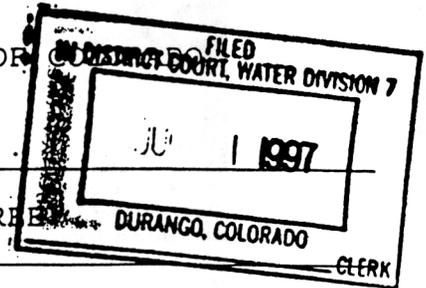


FILE

U.S. DEPT. OF JUSTICE
ENV. & NAT. RES. STATE OR
DISTRICT COURT, WATER DIVISION 7
DENVER, CO

CASE NO. W-1633-76

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECREE

CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE UNITED STATES OF AMERICA IN THE COUNTY OF MONTEZUMA (Reserved Water Rights for Mesa Verde National Park)

THIS MATTER comes before the Court for entry of Findings of Fact, Conclusions of Law and Decree on the application for reserved water rights at Mesa Verde National Park. The Court, having examined the records and files herein, having taken testimony where such testimony was necessary, and being now fully and sufficiently advised in the premises, hereby makes the following Findings of Fact, Conclusions of Law and Decree:

FINDINGS OF FACT

1. Pursuant to the McCarran Amendment, 43 U.S.C. §666, the United States of America filed an application for water rights at Mesa Verde National Monument, Hovenweep National Monument and Yucca House National Monument on December 30, 1976, which was assigned Case No. W-1633-76. An amended application for reserved water rights for Mesa Verde National Monument was filed on February 7, 1977. Thereafter, on March 17, 1977, the United States filed a pleading to correct its Application to indicate that Mesa Verde was a national park rather than a national monument.

2. The following Objectors timely filed Statements of Opposition in Case No. W-1633-76:

City and County of Denver
State of Colorado, Department of Natural Resources
Dolores Water Conservancy District
Southwestern Water Conservation District
Florida Water Conservancy District
La Plata Water Conservancy District
Mancos Water Conservancy District
Summit Reservoir and Irrigation Co.
Colorado River Water Conservation District
Town of Rico
City of Cortez
Town of Dolores
Town of Dove Creek
Montezuma Valley Irrigation Co.
Dolores Flood Control District

All of the Objectors, with the exception of the Town of Rico and the Dolores Flood Control District, have stipulated to the

entry of this Findings of Fact, Conclusions of Law and Decree ("Decree") or withdrawn their Statement of Opposition. As stated in the Affidavit filed concurrently with this Decree, the United States was unable to locate present counsel for the Dolores Flood Control District or confirm that it is still in existence.

3. The name, address and telephone number of the applicant:

United States of America
% U.S. Department of Justice
999 18th Street, Suite 945
Denver, CO 80202
(303) 312-7300

4. In its application, the United States:

a. claims reserved rights in Mesa Verde National Park to "all water in, on, under, adjacent or otherwise appurtenant to the land . . . , tributary or non-tributary . . ." described by an Act creating Mesa Verde National Park approved June 29, 1906 (34 Stat. 616), and the Acts of June 30, 1913 (38 Stat. 82); February 26, 1931 (46 Stat. 1422); April 25, 1928 (45 Stat. 458); December 23, 1963 (77 Stat. 473); and Presidential Proclamation No. 1998 of May 27, 1932 (47 Stat. 2511), with priority dates as of the dates these lands were withdrawn from the public domain.

b. claims reserved water rights for the following uses:

for the preservation from injury or spoliation of the ruins and other works and relics of prehistoric and primitive man within said park; recreation, domestic uses; municipal and administrative site uses; irrigation; stock grazing and watering; the development, conservation and management of resident and migratory wildlife and wildlife resources, the terms wildlife and wildlife resources to include birds and mammals, and all other classes of wild animals and all types of aquatic and land vegetation upon which wildlife is dependent; fire fighting and protection, forest growth, management, improvement and protection; commercial drinking and sanitary uses; road watering, watershed protection and management; wilderness preservation, flood, soil erosion control; preservation of educational, historic, scientific, scenic, aesthetic and other public values and habitat protection and management.

c. claims reserved water rights from the following sources and in the following amounts: that quantity "of surface, ground and underground waters, both tributary and non-tributary, which are situated in this Water Division and are located in, on, under, adjacent, or otherwise appurtenant to" the reservation, and which are, or will become, necessary to fulfill the present and future purposes for which the reservation was created.

