

State of Colorado,)
County of Chaffee,)SS.

In the District Court in and for said County
and State.

No. 1735.

In the Matter of the Adjudication of the
Priorities of Water Rights in Water District
No. 11, Division No. 2, upon the Petition of
Hobart Murray, Henry Van Kleeck, William
Lamprecht, Minnie Woods, John G. Hollenbeck,
Eliza J. Hollenbeck, L. A. Hollenbeck, Emi-
lena J. Hollenbeck, and also James Van Every
and Florence Van Every, minors.

Decree.

On this first day of February, A.D. 1902, the same being one of the regular juridical days of the January, 1902, term of said District Court, the petition herein came on to be heard, the petitioners appearing personally, except said Minnie Woods and said James Van Every and Florence Van Every, minors, and that all of said petitioners appeared by their attorney, L. A. Hollenbeck, Esq., and that there was no appearance by any of the parties upon whom summons had been served herein, and it appears that the summons and notice upon all parties adversely interested hereto had been duly and regularly served according to law, and that said notice was complete. And the testimony of several witnesses having been heard in said proceeding, and the Court being fully advised in the premises, it appears and the Court doth find that the said petitioners have appropriated water for irrigation for their lands from that natural stream known as the South Arkansas River and use the said water through and by means of that certain ditch known as the Murray Ditch owned by these petitioners, and that the headgate of the said Murray ditch is located on the north bank of the said South Arkansas River at a point whence the Northeast corner Section 10, Twp. 49, N.R. 9 E. N. M. bears N. 39 degrees east 5200 feet, thence northeasterly as described in the

petition herein to the lands of Petitioners as alleged and that said appropriations were made as alleged originally through and by means of the Poncha Springs Acequia Ditch, the Harrington and the Briscoe Ditch on or before April 16th. A. D. 1882, with the intent to irrigate all the lands of the^d Petitioners as alleged herein, and that said rights were transferred to the said Murray Ditch in the Spring of A. D. 1883, when and at which time the said Murray Ditch was constructed by these said parties and their grantors for the said purpose of conveying said water to their said lands, and that the said appropriation was completed by actual use upon petitioners land soon thereafter and according to the original intent and that said water has been used continually thereafter upon said petitioners land and to the present time. And the Court further finds that the several petitioners hereto have appropriated and used water for irrigation of said lands as aforesaid and lately by means of said Murray Ditch, and as shown by appropriations and conveyances to the present time, upon said petitioners land to the amount of four hundred and forty acres (440); and that said use dates from the 16th. day of April, A.D. 1882; and that said Murray Ditch because of said appropriations and use is entitled to twelve and twenty thirty-fifths ($12 \frac{20}{35}$) cubic feet of water per second of time with priority dating from April 16th. A. D. 1882; and it is further found that it requires one cubic foot of water per second of time to properly irrigate thirty-five acres of petitioners' said lands.

WHEREFORE, by virtue of the law and by reason of the premises herein, it is ordered, adjudged and decreed that there be allowed to flow into said Murray Ditch from the said South Arkansas River for the irrigation of the lands aforesaid, and for the use of the said Henry Van Kleeck, Hobart Murray, William Lampracht, Minnie Woods, J.G. Hollenbeck, & Eliza J. Hollenbeck, L. A. Hollenbeck and Emilena J. Hollenbeck and

James and Florence Van Every, minors, petitioners herein, the sum of Twelve and Twenty Thirty-Fifths ($12 \frac{20}{35}$) cubic feet of water per second of time with priority dating from the 18th. day of April, A.D. 1882, at which time last aforesaid the priority takes effect.

By the Court:

M. S. Bailey,

Judge.

I, Joseph Hewitt Clerk of the District Court of
Chaffee County, in the State aforesaid, do hereby certify the above and foregoing
to be a true, perfect, and complete copy of Water Deceit, "Murray Ditch"
Book 6, p. 73 in a certain cause locally
pending in said Court, on the Law side thereof, wherein In the Matter
of Water Rights etc Hobart Murray et al,
Petitioners Plaintiff and
Defendant.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
the Seal of said Court, at Buenos Vista this
28 day of October A. D. 1902
Joseph Hewitt, Clerk