	Dirty George Cr.	9.328	9.328	6/23/14	10/2/08
Orchard Mesa Ditch (Priority A-106)	Dirty George Cr.	7.2	7.2	6/23/14	5/17/09
Bench Land Ditch	Smith Fork Cr.	0.5	0.5	6/23/14	4/22/10
Heter-Shallenberger Ditch	Bell Cr.	1.0	1.0	8/28/20	5/19/12
Snowshoe Ditch	Muddy Cr.	0.45	0.45	8/28/1920	5/01/1917
Hultine Ditches 1 & 2	Muddy Cr.	0.43	0.43	2/10/1930	4/01/1900

84-CW-93

Carey Ditch	N.Fork.Gunn.	1.50	1.50	2/10/1930	5/01/1901
Reed Ditch	Muddy Cr.	0.88	0.88	2/10/1930	7/31/1901
Fire Mt. Canal Priority G-35	Jay Cr.	20.0	20.0	2/10/1930	7/01/1902
Fire Mt. Canal Priority G-58	N.Fork.Gunn. Love Gulch	5.0	5.0	2/10/1930	7/01/1909
Fire Mt. Canal Priority G-58	N.Fork.Gunn. Stephens Gulch	15.0	15.0	2/10/1930	7/01/1909
Barrow Res.	Leroux Cr.	35.0	35.0	2/10/1930	10/01/1911
Kuhnley Ditch Priority G-75	Gunnison R.	0.75	0.75	2/10/1930	4/01/1912
Fire Mt. Canal Priority G-69	Jay Cr.	10.0	10.0	2/10/1930	7/01/1921
Kuhnley Ditch Priority G-104	Gunnison R.	0.25	0.25	2/10/1930	4/01/1925
Bainard Res. No. 1	Muddy Cr.	58.0 (acre feet)	58.0 (acre feet)	5/28/1937	8/01/1894
Bainard Res. No. 2	Muddy Cr.	70.0 (acre feet)	70.0 (acre feet)	5/28/1937	8/01/1900
Peak Reservoir	Surface Cr.	25.0 (acre feet)	25.0 (acre feet)	5/28/1937	6/01/1903
Ehret Ditch	Gunnison R.	0.37	.037	5/28/1937	3/01/1904
Gunnison Garden Ditch	Gunnison R.	0.57	0.57	5/28/1937	3/01/1905
Lost Hunter Reservoir	Leroux Cr.	20.0 (acre feet)	20.0 (acre feet)	05/28/1937	11/13/1907
Lost Hunter Reservoir	Leroux Cr.	25.0 (acre feet)	25.0 (acre feet)	5/28/1937	11/13/1907
Dreyfus Reservoir	Surface Cr.	71.74 (acre feet)	71.74 (acre feet)	5/28/1937	8/16/1910
Green Mountain Reservoir	Dry Cr.	4.0 (acre feet)	4.0 (acre feet)	5/28/1937	6/01/1920
Silver Leaf Ditch	Muddy Cr.	4.5	4.5	5/28/1937	6/01/1925
McMillan Reservoir	Muddy Cr.	120.0 (acre feet)	120.0 (acre feet)	5/28/1937	7/01/1926
Kauer Reservoir	Reynolds Cr. Bell Cr.	1.0 (acre feet)	1.0 (acre feet)	5/28/1937	11/25/1934
Lemon Ditch	Smith Fk. Cr.	2.75	2.75	3/20/1954	4/01/1890
Upper Hartman Ditch	N.Fork.Gunn.	0.75	0.75	3/20/1954	5/02/1910

