

RID96WAT

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: WATER DECREE

NAME OF AGENCY OR CONTRACTOR: DISTRICT COURT, MESA COUNTY

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: RIDGES POND  
NO. 4 - CASE NO. 96CW119 (90CW103)

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1996

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

**GRIMSHAW & HARRING**

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

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Wayne B. Schroeder  
(303) 839-3810

November 20, 1996

Gregory O. Trainor  
Utilities Manager  
City of Grand Junction  
250 North Fifth Street  
Grand Junction, Colorado 81501

Re: Concerning the Application for Water Rights of the City of Grand Junction, in Mesa County, Colorado, Case Nos. 96 CW 119 (90 CW 103) (Ridge Pond No. 4) and 96 CW 118 (90 CW 083) (Gardner Diversion No. 1)

Dear Greg:

I enclose a Judgment and Decree awarding diligence in each of these cases. The next diligence application is due August, 2001. These should be put into your decree book.

Sincerely,

GRIMSHAW & HARRING



Wayne B. Schroeder

WBS/tls

Enclosure

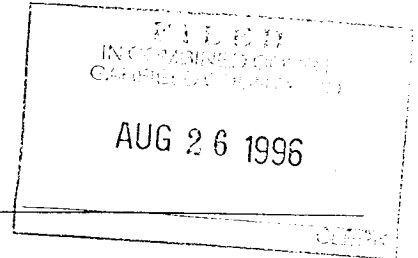
cc: Tom Zancanella (w/enc.)

Dan E. Wilson (w/o enc.)

7884.132

DISTRICT COURT, WATER DIVISION 5, COLORADO

CASE NO. 96CW119 (90CW103)



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**FINDINGS AND RULING OF REFEREE AND JUDGMENT AND DECREE**

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CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE CITY OF GRAND JUNCTION, IN MESA COUNTY, COLORADO.

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Applicant, City of Grand Junction, 250 North 5th Street, Grand Junction, Colorado 81501, by its attorney, Wayne B. Schroeder, 1700 Lincoln Street, Suite 3800, Denver, Colorado 80203, requests a finding of reasonable diligence by application filed April 26, 1996.

FINDINGS OF FACT

1. All notices required by law of the filing of this application have been given. The referee has jurisdiction of this case. The time for filing of statements of opposition has expired and no such statements have been filed.
2. Applicant requests a finding of reasonable diligence for Ridges Pond No. 4
3. Description of conditional water right:
  - A. Date of Original Decree: July 12, 1982  
Case No.: 81CW411  
District Court for Water Division 5  
  
Note: There were four separate decrees entered in 81CW411, one for each of four Ridges Pond Nos. 1-4.
  - B. Location: The pond is located in the W1/2 NW1/4 of Section 20, T.1 S., R 1 W, Ute Meridian, at a point whence the Northwest Corner of said Section 20 bears N. 26°21'42" W 1,376.79 feet.
  - C. Source: An unnamed tributary of the Colorado River, and the Colorado River
  - D. Appropriation Date: October 1, 1980.  
  
Amount: 71.0 acre feet, with right to fill and refill when storage capacity is available, and when water is available in priority.

- E. Use: municipal, including industrial, residential, commercial, recreation, fire protection, watering of animals and irrigation of lawns, shrubs and gardens.
  - F. Prior Diligence Findings: October 27, 1986, in 86CW113; September 20, 1990, in Case No. 90CW103.
- 4. Ridges Metropolitan District has been annexed by the City of Grand Junction, which has integrated the District's system into its municipal system.
  - 5. The Division Engineer has recommended that this application should be approved and issued as a ruling.

RULING

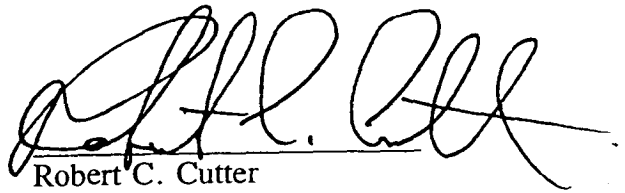
- 6. Applicant is hereby GRANTED a finding of reasonable diligence.
- 7. Prior to or during the month of August, 2001, and every six years thereafter until the conditional right is decreed absolutely, the owner or user thereof, if it is desired to maintain the same, shall file an application for finding of reasonable diligence with this Court. Applicant shall notify this Court of any change in mailing address. Upon the sale or other transfer of this conditional right, the transferee shall file with this Court a notice of transfer which shall state:
  - (1) The title and case number of this case;
  - (2) The description of the water right transferred;
  - (3) The name of the transferor;
  - (4) The name and mailing address of the transferee.

Applicant shall notify any transferee of the requirements of this paragraph.

Dated this 26<sup>TH</sup> day of August, 1996.

*Cert*  
Copy of the foregoing mailed to all  
Counsel of record ~~Water~~  
Referee, ~~Div. Engineer~~ and  
State Engineer ~~Date~~ 9-10-96

PCB  
Deputy Clerk, Water Div. No. 5  
*Schroeder*

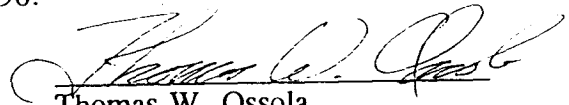


Robert C. Cutter  
Water Referee  
Water Division 5

### JUDGMENT AND DECREE

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 11<sup>th</sup> day of *October* September, 1996.



Thomas W. Ossola  
Water Judge  
Water Division 5

*96CW119*  
Copy of the foregoing mailed to all  
Counsel of record ~~Water~~  
Referee, ~~Div. Engineer~~ and  
State Engineer ~~Date~~ 10-29-96

ND  
Deputy Clerk, Water Div. No. 5  
*Schroeder*