

780. COMMUNITY DITCH DEED

JORNADO LATERAL

(109)

0023-0076-0008-00  
-0075-0009-00

Quitclaim Deed

10-(9) & 9-(2)

780.

JORNADO LATONAL

V322 P 259 <sup>at Jgs</sup>  
9-22-86

State of Texas, :  
County of El Paso, :

KNOW ALL MEN BY THESE PRESENTS, That the Jornada Community Ditch, by F. G. Candelaria, E. W. Mitchell and A. A. Apodaca, duly elected, qualified, and acting Commissioners, for and in consideration of the sum of One and 0/100 Dollars (\$1.00) to us in hand paid by the United States of America, acting pursuant to the Act of Congress of June 17, 1902 (32 Stat. 388), and other good and valuable considerations, the receipt whereof is hereby acknowledged, do by these presents bargain, sell, release, and forever quitclaim unto the said United States of America and its assigns, all the right, title, and interest of the said Jornada Community Ditch in and unto that certain ditch or canal known as the Jornada canal, lying in the County of El Paso, State of Texas, more particularly described in blueprint hereto attached and made a part hereof;

TO HAVE AND TO HOLD ALL The right, title, interest, estate, and claim of the said Jornada Community Ditch in and to the said premises, together with all and singular the rights, privileges, and appurtenances to the same in any manner belonging, unto the said United States of America and its assigns forever; Provided, That nothing herein contained shall be construed as a conveyance, interference with, or in any wise affecting the vested right of any holder of rights in the said Jornada Community Ditch in and to the use of water from the Rio Grande.

This deed shall become effective to transfer the above described property and rights upon the approval of the Secretary of the Interior or the Director and Chief Engineer of the United States Reclamation Service.

IN WITNESS WHEREOF, The said Jornada Community Ditch has caused this indenture to be signed by its Commissioners

the 19th day of December, A. D. 1918.

JORNADO COMMUNITY DITCH,

By F. G. Candelaria

E. W. Mitchell

Approved:

Jan 18, 1919  
Mossis Bien-  
Asst. to Director

A. A. Apodaca

Commissioners

State of Texas, :  
: ss.  
County of El Paso, :

Before me, L.A.Foix, J.P. and ex-officio, A Notary Public in and for El Paso County, Texas, on this day personally appeared F. G. Candelaria, E. W. Mitchell and A. A. Apodaca

commissioners of the Jornado Community Ditch, and acknowledged that the foregoing instrument was signed by them on behalf of the said Jornado Community Ditch by authority in them duly conferred, and the said F.G.Candelaria, E. W. Mitchell and

A. A. Apodaca

commissioners of the Jornado Community Ditch, acknowledged said instrument to be the free act and deed of the said Jornado Community Ditch.

Given under my hand and seal of office, this 19th day of December, A. D. 1918.