Polling & Hartman Ditch Priority J-136	N.Fork.Gunn.	4.0	4.0	3/20/1954	2/12/1917
Upper Hartman Ditch Priority J-178	N.Fork.Gunn.	2.0	2.0	3/20/1954	5/02/1923
Flatiron Ditch Priority No. J-311	Gunnison R.	1.0	1.0	3/20/1954	6/12/1948
Volgamore Ditch	Forked Tongue Cr.	0.5	0.5	3/20/1954	8/05/1950
Orange Ditch	Minnesota Cr.	1.0	1.0	1/31/1964	4/01/1915
Cushman Ditch	Dry Cr.	96.5	96.5	6/30/1890	12/17/1882
Montrose Flouring Mill Ditch	Uncompahgre	50.0	50.0	4/25/1916	8/29/1883
Delta Flour Mills Company Ditch Priority No. 168	Uncompahgre	60.0	60.0	12/04/1941	10/31/1887
Delta Flour Mills Company Ditch Priority No. 200	Uncompahgre	90.0	90.0	12/04/1941	01/06/1929
Horsefly Ditch	Uncompahgre	1.0	1.0	1/29/1954	7/02/1952
Deep Creek Res.No. 1	Kannah Cr.	491.4	491.4 (acre feet)	6/01/1916	9/15/1906
River Ditch Priority No. 271	Taylor River	3.70	3.70	12/18/1933	6/01/1902
Denver and Rio Grande Western Railroad Ditch Pipeline and Tank No.1	Slate River	0.031	0.031	4/29/1941	5/01/1881
Denver and Rio Grande Western Railroad Ditch Pipeline and Tank No.3	Gunnison R.	0.0484	0.0484	4/29/1941	8/1/1882
Denver and Rio Grande Western Railroad Ditch Pipeline and Tank No.5	East River	0.0310	0.0310	4/29/1941	5/1/1883
Forest Queen Ditch Priority No. 595	Slate River	0.02	0.02	10/28/1965	5/31/1931
Nelson Ditch	San Miguel R.	7.9	7.9	9/30/1916	3/13/1907
Trout Station Pipeline and Water Tank	San Miguel R.	0.149	0.149	2/26/1929	7/2/1916
Lime Station Pipeline and Water Tank	San Miguel R.	0.223	0.223	2/26/1929	7/2/1916

84-CW-93

Brown Station Pipeline and Water Tank	Leopard Creek	0.077	0.077	2/26/1929	7/2/1916
Ames Station Pipeline and Water Tank	San Miguel R.	0.303	0.303	2/26/1929	9/30/1917
Rice Reservoir No.2	San Miguel R.	4.8 (acre feet)	4.8	2/26/1929	10/20/1921
Nelson Ditch Extension (McColloch Cr., Priority 282)	San Miguel R.	9.72	9.72	11/1/1939	6/1/1913
San Miguel Power Co. CNL, Priority No. 286	San Miguel R.	240.0	200.0	11/01/1939	4/28/1914
Nelson Ditch Ext. (Fall Cr., Priority 350)	San Miguel R.	75.0	75.0	11/01/1939	4/01/1937
Nelson Ditch Enl. Priority No. 353	San Miguel R.	82.38	82.38	11/01/1939	6/13/1937
Nelson Ditch Saltado Ext, Priority No. 358	Saltado Cr.	18.0	18.0	11/01/1939	9/12/1937
Meadow Ditch Ext. Priority 363	Tabeguache Cr.	4.0	4.0	11/01/1939	7/01/1938
Naturita Canal Priority No. 392	Beaver Cr.	10.0	10.0	7/10/1952	11/11/1936
Woods Ditch	Naturita Cr.	2.0	2.0	7/10/1952	5/01/1946
Hofmann Res. No. 23	Horsefly Cr.	0.80 (acre feet)	0.80	7/10/1952	7/01/1950
Redd Harmon Collector Ditch	Naturita Cr.	20.0	17.0	12/31/1981	6/01/1940
<hr/>					
Goshorn Ditch No. 1 (Conditional)	West Paradox Creek	0.50	0.50	2/01/1892	6/30/1878
Neathery Ditch Priority No. 3 (Conditional)	West Paradox Creek	0.23	0.23	2/01/1892	4/30/1881
Neathery No. 2 Ditch Priority No. 5 (Conditional)	West Paradox Creek	0.45	0.45	2/01/1892	4/30/1883
Hamilton Ditch Priority No. 7 (Conditional)	West Paradox Creek	0.60	0.60	2/01/1892	10/05/1883
W. D. Hamilton Private Ditch Priority No. 8 (Conditional)	West Paradox Creek	0.66	0.66	2/01/1892	12/31/1883

