

C-10103
No. 23697
C 8254

ABSTRACT OF TITLE

TO

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, Twp. 1-N, R. 1-E, 6th

Meridian, in Mesa County, Colorado.

Prepared By

The Mesa County Abstract Co.

128 North Fifth Street

GRAND JUNCTION, MESA COUNTY, COLORADO

Established 1885

Incorporated 1893

**THE ONLY SET OF ABSTRACT BOOKS
IN MESA COUNTY, COLORADO**

DAILY SENTINEL PRESS, GRAND JUNCTION, COLO.

No. C-10103

Continuation of

A B S T R A C T O F T I T L E

to

The Southwest Quarter of the Southwest Quarter of Section Thirty-one (31) Town-
ship One (1) North of Range One (1) East of the Ute Meridian, Mesa County,
Colorado.

From May 11, 1948 at 8:00 o'clock A.M.

#####

STATE OF COLORADO)
(SS
COUNTY OF M E S A)

THE MESA COUNTY ABSTRACT COMPANY hereby certifies that there are no entries
which appear of record or on file in the office of the County Clerk and Recorder
of Mesa County, Colorado, from May 11, 1948 at 8:00 o'clock A. M., up to March 2,
1949 at 8:00 o'clock A. M. affecting the title to the property described in the
caption hereof.

Dated at Grand Junction, Colorado

March 2, 1949 at 8:00 o'clock A. M.

THE MESA COUNTY ABSTRACT COMPANY

By Richard B. Williams
President



*23697

ABSTRACT OF TITLE
TO

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION
THIRTY-ONE IN TOWNSHIP ONE NORTH, RANGE ONE EAST OF THE UTE
MERIDIAN, IN MESA COUNTY, COLORADO.

(1)
PLAT

1 40.44	80.34	
2 40.46	80 A	160 A.
3 40.38	Sec 31.	641.30 A.
4 40.07	80 A	160 A.

THE ABOVE IS A TRUE AND CORRECT COPY OF THE UNITED STATES
GOVERNMENT SURVEY AND PLAT OF SEC. 31, TWP. 1 N.R. 1 E. U.M.
AS THE SAME APPEARS IN GOVERNMENT PLAT BOOK 1 IN THE OFFICE
OF THE COUNTY CLERK AND RECORDER OF MESA COUNTY, COLORADO.

(2)

UNITED STATES RECEIVER,

-TO-

MIKE KELLEHER.

RECEIVED \$200.50 BEING

AS THE E $\frac{1}{2}$ OF SW $\frac{1}{4}$ AND LOTS 3 AND 4 OF THE SW $\frac{1}{4}$ OF SEC. 31, TWP. 1 N.R. 1 E. U.M. CONTAINING 160.40 ACRES.

H. C. FINK, RECEIVER,
MONTROSE, COLORADO.

) RECEIVER'S RECEIPT, No. 499,
DATED FEB. 12th 1891;
) FILED FEB. 14th 1891; 2.25 PM.

BOOK 13, PAGE 345.

(3)

UNITED STATES BY THE PRESIDENT,
BENJAMIN HARRISON,

-TO-

MICHAEL KELLEHER.

CONVEYS: THE SW $\frac{1}{4}$ OR THE E $\frac{1}{2}$ OF SW $\frac{1}{4}$ AND THE LOTS 3 AND 4 OF THE SW $\frac{1}{4}$ OF SEC. 31, TWP. 1 N.R. 1 E. U.M. CONTAINING 160.40 ACRES.

SUBJECT TO ANY VESTED AND ACCRUED WATER RIGHTS FOR MINING, AGRICULTURAL, MANUFACTURING, OR OTHER PURPOSES, AND RIGHTS TO DITCHES AND RESERVOIRS USED IN CONNECTION WITH SUCH WATER RIGHTS AS MAY BE RECOGNIZED AND ACKNOWLEDGED BY THE LOCAL CUSTOMS, LAWS AND DECISIONS OF COURTS, AND SUBJECT ALSO TO THE RIGHT OF THE PROPRIETOR OF A VEIN OR LODGE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED AS PROVIDED BY LAW. AND THERE IS RESERVED FROM THE LANDS HEREBY GRANTED A RIGHT OF WAY THEREON FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES.

BOOK 70, PAGE 258.

(4)

MIKE KELLEHER,

-TO-

J. A. MILNER.

) WARRANTY DEED

) DATED FEB. 14th 1891;
) FILED FEB. 14th 1891; 4.40 PM.

CON. \$1000.00

CONVEYS: THE SW $\frac{1}{4}$ OR KNOWN AS THE E $\frac{1}{2}$ OF SW $\frac{1}{4}$ AND LOTS 3 AND 4 OF THE SW $\frac{1}{4}$ OF SEC. 31, TWP. 1 N.R. 1 E. U.M. CONTAINING 160.40 ACRES

ACK. FEB. 14th 1891 BEFORE ARTHUR P. COOK, CLERK OF THE DISTRICT COURT OF MESA COUNTY, COLORADO. (SEAL).

BOOK 33, PAGE 232.

