



United States Department of Interior
BUREAU OF RECLAMATION

109 N. OREGON STREET P.O. DRAWER P
EL PASO, TEXAS 79952-0002

IN REPLY
REFER TO: 420

NOV 27 1985



Mr. Edd Fifer, General Manager
El Paso County Water Improvement
District No. 1
294 Candelaria
El Paso, Texas 79907

Dear Mr. ^{Edd}Fifer:

Your letter dated November 14, 1985, requests that the property, concerning the Fabens Waste Channel from the U.S. Boundary Levee to the Tornillo Canal Heading, be claimed by adverse possession.

The Bureau of Reclamation owns said parcel by virtue of a petition document signed on July 12, 1938.

If we can be of further service, please advise.

Sincerely,

Roger K. Patterson
Project Superintendent

PETITION

we, the undersigned, owners of land, hereby petition the United States, in lieu of utilizing in the future the present channel of the Rio Grande between Tornillo Canal heading and the lower junction of the river and the rectified channel of the Rio Grande near San Elizario Island monument No. 21 as a drain and wasteway, to construct a canal for the purpose of carrying waste and drain water upon such final location and according to such final specifications as may be approved by the proper officers of the United States as approximately located and shown on the plat attached hereto and made a part hereof and marked Exhibit "A", and we hereby agree that if this petition is granted and such proposed wasteway channel is hereafter built by the United States, we will, upon demand therefor, execute and deliver to the United States a good and sufficient quitclaim deed conveying a strip of land approximately 140 feet wide across our lands, being a tract or tracts lying in El Paso County, Texas.

IN WITNESS WHEREOF we have signed these presents this 12th day of July

1938.

✓ Mrs. E. Mc Mahon	T. Survey 160	
W. J. Grey	"	121-132-133 ✕
Mrs. W. B. Grey		
✓ John R. Hansen	"	107-118-119-120 ⊕
Mrs. W. H. Hansen		
W. J. Myers	"	105 ▽
Mrs. L. D. Myers		
Joe Ryan (Not Homestead)	"	149 □
Albert Schults		
Mrs. A. T. Schults	Survey ML 162 - I 176 ✕	
John C. Seymour		
John C. Seymour		
W. J. Anderson		
Mr. Jennie Elam		
W. J. Anderson		

PETITION

we, the undersigned, owners of land, hereby petition the United States, in lieu of utilizing in the future the present channel of the Rio Grande between Tornillo Canal heading and the lower junction of the river and the rectified channel of the Rio Grande near San Elizario Island Monument No. 21 as a drain and wasteway, to construct a canal for the purpose of carrying waste and drain water upon such final location and according to such final specifications as may be approved by the proper officers of the United States as approximately located and shown on the plat attached hereto and made a part hereof and marked Exhibit "A", and we hereby agree that if this petition is granted and such proposed wasteway channel is hereafter built by the United States, we will, upon demand therefor, execute and deliver to the United States a good and sufficient quitclaim deed conveying a strip of land approximately 140 feet wide across our lands, being a tract or tracts lying in El Paso County, Texas.

IN WITNESS WHEREOF we have signed these presents this _____ day of _____,

1938.

Ch. Jordan

Marie Jordan

*Hoover, Lacy & Schuster by *[Signature]**

Nancy Kegler

Capt. Vermon

[Signature]
by present address
and bridge at Tornillo

M. P. Gonzalez

C. W. Pickney

D. G. Dehner

J. F. Perkins

Mrs. Nellie Perkins

W. S. [Signature]

Mrs. Jewel Summers

J. M. Escobedo Survey 129 Mainland not a homestead

[Signature]

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November 14, 1985

**Mr. Roger K. Patterson
Bureau of Reclamation
P.O. Drawer P
El Paso, Texas 79952**

Dear Roger:

In regards to your letter dated August 9, 1985, a copy attached, concerning the claim of the Fabens Waste Channel by adverse possession, our district would desire that the "property in question" (outlined in red on enclosed map) be expanded to include the entire length of the Fabens Waste Channel from the U.S. Boundary Levee to the Tornillo Canal heading.