Swain Ditch Priority No. 9 (Conditional)	West Paradox Creek	0.39	0.39	2/01/1892	01/07/1884
Galloway Ditch Priority No. 10 (Conditional)	West Paradox Creek	0.15	0.15	2/01/1892	5/10/1884
Goshorn Ditch No. 3 Priority No. 12 (Conditional)	West Paradox Creek	0.33	0.33	2/01/1892	11/30/1884
Valentine Ditch Priority No. 14 (Conditional)	West Paradox Creek	0.11	0.11	2/01/1892	8/23/1885
Mary E. Young Ditch No 1 Priority No. 16 (Conditional)	West Paradox Creek	0.3	0.3	2/01/1892	5/01/1887
Swain Ditch Priority No. 17 (Conditional)	West Paradox Creek	0.33	0.33	2/01/1892	4/28/1888
Nafus Ditch Priority No. 20 (Conditional)	West Paradox Creek	0.5	0.5	2/01/1892	3/31/1890
Woodworth Ditch Priority No. 19 (Conditional)	West Paradox Creek	0.6	0.6	2/01/1892	11/17/1890
Sand Wash Ditch	Dolores R.	720.0 (acre feet)	720.0	9/25/1942	7/20/1909
Rhoades Ditch Priority No. 55 (Conditional)	West Paradox Creek	1.0	1.0	9/25/1942	5/01/1937
<hr/>					
Mergelman No. 2 Ditch Priority 3	Gunnison R.	1.57	1.57	11/01/1905	5/20/1876
Mergelman No. 3 Ditch Priority 10	Gunnison R.	0.53	0.53	11/01/1905	4/15/1878
Mergelman No. 1 Ditch Priority 11	Gunnison R.	1.57	1.57	11/01/1905	5/01/1878
Denver Rio Grande Rail- Road Company Cimarron Pipeline, Priority 57	Big Cimarron River	0.13	0.13	11/01/1905	10/13/1880
Cimarron Canal (Veo Cr.) Priority 105	Big Cimarron River	8.0	8.0	11/01/1905	4/01/1903

Cimarron Canal (Coal Cr.) Priority 108	Big Cimarron River	25.0	25.0	11/01/1905	4/01/1903
Rio Grande R.R. Company Well and Pipeline No. 116.5, Priority 115.5	Lake Fork, Gunnison R.	0.1485	0.1485	5/08/1913	3/28/1905
Mergelman Highline Ditch, Priority 149	Gunnison R.	2.6	2.6	1/9/1928	5/11/1906
Eva Reservoir	Big Blue Cr.	11.44	11.44	1/09/1928	6/27/1916
Mergelman No. 2 Ditch Priority 169	Gunnison R.	4.43	4.43	4/21/1941	5/20/1876
Mergelman No. 3 Ditch Priority 173	Gunnison R.	1.47	1.47	4/21/1941	4/15/1878
Mergelman No. 1 Ditch Priority 174	Gunnison R.	4.43	4.43	4/21/1941	5/01/1878
Mergelman Highline Ditch, Priority 261	Gunnison R.	7.4	7.4	4/21/1941	5/12/1906
Earl's Ditch	Big Cimarron	4.0	4.0	3/30/1960	6/15/1925
Blue Lake Ditch No. 1	Big Cimarron	3.0	3.0	3/30/1960	6/15/1932
Sigafus No. 2 Ditch	Big Cimarron	1.5	1.5	3/30/1960	6/15/1933
Lone Tree Ditch	Big Cimarron	2.0	2.0	3/30/1960	6/01/1953
Blue Lake No. 2 Ditch	Big Cimarron	1.5	1.5	3/30/1960	8/10/1954
Sigafus No. 1 Ditch	Big Cimarron	2.0	2.0	3/30/1960	9/01/1954
Burnt Lake Reservoir	Gunnison R.	16.0	16.0	12/02/1969	5/01/1955
		(acre feet)			
Piedmont Water Tank Priority No. 31	Uncompahgre R.	0.078	0.078	12/04/1916	6/04/1878
Highline Ditch	Uncompahgre R.	2.25	2.25	12/04/1916	4/01/1887
Piedmont Water Tank Priority No. 6	Uncompahgre R.	0.0781	0.0781	12/04/1916	8/30/1887
Keystone Ditch Priority No. 119	Uncompahgre R.	0.25	0.25	12/04/1916	6/01/1889
Hildreth Hopkins Ditch (irrigation)	Uncompahgre R.	0.50	0.50	2/26/1920	6/01/1901
Hildreth Hopkins Ditch (domestic)	Uncompahgre R.	4.0	4.0	2/26/1920	6/01/1901
Hildreth Hopkins Ditch (mining)	Uncompahgre R.	5.0	5.0	2/26/1920	6/01/1901