(5)

J. A. MILNER,
-TO-
PETER S. KEEFER.

) WARRANTY DEED,
) DATED MARCH 12" 1891,
) FILED APRIL 6" 1891, 9.20 -M.
) CON. \$1500.00

CONVEYS: THE SW $\frac{1}{4}$ KNOWN AS THE E $\frac{1}{2}$ OF SW $\frac{1}{4}$ AND LOTS 3 AND 4 OF SW $\frac{1}{4}$ OF SEC. 31, TWP. 1 N.R. 1 E. U.M. CONTAINING 160.40 ACRES MORE OR LESS.

ACK. MARCH 12" 1891 BEFORE CHARLES F. DOWLING, A NOTARY PUBLIC OF LAKE COUNTY, COLORADO. (SEAL)

Book 33, PAGE 296.

(6)

TREASURER OF MESA COUNTY,
-TO-
MESA COUNTY.

) TAX SALE, No. 4265,
) DATED DEC. 8" 1898,
) CON. \$ 1.70.

SOLD: AN UNDIVIDED 1/3 INTEREST IN THE SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SEC. 31, TWP. 1 N.R. 1 E.---

Book E, PAGE 185.

(7)

JOHN H. BLOOD,
-vs-
FRANK W. OWERS.

) CERTIFICATE OF LEVY,
) IN DISTRICT COURT OF ARAPAHOE
) COUNTY, COLORADO,
) DATED DEC. 23" 1898,
) FILED DEC. 23" 1898, 11.45 AM.

CHARLES H. WALLIS, SHERIFF OF MESA COUNTY, BY L.H. PURNELL, UNDERSHERIFF, CERTIFIES THAT BY VIRTUE OF A WRIT OF EXECUTION TO HIM DIRECTED FROM THE DISTRICT COURT OF ARAPAHOE COUNTY, COLO. IN ABOVE CAUSE, DATED NOV. 28" 1898, DID ON DEC. 23" 1898 LEVY UPON ALL OF THE SW $\frac{1}{4}$ OF SEC. 1 N.R. 1 E. U.M. (AND OTHER PROPERTY).

Book I-B, PAGE 301.

(8)

CHARLES H. WALLIS, SHERIFF, BY
L.H. PURNELL, UNDERSHERIFF,
-TO-
JOHN H. BLOOD.

) CERTIFICATE OF SALE,
) DATED JAN. 22" 1899,
) FILED JAN. 24" 1899, 10.40AM.
) CON. \$500.

CERTIFIES THAT BY VIRTUE OF A WRIT OF EXECUTION DATED NOV. 28" 1898 ISSUED OUT OF THE COUNTY COURT OF MESA COUNTY, COLORADO, IN FAVOR OF JOHN H. BLOOD AND AGAINST FRANK W. OWERS TO MAKE \$4502.80 AND \$2.80 COSTS DID ON JAN. 14" 1899 AFTER LEVYING UPON AND ADVERTISING FOR SALE ACCORDING TO LAW, EXPOSE TO PUBLIC SALE, ALL OF THE SW $\frac{1}{4}$ OF SEC. 31, TWP. 1 N.R. 1 E. U.M. (AND OTHER PROPERTY) AND SOLD SAME TO JOHN H. BLOOD FOR \$500. BEING THE HIGHEST AND BEST BID THEREFOR, AND HE WILL BE ENTITLED TO A DEED FOR SAME OCT. 15" 1899 UNLESS RE-DEEMED ACCORDING TO LAW.

Should premises were sold subject to all prior liens, incumbrances and sales heretofore had and made

Book I-B, PAGE 380.

(9)

CHARLES H. WALLIS, SHERIFF BY) SHERIFF'S CERTIFICATE OF SALE,
L.H. PURNELL, UNDERSHERIFF,) DATED JAN. 21" 1899
-TO-) FILED, FEB. 7" 1899, 10.20AM
JOHN H. BLOOD.) CON. \$500.

CERTIFIES THAT BY VIRTUE OF A WRIT OF EXECUTION DATED
Nov. 28" 1898 ISSUED OUT OF THE DISTRICT COURT OF ARAPAHOE
COUNTY, COLORADO IN FAVOR OF JOHN H. BLOOD AND AGAINST FRANK
W. OWERS TO MAKE \$4502.80 AND \$2.80 COSTS, DID ON JAN. 14"
1899 AFTER LEVYING UP AND ADVERTISING FOR SALE ACCORDING TO
LAW, EXPOSE TO PUBLIC SALE ALL OF THE SW $\frac{1}{4}$ OF SEC. 31, TWP. 1
N.R. 1 E. U.M. (AND OTHER PROPERTY) AND SOLD SAME TO JOHN
H. BLOOD FOR \$500.00 BEING THE HIGHEST AND BEST BID THEREFOR
AND HE WILL BE ENTITLED TO A DEED FOR SAME OCT. 15" 1899
UNLESS REDEEMED ACCORDING TO LAW. *These premises were sold subject
to all prior liens incumbrances and sales heretofore had and made* BOOK I-B, PAGE 381.

(10)

TREASURER OF MESA COUNTY,) TAX SALE, No. 4460,
-TO-) DATED DEC. 26" 1899,
DELAPLAIN AND CROSBY.) CON. \$5.15.
SOLD: UNDIVIDED $\frac{1}{3}$ INTEREST IN THE SW $\frac{1}{4}$ OF SEC. 31, TWP.
1 N.R. 1 E.
REDEEMED OCT. 19" 1900 BY P. S. KIEFER. BOOK H, PAGE 11.

