Missing 8/10/1954 to 1/16/1956
Board of Commissioners met in regular session, Monday, January 11, 1954, at 9:00 A.M.

Present: Chas. T. Porter, Chairman, Grady Clampitt, Commissioner; C. R. Hickman, Commissioner; Geo. E. Dilts, County Attorney; John Leavitt, Clerk.

Minutes of previous meetings were read and approved. Reports of County Officers—County Treasurer, County Clerk, County Sheriff and Clerk of District and County Courts for the month of December 1953 were reviewed and ordered filed.

Claims as follows were approved:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Warrant No.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>837 to 909</td>
<td>$7,843.52</td>
</tr>
<tr>
<td>Road</td>
<td>8795-8834</td>
<td>$5,878.12</td>
</tr>
</tbody>
</table>

No old business, other than the allowance of current claims, appearing, Chairman Porter dissolved the old Board and asked for nominations for a Chairman for the year 1954. C. R. Hickman was nominated by Commissioner Clampitt. Elected Chairman, both Commissioner Porter and Commissioner Clampitt voting aye; Commissioner Hickman refrained from voting.

All current appointments were continued at same salaries. J. J. Harris, Bankers and the Citizens State Bank were continued as depositaries of all County Funds. The following resolutions were unanimously adopted:

Resolution No. 1

Be it resolved that the signature plate bearing the signatures of Chas. T. Porter and John Leavitt be authorized for signing all County Warrants until such time as a new plate bearing the signatures of C. R. Hickman, Chairman of the Board, and John Leavitt, County Clerk, can be obtained.

Resolution No. 2

Whereas, It is acknowledged by all local, state and national water agencies that Colorado is using less than one-half of its allocated share of Colorado River water, although it produces approximately 74% of all Colorado River water, and

Whereas, It is necessary that a number of Dams be constructed in Colorado for the storage of water if Colorado is to utilize its allocated share of Colorado River water, and

Whereas, Such storage dams should be constructed at high elevations so as to reduce the amount of evaporation depletions chargeable to Colorado, and so that said water can be utilized to the fullest possible extent for industrial, agricultural and domestic purposes, and

Whereas, The Curecanti Dam on the Gunnison River will provide the desirable high storage with a low evaporation loss ratio and

Whereas, Recent statements made by officials of the State of Colorado and of the United States Government have cast some doubt on the construction of the Curecanti Dam as one of the initial units of the Colorado River Storage Project, and

Whereas, The Curecanti Dam is the only project slated for construction in Colorado as part of the Colorado River Storage Project, which is for the benefit of Colorado, and has the unanimous approval and support of the people in the area or basin in which said Dam will be constructed, and

Whereas, The Curecanti Dam is economically feasible even under the new criteria enunciated by the Department of the Interior, and

Whereas, The Curecanti Dam has not only been approved, supported, recommended and urged for construction as an initial unit of the Colorado River Storage Project by the people in the area basin in which said Dam will be constructed, but also by the following official Water Associations representing practically every area of the State of Colorado, to-wit:

1. The Water Advisory Committees of the Counties of Montrose, Delta and Gunnison;
2. The Colorado River Water Conservation District;
3. The Southwestern Colorado Water Conservation District;
4. The Water Development Association of Southeastern Colorado;
5. The Colorado Water Conservation Board; and

Whereas, The Curecanti Dam has also been approved by the Upper Colorado River Commission and is designated for construction as an initial unit of the Colorado River Storage Project in Senate Bill S.1555, endorsed by said Upper Colorado River Commission and introduced in Congress by Senator Eugene D. Millikin on April 2, 1953, which Bill is now pending before the Committee on Interior and Insular Affairs; and

Whereas, The participating projects provided for in the Colorado Storage Project and enumerated in Senate Bill S.1555 have all been endorsed and approved by the agencies and associations hereto mentioned; and
2. That the Governor, The Colorado Water Conservation Board and the congressional representatives of this State without delay coordinate their efforts to see that additional storage dams are constructed in Colorado under the Colorado River Storage Project at the earliest possible time, so that the water stored can be utilized in Colorado for the benefit of Colorado, and that where local objections are raised to any proposed dam, that they coordinate their efforts to see that the objections are fairly and equitably resolved at the earliest possible time; and it is further

Resolved, That a copy of this resolution be sent to Governor Dan Thornton, The Colorado Water Conservation Board, the Upper Colorado River Commission, the Honorable Eugene D. Millikin and the Honorable Edwin C. Johnson, United States Senators for the State of Colorado, the Honorable Wayne E. Aspinall, the Honorable Edgar Chenoweth, the Honorable Byron G. Rogers and the Honorable William S. Bill, United States Representatives for the State of Colorado, Secretary of the Interior Douglas McKay and O. E. Laroon, Regional Director of Region No. 4 of the Bureau of Reclamation.