South Branch Miles Ditch	McKenzie Cr.	1.0	1.0	2/26/1920	5/01/1913
Betty Ditch No. 226	Dallas R.	24.00	10.0	5/11/1942	5/01/1876
Denver Rio Grande Western Railroad Pipeline No. 255	Cow Creek	0.01	0.01	5/11/1942	8/25/1887
Short Line Ditch No. 95	Uncompahgre R	2.50	2.50	5/11/1942	5/01/1888
Virginius Ditch and Water Right	Uncompahgre R.	20.0	20.0	5/11/1942	6/01/1890
McKean Ditch and Res. No. 6	Uncompahgre R.	69.80	69.80	5/11/1942	5/30/1911
Keystone Ditch	Uncompahgre R.	3.0	3.0	4/14/1961	5/01/1919
Reed Overman Ditch Priority 26 5th Adj.	Dallas R.	5.0	5.0	4/14/1961	6/01/1946
Barker Ditch	Dallas R.	8.0	4.0	4/14/1961	6/01/1955
Landon Pumping Plant Priority No. 155 6th Adj.	Uncompahgre R.	1.0	1.0	9/13/1971	6/01/1966
Landon Ranch Springs No. 3,4,5,7 Priority No. 156 6th Adj.	Uncompahgre R.	1.25	1.0	9/13/1971	6/01/1966
Bob's Pipeline	Dallas Cr.	0.50	0.50	9/13/1971	6/01/1967
Landon Well No. 3	Uncompahgre R.	0.036	0.036	12/31/1972	5/01/1886
Landon Well No. 2	Uncompahgre R.	0.067	0.067	12/31/1972	5/01/1906
Landon Well No. 1	Uncompahgre R.	0.42	0.42	12/31/1972	9/04/1968
Boyle's Ditch	Little Dolores River	2.60	2.60	7/25/1941	7/27/1914

Dated July 1, 1985

Robert A. Brown  
Water Judge, Division No. 4

XC: State Engineer  
Div. Engineer

DISTRICT COURT, WATER DIVISION NO. 4, COLORADO

CASE NO. 84-CW-93

-----  
FINAL DECREE ON TABULATION OF ABANDONED WATER RIGHTS  
-----

IN THE MATTER OF THE ABANDONMENT LIST OF THE DIVISION  
ENGINEER FOR WATER DIVISION NO. 4, STATE OF COLORADO  
-----

On June 29, 1984, pursuant to C.R.S. 37-92-402(4) as amended, the Division Engineer for Water Division No. 4 of the State of Colorado, filed in this case, the following two documents, to wit:

1. A Tabulation of all decreed water rights and conditional water rights within Water Division No. 4, and
2. A separate Abandonment List tabulating all of the water rights and conditional water rights which he had determined to have been abandoned in whole or in part.

Said Abandonment List was published with the August 1984 resume as required by C.R.S. 37-92-402(4) as amended. Protests were filed in opposition to the proposed abandonment of a number of the rights contained on the Abandonment List, and said protests were assigned separate case numbers by the Water Clerk. The Division Engineer's subsequent review of the Abandonment List demonstrated that some of the water rights included in said List had been included in error, and these were withdrawn from the Abandonment List in whole or in part upon motion by the Division Engineer.

On July 1, 1985, this Water Court entered an Interlocutory Decree in this case declaring as abandoned all of the water rights on the Abandonment List which had not been challenged by a protest or had not been partially or wholly withdrawn by the Division Engineer. [Said Interlocutory Decree is attached hereto and incorporated herein by this reference.]

Having heard evidence and/or stipulations of settlement regarding the protests to water rights included in the Abandonment List, the Court now finds and concludes for reasons stated in separate orders issued in the individual cases assigned to said protests, that certain protests did not have merit in whole or in part, and that the following decreed water rights and conditional water rights which were the subject of those protests should be considered and declared to be abandoned, and should remain on the Division Engineer's Abandonment List to the extent hereinafter identified, to wit:

NOTE that amounts are given in cubic feet per second of time unless otherwise specified.)