5. Mesa Verde National Park was established by an Act of Congress creating Mesa Verde National Park on June 29, 1906 (34 Stat. 616) "for the preservation from injury or spoliation of the ruins and other works and relics of prehistoric and primitive man within said park."

6. On June 30, 1913, (38 Stat. 82) an Act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914, extended the boundaries of the Mesa Verde National Park adding additional parcels of land in which the Mancos River flows and in which springs originate.

7. On April 25, 1928, (45 Stat. 458) an Act to accept the cession by the State of Colorado of exclusive jurisdiction over the land embraced within the Mesa Verde National Park, and for other purposes required the Secretary of the Interior to

make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of the ruins and other works and relics of prehistoric or primitive man, all timber, natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the park.

8. On May 27, 1932 Presidential Proclamation No. 1998 (47 Stat. 2511) reserved certain additional lands described therein for scenic and road preservation purposes for inclusion within Mesa Verde National Park.

9. On December 23, 1963 an Act to revise the boundaries of Mesa Verde National Park, Colorado and for other purposes, (77 Stat. 473) further amended the boundaries of Mesa Verde National Park and required the National Park Service to administer lands "in

accordance with the Act entitled 'An Act to establish a National Park Service, and for other purposes,' approved August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. § 1, et seq.).

10. The boundaries of the respective reservations are shown in Exhibit A, the map attached hereto and made a part hereof.

11. The Mancos River, an identifiable and discrete water course within Mesa Verde National Park, enters the northeast part of Mesa Verde National Park in the NW1/4NE1/4 of Section 26, T. 35 N., R. 14 W. of the New Mexico P.M., and traverses lands reserved by the Act of June 30, 1913 (38 Stat. 82) in the E1/2 of Section 26, and the E1/2 of Section 35, T. 35 N., R. 14 W. and the W1/2 of Section 1 and the N1/2 of Section 12 T. 34 N., R. 14 W. of the New Mexico P.M., and exits the park in the NW1/4SE1/4, Section 12, T. 34 N., R. 14 W. of the New Mexico P.M.

12. Maintenance of instream flows in the Mancos River in Mesa Verde National Park is necessary to meet the primary purposes of the Park as described by the Acts of June 29, 1906 (34 Stat. 616); April 25, 1928 (45 Stat. 458); December 23, 1963 (77 Stat. 473); and Presidential Proclamation No. 1998 of May 27, 1932 (47 Stat. 2511).

13. There are numerous springs located on the lands reserved from the public domain in Mesa Verde National Park. These springs served as sources of water for the "prehistoric and primitive" inhabitants of the lands now comprising Mesa Verde National Park. The flow of these springs irrigates natural vegetation of the kind which was used by the "prehistoric and primitive" inhabitants as sources of food and fiber. The continued flow of these springs is necessary for interpretation of the life of the "prehistoric and primitive" inhabitants of Mesa Verde National Park. Also, the continued flow of these springs is necessary for preservation of "all timber, natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park."

14. Exhibit B (IN SITU USES FOR SPRINGS AT MESA VERDE NATIONAL PARK), which is attached hereto and made a part hereof, lists the springs located on the lands reserved from the public domain in Mesa Verde National Park by number, name, legal location, and amount of water necessary for the purposes described by the Acts of June 29, 1906 (34 Stat. 616); April 25, 1928 (45 Stat. 458); December 23, 1963 (77 Stat. 473); and Presidential Proclamation No. 1998 of May 27, 1932 (47 Stat. 2511). The springs identified in Exhibit B will be utilized for in situ uses that include evapotranspiration by natural vegetation, used by birds and animals, and the interpretation of the life of the "prehistoric and primitive" inhabitants.