Meeting adjourned at 4:00 P. M.  

Chas. T. Porter, Chairman  
John Leavitt, Clerk
Board of Commissioners of Montezuma County met in regular session, Monday February 15, 1954, at 9:00 A.M.

Present: C. R. Hickman, Chairman; Grady Clampitt, Commissioner; Chas. T. Porter, Commissioner; Geo. E. Dilts; County Attorney; John Leavitt, Clerk.

Clerk instructed to notify public thru the Montezuma Valley Journal that the next meeting of the Board will be on Tuesday, February 23, 1954—Monday the 22d being Washington's Birthday.

Resolution No. 3 was unanimously adopted:

Resolution No. 3

Whereas, it appears that precinct number 4 known as the Stoner precinct is no longer needed and the expense of maintaining said precinct out weighs the benefits to be derived from such precinct, and

Whereas, it further appears that it is will be necessary to create a new precinct in the vicinity of the Ute Reservation in this County to enable qualified Indian voters to vote, NOW THEREFORE, BE IT

RESOLVED:

That under the power and authority vested in this body by Section 43, Chapter 45, 1935 Colorado Statutes Annotated, it is resolved that the Stoner precinct numbered 4 be abolished and that the same be merged with East Dolores precinct numbered 3; that there be created a new precinct in Montezuma County to be designated as Towaoc Precinct, numbered 4, the boundaries thereof to be described as beginning at the point of intersection of the western boundary line of Montezuma County with the North line of the Ute Reservation, thence along said North line of said Ute Reservation to the Eastern boundary line of Montezuma County, thence Southeasterly to the New Mexico State line, thence West along said New Mexico State line to the Utah State line, thence North to the
Board of Commissioners of Montezuma County met in regular session Monday, March 22, 1954 at 9:00 A.M.

Present: C. R. Nickman, Chairman; Grady Claspitt, Commissioner; Geo. E. Dilts, County Attorney; John Leavitt, Clerk.

Absent: Chas. T. Porter, Commissioner.
The following resolution was unanimously adopted:

RESOLUTION NO. 4

WHEREAS, it appears from the records of the County Treasurer of Montezuma County, Colorado that taxes for the years 1920, 1921, 1922, and 1923 were assessed against the SW corner of Section 5, Township 37 North, Range 16 West of the N. W. P. M., and,

WHEREAS, it appears that under the law the said taxes are uncollectible, and should therefore be cancelled as provided by law,

NOW THEREFORE, be it resolved: That the taxes for the years 1920, 1921, 1922, and 1923 upon the

land above described be cancelled as uncollectible and that the records of the County Treasurer of Montezuma County be adjusted accordingly.

Meeting adjourned at 1:00 P.M.

Board of Commissioners of Montezuma County met in regular session Monday March 29, 1954 at 9:00 A.M.

Present: Grady Clappitt, Chairman, Pro Temp; Chas. T. Porter, Commissioner, Geo. R. Bills, County Attorney, John Leavitt, Clerk.

Absent: C. R. Hickman, Chairman.

Grady Clappitt was elected Chairman Pro Temp in the absence of the regular Chairman.

Liquor Hearing of Chester W. Pritchett for Retail Liquor Store License postponed until Monday, April 5, 1954 at 10:30 A.M.

The following resolution was unanimously adopted:

RESOLUTION # 5

Whereas, the Board of Commissioners of Montezuma County, Colorado finds Tax Sale Certificate No. 12637, issued to Fred I. Sturtevant, December 11, 1950 was issued in error on Lot 23, Block 1, Slaven's Addition to the Town of Cortez, the same described property being assessed to Ralph Graffis for the year 1950, now therefore, be it Resolved that Tax Sale Certificate No. 12637 be and it is hereby cancelled. The Treasurer of Montezuma County is instructed to refund to Fred Sturtevant the face of the certificate, $1.56 plus interest at 8% from 2/11/50 to 3/29/54, $.83, total $4.49.

Petitions for abatement of taxes as follows were approved:

Winifred Trimble, Cortez, Sch. Dist D4 Lots 5-14 Elk 23

Assessed 3410

Tax 217.95

Abatement

Double assessment thru clerical error.

Chairman Pro Temp signed a deed from Montezuma County to J. B. Millard for parcel of land at "W" on Highway 160. Purpose of this deed was to correct right of way description. Millard exchanged deed to strip of land in same general location. See Reception # 195691, Book 127, Page 221 and following for description.

Meeting adjourned at 3:30 P.M.

Grady Clappitt, Chairman Pro Temp  John Leavitt, Clerk
The Board of Commissioners of Montezuma County met in regular session, Monday, May 3, 1954 at 9:00 A. M.

Present: C. R. Hickman, Chairman; Grady Clempitt, Commissioner; Chas. T. Porter, Commissioner; Geo. E. Dilts, Attorney; John Leavitt, Clerk; R. L. Page, Road Supervisor.