STRUCTURE NAME	SOURCE NAME	DECREED AMOUNT	ABAND. AMOUNT	Dates of	
				ADJUDI- CATION	APPROPR- IATION
✓ North Fork Lateral Ditch Company Feeder Ditch Case No. 84CW111	Gunn. R.	13.0	13.0	03-20-1954	08-25-1897 <i>ok</i>
✓ Antelope Ditch Case No. 84CW122	Gunn. R.	1.0	1.0	03-20-1954	03-15-1907 <i>ok</i>
✓ Hosner Rowell Ditch Case No. 84CW128	Uncomp. R.	12.875	10.55	05-11-1942	04-01-1882 <i>ok</i>
✓ Talbert Ditch Case No. 84CW146	Dol. R.	0.33	0.33	02-01-1892	02-14-1881 <i>ok</i>
✓ Massey Ditch Case No. 84CW177	Uncomp. R.	1.0	1.0	05-11-1942	06-01-1926 <i>ok</i>
✓ Lone Cone Reservoir Case No. 84CW178	San. M. R.	675.0 A.F.	675.0 A.F.	07-10-1952	10-26-1949 <i>ok</i>
✓ Blake & Payson Power Ditch Case No. 84CW182	San M. R.	64.0	64.0	02-26-1929	09-30-1917 <i>ok</i>
✓ Duckett Ditch # 240 Case No. 84CW184	Uncomp. R.	2.0	1.25	05-11-1942	05-01-1898 <i>ok</i>
✓ Elks Beaver Ditch Case No. 84CW214	Gunn. R.	7.0	7.0	01-31-1964	08-10-1955 <i>ok</i>
✓ Kinley Ditch Enlg. & Ext. Case No. 84CW215	San M. R.	3.0	0.50	11-01-1939	10-01-1937 <i>ok</i>
✓ Benson Ditch Case No. 84CW216	Gunn. R.	0.52	0.52	02-10-1930	04-01-1906 <i>ok</i>
✓ Cottonwood Ditch Case No. 84CW218	Uncomp. R.	0.25	0.25	12-04-1916	04-01-1883 <i>ok</i>
✓ Porter Res. # 3B Case No. 84CW219	Gunn. R.	15.0 A.F.	15.0 A.F.	06-23-1914	07-14-1900 <i>ok</i>
✓ Stevens Ditch Case No. 84CW224	Little Dol. R.	3.12	3.12	07-25-1941	08-18-1914 <i>ok</i>
✓ Ramsey Ditch Case No. 84CW225	Gunn. R.	4.4	4.4	02-25-1903	04-01-1900 <i>ok</i>