(11)

TREASURER OF MESA COUNTY,) TAX SALE, No. 4944,
-TO-) DATED DEC. 30" 1899,
MESA COUNTY.) CON. \$5.18.
SOLD: UNDIVIDED $\frac{1}{3}$ INTEREST IN SW $\frac{1}{4}$ SEC. 31, TWP. 1 N.R.
1 E. BOOK H, PAGE 66.

(12)

TREASURER OF MESA COUNTY,) TAX SALE, No. 5514,
-TO-) DATED DEC. 20" 1900,
MESA COUNTY.) CON. \$3.41.
SOLD: $\frac{1}{3}$ INTEREST IN THE SW $\frac{1}{4}$ OF SEC. 31, TWP. 1 N.R.
1 E.
REDEEMED MARCH 26" 1906 BY W. G. BOYER. BOOK H, PAGE 139.

(13)

TREASURER OF MESA COUNTY,) TAX SALE, No. 6188,
-TO-) DATED DEC. 24" 1901,
MESA COUNTY.) CON. \$4.19.
SOLD: $\frac{1}{3}$ INTEREST IN THE SW $\frac{1}{4}$ OF SEC. 31, TWP. 1 N.R.
1 E.
REDEEMED MARCH 26" 1906 BY W. G. BOYER. BOOK I, PAGE 36.

(14)

TREASURER OF MESA COUNTY,) TAX SALE, No. 6287,
-TO-) DATED DEC. 24" 1901,
MESA COUNTY.) CON. \$1.70.
SOLD: THE SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ ($\frac{1}{3}$ INTEREST) SEC. 31, TWP.
I N.R. I E.
REDEEMED MARCH 26" 1906 BY W. G. BOYER. BOOK I, PAGE 48.

(15)

TREASURER OF MESA COUNTY,) TAX SALE, No. 7358,
-TO-) DATED NOV. 23" 1903,
M.O. DELAPLAIN.) CON. \$6.77.
SOLD: $\frac{1}{3}$ INTEREST IN THE SW $\frac{1}{4}$ OF SEC. 31, TWP. I N.R.
I E.
REDEEMED MARCH 26" 1906 BY W. G. BOYER. BOOK I, PAGE 177.

(16)

TREASURER OF MESA COUNTY,) TAX SALE, No. 7362,
-TO-) DATED NOV. 23" 1903,
M. O. DELAPLAIN.) CON. \$6.78.
SOLD: $\frac{1}{3}$ INTEREST IN THE SW $\frac{1}{4}$ OF SEC. 31, TWP. I N.R.
I E.
REDEEMED MARCH 26" 1906 BY W. G. BOYER. BOOK I, PAGE 178.

(17)

TREASURER OF MESA COUNTY,) TAX SALE, No. 8002,
-TO-) DATED DEC. 19" 1904,
MESA COUNTY.) CON. \$6.74.
SOLD: $\frac{2}{3}$ INTEREST IN THE SW $\frac{1}{4}$ OF SEC. 31, TWP. I N.R.
I E.
REDEEMED MARCH 26" 1906 BY W. G. BOYER. BOOK J, PAGE 41.

(18)

TREASURER OF MESA COUNTY,) TAX SALE, No. 8073,
-TO-) DATED DEC. 20" 1904,
MESA COUNTY.) CON. \$8.27.
SOLD: $\frac{1}{3}$ INTEREST IN SW $\frac{1}{4}$ SEC. 31, TWP. I N.R. I E.
REDEEMED MARCH 26" 1906 BY W. G. BOYER. BOOK J, PAGE 50.

(19)

GEO. J.D. WILLIAMS, COUNTY
TREASURER OF MESA COUNTY,
COLORADO (Co.T.SEAL),

) TREASURER'S DEED,
DATED MAR. 26" 1906,
) FILED MAR. 27" 1906; 9.05AM.
) CON. \$45.54.

-TO-
W. G. BOYER.

WHEREAS AN UNDIVIDED $\frac{1}{3}$ INTEREST IN AND TO THE SW $\frac{1}{4}$ OF
SEC. 31, TWP. 1 N.R. 1 E. U.M. WAS SUBJECT TO TAXES FOR THE
YEAR 1898, AND WHEREAS THE TAXES ASSESSED UPON SAID REAL
ESTATE FOR THE YEAR AFORESAID REMAINED DUE AND UNPAID AT
DATE OF SALE HEREINAFTER MENTIONED, AND WHEREAS THE TREASURER
OF SAID COUNTY DID ON DEC. 30" 1899 EXPOSE TO PUBLIC SALE
AT THE OFFICE OF THE TREASURER THE REAL PROPERTY ABOVE DESCRIB-
ED FOR THE PAYMENT OF TAXES, INTEREST AND COSTS THEN DUE AND
REMAINING UNPAID ON SAID PROPERTY, AND WHEREAS NO BID WAS
OFFERED, WHEREUPON SAID TREASURER BID OF SAID PROPERTY IN THE
NAME OF MESA COUNTY FOR \$10.53, BEING THE WHOLE AMOUNT DUE,
AND A CERTIFICATE OF PURCHASE WAS ISSUED TO SAID COUNTY, AND
WHEREAS W. G. BOYER DID ON MARCH 26" 1906 PAY TO THE COUNTY
TREASURER THE ABOVE AMOUNT TOGETHER WITH INTEREST AND PENALTIES
ACCRUED TOGETHER WITH SUBSEQUENT TAXES THEREON AMOUNTING TO
\$45.54, AND SAID CERTIFICATE OF PURCHASE WAS DULY ASSIGNED TO
HIM, AND WHEREAS MORE THAN 3 YEARS HAVE ELAPSED SINCE DATE OF
SALE AND SAID PROPERTY HAS NOT BEEN REDEEMED AS PROVIDED FOR
BY LAW.