15. In addition to the foregoing requirements for water

within Mesa Verde National Park, the National Park Service needs a reserved water right of 70 acre-feet per annum to help satisfy future requirements for the operation, administration, and protection of Mesa Verde National Park, including but not limited to such uses as, excavation, restoration and preservation of ruins and structures; construction of visitor facilities; staff and visitor domestic uses; and fire suppression. This water is necessary to fulfill the primary purposes of Mesa Verde National Park as described by the Acts of June 29, 1906 (34 Stat. 616); April 25, 1928 (45 Stat. 458); and December 23, 1963 (77 Stat. 473); and Presidential Proclamation No. 1998 of May 27, 1932 (47 Stat. 2511).

16. The United States has an appropriative water right for 120 acre-feet per annum and has an additional appropriative right for 100 acre-feet per annum pursuant to water rights decreed on March 22, 1963. These rights have a priority date of October 31, 1936, and consist of either storage or direct-flow, or both, from the West Mancos River with compensatory exchange releases from Jackson Gulch Reservoir.

CONCLUSIONS OF LAW

17. All notices required by law for filing and publication of the application in the Resume of Water Division No. 7 have been fulfilled and the court has jurisdiction over the subject matter and all parties whether or not they appeared. The time for filing Statements of Opposition has expired.

18. The primary purposes of Mesa Verde National Park are as stated in the Acts of June 29, 1906 (34 Stat. 616); April 25, 1928 (45 Stat. 458); and December 23, 1963 (77 Stat. 473); and Presidential Proclamation No. 1998 of May 27, 1932 (47 Stat. 2511) to wit: "the protection . . ." and "the preservation from injury or spoliation of the ruins and other works and relics of prehistoric and primitive man, all timber, natural curiosities, or wonderful objects . . ., and for the protection of the animals, birds and fish in the park."

19. Under the federal reserved rights doctrine, the United States has reserved instream flow rights in the Mancos River within the boundaries of Mesa Verde National Park to fulfill the primary purposes of Mesa Verde National Park. Arizona v. California, 373 U.S. 546, 600 (1963); Cappaert v. United States, 426 U.S. 128, 138 (1976); United States v. Denver, 656 P.2d 1, 20 (Colo. 1982).

20. Under the federal reserved rights doctrine, the United States also has the following reserved water rights with the following priority dates to meet the present and future needs for water necessary to fulfill the primary purposes of Mesa Verde National Park. Arizona v. California, 373 U.S. 546, 600 (1963); Cappaert v. United States, 426 U.S. 128, 138 (1976); United States

v. Denver, 656 P.2d 1, 34-35 (Colo. 1982).

a. The United States has reserved water rights for the springs described in Finding of Fact Nos. 13 and 14 above and Exhibit B. The priority dates are the dates of the reservation of the land containing the springs.

b. The United States has reserved water rights for 70 acre-feet of water per annum to help satisfy future requirements for the operation, administration, and protection of Mesa Verde National Park, including but not limited to such uses as, excavation, restoration and preservation of ruins and structures; construction of visitor facilities; staff and visitor domestic uses; and fire suppression. The priority dates are the dates the lands were withdrawn from the public domain.

21. The United States has demonstrated its entitlement to this decree as a matter of law.

DECREE

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

22. The Findings of Fact and Conclusions of Law contained herein are incorporated by reference and made a part of this Decree.

23. The United States is decreed reserved rights for the springs identified in Exhibit B, which is incorporated by reference and made a part of this decree, for use in situ, in the amounts stated in Exhibit B. This water is necessary to fulfill the primary purposes of Mesa Verde National Park as described by the Acts of June 29, 1906 (34 Stat. 616); April 25, 1928 (45 Stat. 458); December 23, 1963 (77 Stat. 473); and Presidential Proclamation No. 1998 of May 27, 1932 (47 Stat. 2511). The priority dates are the respective reservation dates identified in Exhibit B.

24. For the flows and time periods listed below, the United States is decreed reserved rights to instream flows in the Mancos River, flowing within Mesa Verde National Park, beginning at the point where the Mancos River enters reserved lands in the SE1/4 quarter of Section 26, T. 35 N., R. 14 W. of the New Mexico Principal Meridian, with a priority date of January 1, 1995. This water is necessary to fulfill the primary purposes of Mesa Verde National Park as described by the Acts of June 29, 1906 (34 Stat. 616); April 25, 1928 (45 Stat. 458); December 23, 1963 (77 Stat. 473); and Presidential Proclamation No. 1998 of May 27, 1932 (47 Stat. 2511).

a: August 1 through January 31 - 5 c.f.s.

b: February 1 through February 28 - 10 c.f.s.