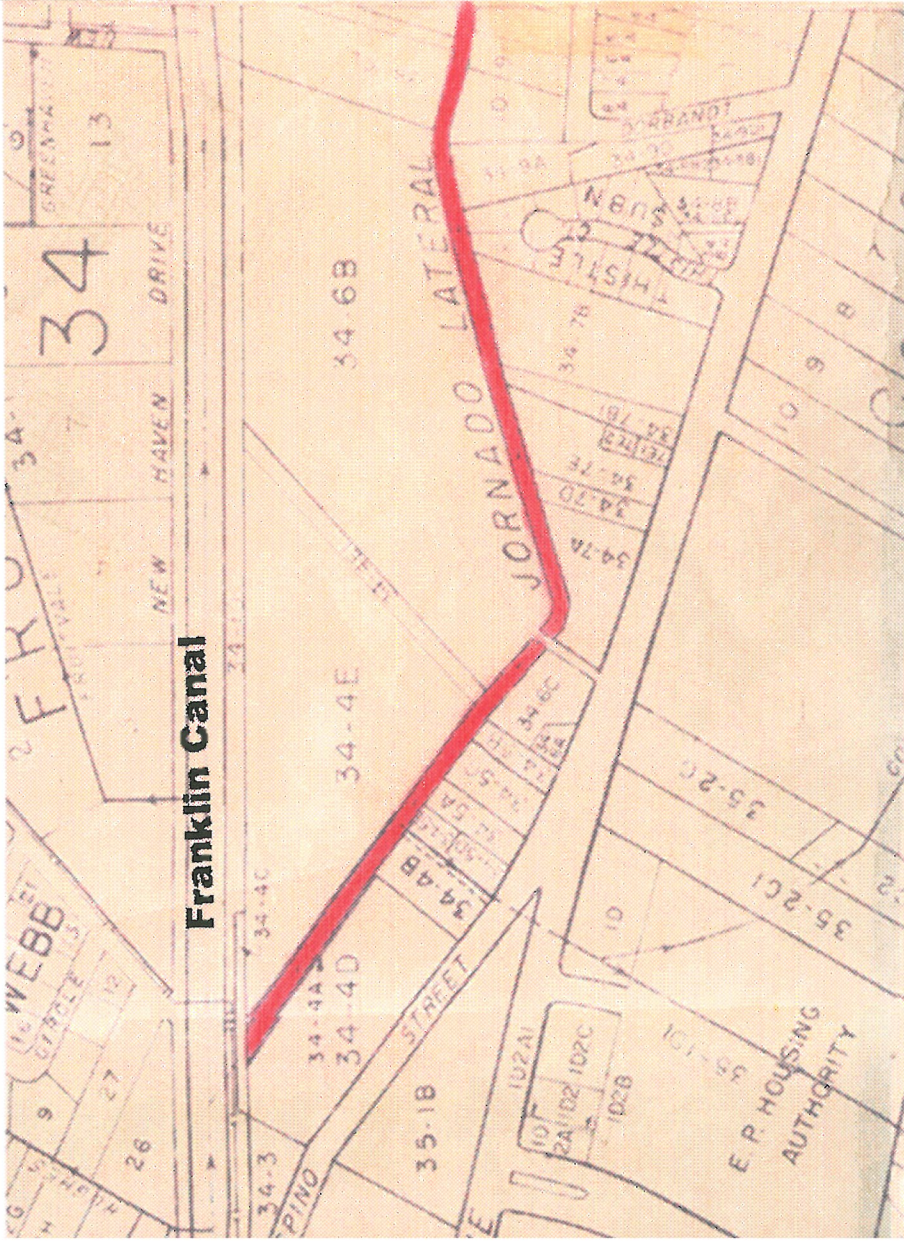
L.A.Foix, J.P. and ex-officio

(SEAL)

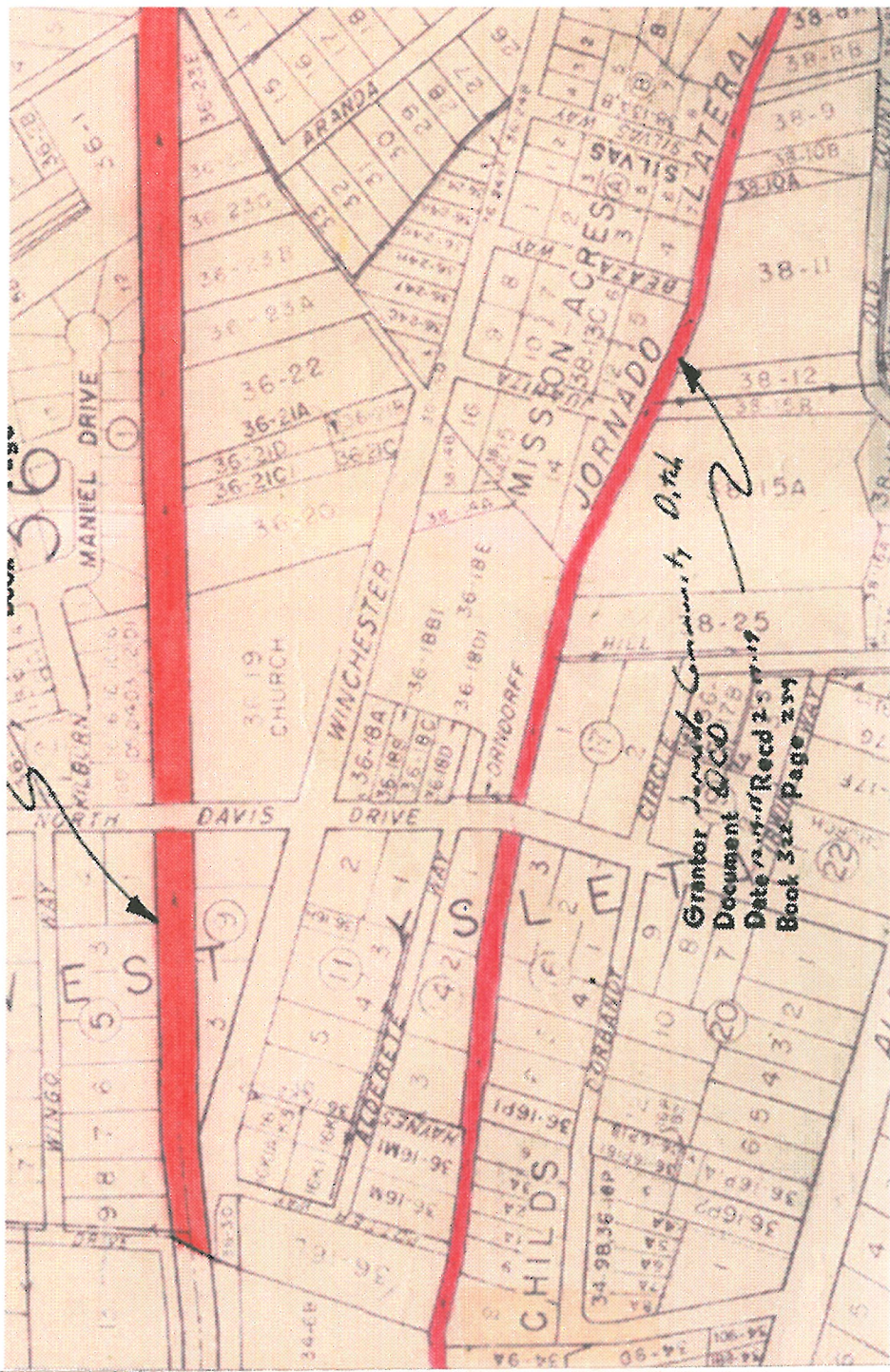
Notary Public In and For  
County of El Paso, State  
of Texas.