THEREFORE CONVEYS THE PROPERTY ABOVE DESCRIBED.

ACK. MARCH 26" 1906 BEFORE W. S. WALLACE, A NOTARY PUBLIC
OF MESA COUNTY, COLORADO. (N.P. SEAL) MY COMMISSION EXPIRES
DEC. 9" 1907.

BOOK 93, PAGE 330.

(20)

GEO. J.D. WILLIAMS, COUNTY
TREASURER OF MESA COUNTY,
COLORADO (Co.T.SEAL),

) TREASURER'S DEED,
DATED MARCH 26" 1906,
) FILED MARCH 27" 1906; 9.05AM
) CON. \$45.54.

-TO-
W. G. BOYER.

WHEREAS AN UNDIVIDED $\frac{1}{3}$ INTEREST IN AND TO THE
SW $\frac{1}{4}$ OF SEC. 31, TWP. 1 N.R. 1 E. U.M. WAS SUBJECT TO TAXA-
TION FOR THE YEAR 1897 AND WHEREAS THE TAXES ASSESSED UPON
SAID REAL ESTATE FOR THE YEAR AFORESAID REMAINED DUE AND
UNPAID AT DATE OF SALE HEREINAFTER NAMED, AND WHEREAS THE
TREASURER OF SAID COUNTY DID ON DECEMBER 8" 1898 EXPOSE TO
PUBLIC SALE AT THE OFFICE OF THE TREASURER, THE REAL PROPERTY
ABOVE DESCRIBED FOR THE PAYMENT OF TAXES, INTEREST AND COSTS
THEN DUE AND REMAINING UNPAID, AND WHEREAS NO BID WAS MADE OR
OFFERED BY ANY PERSON FOR SAID PROPERTY, AND SAID TREASURER
BID OFF SAID PROPERTY IN THE NAME OF MESA COUNTY FOR THE SUM
OF \$23.24, BEING THE WHOLE AMOUNT OF TAXES, INTEREST AND
COSTS THEN REMAINING DUE AND UNPAID, AND A CERTIFICATE OF PUR-
CHASE WAS ISSUED BY SAID TREASURER TO MESA COUNTY, AND WHERE-
AS W. G. BOYER DID ON MARCH 26" 1906 PAY TO AND DEPOSIT WITH
THE COUNTY TREASURER THE ABOVE AMOUNT, WITH INTEREST AND
PENALTIES ACCRUED THEREON TOGETHER WITH SUBSEQUENT TAXES
AMOUNTING TO \$45.54, AND SAID CERTIFICATE OF PURCHASE WAS
DULY ASSIGNED TO HIM, AND WHEREAS MORE THAN THREE YEARS HAVE
ELAPSED SINCE DATE OF SALE AND SAID PROPERTY HAS NOT BEEN
REDEEMED AS PROVIDED BY LAW.

THEREFOR CONVEYS THE LAND ABOVE DESCRIBED.

ACK. MARCH 26" 1906 BEFORE W. S. WALLACE, A NOTARY
PUBLIC OF MESA COUNTY, COLORADO. (N.P. SEAL) MY COMMISSION
EXPIRES DEC. 9" 1907.

BOOK 93, PAGE 331.

(21)

PETER S. KEEFER,
-TO-
W. G. BOYER.

) QUIT CLAIM DEED,
DATED MAR. 16th 1906,
) FILED MAR. 29th 1906, 11.20AM
CON. \$1.00 AND OTHER GOOD AND
VALUABLE CONSIDERATIONS.

CONVEYS: THE SW $\frac{1}{4}$ OF SEC. 31, TWP. 1 N.R. 1 E. U.M.
ACK. MARCH 16th 1906 BEFORE JULIUS CALMANN, A NOTARY PUBLIC
OF THE CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA. (N.P. SEAL)
MY COMMISSION EXPIRES MAY 29th 1909.

CERTIFICATE OF H. I. MULGRERY, CLERK OF THE CITY AND
COUNTY OF SAN FRANCISCO AND CLERK OF THE SUPERIOR COURT OF SAID
STATE (SUPERIOR Ct SEAL) OF DATE MARCH 16th 1906 THAT JULIUS
CALMANN WHOSE NAME IS SUBSCRIBED TO ANNEXED ACKNOWLEDGMENT
WAS AT TIME OF TAKING SAME A N.P. IN SAID STATE DULY
COMMISSIONED AND SWORN AND DULY AUTHORIZED BY THE LAWS OF SAID
STATE TO TAKE ACKNOWLEDGMENTS AND THAT HIS SIGNATURE IS GENUINE
AND INSTRUMENT IS EXECUTED AND ACKNOWLEDGED ACCORDING TO THE
LAWS OF THE STATE OF CALIFORNIA.

Book 100, PAGE 184.

