

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.

Con. West Printing and Stationery Co. Colorado Springs, Coli. R5810

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:

General Fund Road Fund

Warrant No. 837 to 909, Warrant No. 8795-8834.

\$7,843.52 \$5,878.12

No old business, other than the allowance of current claims, appearing, Chairman Porter disolved 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 statments 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:

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

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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

Reselved, That a copy of this resolution be sent to Covernor Dan Therton, 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 N. Aspinall, the Honorable Edgar Chenoweth, the Honorable Byron G. Rogers and the Honorable William S. Hill, United States Representatives for the State of Colorado, Secretary of the Interior Douglas McKay and O. E. Larson, Regional Director of Region No. 4 of the Bureau of Reclamation.

Mesting adj	eurned	аt	4:00	P.	Μ,
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Chas. T. Porter, Chairman

John Leavitt, Clerk

TARE THE PROPERTY OF THE STATE OF THE PARTY OF THE PARTY

Beard 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, Commisminner; Chas. T. Porter, Commissioner; Geo. E. Dilts; County Attorney; John Leavitt, Clerk.

Clerk instructed to notify public thru the Montezuma Valley Jeurnal that the next meeting of the Board will be on Tuosday, 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 excense of maintaining said precinct out weighs the benefits to be derived from such precinct, and

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

That under the power and authority vested in this body by Section 42, Chapter 45, 1935 Colorado Statutes Annotated, it is resolved that the Stener precinct numbered 4 be abolished and that the same be merged with East Delores precinct numbered 3; that there be created a new precinct in Montezuna County to be designated as Towacc Pracinct, 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 Montesuma County, thence Southeasterly to the New Mexico State line, thence West along said New Mexico Stats line to the Utah State line, thence North to the

- In-Van-Penning and Stationary Co. Supply Station (Sec. 1980)

Board of Commissioners of Montegume County met in regular session Monday, March 22, 1954 at 9:00 A.M.

C. R. Hickman, Chairman; Grady Clampitt, Commissioner, Goo. E. Dilts, County Attorney; John Leavitt, Clerk: Present:

The West Printing and Chaloder Co. Coherent Springs (1961, 1986).

Continued

The following resolution was unanimously adepted:

## 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 of Section 5, Township 37 North, Range 16 West of the N. M. F. M., and,

WHEREAS, it ampears that under the law the said texes 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 lend above described be cancelled as uncollectible and that the records of the County Treasurer of Monteguma County be adjusted accordingly.

Meeting adjourned at 4:00 F.M. - C. R. Hickman, Chairman John Leavitt, Clerk Board of Commissioners of Montezuma County met in regular essalon Monday March 29, 1954 at 9:00 A.M.

> Present: Grady Clampitt, Chairman, Pro Tem; Chas. T. Porter, Commissioner, Gao. E. Dilts, County Attorney, John Leavitt, Clerk.

Abaent: C. R. Hickman, Chairman.

Grady Clampitt was elected Chairman Pro Tem in the absence of the regular Chairman.

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

The following resolution was unanimously adopted:

# RESOLUTION # 5

the Hoard of Commissioners of Montezuma County, Colorado finds Tax Sale Certificate No. Wherens, bream, the Hoard of Commissioners of Montesuma County, Colorado linds lax sale Gertillones 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 Recolved that Tax Sale Certificate No. 12637 be and it is hereby cancelled. The Treasurer of Monteguma County is instructed to refund to Fred Sturtevant the face of the certificate, \$3.56 plus interest at 8% from 21/11/50 50 3/29/54, \$.93, total \$4.49.

Petitions for abatement of texes as follows were approved:

Winifred Trimble, Cortez, Sch. Dist D4 Lots S-14 Blk 23 Assessed 3410 Tex 217.95 Should be Abatement

Double assessment thru clerical error.

Chairman Pro Tem signed a deed from Montezuna County to J. B. Millard for percel of land at "Y" on highway 160. Purpose of this deed was to correct right of way decription. Millard exchanged deed to strip of land in same general location. See Reception # 155581, Book 187, Page 221 and following for description.