My commission expires

Nov. 30, 1920.



**Franklin Canal**



Grantor Jornado Community, 4th  
Document 000  
Date 2/11/17 Recd 2/11/17  
Book 342 Page 239



El Paso, Texas, June 23, 1916.

At a meeting of the Board of Governors of the El Paso Valley Water Users' Association, held April 15, 1914. Consulting Engineer Hanna and Project Manager L. M. Lawson, appeared before the Board and joined in the discussion concerning the distributing system and after discussion, the following resolution was duly moved, seconded and adopted by the Board:

"Be It Resolved By The Board of Governors of The El Paso Valley Water Users' Association, that it is the sense of this Board that in the construction of the distributing system under the Rio Grande Project that the United States Reclamation Service, for the use and benefit of the Associations, should acquire and construct all canals and Main Laterals and should control and operate all parts of such Distributing System."

I hereby certify that the above is a true copy of Resolutions passed by the Board of Governors at a regular meeting held April 15th, 1914, and that said Resolutions were part of the minutes of said meeting.

---

Acting Secretary.

DEPARTMENT OF THE INTERIOR  
UNITED STATES RECLAMATION SERVICE

WASHINGTON, D. C.

MAR -5 1919

From Acting Chief Counsel

To District Counsel P. W. Dent, El Paso, Texas.

Subject: Quitclaim deed running from Jornada Community  
Ditch to United States- Rio Grande Project.

1. I acknowledge receipt of your letter dated  
February 25, 1919, enclosing the deed mentioned.

*Ottavio Hamels*

Copy to C. of C.

El Paso, Texas, Feb. 25, 1919.

From: District Counsel.  
To: Director and Chief Engineer.  
Subject: Quitclaim deed running from Jornada Community  
Ditch to United States - Rio Grande Project.

1. Returned herewith for filing is quitclaim deed granting to the Government the Jornada Community Ditch. This was approved by Assistant to the Director under date of January 18, 1919, and has since been recorded.

P.W.DENT  
By C.F.Harvey

Enc 1.



CFH:T

El Paso, Texas,  
February 6, 1919.

County Clerk,

El Paso, Texas.

Dear Sir:

Transmitted herewith for official record is  
quitclaim deed dated December 19, 1918, running from the  
Jornado Community Ditch to the United States of America.

We are enclosing extra blueprint on cloth for  
your use in recording this instrument.

Yours very truly,

P.W.DENT  
By C.F.Harvey  
District Counsel.

Encs 2.