(22)

W. G. BOYER,
-TO-
JAMES WHITLEY AND FRED G.
HOLMES.

) WARRANTY DEED,
DATED APRIL 4th 1906,
) FILED APRIL 4th 1906, 3.25PM.
CON. \$1.00 AND OTHER VALUABLE
CONSIDERATIONS.

CONVEYS: THE W $\frac{1}{2}$ OF SW $\frac{1}{4}$ OF SEC. 31 OTHERWISE KNOWN AS
LOTS 3 AND 4 OF SAID SECTION 31, TWP. 1 N.R. 1 E. U.M.
ACK. APRIL 4th 1906 BEFORE W. S. WALLACE, A NOTARY PUBLIC
OF MESA COUNTY, COLORADO. (N.P. SEAL) MY COMMISSION EXPIRES
DECEMBER 7th 1907.

Book 111, PAGE 135.

Articles of Incorporation of The Grand Valley Water Users Association, Dated Feb. 7th 1905. Filed Feb. 23rd 1905 at 9.30 A.M. Name: The Grand Valley Water Users Association.

Incorporators: Lawrence M. Miller, S.P. Green, H.H. Beach, John T. Beaman, James B. Hunter, George Smith, Marion O. Delaplain, William S. Wallace, James H. Smith and Merrill W. Blakelee.

Principal place of business: Grand Junction, Mesa Co., Colo.
Purposes: To provide and distribute water for irrigation purposes, etc. and to construct, purchase, lease, condemn, or acquire in any manner whatsoever, and to own, sell transfer, control, maintain and operate any irrigation works, etc. and property both real and personal necessary for the accomplishment of any of the purposes of this organization. To have power to enter into any contract with the U.S., individual, or corporation for the accomplishment of any of the aforesaid purposes. And to enter into any agreement with the U. S. with reference to the collection of all charges made under the federal statutes for the works and providing water for the lands of shareholders and to comply with the provisions of any federal statute applicable to the work done by the U.S. in connection with such system of water supply and any rules and regulations established thereunder.

The territory within which the lands to be irrigated are situated, to be known as the Grand Valley Irrigation District, includes all lands within the boundaries as follows:

That portion of Grand Valley lying between the east boundary line of Range 98 W. 6th P.M. and the west boundary line of Range 104 W. 6th P.M. irrigable by diversion of water from the Grand River in Colorado.

Capital stock: \$75000 : 75000 shares : \$1. each. Assessable by the Board of Directors.

Only owners of lands within the area described above, or extensions duly made, shall be qualified to own shares, and not more than 1 share for each acre. Each subscriber shall make application for water right to U.S. for the land represented by his shares as soon as water is available. Upon failure so to do, his shares shall be forfeited and shall have no rights thereunder. Ownership of stock shall carry right to water for the irrigation of the lands to which such share is appurtenant. Provides for equal distribution of water proportionate to number of shares held. Subscribers agree that water heretofore appropriated for irrigation of lands described in subscription shall become appurtenant to such lands, etc.

Has power to assess for revenue equally against all shareholders in proportion to the number of shares held.

Powers in Board of Directors, who have power to make bylaws.

Electors: Must be the owner of at least one share, and be 21 years of age, and each holder entitled to one vote for each share, but not to exceed in the aggregate 160 votes.

Provides for duties of officers.

Objects: To acquire a canal to be constructed by the U.S. to furnish water to unwatered land lying within district for irrigation and domestic purposes.

(over)

The headgate of said Canal is to tap the water of the Grand River in Twp. 10, R. 98 W. 6th P.M. at the most feasible point, thence SWly along the bank of Grand River 6 or 7 miles, thence in a general westerly and northwesterly course between 50 and 60 miles to a point at or near the Excelsior Divide so-called. Also provides for lateral canal upon South side of Grand River known as Orchard Mesa and Red Mesa.

Corporate indebtedness shall not exceed two-thirds of stock. Existence: 20 years.

Provides for amendment of articles. etc. etc. Ack. by the

Incorporators Feb. 7th 1905 before William A. Marsh, N.P. Mesa Co. Colo. (Seal). Comm. expires (Jan. 7th 1909.)

Subscription for STOCK WHITLEY
WE, FRED G. HOLMES & JAMES

Know all men by these presents, that we do hereby subscribe for and agree to take 80 shares of the capital stock of The Grand Valley Water Users' Association, and for that purpose and in order to become a member of said Association do hereby, subject to all the provisions thereof and of the bylaws of said Association not inconsistent therewith, subscribe to the following copy of the Articles of Incorporation of said Association, which are as follows:

(Here is set out the Articles of Incorporation as shown on the last above entry)

The said shares of stock, and all rights and interests represented thereby or existing or accruing by reason thereof, or incident thereto, are to be inseparably appurtenant to the following described real estate:
THE W¹/₄ OF SW¹/₄ OF SEC. 31, TWP. 1N. R. 1E. U.M. CONTAINING 80 ACRES.

in Mesa County Colorado, containing 80 acres, and no more, of which WE ARE the owners

Dated DECEMBER 20th 1907

(signed) FRED G. HOLMES.
JAMES WHITLEY

ACK. DEC. 20th 1907 BY JAMES WHITLEY BEFORE JOSEFITA D. GRIJALVA
A N.P. OF LOS ANGELES COUNTY, CALIFORNIA. (N.P. SEAL)
COMM. EXPIRES DEC. 4th 1911

ACK. FEB. 1st 1908 BY FRED G. HOLMES, BEFORE JACOB H. SCHIESSWOHL, A NOTARY PUBLIC OF MESA COUNTY, COLORADO.
(N.P. SEAL) MY COMMISSION EXPIRES JAN. 10th 1910.