- c: March 1 through March 31 - 15 c.f.s.
- d: -April 1 through April 30 - 30 c.f.s.
- e: May 1 through May 31 - 45 c.f.s.
- f: June 1 through June 30 - 12 c.f.s.
- g: July 1 through July 31 - 6 c.f.s.

25. The United States is decreed reserved water rights in the amount of 70 acre-feet of water per annum to help satisfy future requirements for the operation, administration, and protection of Mesa Verde National Park, including but not limited to such uses as, excavation, restoration and preservation of ruins and structures; construction of visitor facilities; staff and visitor domestic uses; and fire suppression. This water is necessary to fulfill the primary purposes of Mesa Verde National Park described by the Acts of June 29, 1906 (34 Stat. 616); April 25, 1928 (45 Stat. 458); and December 23, 1963 (77 Stat. 473); and Presidential Proclamation No. 1998 of May 27, 1932 (47 Stat. 2511). Except as provided in paragraph 26, below, this water may be developed from "any water in, on, under, adjacent or otherwise appurtenant to" Mesa Verde National Park. The priority dates for these 70 acre-feet are the dates of reservation associated with the location of the diversion. The priority date for the water which may be diverted from the Mancos River pursuant to paragraph 26 below is June 20, 1913.

26. The National Park Service will satisfy its need for water for future operation, administration, and protection of Mesa Verde National Park in the following order: 1) First, from the existing 120 acre-feet per annum appropriative water right from the West Mancos River described in paragraph 16 above; 2) Second, from the additional 100 acre-feet per annum appropriative right from the West Mancos River described in paragraph 16 above; and 3) Third, to the extent such appropriative rights are not adequate to accommodate increased utilization and visitation at Mesa Verde National Park, then from the reserved water rights of the United States for 70 acre-feet of water per annum described in paragraph 25 above, provided that at no time will the withdrawal of water from the Mancos River pursuant to this reserved right exceed 10 acre-feet per annum, with only five acre feet diverted during the irrigation season: June through October.

27. This judgment and decree constitutes the final adjudication of all claims of the United States for reserved rights for Mesa Verde National Park pursuant to the Acts of June 29, 1906 (34 Stat. 616); June 30, 1913 (38 Stat. 82); April 25, 1928 (45 Stat. 458); December 23, 1963 (77 Stat. 473); and Proclamation No. 1998 of May 27, 1932 (47 Stat. 2511) and any other applicable federal acts enacted prior to December 30, 1976.

28. Prior to diversion and use of any surface water on land reserved from the public domain in Mesa Verde National Park, the National Park Service shall provide the State Engineer the same

information that would be required in an application for a surface water right. Whereupon, the State Engineer shall administer the use in accordance with this Decree.

29. Prior to constructing any well, the National Park Service shall provide the State Engineer the same information required of an applicant for a permit to construct a well. Upon receipt of the information required of an applicant for a permit to construct a well, the State Engineer shall issue a permit and administer the use in accordance with the terms of this decree.

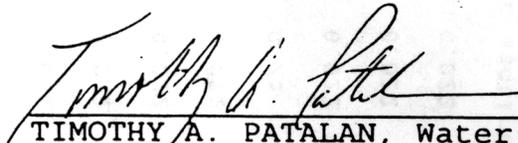
30. Subject to the availability of funds, the United States shall install and maintain such water measurement devices, recording devices, content gauges and inlet and outlet measurement and recording devices, as the case may be, as are deemed essential by the Office of the State Engineer; provided, however, that such devices shall not be located so as to interfere with the purposes of Mesa Verde National Park; and further provided that the United States shall not be entitled to curtailment of other water rights for the benefit of any of the water rights decreed herein unless the United States has installed and is maintaining the measurement devices required pursuant to this paragraph.