CERTIFICATE:

I hereby certify that from investigation of the records, inquiry from the commissioners and owners of rights in said Jornada ditch system and from all other available information obtainable, more than 80 per cent of the owners of rights in said ditch system have executed individual releases on form usually required, which operate as a waiver of all rights in said system and a ratification by such persons of the formal transfer by the commissioners of said ditch property.

  
District Counsel.

CERTIFICATE

I hereby certify that F. G. Candelaria, E. W. Mitchell and A. A. Apodaca are the duly elected, qualified and acting commissioners of the Jornada Community Ditch, and as such commissioners are duly authorized by law to execute contracts for and in behalf of said ditch company.

That said ditch company is in possession of the property described in the deed hereto attached, claiming an easement for the operation of said ditch, and that no person claiming a right adverse to the grantor is in possession of any part of it, so far as can be ascertained by diligent investigation and inquiry.

P. W. DENT

District Counsel.

El Paso, Texas,  
January 11, 1919.

DEPARTMENT OF THE INTERIOR  
UNITED STATES RECLAMATION SERVICE

El Paso, Texas, January 11, 1919

Correct as to Engineering Data *AM*

Project Manager to the Director and Chief Engineer (~~through Chief of Construction~~).

~~dead~~

Subject: Forwarding ~~contract~~ for approval.

Agreement dated December 19, 1918. Rio Grande Project

Executed on behalf of U. S. by ~~United States of America~~ Jornada Community Ditch, by its Commissioners

Estimated amount involved, \$ 0 Authority No. 50-3 or clearing acct.

Accompanied by bond and two copies.  
(Strike out if no bond transmitted.)

Purpose:  
(See instructions on back.)

Conveyance to United States of ditch property

Inclosures listed on reverse. (See Par. 5.)

Advise ~~Chief of Construction, Denver, Colo., and Project Manager~~  
at El Paso, Texas, and District Counsel,

at El Paso, Texas. of the approval of the above

*copy to C of C,*

E. P. LARSON

Project Manager.

Denver, Colo., 19

It is recommended that the above-described contract be approved.

Inclosures:

Chief of Construction.

Washington, D. C., JAN 18 1919

Contract (and bond, if any,) was approved by MORRIS BIEN, Assistant to the Director.

Original enclosed to DC for record, and return to Washington office.

on JAN 18 1919 91400

CERTIFICATE

I HEREBY CERTIFY that the community ditch described in attached deed of December 19, 1918, from Jornada Community Ditch, was constructed by a voluntary association of land owners, and there are no deeds of record conveying to the land owners an easement or right of way for said ditch, and that said ditch has been constructed and in existence for more than the statutory period of limitation, so that title by prescription has duly vested.

That said property is not subject to taxation under the laws of the State of Texas, and that neither the tax records nor other county records contain any instrument of writing affording basis of title.

There are no liens of record against the property, so far as has been ascertained from examination of the records and from the other investigation made.

P. W. DEWITT

District Counsel.

El Paso, Texas,

January 11, 1918.

Given under my hand and seal of office, this 30 day of Jun. 1919.

Edgar D. Fewel,  
Notary Public, El  
Paso County, Texas.

(Notarial Seal)

Filed for Record Feb. 4, 1919, at 4:30 P.M. W. D. ... County Clerk,  
And Recorded Feb. 10, 1919, at 3:28 P.M. By ... Deputy.

8381

QUIT CLAIM DEED

STATE OF TEXAS,  
COUNTY OF EL PASO.

KNOW ALL MEN BY THESE PRESENTS: That the Jornada Community Ditch, by F. G. Candelaria, E. W. Mitchell and A. A. Apodaca, duly elected, qualified, and acting Commissioners, for and in consideration of the sum of One and -0/100 Dollars (\$1.00) to us in hand paid by the United States of America, acting pursuant to the Act of Congress of June 17, 1902, (32 Stat. 388), and other good and valuable considerations, the receipt whereof is hereby acknowledged, do by these presents bargain, sell, release, and forever quit claim unto the said United States of America and its assigns, all the right, title and interest of the said Jornada Community Ditch in and unto that certain ditch or canal known as the Jornada Canal, lying in the County of El Paso, State of Texas, more particularly described

*The map referenced here is USBR drawing NO. E-648 R-50 v (Reclamation new NO. 23-503-C 48) filed in Reclamation office*

in blueprint hereto attached and made a part hereof. TO HAVE AND TO HOLD all the right, title, interest, estate, and claim of the said Jornada Community Ditch in and to the said premises, together with all and singular the rights, privileges, and appurtenances to the said in any manner belonging, unto the said United States of America and its assigns forever; Provided, That nothing herein contained shall be construed as a conveyance, interference with, or in any wise affecting the vested right, of any holder of rights in the said Jornada Community Ditch in and to the use of water from the Rio Grande.