FILED MARCH 6th 1908 8.55 A.M. Book 130, PAGE 109.

(25)

JAMES WHITLEY AND FRED G. HOLMES,

-TO-

HENRY N. PATTERSON.

I E.U.M.

CONVEYS: THE W $\frac{1}{2}$ OF SW $\frac{1}{2}$ OF SW $\frac{1}{2}$ OF SEC. 31, TWP. 1 N.R. 1 E.U.M. ACK. SEPT. 21" 1908 BEFORE CHARLES B. RICH, A NOTARY PUBLIC OF MESA COUNTY, COLORADO. (N.P. SEAL) MY COMMISSION EXPIRES JANUARY 20" 1909.

WARRANTY DEED,

DATED SEPT. 21" 1908,
FILED SEPT. 29" 1908, 1.15PM.

CON. \$3000.00

BOOK 136, PAGE 540.

(26)

FRED G. HOLMES,

-TO-

JAMES WHITLEY.

NW $\frac{1}{4}$ OF SW $\frac{1}{4}$ AND THE E $\frac{1}{2}$ OF SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ ALL IN SEC. 31, TWP. 1 N.R. 1 E.U.M.

CONVEYS: AN UNDIVIDED ONE-HALF INTEREST IN AND TO THE NW $\frac{1}{4}$ OF SW $\frac{1}{4}$ AND THE E $\frac{1}{2}$ OF SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ ALL IN SEC. 31, TWP. 1 N.R. 1 E.U.M. ACK. SEPTEMBER 27" 1909 BEFORE GEORGE W. CALDWELL, A NOTARY PUBLIC OF MESA COUNTY, COLORADO. (N.P. SEAL) MY COMMISSION EXPIRES OCT. 14" 1911.

WARRANTY DEED,

DATED SEPT. 27" 1909,
FILED SEPT. 27" 1909, 1.15PM.

CON. \$4000.00

BOOK 148, PAGE 51.

(27)

HENRY N. PATTERSON,

-TO-

THE PUBLIC TRUSTEE FOR USE OF)
JAMES WHITLEY AND FRED G. HOLMES.

N.R. 1 E.U.M.

CONVEYS: THE W $\frac{1}{2}$ OF SW $\frac{1}{2}$ OF SW $\frac{1}{2}$ OF SEC. 31, TWP. 1 N.R. 1 E.U.M. TO SECURE HIS NOTES BEARING EVEN DATE, HERewith FOR THE PRINCIPAL SUM OF \$1000.00 WITH INTEREST AT 8% PER ANNUM PAYABLE ANNUALLY, THERE BEING ONE NOTE FOR \$500.00 DUE ON OR BEFORE JANUARY 1" 1910, AND ONE NOTE FOR \$500.00 DUE ON OR BEFORE JANUARY 1" 1911.

TRUST DEED,

DATED SEPT. 21" 1908,
FILED SEPT. 29" 1908, 1.20PM.

CON. \$1.00.

ACK. SEPT. 21" 1908 BEFORE CHARLES B. RICH, A NOTARY PUBLIC OF MESA COUNTY, COLORADO. (N.P. SEAL) MY COMMISSION EXPIRES JANUARY 20" 1909.

BOOK 139, PAGE 49.

(28)

86432

M.M. SHORES, PUBLIC TRUSTEE,
-TO-
HENRY N. PATTERSON.

) RELEASE DEED,
DATED OCT. 30" 1909,
) FILED OCT. 30" 1909, 3.30PM.
CON. \$2.00.

RELEASES: THE W $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SEC. 31, TWP. 1 N.R. 1 E. U.M. FROM TRUST DEED DATED SEPT. 21 1908, RECORDED SEPT. 29" 1908 IN BOOK 139 AT PAGE 49, GIVEN TO SECURE TO JAMES WHITLEY AND FRED G. HOLMES PAYMENT OF \$1000.00 NOTE. NOTE PAID. ACK. OCT. 30" 1909 BEFORE JOHN G. MCKINNEY, A NOTARY PUBLIC OF MESA COUNTY, COLORADO. (N.P. SEAL) MY COMMISSION EXPIRES APRIL 6" 1912.

BOOK 144, PAGE 216.

The Colorado Abstract and Title Company hereby certifies that the foregoing (consisting of

Twenty Eight
One to Twenty Eight

Entries, numbered from

inclusive) is a full and complete abstract of each

and every instrument of record or on file in the office of the County Clerk and Recorder of Mesa County, Colorado, in any manner affecting or relating to the premises described in the caption of this ~~continuation~~ or any part thereof or the title thereto subsequent to the day of

~~A. D. 19~~ at ~~o'clock~~ ~~M.~~

Dated at Grand Junction, Colorado, this

30th Day of *October*

A. D. 1909 at *3:30* o'clock *P.* M.

THE COLORADO ABSTRACT AND TITLE COMPANY

Per

J. E. Hearn

Manager.

Continuation of

ABSTRACT OF TITLE

to

The Southwest Quarter of the Southwest Quarter of Section Thirty-one (31), Township One (1) North of Range One (1) East of the Ute Meridian, Mesa County, Colorado.