31. Because this Decree was entered pursuant to agreement of the parties and the issues decided herein have not been litigated between the parties, the parties shall not be collaterally estopped from asserting any factual and/or legal issues in any other cases not involving these water rights. This Decree shall not be used, considered, or cited as precedent in any other case except and only to the extent that the rights decreed herein are at issue.

32. The water clerk shall serve a copy of this Decree upon the parties, the Division Engineer, Water Division No. 7, and the State Engineer.

DATED this 31st day of July, 1997.

BY THE COURT:


TIMOTHY A. PATALAN, Water Judge
Water Division No. 7
State of Colorado

cc: K. Beegles (3) C. Fossum
H. Simpson K. McCabe
W. Weiss
J. Sheftel
L. W. McDaniel
D. Hallford
P. Wells

EXHIBIT B

IN SITU USES FOR SPRINGS AT MESA VERDE NATIONAL PARK

The following springs are located north of the Ute Line on land reserved by the Act of June 29, 1906:

<u>Spr. #</u>	<u>Source Name</u>	<u>Legal Description</u>	<u>Amount (gpm)</u>
3	Rock Springs #1	SWSES7T34NR15W *	0.014
26	West Long Canyon Spring	NESES7T34NR15W *	0.045
28	Upper Soda Can. Spring #4	NMNMS3T34NR15W *	5.0
29	Upper Soda Canyon Spring #3	SWSWS34T35NR15W	0.022
30	East Navajo Canyon Spring #2	NENMS4T34NR15W *	0.022
31	Battleship Rock Spring #1	SESWS34T35NR15W	0.022
35	Long Canyon Spring #1	NWNES31T35NR15W	0.022
36	West Navajo Canyon Spring	NMSES32T35NR15W	0.022
38	School Section Canyon Spring #3	SESES25T35NR15W	0.022
39	Prater Canyon Spring #3	SESWS32T35NR14W	0.022
40	Morefield Can. Spring #4	NMNMS4T34NR14W *	0.25
41	Prater Canyon Spring #2	NMSWS29T35NR14W	0.022
42	Morefield Canyon Spring #3	SMNMS33T35NR14W	0.022
43	Moccasin Canyon Spring #1	NMSWS19T35NR14W	0.022

NOTE: Legal descriptions are defined as the quarter section of the quarter section of a given section, township, and range (e.g., SWSWS3T36NR30W). All townships are north of the Base Line, except as noted below, which extends across New Mexico (between 34 and 35 degrees latitude), and all ranges are west of the New Mexico Principal Meridian. Unsurveyed or protracted sections are taken from Bureau of Land Management Protraction Diagram #31, October 28, 1964 and are identified with an asterisk (*) following the legal description.

<u>Spr. #</u>	<u>Source Name</u>	<u>Legal Description</u>	<u>Amount (gpm)</u>
44	West Prater Canyon Spring	SWNES19T35NR14W	0.022
45	Waters Can. Spring #1	NENES28T35NR14W	0.5
46	Prater Canyon Tunnel Spring	NMSWS17T35NR14W	0.022
56	Frink Trail Boulder Spring	NWNWS23T35NR15W	5.0
62	Moccasin Overlook Spring	NENES24T35NR15W	0.022
70	Morefield Canyon Spring #1	SWSES20T35NR14W	12.0
71	Morefield Point Spring #2	SWNWS21T35NR14W	0.355
74	Moccasin Canyon Spring #2	SWSWS19T35NR14W	0.022
77	Keesee Field Spring	SESWS4T35NR14W	5.0
81	East Navajo Canyon Spring #1	SWNWS27T35NR15W	0.022
87	Line Change Seep	NENWS19T35NR14W	0.022
90	School Sec. Can. Spring #2	NESWS24T35NR15W	0.75
112	W Little Soda Can. Spring #3	NWNES34T35NR15W	0.022
122	Prater Canyon Boxelder Spring	NWNWS20T35NR14W	0.022
134	W Little Soda Can. Spring #1	SWSES22T15NR35W	1.0
135	Frink Trail Slum Gulllun Spring	NWSWS23T35NR15W	0.022
146	W Little Soda Can. Spring #2	NWNES27T35NR15W	0.125
153	Vulture Cliff Spring	SESWS9T35NR14W	5.0
154	Mancos Canyon Spring 1906	SENES27T35NR14W	0.022
158	School Section Canyon Spring #1	SENWS24T35NR15W	0.022