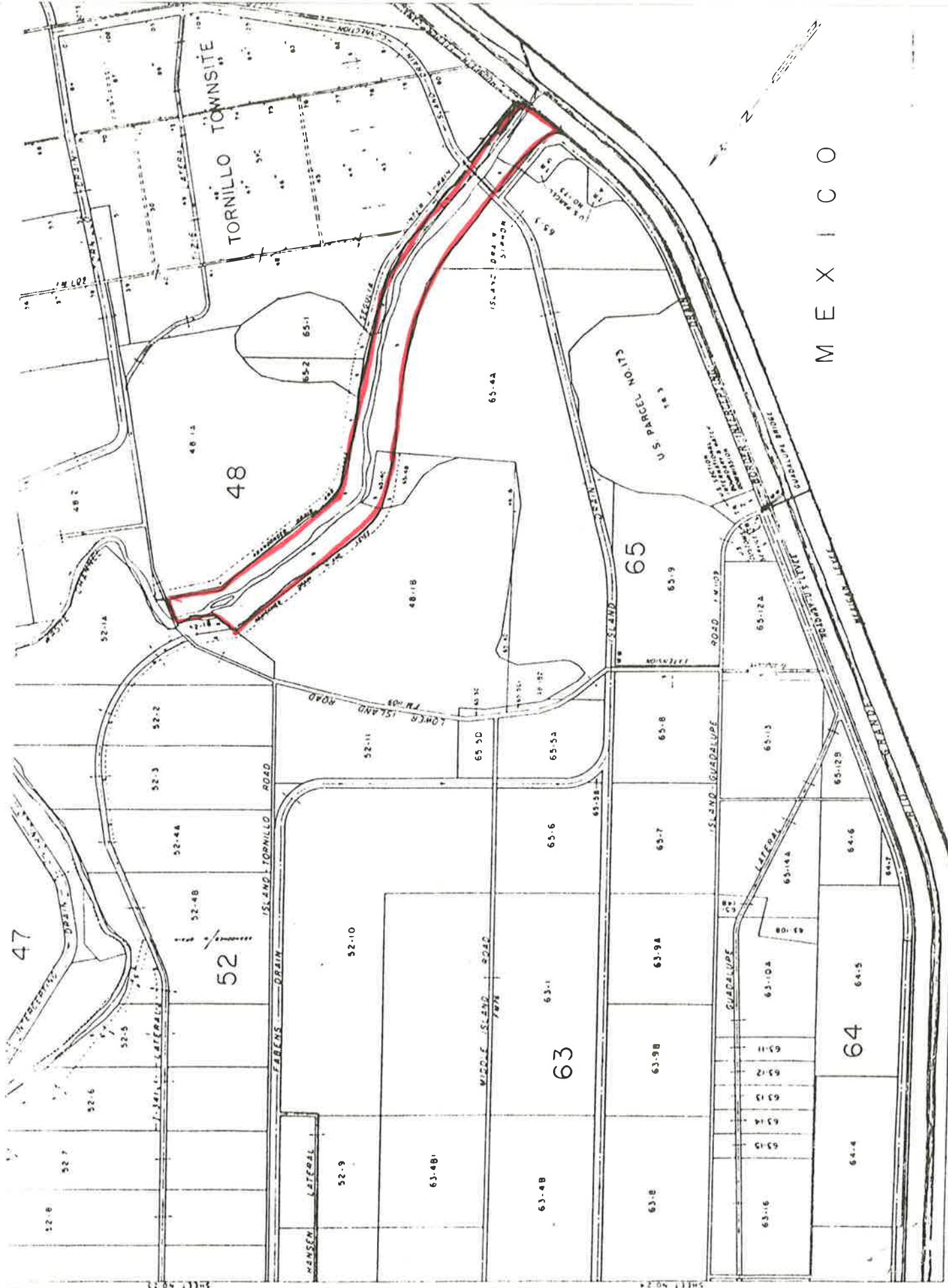
Our district has cleaned and maintained the area as shown on the enclosed map, and we feel that the entire length of the Fabens Waste Channel should be owned by adverse possession.

Please, let us know what we need to do to insure the ownership of the entire length of the Fabens Waste Channel.

Sincerely,



Edd Fifer
General Manager



MEXICO

<p>EXPLANATION</p> <p>Gravel Improved Streets Canals Ditches Roads</p>	<p>AUTHORITIES</p> <p>San Elizario Grant Mexico</p>	<p>SCALE</p> <p>1" = 100'</p>	<p>PROPERTY NUMBERS</p> <p>See map for details</p>	<p>BUREAU OF RECLAMATION - RIO GRANDE PROJECT</p> <p>IRRIGABLE AREA AND PROPERTY MAP</p> <p>EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO. 1</p>	<p>EL PASO VALLEY</p> <p>SHEET - 2</p> <p>LOWER ISLAND</p>
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United States Department of Interior
BUREAU OF RECLAMATION

109 N. OREGON STREET P.O. DRAWER P
EL PASO, TEXAS 79952-0002

IN REPLY
REFER TO: 420

NOV 07 1985



Mr. Edd Fifer
General Manager
El Paso County Water
Improvement District #1
294 Candelaria
El Paso, Texas 79907

Dear ~~Mr.~~ ^{Edd} Fifer:

Reference: Bridge Crossing of Tornillo Canal and Effluent
Discharge into the Fabens Waste Drain (Reference your
letter of October 15, 1985)

A search of our records indicates that the existing effluent
discharge at Fabens is not licensed by the Bureau.

Faught and Associates, Inc., have been informed of discharge
permit requirements and the fee schedule for licenses. A copy of
our letter to them is enclosed.