Appeared Lester Frailey, Superintendent, Montezuma Valley Irrigation Company, to request that he be allowed to try an Allis-Chalmers Speed Patrol for killing weeds along the ditch banks, with intent, if trial is successful, of buying the Speed Patrol from Montezuma County. Board agreed to let him have the Speed Patrol for 30 days trial.

Appeared Andrew Thompson to request installation of Stock Crossing signs on Highway #145. Board informed him the matter was not within the jurisdiction of the Board and referred him to Orval Francis, District Maintenance Superintendent, State Highway Department, Durango.
Proceedings of the Board of County Commissioners.

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May 21, 1928

Term 19

May 19, 1928

Described property, situated in Montezuma County, Colorado, as hereinafter described.

DESCRIPTION OF PROPERTY: WREN Section 14, Township 35 North, Range 16 West of the E. N. F. M. and all that part of the 1/2 NWc of said Section 14, bounded and described as follows: Beginning at a point on the South line of said Section 107 rods West of the SE corner of said Section, and running thence North to a point on the North line of said Section 107 rods West of the NE corner of said Section, then thence East to the NE corner of said Section, then thence South to the SE corner of said Section, thence West to point of beginning, also a parcel of the 1/2 NEc of said Section 14, 4 rods in width along the North line of said Section of Section 14.

The Title: From such examination, it is my opinion, that as of October 28, 1930 at 5:00 P. M. title in fee simple to these premises restated in Louis H. Brown and Willard L. Brown, as tenants in common, free and clear of all liens and encumbrances and of a good and merchantable estate, except as hereinafter noted.

Liens and Encumbrances: The title is subject to a certain deed of trust dated October 13, 1950, of record in Book 155 at page 69 of the records of Montezuma County, Colorado, in favor of the Mutual Life Insurance Company of New York, which said deed of trust is a first and prior encumbrance upon the premises. It should be pointed out that the title is also subject to a certain oil and gas lease, all of which are outstanding, the first of which is in favor of Mac C. Anderson, for a ten year term of record in Book 121 at page 1/4, and the record of which is in favor of George B. Fehr, of record in Book 157 at page 16, for a ten year term, and the last of which is in favor of George J. Fehr, for a ten year term of record in Book 157 at page 76, all of record in the office of the County Clerk and Recorder of Montezuma County, Colorado.

This abstract was examined in connection with a proposed road right of way surveyed by D. J. Hickman, at your request, which said right of way would be upon and across the premises above described as per the field notes and the map of the same hereunto annexed furnished you by Mr. Hickman.

CONCLUSION: It is my conclusion, therefore, that any right of way granted by Brown would be subject to the deed of trust and the oil and gas leases above mentioned, and it would be required that the Mutual Life Insurance Company of New York, execute a partial release of their deed of trust to the description set forth in Mr. Hickman's survey and that the holders of the existing oil and gas leases, either one, relinquish their lease all together, or if that be not possible amount a partial relinquishment to the right of the way described. I express no opinion as to matters not revealed by the abstracts of title, to any possible errors in survey or platting, to any possible unrecorded statutory liens, or to any matters subsequent to the date of last certification above mentioned.

These abstracts were borrowed from the Mutual Life Insurance Company of New York, and must be returned since demand is made upon us.

The following resolution was unanimously adopted:

RESOLUTION NO. 6

Whereas, in consolidated cause No. 927, in the United States District Court for the District of Colorado, being captioned, "CENTRAL HARVEY RAIL & CRUSE CO., A CORPORATION," plaintiff vs. THE RIO GRANDE SOUTHERN RAILROAD COMPANY, A CORPORATION, the Court, under date of December 11, 1952, entered an order clarifying claims according to priority of payment, and directing partial distribution and payment on account of recorder's fees. Montezuma County, Colorado being one of the claimants therein for a flat tax of $122,617.49, $0.00 for unpaid taxes due the said Montezuma County for the last half of the 1928 taxes through 1952,

Respeches to this resolution: That said sum of $78,500.76 be accepted as payment in full for all of said taxes for the year last half of 1928 through 1952 and that the treasurer of Montezuma County mark his record accordingly.

Clark instructed to file certified copy of above resolution to County Treasurer.

Claims as follows were allowed:

Road Fund, Warrant No. 8072 to 8090 $3,180.20
Gen'l # 1219 to 1260 $7,752.47

Board went to Monroe to view road work on Kelly Hill and to consult Ira H. Kelly, member of Board of Directors, Southwestern Water Conservation District about proposed consolidation of all Western Slope Water Conservation Districts into one organization.

Nesting adjourned at 4:30 P. M.

G. R. Hickman, Chairman

John Lawitt, Clerk

Clerk instructed to file certified copy of above resolution to County Treasurer.

Claims as follows were allowed:

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