<u>Spr. #</u>	<u>Source Name</u>	<u>Legal Description</u>	<u>Amount (gpm)</u>
165	Morefield Ridge Spring	SMNWS33T35NR14W	0.022
176	East Rim Trail Spring	SMSWS16T35NR14W	0.33
177	Morefield Point Spring #1	SMNWS21T35NR14W	0.022
182	Upper Soda Canyon Spring #2	NWSES26T35NR15W	0.022
183	Morefield Canyon Spring #2	NESES29T35NR14W	0.125
192	Mile 2 Wetherill Road Spring	SENES21T35NR15W	0.5
195	Prater Ridge Spring #1	NWSES7T35NR14W	5.0
196	Prater Ridge Spring #2	NWSES7T35NR14W	5.0
197	Prater Ridge Spring #3	SWSES7T35NR14W	0.355
198	Prater Canyon Spring #1	NWSES18T35NR14W	5.0
199	Prater Can. Side Canyon Spring	NMNWS29T35NR14W	0.125
204	Knife Edge Trail Spring	SWSWS7T35NR14W	0.125
213	Mancos Canyon Gully #1	NMNWS26T35NR14W	1.5
214	Mancos Canyon Gully #2	SENWS26T35NR14W	2.0
215	Mancos Canyon Gully #5	NENWS35T35NR14W	2.0
216	Mancos Canyon Gully #6	NENWS35T35NR14W	2.0
217	Mancos Canyon Gully #7	SESWS35T35NR14W	1.5
223	Waters Canyon Spring #2	SESES28T35NR14W	1.0
224	Whites Canyon Spring	NESWS27T35NR14W	1.0
226	Upper Soda Canyon Spring #1	NWSES23T35NR15W	1.0

<u>Spr. #</u>	<u>Source Name</u>	<u>Legal Description</u>	<u>Amount (gpm)</u>
259	Culvert One	NWNE57T35NR14W	5.0
262	Prater Canyon-Turkey Spring	SWSWS29T35NR14W	2.5

The following springs are located south of the Ute Line on land reserved by the Act of June 30, 1913:

<u>Spr. #</u>	<u>Source Name</u>	<u>Legal Description</u>	<u>Amount (gpm)</u>
1	Spruce Tree House Spring	NMNWS21T34NR15W *	0.014
2	Soda Canyon Cliff Spring	SESES27T34NR15W *	0.014
4	Spring House Spring	SWNWS18T34NR15W *	0.014
5	Cliff Palace Spring	SESES28T34NR15W *	0.014
6	Cliff Canyon Spring #1	NWSES21T34NR15W *	0.014
7	Wicklup Canyon Spring #3	NWSWS20T34NR15W *	0.014
8	Square Tower House Spring	SESES29T34NR15W *	0.014
9	Fewkes Canyon Spring #2	SWNES28T34NR15W *	0.014
10	Fewkes Canyon Spring #1	SWNES28T34NR15W *	0.014
11	Fewkes Canyon Spring #4	SESES28T34NR15W *	0.014
12	Cliff Canyon Spring #3	NENES28T34NR15W *	0.014
13	Sunset House Spring	NWSWS27T34NR15W *	0.014
14	Navajo Canyon Reed Springs	NESWS29T34NR15W *	0.045
15	Bobcat Canyon Spring #1	NMNWS19T34NR15W *	0.014