This deed shall become effective to transfer the above described property and rights upon the approval of the Secretary of the Interior or the Director and Chief Engineer of the United States Reclamation Service.

IN WITNESS WHEREOF, The said Jornada Community Ditch has caused this indenture to be signed by its Commissioners the 19th day of December, A. D. 1918.

Approved Jan. 18, 1919.  
Morris Bien, Assistant to the Director, D.H.S. J.E.G.  
JORNADO COMMUNITY DITCH.  
By F. G. Candelaria,  
E. W. Mitchell,  
A. A. Apodaca,  
Commissioners,

STATE OF TEXAS,  
COUNTY OF EL PASO.

STATE OF TEXAS,  
COUNTY OF EL PASO. SS. BEFORE ME, L.A. Foix, J.P. and Ex Officio a Notary Public in and for El Paso County, Texas, on this day personally appeared F. G. Candelaria E. W. Mitchell and A. A. Apodaca, commissioners of the Jornada Community Ditch, and acknowledged that the foregoing instrument was signed by them on behalf of the said Jornada Community Ditch by authority in them duly conferred, and the said F. G. Candelaria, E. W. Mitchell and A. A. Apodaca, commissioners of the Jornada Community Ditch, acknowledged said instrument to be the free act and deed of the said Jornada Community Ditch.

Given under my hand and seal of office, this 19th day of December

A. D. 1918.

(Notarial Seal) (Seal)

L.A. Foix J.P. and Ex officio,  
Notary Public in and for  
County of El Paso, State of Texas

My Commission expires Nov. 30/20.

*This map referred to in this instrument has been duly  
recorded in the back of this book.*

Filed for Record Feb. 7, 1919, at 8:25 A.M. | W. D. Greet County Clerk,

And Recorded Feb. 10, 1919, at 3:47 P.M. | By *[Signature]*

8419

WARRANTY DEED

THE STATE OF TEXAS,  
COUNTY OF BEXAR.

KNOW ALL MEN BY THESE PRESENTS: That we, Ora C. Fillmer and B. A. Fillmer husband and wife, of the County of Bexar, State of Texas, for and in consideration of the sum of Ten (\$10,000) DOLLARS, to us in hand paid by D. C. Griffith, the receipt of which is hereby acknowledged, subject to ninety seven and one half cents per acre due the State of Texas, have Granted, Sold and Conveyed, and by these presents Grant, Sell and Convey unto the said D. C. Griffith, of the County of        State of        all that certain tract or parcel of land lying and being situated in the County of        Paso in the State of Texas, and more particularly described as follows: being the one half of Sec. 11, Blk. 6, containing 320 acres, and the S.E. 1/4 of the S.W. 1/4 of Sec. 11, Blk. 6, containing 40 acres and the S. half of N.E. 1/4 of S.W. 1/4, Sec. 11, Blk. 6, containing 20 acres, all of said land out of Blk. Six, of the Public School Lands State of Texas, original grantees being the T. & P. R.R.Co., and being the same land last conveyed to Grantors by C. B. Buchanan by Warranty Deed dated Jan. 21st, 1912 recorded in the Deed Records of El Paso County, Texas, Vol.        pp.        to which deed records reference is hereby made for more complete description.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging unto the said D. C. Griffith, his heirs and assigns forever; and we do hereby bind ourselves, and heirs, executors and administrators, to warrant and forever defend, all and singular the said premises unto the said D. C. Griffith, his heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

WITNESS our hands at San Antonio, Tex., this 16th day of July,

Witnesses at Request of Grantor:

