

5016 CIVIL
5017

FILED

United States District Court
Denver, Colorado

OCT 29 1957

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLORADO

J. Walter Bowers

CLERK

UNITED STATES OF AMERICA v. NORTHERN
COLORADO WATER CONSERVANCY DISTRICT,
et al.,

CONSOLIDATED CASES

CIVIL NO. 2782

IN THE MATTER OF THE ADJUDICATION OF
PRIORITIES OF WATER RIGHTS IN WATER
DISTRICT NO. 36 FOR PURPOSES OF
IRRIGATION

CIVIL NO. 5016

PETITIONERS: THE COLORADO RIVER WATER
CONSERVATION DISTRICT, THE GRAND VALLEY
WATER USERS ASSOCIATION, ORCHARD MESA
IRRIGATION DISTRICT, PALISADE IRRIGA-
TION DISTRICT AND GRAND VALLEY IRRIGA-
TION COMPANY

CIVIL NO. 5017

IN THE MATTER OF THE ADJUDICATION OF
PRIORITIES OF WATER RIGHTS IN WATER
DISTRICT NO. 36 FOR PURPOSES OTHER
THAN IRRIGATION

PETITIONERS: THE COLORADO RIVER WATER
CONSERVATION DISTRICT, THE GRAND VALLEY
WATER USERS ASSOCIATION, ORCHARD MESA
IRRIGATION DISTRICT, PALISADE IRRIGA-
TION DISTRICT AND GRAND VALLEY IRRIGA-
TION COMPANY

SUPPLEMENTAL ORDER DISMISSING RESERVED QUESTION
and
AMENDING DECREE

This matter coming on for hearing on October 23, 1957, upon the motion of the Northern Colorado Water Conservancy District; the United States of America acting by and through William H. Veeder, Special Assistant to the Attorney General, H. Lawrence Hinkley, Assistant United States Attorney and Thomas P. Ryan, United States Department of the Interior; the Northern Colorado Water Conservancy District acting by and through its attorneys, Clayton and Gilbert by John R. Clayton and David B. Emmert; the Colorado River Conservation Board acting by and through its attorney, John B. Barnard; the Grand Valley Irrigation Company, the Orchard Mesa Irrigation District and the Palisade Irrigation

District acting by and through its attorney, Silmon Smith, and the Court having heard the statements of counsel and by stipulation made in open Court, this Court does hereby enter the following Order:

IT IS ORDERED, ADJUDGED AND DECREED That the following paragraph on page 17 of the Final Decree in these consolidated cases heretofore entered on the 12th day of October, 1955, is hereby deleted from said Final Decree:

"This Final Decree does not determine the question of whether or not there should be imposed in the decree relating to the Colorado-Big Thompson Project a limitation on the maximum diversion through the Alva B. Adams Tunnel in any year or series of years, and if there is a limitation, the amount thereof. Said question without affecting the finality of this Decree is reserved for future determination upon motion of any of the parties asking such determination."

IT IS FURTHER ORDERED, ADJUDGED AND DECREED That the last paragraph of said Final Decree on page 17 is hereby amended to read as follows:

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court retains continuing jurisdiction for the purpose of effectuating the objectives of this Final Decree; including specifically but not by way of limitation, further interpretation of Senate Document No. 80 and the enforcement of the provisions thereof.

IT IS FURTHER ORDERED That copies of this Supplemental Order Dismissing Reserved Question and Amending Decree be served upon all attorneys in this action; that any party be given thirty (30) days within which to file written objections; if no objections are filed this Order shall then become final; however, if any objections are filed, said objections shall then be set down for early hearing and determination.

Dated this 29 day of October, A. D. 1957.

I, the undersigned, Clerk of the United States District Court for the District of Colorado, do certify that the foregoing is a true copy of an original document remaining on file and record in my office.

WITNESS my hand and SEAL of said Court this 29th day of July, 1972

G. WALTER BOWMAN, Clerk

William Lee Knous
 William Lee Knous
 District Judge