SPC. #	Source Name	Legal	
		Description	Amount (gpm)
16	Long Canyon Spring #3	NESWS18T34NR15W *	0.014
17	Rock Can. Kodak House Spring	NESES24T34NR16W	0.125
18	Rock Can. Long House Spring	SWSES13T34NR16W	0.003
19	Wicklup Can. Spring #2	SESW57T34NR15W *	5.0
20	Navajo Can. Spring #1	NENES7T34NR15W *	5.0
21	Wicklup Canyon Spring #1	NWNWS7T34NR15W *	0.045
22	Rock Can. Spring #2	NESES25T34NR16W	5.0
23	Lower Soda Canyon Spring #3	NESES27T34NR15W *	0.014
24	Rock Canyon Spring #1	NESWS13T34NR16W	0.045
25	Rock Canyon Jug House Spring	SWNWS13T34NR16W	0.045
47	Balcony House Spring #1	NESWS27T34NR15W *	0.014
48	Balcony House Spring #2	NESWS27T34NR15W *	0.014
53	Lower Soda Canyon Spring #2	SENWS27T34NR15W *	0.014
54	Lower Soda Canyon Spring #1	SWSES22T34NR15W *	0.045
55	Horse Canyon Spring	SWSWS25T34NR16W	0.355
61	Cliff Canyon Spring #2	NENES28T34NR15W *	0.014
63	Navajo Canyon Spring #3	NESWS29T34NR15W *	0.045
64	Navajo Canyon Spring #4	NESWS29T34NR15W *	0.045
66	Nordenskiold Site 12 Spring	NENES25T34NR16W	0.014
67	Fuller Brush House Spring	NESES30T34NR15W *	0.014

Spr. #	Source Name	Legal		Amount (gpm)
		Description		
68	Rock Canyon Spring #3	SWSWS30T34NR15W *		0.045
75	Navajo Canyon Spring #5	NWSES29T34NR15W *		0.045
80	Middle Soda Canyon Spring #1	SWNES16T34NR15W *		5.0
86	Echo Cliff Dike Spring	SESES29T34NR15W *		0.072
95	Echo Cliff Slump Springs	SWNES29T34NR15W *		5.0
98	Rock Springs #2	SWNWS12T34NR16W		3.0
99	Rock Springs #3	SWNWS12T34NR16W		1.0
107	Spruce Canyon Spring	NESES20T34NR15W *		0.045
109	Spruce Tree Canyon Spring	SWNWS21T34NR15W *		0.045
115	Chaplin Mesa Spring	SWSWS9T34NR15W *		0.014
118	Long Canyon Spring #2	NENES13T34NR16W		0.355
119	Fewkes Canyon Spring #3	SESES28T34NR15W *		0.014
128	Spruce Canyon Spring #2	SESES8T34NR15W *		0.67
131	Spruce Canyon Spring #1	SWNES8T34NR15W *		0.014
136	Fewkes Canyon Spring #5	NESES28T34NR15W *		0.013
137	Lower Soda Canyon Spring #4	SESES27T34NR15W *		5.0
143	Bobcat Canyon Spring #2	NESES19T34NR15W *		0.045
144	Bobcat Canyon Spring #3	SESWS19T34NR15W *		0.045
147	Lower Long Canyon Spring #2	SESES30T34NR15W *		0.355
148	Lower Long Canyon Spring #1	NESES30T34NR15W *		0.045
149	Soda Point Overlook Spring #2	SWNES27T34NR15W *		0.045

<u>Spr. #</u>	<u>Source Name</u>	<u>Legal Description</u>	<u>Amount (gpm)</u>
160	Lower Long Canyon Spring #3	SWSES30T34NR15W *	0.045
161	Wicklup Point Spring	SENWS20T34NR15W *	1.42
169	Spruce Tree Point Spring	NMNWS21T34NR15W *	0.29
174	Soda Point Overlook Spring #1	SWNES27T34NR15W *	0.014
188	Navajo Canyon Spring #2	NENWS20T34NR15W *	0.045
208	Upper Wicklup Point Spring	SENWS20T34NR15W *	0.014
218	Under Limy Draw Pouroff Spring	NESWS30T34NR15W *	0.014
233	Hemenway House Spring	SWSWS26T34NR15W	0.014

The following spring is located north of the Ute Line on Land reserved by the Act of December 23, 1963:

<u>Spr. #</u>	<u>Source Name</u>	<u>Legal Description</u>	<u>Amount (gpm)</u>
73	Park Entrance Spring	SWSES29T36NR14W	5.0

