

SAN JOSE, PENA, AND JUAN DE HERRERA COMMUNITY DITCHES

Graves, Milton S.

74 75 76
7-(5), 10-(1), 11-(1)

The State of Texas,)
County of El Paso.)

KNOW ALL MEN BY THESE PRESENTS: THAT I

Milton S. Graves, duly elected, qualified and Acting Commissioner of the San Jose, Pena and Juan de Herrera Community Ditches, of the County of El Paso, State of Texas, for and in consideration of the sum of One Dollar (\$1.00) to me 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, its successors and assigns, all the right, title and interest of the said San Jose, Pena and Juan de Herrera Community Ditches in and unto those certain ditches or canals known as the San Jose, Pena and Juan de Herrera Ditches lying in the County of El Paso and State of Texas, more particularly described in blue prints hereto attached and made a part hereof.

TO HAVE AND TO HOLD all the right, title, interest estate and claim of the said San Jose, Pena and Juan de Herrera Community Ditches 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, its successors and 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 San Jose, Pena and Juan de Herrera Ditches to the use of water from the Rio Grande.

(2)

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 U. S. Reclamation Service.

WITNESS my hand this the 10th day of Jany.

A. D. 1917.

Witness at Request of Grantor:

Milton S. Graves

Commissioner of the San
Jose, Pena and Juan de
Herrera Community Ditches.

APPROVED _____

The State of Texas,)
County of El Paso.)

Before me, Chas. B. Stevens, a Notary Public in
and for El Paso County, Texas, on this day personally appeared

Milton S. Graves

Commissioner of the San Jose, Pena and Juan de Herrera Community
Ditches, and acknowledged that the foregoing instrument was signed
by him on behalf of the said San Jose, Pena and Juan de Herrera
Community Ditches by authority upon him duly conferred, and
the said Milton S. Graves

Commissioner of the said San Jose, Pena and Juan de Herrera Com-
munity Ditches, acknowledged said instrument to be the free act and
deed of the said San Jose, Pena and Juan de Herrera Community Ditches.

Given under my hand and seal of office, this 10th
day of Jan, A. D. 1917.

Chas. B. Stevens

Notary Public

(SEAL)

My commission expires June 1, 1917

The State of Texas,)
County of El Paso.)

I, _____, Clerk of the County Court
of said County, do hereby certify that the above instrument of writing,
dated on the _____ day of _____, A. D. 1917, with
its certificate of authentication, was filed for record in my office
this _____ day of _____, A. D. 191_, at _____ o'clock
_____ M. and duly recorded the _____ day of _____, A. D.
191_, at _____ o'clock _____ M. in the records of said county, in
Volume _____ on Pages _____

Witness my hand and the seal of the County Court of said
County, at office El Paso, Texas, the day and year last above written.

Clerk County Court, El Paso, Texas

By _____, Deputy.

The State of Texas, }
County of El Paso. }

KNOW ALL MEN BY THESE PRESENTS: THAT I

Wilton S. Grayson, duly elected, qualified and Acting Commissioner of the San Jose, Pena and Juan de Herrera Community Ditches, of the County of El Paso, State of Texas, for and in consideration of the sum of One Dollar (\$1.00) to ~~me~~ in hand paid by the United States of America, acting pursuant to the Act of Congress of June 17, 1902, (32 Stat., 393) 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, its successors and assigns, all the right, title and interest of the said San Jose, Pena and Juan de Herrera Community Ditches in and unto those certain ditches or canals known as the San Jose, Pena and Juan de Herrera Ditches lying in the County of El Paso and State of Texas, more particularly described in blue prints hereto attached and made a part hereof.

TO HAVE AND TO HOLD all the right, title, interest estate and claim of the said San Jose, Pena and Juan de Herrera Community Ditches 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, its successors and 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 San Jose, Pena and Juan de Herrera Ditches to the use of water from the Rio Grande.

The State of Texas,)
County of El Paso.)