STRUCTURE NAME	SOURCE NAME	DECREED AMOUNT	ABAND. AMOUNT	Dates of	
				ADJUDI- CATION	APPROPR- IATION
✓ Montrose City Ditch Case No. 84CW230	Uncomp. R.	18.0	8.0	06-30-1890	04-05-1884 <i>sk</i>
✓ Todd Reservoir Case No. 84CW241 Case No. 84CW289	McDonald Creek Gunn. R.	244 A.F.	244 A.F.	05-28-1937	08-01-1911 <i>sk</i>
✓ Interocean Reservoir Case No. 84CW242	Minn. Cr. Gunn. R.	10.0 A.F.	2.0 A.F.	06-23-1914	05-15-1886 <i>sk</i>
✓ Scenic Ditch Case No. 84CW243	Smith F. Gunn. R.	7.5	7.5	06-23-1914	07-01-1909 <i>sk</i>
✓ Adams No. 2 Ditch Case No. 84CW264	Muddy C. Gunn. R.	0.75	0.75	02-10-1930	04-01-1891 <i>sk</i>
✓ Adams No. 1 Ditch Case No. 84CW265	Muddy C. Gunn. R.	0.75	0.75	02-10-1930	04-01-1888 <i>sk</i>
✓ Blue Mesa Power Plant Case No. 84CW266	Gunn. R.	2500.0	2500.0	01-27-1961	11-13-1957 <i>sk</i>
✓ Blue Mesa Power Plant Case No. 84CW267	Gunn. R.	1000.0	1000.0	10-28-1965	02-02-1959 <i>sk</i>
✓ Van-Pelt Taylor Ditch Case No. 84CW280	Kannah C. Gunn. R.	1.44	1.44	06-01-1916	05-05-1910 <i>sk</i>
✓ Hebert McArthur Ditch Case No. 84CW281	Kannah C. Gunn. R.	1.08 & 3.42	1.08 & 3.42	06-01-1916	09-19-1909 <i>sk</i>
✓ Guild Reservoir Case No. 84CW283	White- water C. Gunn. R.	50.49 A.F.	50.49 A.F.	06-01-1916	05-14-1909 <i>sk</i>
✓ Wig Ditch Case No. 84CW284	Dallas R. Uncomp. R.	2.0	2.0	09-13-1971	11-02-1969 <i>sk</i>
✓ Cimarron Feeder Garnet Ditch Case No. 84CW287, 84CW294, 84CW295, 84CW296, 84CW342.	Big Cim- arron R. Gunn. R.	55.0	5.0	11-01-1905	08-01-1890 <i>sk</i>
✓ Elk Creek Highline Ditch Case No. 84CW346	Gunn. R.	1.25	1.25	09-14-1906	06-15-1899 <i>sk</i>
✓ Harry F. Ditch Case No. 84CW347	Gunn. R.	1.875	1.875	09-14-1906	04-20-1900 <i>sk</i>

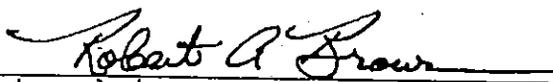
STRUCTURE NAME	SOURCE NAME	DECREED AMOUNT	ABAND. AMOUNT	Dates of	
				ADJUDI- CATION	APPROPR- IATION
<del>D &amp; RGW RR Co</del> <del>D &amp; P1 &amp; Tank #2</del> Case No. 84CW348	Gunn. R.	0.0464	0.0464	04-29-1941	08-01-1882 <i>ok</i>
<del>Rhamey Ditch</del> 84CW349	Gunn. R.	44.50	44.50	04-29-1941	04-15-1912 <i>ok</i>
<del>Enbom Ditch</del> Case No. 84CW350	Gunn. R.	8.0	8.0	04-29-1941	05-12-1916 <i>ok</i>
<del>Scott Ditch</del> Case No. 84CW351	Gunn. R.	4.6	4.6	04-29-1941	09-01-1921 <i>ok</i>
<del>Island Farm Ditch</del> Case No. 84CW443	Uncomp.R.	7.50	0.79	12-04-1916	01-10-1893 <i>ok</i>
<del>City of Montrose,</del> <del>Dallas Reservoir</del> Case No. 84CW448	Uncomp.R.	2000 A.F.	2000 A.F.	04-14-1961	10-10-1959 <i>ok</i>
<del>Charley Rice Ditch</del> Case No. 85CW1	San M. R.	1.50	1.50	07-10-1952	06-01-1945 <i>ok</i>

WHEREFORE IT IS THE ORDER, JUDGMENT AND DECREE OF THE WATER COURT FOR WATER DIVISION NO. 4 OF THE STATE OF COLORADO:

A. That the Abandonment List of the Division Engineer for Water Division No. 4 of Colorado on file in this Court in case No. 84-CW-93 is hereby adopted and approved to the extent that it reflects the amounts of water declared abandoned in the listing of decreed and conditional water rights on the Interlocutory Decree attached to this Final Decree and to the extent identified with those decreed and conditional water rights listed in this Final Decree.

B. Except to the extent decreed and conditional water rights are expressly identified in the Interlocutory Decree attached hereto and in this Final Decree as having been fully or partially abandoned, all other water rights contained in the Division Engineer's Abandonment List on file in Case 84-CW-93 in this Court are hereby deemed and declared not to have been abandoned, and the same shall continue to be viable to the extent provided by law.

DONE BY THE COURT, This 30th day of December, 1985.

  
 \_\_\_\_\_  
 Water Judge  
 Water Division No. 4  
 State of Colorado

xc: Division Engineer for Water Division No. 4  
 State Engineer