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RECEIVED NOV - 9 1972

THE PROFESSIONAL BUILDING
443 NORTH 6TH STREET
MAILING ADDRESS: P. O. BOX 266
GRAND JUNCTION, COLORADO 81501
303 · 242-2636

8 November 1972

Board of County Commissioners
Mesa County Court House
Grand Junction, Colorado

Gentlemen:

We understand that on or about June, 1972 Mesa County, jointly with the Rosevale Community Organization, did enlarge and construct a portion of a drainage ditch which runs parallel to the Redlands Water & Power Company's canal. In the opinion of the Board of Directors of said Company, approximately 125 feet of such construction is too close to the supporting slope of the Redland's canal bank. The board advises me that it received no notice, nor was any attempt made to contact them prior to such construction.

Several of the Board members, myself and the superintendent, inspected the scene recently and have grave concern with the apparent slippage of the canal bank into the drainage ditch which was constructed by the County and the Rosevale Community Organization.

This letter is to advise you that if said slippage should cause further damage to the Company's ditch bank, or cause a break resulting in damage to third persons, the Company will, of course, look to the County and the Rosevale Community Organization to indemnify and save our client harmless from any such damage.

Our superintendent has estimated that it would be advantageous to place pipe in the bottom of the drainage ditch for about 120 feet and cover it, in order to prevent danger of future slippage. Our superintendent further estimates the cost of the pipe to be about \$2.80 per foot, plus some gravel and the cost of back filling same.

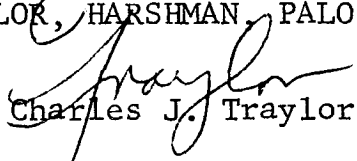
By way of compromise only, the company will be glad to discuss

this matter with your Board and offer reasonable assistance in seeing that this dangerous condition is taken care of at the earliest possible time.

Thank you for your kind and prompt attention to this matter.

Very truly yours,

TRAYLOR, HARSHMAN, PALO & COWAN


Charles J. Traylor

CJT:ds

cc: Gerald Ashby, County Attorney
P.O. Box 716
Grand Junction, Colorado

Mr. Ervin M. Ormsbee
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2518 D Road
Grand Junction, Colorado

James Rankin, Secy.
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