

WATER DIVISION NO. 6

DEC 23 1982

STATE OF COLORADO

CASE NO. 81CW216

*John C. ...*  
CLERKBY \_\_\_\_\_  
DEPUTYIN THE MATTER OF THE  
APPLICATION FOR  
WATER RIGHTS OFERNEST SELF & HEIRSIN THE WILLIAMS FORK & YAMPA RIVERS,  
OR ~~THEIR~~ TRIBUTARIES.

TRIBUTARY INVOLVED: SPRING AND SEARCY

GULCH T. OF WF RIVER &amp; HOLDERNESS GULCH T. OF Y. RIVER

IN MOFFAT COUNTYRULING OF REFEREE  
(ABSOLUTE)

1. Applicant: Ernest Self & Heirs  
Address: P. O. Box 596  
Craig, Colo 81626
2. Name of ditch or other structure: Oliphant Spring, Beaver Spring, Parker Spring, Homestead Spring, Panick Springs 1 and 2, Betz Spring #1, Panick Reservoir, Sepf Spring & Reservoirs 1, 2, 3, 4, Gooseberry Spring, Quaker Reservoir
3. Point of diversion and/or place of storage:  
Oliphant Spring: 2800 feet S and 2650 feet W of the NE Corner of Sec. 2, T. 5 N., R. 90 W., 6th P.M.  
Beaver Spring: 2000 feet south and 1850 feet west of the NE corner of Sec. 2, T. 5 N., R. 90 W., 6th P.M.  
Parker Spring: 2550 feet south and 2600 feet west of the NE Corner of Sec. 1, T. 5 N., R. 90 W., 6th P.M.  
Homestead Spring: 2850 feet south and 4350 feet west of the NE Corner of Sec. 1, T. 5 N., R. 90 W., 6th P.M.  
Panick Spring #2: 3400 feet south and 2750 feet west of the NE Corner of Sec. 12, T. 5 N., R. 90 W., 6th P.M.  
Panick Spring #1: 4500 feet south and 3600 feet west of the NE corner of Sec. 12, T. 5 N., R. 90 W., 6th P.M.  
Betz Spring #1: 3350 feet south and 1100 feet west of the NE corner of Sec. 14, T. 5 N., R. 90 W., 6th P.M.  
Panick Reservoir: 4200 feet south and 4300 feet west of the NE corner of Sec. 12, T. 5 N., R. 90 W., 6th P.M.  
Self Spring & Reservoir #1: 1800 feet south and 1650 feet west of the NE Corner of Sec. 11, T. 5 N., R. 90 W., 6th P.M.  
Self Spring & Reservoir #2: 1700 feet south and 2500 feet west of the NE Corner of Sec. 11, T. 5 N., R. 90 W., 6th P.M.  
Self Spring & Reservoir #3: 1900 feet south and 2600 feet west of the NE Corner of Sec. 11, T. 5 N., R. 90 W., 6th P.M.  
Self Spring and Reservoir #4: 5450 feet south and 4750 feet west of the NE corner of Section 11, T. 5 N., R. 90 W., 6th P.M.  
Gooseberry Spring: 3400 feet south and 3150 feet west of the NE Corner of Sec. 11, T. 5 N., R. 90 W., 6th P.M.  
Quaker Reservoir: 200 feet south and 1800 feet west of the NE Corner of Sec. 14, T. 5 N., R. 90 W., 6th P.M.
4. Means of diversion: developed springs and reservoirs
5. Type of use: all springs and reservoirs: Stockwater  
Self Spring & reservoir #3 to include domestic and irrigation (3.10 acres)  
Self Spring and reservoir #2 to include irrigation (2.10 acres)  
Self Spring & reservoir #1: include irrigation (1.10 acres)
6. Amount of water: Oliphant Spg: .033 cfs Beaver Spg: .033cfs Parker Spg: .033 cfs  
Homestead Spg: 0.033 cfs Panick Spg #2: .033 cfs Panick Spg #1: .033 cfs  
Betz Spg #1: .033 cfs Panick Reservoir: .75 acre feet Self spg & res #1: .15 cfs  
Self Spg & res #2: .15 cfs Self spg & res #3: .25 cfs Self spg & res #4: .15 cfs  
Gooseberry spg: .033 cfs Quaker Reservoir: .25 acre feet
7. Priority of water right: Oliphant Spg: 2/14/1939 Beaver spg: 6/24/1930  
Parker spg: 12/2/1938 Homestead spg: 6/24/1930 Panick Spg #2: 11/30/1945  
Panick Spg #1: 11/30/1945 Betz Spg #1: 1/5/1946 Panick Res.: 11/30/1945  
Self Spg & res #1: 11/18/1949 Self spg & res #2: 11/18/1949  
Self spg & res #3: 11/18/1949 Self spg & res #4: 11/18/1949  
Gooseberry spg: 11/18/1949 Quaker Reservoir: 11/18/1949
8. Date of filing application: October 29, 1981

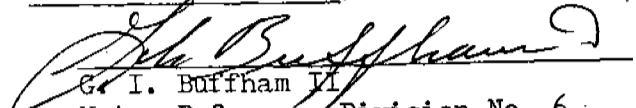
*Carroll  
Erra  
Carroll  
1/27/83  
C-214*

This ruling is subject to the Stipulation filed by Ernest & Vernice Self and Harold Haggerty concerning Water Case No. 81CW116 and 81CW216.