Before me, Chas. B. Stevens, a Notary Public in
and for El Paso County, Texas, on this day personally appeared
Milton S. Graves

Commissioner of the San Jose, Pena and Juan de Herrera Community
Ditches, and acknowledged that the foregoing instrument was signed
by him on behalf of the said San Jose, Pena and Juan de Herrera
Community Ditches by authority upon him duly conferred, and
the said Milton S. Graves

Commissioner of the said San Jose, Pena and Juan de Herrera Com-
munity Ditches, acknowledged said instrument to be the free act and
deed of the said San Jose, Pena and Juan de Herrera Community Ditches.

Given under my hand and seal of office, this 10th
day of Jan, A. D. 1917.

Chas. B. Stevens

(SEAL)

Notary Public

My commission expires June 1, 1917

The State of Texas,)
County of El Paso.)

I, W D Greet, Clerk of the County Court
of said County, do hereby certify that the above instrument of writing,
dated on the 10 day of Jan, A. D. 1917, with
its certificate of authentication, was filed for record in my office
this 4 day of October, A. D. 1917, at 126 o'clock
A. M. and duly recorded the 5 day of Oct, A. D.
1917 at 11:58 o'clock a M. in the records of said county, in
Volume 312 on Pages 216

Witness my hand and the seal of the County Court of said
County, at office El Paso, Texas, the day and year last above written.

W D Greet
Clerk County Court, El Paso, Texas

By J. Woodward, Deputy.

(2)

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 U. S. Reclamation Service.

WITNESS my hand this the 10th day of Jan,
A. D. 1917.

Witness at Request of Grantor:

Milton S. Graves

Commissioner of the San
Jose, Pena and Juan de
Herrera Community Ditches.

APPROVED _____

MADE BY THE
ANDREWS PAPER CO

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
WASHINGTON, D. C.

Reclamation Service
RECEIVED
MAY 25 1917
EL PASO, TEXAS

From Acting Director

To Project Manager, El Paso, Texas.

May 21, 1917.

Subject: Quitclaim deed of Jan. 10, 1917, by Milton S. Graves, Commissioner of the San Jose, Pena and Juan de Herrera Community Ditches- donation of ditch property, Rio Grande project.

1. The above deed transmitted by your form letter of April 12, 1917, has been accepted and is enclosed herewith for recording and return.

2. As the deed itself contains no description, it is requested that, if practicable, the following defects in the accompanying blue print, which is made a part of the deed, be remedied before the instrument is recorded:

(1) The width of the right of way should be indicated as well as the distance at the various intersections with section lines, and also with the center line of the Franklin Canal and the G. H. & S. A. R. R.

(2) In the diagram of Pena Ditch the 2750.3' tie at station 9+00 should show 2750.3' as being the distance to the section corner. On this 200 ft. scale map with its few section lines, the plan of explaining each distance tie should be followed in every case where a tie is made. The advisability of following this practice is discussed in office letter of even date relative to donation deed of Jan. 9, 1917 for San Elizario ditch.

Morris Dier

enc.

Assistant to the Director

APR 18 1919

Project Manager, El Paso, Texas.

Quitclaim deed executed by John R. Hughes dated March 4, 1919 --
Donation of right of way for Juan d'Herrera lateral -- Rio Grande
project.

1. Reference is made to your form letter dated April 1, 1919,
enclosing for acceptance and filing a quitclaim deed executed by
John R. Hughes.

2. The deed has been accepted by this office, but your attention
is invited to the fact that the description is not clear in that it
reads as follows: "thence southeasterly along the arc of a 573.7 foot
radius curve tangent to the course South 10° 12' East a distance of
83.1 feet."

3. A proper description would be "tangent to curve at point
of beginning bearing South 10° 12' East" to supersede portion above
underscored.

Morris Kien

Copy to C. of C.
D. C., El Paso, Tex. ✓

CERTIFICATE

I HEREBY CERTIFY that the community ditches, described in attached deed of January 10, 1917, from the Commissioner of the San Jose, Pena and Juan de Herrera Community Ditches, were constructed by voluntary associations of land owners, and that there are no deeds of record conveying to the land owners an easement or right of way for said ditches, and that said ditches have been constructed and in existence for more than the statutory period of limitation, so that title by prescription has been acquired;

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

There are no liens against the property

R. W. Dent

District Counsel

El Paso, Texas, April 12, 1917.