Ora C. Fillmer,  
B. A. Fillmer,

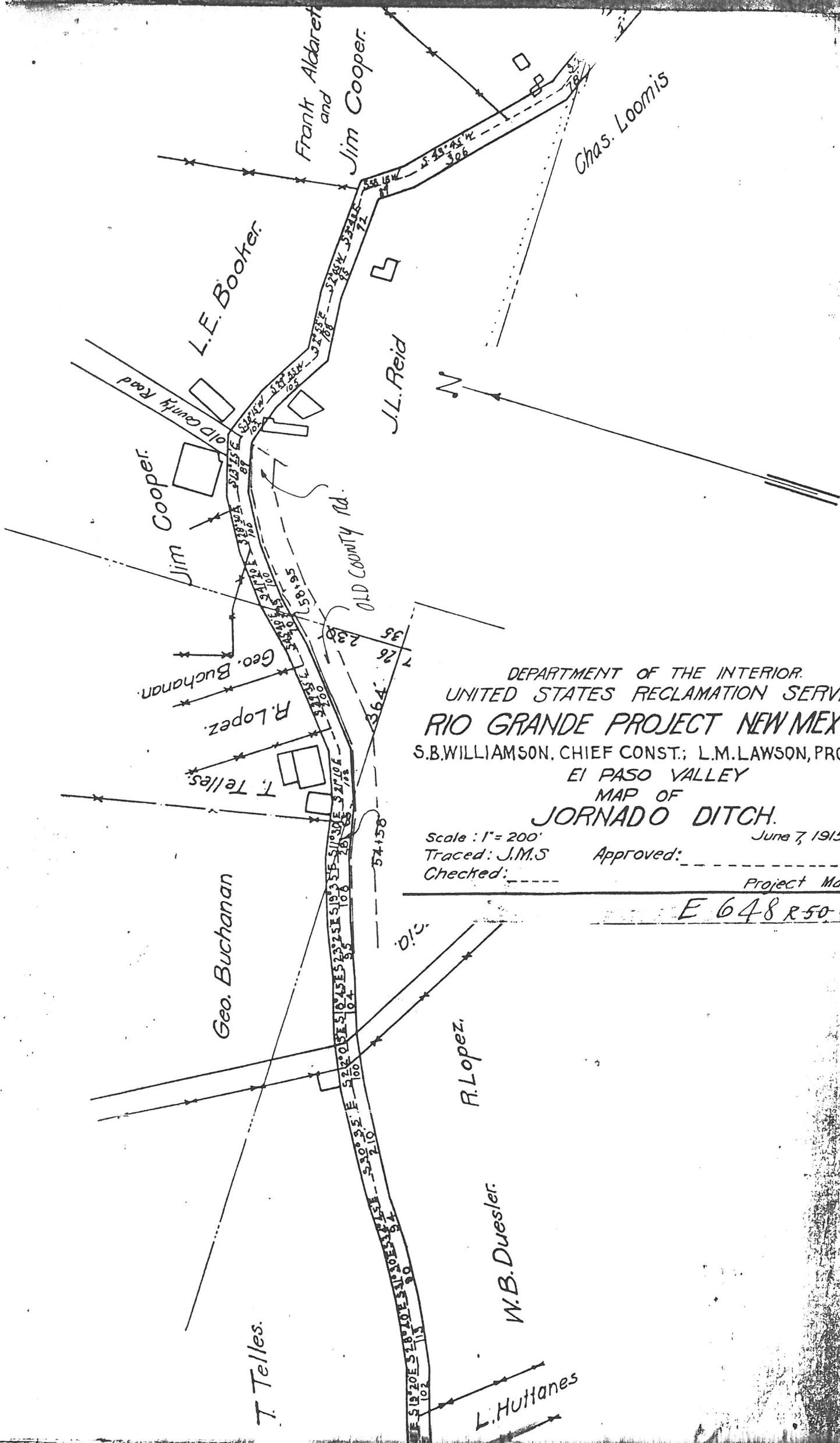
Two 25¢ Documentary Rev. Stamps, Cancelled, O.C.F., B.A.F., 7/16/19.

THE STATE OF TEXAS,  
COUNTY OF BEXAR.

BEFORE ME, the undersigned Notary Public in and for Bexar County, Texas, on this day personally appeared B. A. Fillmer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS, 16th day of July,

Cleve H. Chadwick,  
Notary Public, Bexar  
County, Texas.



DEPARTMENT OF THE INTERIOR.  
 UNITED STATES RECLAMATION SERVICE  
**RIO GRANDE PROJECT NEW MEX-TEX**  
 S.B.WILLIAMSON, CHIEF CONST.; L.M.LAWSON, PROJ.MG  
 EL PASO VALLEY  
 MAP OF  
**JORNADO DITCH.**  
 Scale: 1" = 200'  
 Traced: J.M.S  
 Checked: \_\_\_\_\_  
 June 7, 1915  
 Approved: \_\_\_\_\_  
 Project Manager: \_\_\_\_\_

E 648 R 50 V