The priority here awarded shall be junior to all water rights or Conditional water rights awarded on applications filed in previous calendar years and shall also be junior to all priorities awarded in decrees entered prior to June 7, 1969, or decrees entered in proceedings which were pending on such date. As between all applications for water rights filed in the same calendar year, priorities shall be determined by historical dates of appropriation and shall not be affected by the date of entry of this judgment.

It is the ruling of the Referee that the statements in the application are true and that the above described water right is approved and granted the indicated priority.

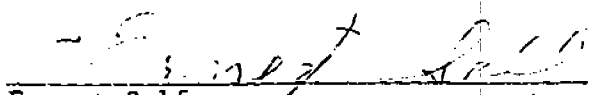
Dated this 17th day of December, 1982

  
G. I. Buffham II  
Water Referee - Division No. 6

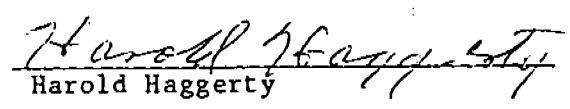
*Reel Case 81CW116*

Stipulation to Case 81CW116 and 81CW216

1. Ernest Self agrees to withdraw his protest to the referee's ruling in Case 81CW116 which is an application to grant Harold Haggerty a conditional decree to Haggerty Spring #9 for .15cfs, having a priority date of June 11, 1981.
2. Ernest Self has also applied for a water right to Haggerty Spring #9 in Case 81CW216. In Mr. Self's application the spring is referred to as Self Spring and Reservoir #4. When 81CW216 is adjudicated, Mr. Self will have a decree senior to that of Mr. Haggerty for .15cfs from said spring with a priority date of November 18, 1949, and an adjudication date of December 31, 1981. Mr. Self agrees to grant Mr. Haggerty an easement across his property in order to develop the water decreed in Case 81CW116 and to pipe the water to his residence for stock water and domestic purposes. Mr. Haggerty will be entitled to pipe off only the surplus waters arising from the spring above and beyond that required to satisfy Mr. Self's decree in Case 81CW216. The method of piping the water from the Self property must be approved by the Selves before installation of the system. The system will be completely maintained at Haggerty's labor and material cost.
3. In return for the right to an easement across Mr. Self's property to develop and pipe off surplus water from said Haggerty Spring #9, Mr. Haggerty agrees not to call out at any time any of the springs or reservoirs which will be decreed to Mr. Self in Case 81CW216 with the Haggerty Ditch. The Haggerty Ditch has an absolute decree to 4.0cfs with a priority date of June 5, 1967 and an adjudication date of December 31, 1979.
4. After completion and installation of the pipeline and tank, Haggerty will provide Selves a survey of the pipeline and tank. In exchange, Haggerty will receive a "Deed of Right-of-Way" from Selves. The right-of-way will be 20' (10' either side of the pipeline) wide commencing from the spring to Haggerty's fence line. The right of way deed will be at Haggerty's expense.
5. The terms and conditions of this Stipulation shall be binding upon and inure to the benefit of the parties' respective heirs, personal representatives, successors and assigns.
6. This Stipulation becomes effective as of the date on which the limitations and conditions set forth above are made a part of any subsequent ruling of the referee and decree of the water court entered in this proceeding.

  
Ernest Self

  
Vernice Self

  
Harold Haggerty

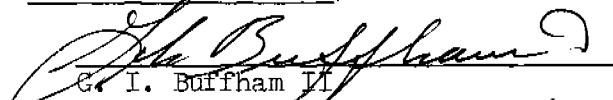
FILED WATER COURT  
DIV. 6  
STATE OF COLORADO

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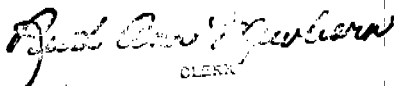
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Dated this 17th day of December, 1982

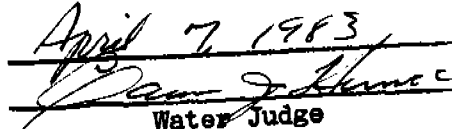
  
G. I. Buffham II  
Water Referee - Division No. 6

FILED WATER COURT  
DIV. 6  
STATE OF COLORADO

APR - 7 1983

  
PAUL ANN JOHNSON  
CLERK  
BY \_\_\_\_\_  
DEPUTY

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: April 7, 1983  
  
Paul J. Hancock  
Water Judge