Meeting adjourned at 3:30 P.M..

Grady Clampitt, Chairman Pro Tem John Leavitt, Clerk

The Board of Commissioners of Monteguna County met in regular session, Monday, May 3, 1954 at 9:00 A. M.

Present: C. R. Hickman, Chairman; Grady Clampitt, 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. Poard 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.

THE WAS TERRING AND SECURE AS THE PROPERTY OF described property, situated in Monterume County, Colorado, as hereinafter described.

DESCRIPTION OF PROPERTY: WHIEL Section 14, Township 35 North, Range 14 West of the N. M. F. M. and all that part of the Mind of said Section 14, bounded and described as follows: Deginning at a point on the South line of said Mind 107 rods West of the SE corner of said Wind, and running thence North-mrly to a point on the North line of said Mind 105 rods West of the NE corner of said Wind, thence East to the NE corner of said ENNE, thence South to the SE corner of said DeNE, thence West to point of beginning, also a percel of the PANE of said Section 14, 4 rods in width alore the North line of and Bonk of Section 14.

THE TIME: From such examination, it is my eminion, that as of October 28, 1950 at 5:00 P. M. title in fee simple to these premises resided in Lawis E. Brown and Everatt L. Brown, as tenants in common, from and clear of all liens and encumbrances and of a good and merchantable entate, except as hereinafter noted.

Liene and Encumbrances: The title is subject to a certain deed of trust dated October 13, 1950, of record in Book 159 at page 69 of the records of Monteguna County, Colorade, in favor of the Mutual Life insurance Company of May York, which said deed of trust is a first und 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 I. Anderson, for a ten year term of record in Book 131 at page 174, and the second of which is in favor of George D. Fehr, of record in Book 157 at page 14, for a ten year term, and the last of which is in favor of George II. 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 Montesuma County, Colorado.

This abstract was examined in connection with a proposed road right of way surveyed by D. O. 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 cap of the same heretofere Aurnished you by Mr. Hickness.

CONCLUSION: It is my conclusion, therefore, that any right of way granted by Erswas would be subject to the doed 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 we not possible execute a partial relinquishment to the right of way description.

I express ne opinion as to matters not revealed by the abstracts of title, to any pessible arrors in survey or platting, to any possible unrecorded statutory liens, or to any matters subsequent to the date of last cartification above mentioned.

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

The following resolution was unanimously adopted:

### RESOLUTION NO. 6

Mhereas, in consolidated cause Ro. 9177, in the United States District Court for the District of Colorado, being captioned, "CENTRAL HANCVER BANK & TRUST CO., A COMPORATION, plaintiff vs. THE RIC" GRANDEN SCUTTERN RAILROAD COMPANY, A COMPORATION , the Court under data of December 11, 1952 entered an order classifying claims according to priority of payment, and directing partial distribution and payment on account of receiver's fees, Montaguma County, Colorado being one of the claiments therein for a flat tax of \$122,617.89 for unpaid taxos due the said Montezuma County for the last half of the 1928 taxes through 1952.

and Marials, the said Monteruse County had prior to said Court order offered to compresse said flat tax due from The Ric Grande Southern Emilroad Compeny, and pursuant thereto did receive the sum of \$78,500.76 wader said compromise.

BE IT TAKEFORD RESCRIPED: That said sum of \$78,500.76 be accepted as payment in full for all of said taxes for the years last half of 1928 through 1952 and that the treasurer of Montecura County mark his records accordingly.

Clark instructed to give certified copy of above Resolution to County Treasurer.

Claims as follows were allowed:

Road Fund, Warrant No. 9027 to 9060 \$5,185,20 7,758.47 1219 to 1260

Board want to Mendos to view road work on Kelly: Rill and to consult Ira E. Kelly, member of Board of Pirectors, Southwestern Water Conservation District about proposed consolidation of all Western: Slop Water Conservation Districts into one organization.

Nesting adjourned at 4:30 P. M.

C. R. Hickman, Chairman 

John Leavitt, Clerk