

PETITION & COMMUNITY DITCH DEED

CLINT LATERAL, Upper, West of Franklin Canal

0023-0082-0011-00

15-(11) Texas

280

(034)

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RECORDED

V 313 P 308

Sept 9-22-84

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

KNOW ALL MEN BY THESE PRESENTS: THAT we, Homer Wells, Howard Coffin and S. D. Blair, duly elected, qualified and acting Commissioners of the Clint Community Ditch, of the County of El Paso, State of Texas, for and in consideration of the sum of One Dollar (\$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. 398) 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 Clint Community Ditch in and unto that certain portion of the Clint Ditch lying in the County of El Paso and State of Texas, from the point of its diversion from the San Elizario Ditch to the point of its intersection with the Franklin Canal, more particularly described in blue print hereto attached and made a part hereof; also all interest of said Clint Community Ditch in and to that part of the San Elizario Ditch system used jointly by the Clint, San Elizario and Salitral Ditches.

TO HAVE AND TO HOLD all the right, title, interest, estate and claim of the said Clint 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, 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 Clint Ditch 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

(2)

the Interior or the Director and Chief Engineer of the U. S. Reclamation Service.

WITNESS our hands this the 9th day of January.

A. D. 1917.

Witness at Request of Grantor:

Homer Wells
Howard Coffin
S. D. Blair
Commissioners of the Clint
Community Ditch.

APPROVED _____

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

Before me, James E. Bowen, a Notary Public in and for El Paso County, Texas, on this day personally appeared S. D. Blair, Homer Wells, and Howard Coffin, Commissioners of the Clint Community Ditch, and acknowledged that the foregoing instrument was signed by them on behalf of the said Clint Community Ditch by authority upon them duly conferred, and the said S. D. Blair, Homer Wells and Howard Coffin, Commissioners of the said Clint Community Ditch, acknowledged said instrument to be the free act and deed of the said Clint Community Ditch.

Given under my hand and seal of office, this 9th day of January, A. D. 1917.

(SEAL)

James E. Bowen
Notary Public
El Paso Co., Texas

My Commission expires June 30, 1917

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

I, W. D. Gruit, Clerk of the County Court of said County, do hereby certify that the above instrument of writing, dated on the 9 day of January, A. D. 1917, with its certificate of authentication, was filed for record in my office this 4 day of October, A. D. 1917, at 1:25 o'clock p M. and duly recorded the 5 day of October, A. D. 1917, at 11:33 o'clock a M. in the records of said county, in Volume 273 on Pages 308
VOL 313 308

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. Gruit
Clerk County Court, El Paso County, Texas
By W. D. Luckell, Deputy.

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE

WASHINGTON, D. C.

From Acting Director

May 31, 1917.

To Project Manager, El Paso, Texas.

Subject: Quitclaim deed of Jan. 9, 1917 from Homer Wells,
Howard Coffin and S. D. Blair, Commissioners of
the Clint Community Ditch, donating ditch property,
Rio Grande Project.

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

2. The discussion in office letter of even date relative to the San Elizario Ditch applies also in the present case. It is requested that the instructions contained therein be followed in the preparation of future similar instruments.

Morris Bien

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enc.

CERTIFICATE

I HEREBY CERTIFY that Homer Wells, Howard Coffin and S. D. Blair, duly elected, qualified and acting Commissioners of the Clint Community Ditch, are in possession of the property described in the attached deed of January 9, 1917, claiming an easement for the operation of said ditch in said property, and that no person claiming a right in such property adverse to the grantors is in possession of any part of it.

P. W. Dent
District Counsel

El Paso, Texas, April 12, 1917.

CERTIFICATE

I HEREBY CERTIFY that the community ditch, described in attached deed of January 9th 1917, from the Commissioners of the Clint Community Ditch, was constructed by a voluntary association of land owners, and that 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 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

F. W. Dent

District Counsel

El Paso, Texas, April 12, 1917.

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE

El Paso, Texas, April 12, 191 7

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

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

Quit Claim Deed Agreement dated **January 9, 1917** **Rio Grande** Project.

Executed by **Homer Wells, Howard Coffin and S. D. Blain, Commissioners of the Clint Community Ditch**

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

Purpose of Agreement: **Denation of ditch property**
(See instructions on back, Pars. 4 and 5)

No public notice issued on the Rio Grande Project

RECEIVED
MAY 20 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.

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 ~~_____~~ *Accepted*
Bond, if any, approved by same officer on same date.

Morris Elen,
Morris Elen

INSTRUCTIONS.

1. This form is devised to render unnecessary the writing in the Washington office and in the field of various routine letters in reference to contracts.
2. The project or other office where the contract originates will transmit one copy of this form in excess of the number of offices which are to be advised of approval. For example, in the usual case where the project manager and Chief of Construction are to be advised, three copies should be sent to the Washington office.
3. The Chief of Construction will make proper notation on his copy of the contract showing the date when the contract is forwarded by him.
4. Any special matter or information relative to the contract too long to write on the form should be set out in a statement or certificate accompanying the other papers.
5. When reference is made to previous correspondence the dates thereof should be given.