Exhibit A

Eastern Boundary
Reserved Lands Along the
Mancos River
Mesa Verde National Park



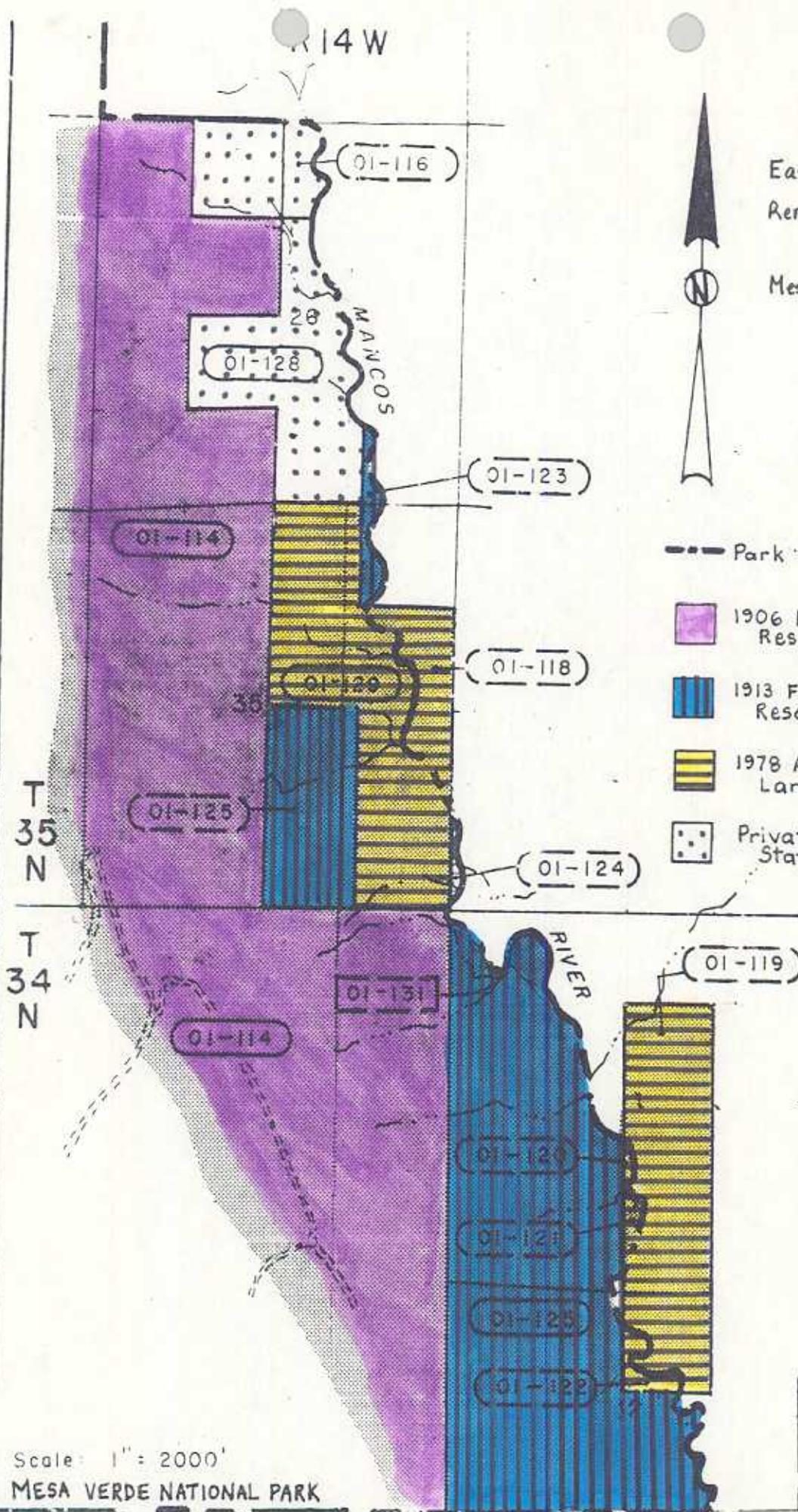
--- Park Boundary

 1906 Federally Reserved Land

 1913 Federally Reserved Land

 1978 Acquired Lands

 Private or State Lands



Scale: 1" = 2000'

MESA VERDE NATIONAL PARK

UTE MTN. INDIAN RESERVATION