The Fabens Waste Channel is owned by the Bureau of Reclamation and
is the operation and maintenance responsibility of the District.
A copy of my August 9, 1985, letter is enclosed for your
reference.

Sincerely

Roger K. Patterson
Project Superintendent

Enclosures



United States Department of the Interior

BUREAU OF RECLAMATION

RIO GRANDE PROJECT
109 N. OREGON STREET P.O. DRAWER P
EL PASO, TEXAS 79952-0002

IN REPLY
REFER TO: 420

AUG 09 1985



Mr. Edd Fifer
General Manager
El Paso County Water Improvement
District #1
294 Candelaria
El Paso, TX 79907

Dear Mr. Fifer:

It has been determined that the portion of land that was cleaned by you in 1983 on the Fabens Wasteway Channel does belong to the United States Bureau of Reclamation by adverse possession.

Since the property in question (and outlined in red on the enclosed map) is the property of Reclamation, the operation and maintenance of that portion is the responsibility of the El Paso County Water Improvement District #1.

The agreement between the International Boundary and Water Commission and Hudspeth County Conservation and Reclamation District does not include the portion in question.

If we can be of further assistance, please advise.

Sincerely,

David P. Overwolf

FOR Roger K. Patterson
Project Superintendent

Enclosure



April 22, 1985

Mr. Roger K. Patterson
Bureau of Reclamation
P.O. Drawer P
El Paso, Texas 79952

Dear Roger:

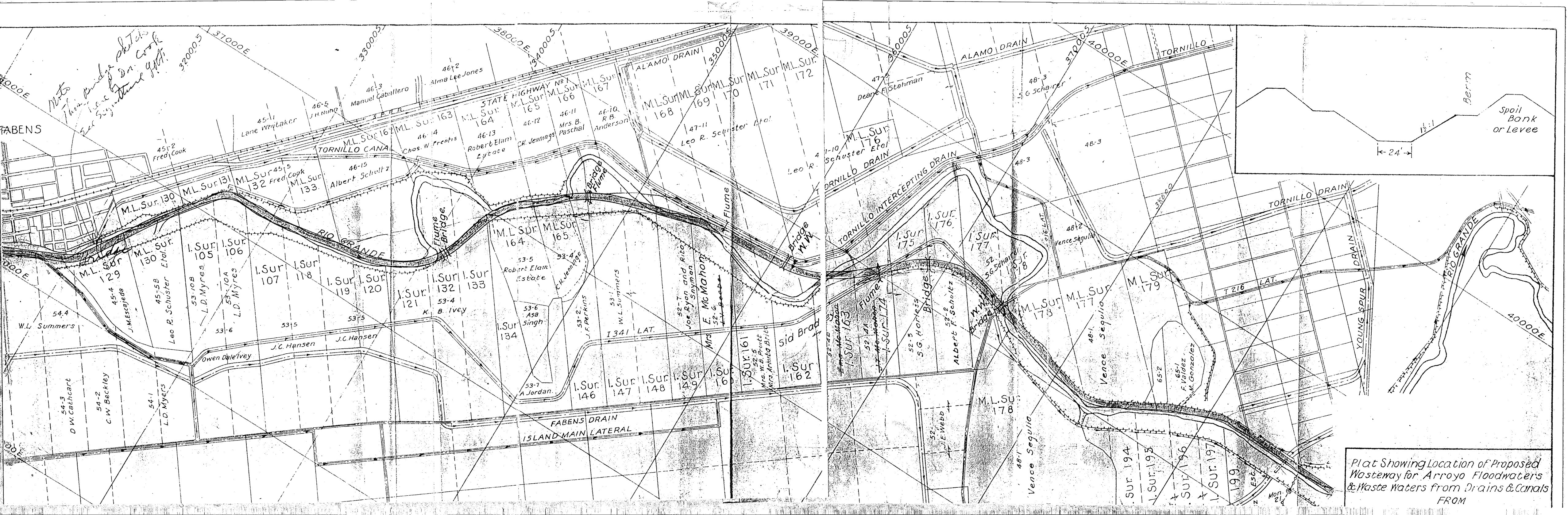
In response to your letter dated April 18, 1985 concerning the acquisition of the Fabens Waste Channel Right-of-Way, our district feels that our ownership of that right-of-way is extremely important based on the "new uses" of the Fabens Waste Channel for our overall operations.

Please advise us as to what we must do to start the "ball to rolling" on transferring the ownership from the Boundary Commission to our district. Thanks for your letter and interest in this situation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Edd Fifer", written in black ink.

Edd Fifer
General Manager



Notes
 This bridge sketch
 is by Dr. Cook
 See signature gpt.

Plat Showing Location of Proposed
 Wasteway for Arroyo Floodwaters
 & Waste Waters from Drains & Canals
 FROM