CERTIFICATE

I HEREBY CERTIFY that the community ditches, described in attached deed of January 10, 1917, from the Commissioner of the San Jose, Pena and Juan de Herrera Community Ditches, were constructed by voluntary associations of land owners, and that there are no deeds of record conveying to the land owners an easement or right of way for said ditches, and that said ditches have been constructed and in existence for more than the statutory period of limitation, so that title by prescription has been acquired;

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

P. H. Dent

District Counsel

El Paso, Texas, April 12, 1917.

CERTIFICATE

I HEREBY CERTIFY that the community ditches, described in attached deed of January 10, 1917, from the Commissioner of the San Jose, Pena and Juan de Herrera Community Ditches, were constructed by voluntary associations of land owners, and that there are no deeds of record conveying to the land owners an easement or right of way for said ditches, and that said ditches have been constructed and in existence for more than the statutory period of limitation, so that title by prescription has been acquired;

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

There are no liens against the property

P. W. Dent

District Counsel

El Paso, Texas, April 12, 1917.

CERTIFICATE

I HEREBY CERTIFY that Milton S. Graves, duly elected, qualified and acting Commissioner of the San Jose, Pena and Juan de Herrera Community Ditches, is in possession of the property described in the attached deed of January 10, 1917, claiming an easement for the operation of said ditches in said property, and that no person claiming a right in such property adverse to the grantor is in possession of any part of it.

F. W. Dent

District Counsel

El Paso, Texas, April 12, 1917.

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE

El Paso, Texas, April 12, 1917

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

Quit Claim Deed

Subject: Forwarding ~~contract~~ for approval.

Quit Claim Deed

~~agreement~~ dated January 10, 1917 Rio Grande Project.

Executed by Milton S. Graves, Commissioner of the San Jose, Pena and Juan de Herrera Community Ditches

Estimated amount involved, \$ --- (See Gen'l Order No. 124)

Purpose of agreement: Donation of ditch property
(See instructions on back, Pars. 4 and 5)

No public notice issued on the Rio Grande Project

U. S. Reclamation Service
RECEIVED
MAY 26 1917
EL PASO, TEXAS.

~~Original and one copy of bond herewith~~ (Strike out if no bond transmitted.)

Advise ~~Chief of Construction, Denver, Colorado,~~ and Project Manager at El Paso, Texas

and _____ at _____ of the approval of the above.

ences:
Quit Claim Deed, in duplicate
2 certificates of District Counsel, in duplicate

E. H. Baldwin
(Signature.)

(The blanks below to be filled in the Washington Office.)

Approved by _____
Date of approval _____
Bond, if any, approved by same officer on same date.

Accepted & filed

Morris Bien,
Acting Director.

Acting Director,

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE

El Paso, Texas, April 12, 1917

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

Subject: Forwarding ~~contract~~ **Quit Claim Deed** for approval.

~~Quit Claim Deed~~ **Quit Claim Deed** dated **January 10, 1917** **Rio Grande Project.**

Executed by **Milton S. Graves, Commissioner of the San Jose, Pena
and Juan de Herrera Community Ditches**
With ~~xxxx~~

Estimated amount involved, \$ ~~---~~ (See Gen'l Order No. 124)

Purpose ~~of agreement~~: **Donation of ditch property**
(See instructions on back, Pars. 4 and 5)

No public notice issued on the Rio Grande Project

~~Original and one copy of bond herewith~~ (Strike out if no
bond transmitted.)

Advise Chief of Construction, Denver, Colorado, and Project
Manager at El Paso, Texas
and _____ at _____
of the approval of the above.

- encs:
Quit Claim Deed, in duplicate
2 certificates of District Counsel,
in duplicate

E. H. Baldwin
(Signature.)

(The blanks below to be filled in the Washington Office.)

Approved by

Date of approval

Bond, if any, approved by same officer on same date.