From February 9, 1939 at 8:00 o'clock A. M.

#####

The Grand Valley Water Users' Association

ARTICLES OF INCORPORATION
Dated February 7, 1905
Filed February 23, 1905
At 9:30 o'clock A. M.

#53297

- Article I. The name of this corporation shall be and is The Grand Valley Water Users' Association.
- Article II. (Here follows the names of the Incorporators)
- Article III. The Principle place of transacting the business of the Association shall be at Grand Junction, Mesa County, Colorado.
- Article IV. Sec. 1. The purpose for which this Association is organized - - furnish, provide for and distribute to the lands of the shareholders of the Association - - water for the irrigation thereof, to own, use, sell, transfer, convey, etc., property both real and personal etc. (other objects)
- Article V. The capital stock shall be \$75,000.00, divided into 75,000 shares of par value of \$1.00 each. said stock shall be assessable etc. (Other articles and Sections)

Signed by the Incorporators, Lawrence M. Miller, S. P. Green, H. H. Beach, John T. Beaman, George Smith, Marion O. Delaplain, William S. Wallace, James H. Smith, Merrill W. Blakslee and James B. Hunter.

Ack. February 7, 1905 by the above incorporators before William A. Marsh, Notary Public, Mesa County, Colorado.
(N. P. Seal) Commission expires January 7, 1909

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The Grand Valley Water Users' Association

AMENDMENT TO ARTICLES OF INCORPORATION
Filed September 14, 1912
At 3:00 o'clock P. M.

#108857
Filed

Certificate of W. S. Wallace, President and D. W. Aupperle, Secretary of The Grand Valley Water Users' Association (Corporate Seal) dated September 14, 1912, that at a meeting of the Board of Directors of said Association on August 15, 1912, the following resolution was adopted: - - That a special meeting of the stockholders of The Grand Valley Water Users' Association be called to be held at the office of the Association September 14, 1912 at 10:00 o'clock A. M. for the purpose of voting on the question of amending Sec. 3 of Article VI of the Articles of Incorporation of said Association, so that it may read as follows: Assessments for the cost, operation, maintenance and repair of the works owned, controlled or to be maintained by the Association shall be equitably assessed against all the share holders in proportion to the number of shares held by them respectively. That said special meeting was called. That said meeting was held at the office of the Association in the City of Grand Junction, Colorado, September 14, 1912. That at said meeting votes representing two-thirds of all the stock of said Association were cast in favor of the adoption of the proposed change.

Ack. September 14, 1912 by W. S. Wallace, President and D. W. Aupperle, Secretary of The Grand Valley Water Users' Association before Marion O. Delaplain, Notary Public, Mesa County, Colorado.
(N. P. Seal) Commission expires September 15, 1914

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Walter L. Fisher, Secretary of the Interior for and on behalf of the United States of America to The Grand Valley Water Users' Association

CONTRACT Dated February 13, 1913 At 11:10 o'clock A. M. Filed August 5, 1913 At 11:00 o'clock A. M.

#115142 Book 175 Page 532

Provides: That if the Secretary of the Interior shall authorize and cause the construction of said Irrigation works, the said association will take action to secure the determination by the courts of the relative rights to the use of water for said lands- - That the Water Users' Association guarantees the payment to the United States of the cost of the irrigation works as apportioned by the Secretary of the Interior against land of its shareholders, and also cost of operation and maintenance as assessed from year to year by the Secretary of Interior etc.

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~~to The Grand Valley Water Users' Association SUBSCRIPTION OF STOCK Dated Filed At Subscribed for shares of stock of The Grand Valley Water Users' Association. (Under the terms of the Articles of Incorporation, a copy of which is made a part of this instrument) to be inseparably appurtenant to the following real estate:~~

Ack. before Notary Public, Mesa County, Colorado. (N. P. Seal) Commission expires

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The Grand Valley Water Users' Association

CERTIFICATE OF EXTENSION Filed April 11, 1925 At 10:31 o'clock A. M.

#209483 File #1638

State of Colorado, County of Mesa, SS Certifies that a special meeting of the stockholders of said Association duly held in the Court Room of the County Court House at Grand Junction, Mesa County, Colorado, February 17, 1925 the following resolution was adopted: "Resolved that the corporate existence of The Grand Valley Water Users' Association, a corporation be extended for a period of 20 years from the date of the expiration of the present charter and so continuing the same as if originally incorporated." That said meeting was called and due and legal notice given in manner required by law and that at such meeting a majority of the entire outstanding capital stock was represented. That the said resolution was adopted by a majority vote of the entire outstanding/capital stock of said Association.

Signed March 21, 1925 by C. E. Blumenshine, President, Attest: M. Ethel Cox, Secretary. (Corporate Seal) Subscribed and sworn to March 28, 1925 before Delmar B. Wright, Notary Public, Mesa County, Colorado.

(N. P. Seal) Commission expires July 1, 1928

What appears to be duplicate of this instrument was filed May 24, 1938 at 11:10 o'clock A. M. File #3069. Reception No. 337413

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The Grand Valley Water Users' Association

CERTIFICATE OF AMENDMENT
Filed August 8, 1930
At 10:30 o'clock A. M.

#254831
File #1901

Certificate dated June 9, 1930 of W. S. Wallace, President, Attest B. W. Aupperle, Secretary of The Grand Valley Water Users' Association (Corporate Seal) that they as President and Secretary on Jan. 14, 1913 state: That at the regular meeting of the shareholders of said Association held Jan. 14, 1913, the following proposed amendments were read; that 18,310 votes representing more than 2/3 of the shares of said Association, were polled, all cast in favor of said amendments; that said President and Secretary were authorized to file certificate necessary to carry in effect the changes adopted. Amends Art. II as to names of incorporators. Amends Art. V Sec. 2 "Only those who are owners of lands or occupants of public lands having initiated a right to acquire the same shall be qualified to own shares of this Association. That not more than one share shall be allowed for each acre of land, but fractional shares may be issued for fractional acres." Sec. 4. "If shareholder or his successor should fail to make prompt application for such water right - - he shall be liable to the United States for water right charges levied by the Secretary of the Interior and the Association - - until such charges are fully paid they shall be a lien upon such lands and shares and the said lien shall be enforced by foreclosure and sale of said lands and shares of stock." Sec. 5 (To be stricken out) Art. VI. Sec. 5. "Calls and assessments shall be made and levied - - by Board of Directors, Assessments may be levied against such shares of stock as are appurtenant to the lands for which excess charges shall be levied by the Secretary of the Interior; when all payments required for such water rights shall have been made and evidence of the perfection of such water rights has been issued his stock shall be deemed to have been fully paid up, - - Secs. 4 and 5 refer to assessments. Art. XII Sec. 1 refers to acquirement of irrigation system etc. Art XIII refers to corporate indebtedness. Art. XV Sec. 2 refers to rights of way. Sec. 3 refers to damages to property.

Ack. July 10, 1930 by W. S. Wallace, who was on January 14, 1913, President of The Grand Valley Water Users' Association, before Mary Bell Ward, Notary Public, City and County of Denver, Colorado.

(N. P. Seal)

Commission expires April 9, 1934

Affidavit attached July 22, 1930 by W. S. Meek, President of The Grand Valley Water Users' Association, that he has examined the minutes of meeting above referred to and the above statements are correct.

Subscribed and sworn to July 22, 1930 before Virginia O. Wallace, Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires April 9, 1934

Certificate of true copy attached July 30, 1930 by Chas. M. Armstrong, Secretary of State of Colorado, by A. G. Suedtler, Deputy.

(State of Colorado Seal)

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The Grand Valley Water Users' Association

AMENDMENT
Filed January 30, 1929
At 3:10 o'clock P. M.

#242293
File #1825

To Amend Sec. 1 of Article IV to read as follows: To purchase or acquire land by foreclosure or otherwise and to hold, own, sell, transfer or convey such land, any such sale, transfer or conveyance to be upon such terms and conditions as may be fixed by the Board of Directors of this Association. (and other objects). To amend Article V by omitting therefrom Sections 3, 4 and 12. (Amends other Articles and Sections) Amendment adopted at Annual Meeting of Stockholders held Jan. 8, 1929, by more than 2/3 vote.

Signed W. S. Meek, President, Attest: W. W. Russell, Secretary. (Corporate Seal) Subscribed and sworn to Jan. 24, 1929 by W. S. Meek, President and W. W. Russell, Secretary of the Grand Valley Water Users' Association before Charles M. Holmes, Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires June 20, 1931

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37

The Grand Valley Water
Users' Association

CERTIFICATE OF AMENDMENT

#455876

Filed December 17, 1946

Filed #3444

At 10:28 o'clock A. M.

State of Colorado, County of Mesa, SS

Certificate of W. J. Baker, President and C. E. Blumenshine Secretary of the Grand Valley Water Users' Association, a corporation organized under the laws of the State of Colorado -- that at a special meeting of the stockholders of said Association, duly held in the Labor Temple of the City of Grand Junction, Mesa County, Colorado, on February 20, 1945 Resolution was adopted renewing and extending the corporate life of the Grand Valley Water Users' Association to and including February 1, 2031. - (Signed) W. J. Baker, President, Attest: C. E. Blumenshine, Secretary (Corporate Seal)

Subscribed and sworn to August 28, 1945 before Mary Alice Sullivan, Notary Public. (N. P. Seal) Commission expires Mar. 23, 1947

Certificate of true copy of Certificate of Renewal of the Certificate of Incorporation of the Grand Valley Water Users Association attached September 11, 1945 by Walter F. Morrison, Secretary of State By Earl E. Ewing, Deputy, United States of America, State of Colorado. (State of Colorado Seal)

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STATE OF COLORADO)
) SS
COUNTY OF MESA)

THE MESA COUNTY ABSTRACT COMPANY hereby certifies that the foregoing Entry Number 37, constitutes a true and correct Abstract of Title showing all instruments which appear of record or on file in the office of the County Clerk and Recorder of Mesa County, Colorado, from February 9, 1939 at 8:00 o'clock A. M. up to May 11, 1948 at 8:00 o'clock A. M., (Entries numbered 32 to 36 both inclusive are shown because of omission from previous continuations), affecting the title to the property described in the caption hereof.

Dated at Grand Junction, Colorado
May 11, 1948 at 8:00 o'clock A. M.

THE MESA COUNTY ABSTRACT COMPANY

By R B Sullivan, Manager