

WADLINGTON COMMUNITY DITCH

QUITCLAIM DEED

0023-0079-0814-00
0023-0081-0003-00

13-(14) Texas & 15-(3) Texas

El Paso, Texas, Nov.28, 1917.

From Asst. District Counsel, A. B. Preuss,
To Chief Counsel, Washington.
Subject: Transmittal of donation deed transferring Wadlington
Community Ditch to the United States.

1. Herewith is inclosed deed as above described,
recorded and ready for filing.

2. As all additional papers and necessary certificates
were forwarded with letter of transmittal for acceptance, dated
August 27, 1917, it is not deemed necessary to furnish further
papers and certificates.

3. The deed was accepted November 1, 1917.

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El Paso, Texas, Nov.28, 1917.

From Asst. District Counsel, A. B. Preuss,
To Chief Counsel, Washington.
Subject: Transmittal of donation deed transferring Wadlington
Community Ditch to the United States.

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2. As all additional papers and necessary certificates
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August 27, 1917, it is not deemed necessary to furnish further
papers and certificates.

3. The deed was accepted November 1, 1917.

- - - - -

El Paso, Texas, Nov.5, 1917.

The County Clerk,

El Paso, Texas.

Dear Sir:

Herewith is inclosed for recordation quit
claim deed dated August 13, 1917, from Commissioners
of Wadlington Community Ditch to the United States.

Very truly yours,

Asst. District Counsel.

El Paso, Texas, Nov.5, 1917.

The County Clerk,
El Paso, Texas.

Dear Sir:

Herewith is inclosed for recordation quit
claim deed dated August 13, 1917, from Commissioners
of Wadlington Community Ditch to the United States.

Very truly yours,

Asst. District Counsel.

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE

U. S. DEPARTMENT OF THE INTERIOR
RECEIVED
NOV 5 1917
EL PASO, TEXAS.

~~El Paso, Texas, August 27~~, 1917.

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

Subject: Forwarding ~~contract~~ ^{donation deed} for approval.

~~Deed Agreement~~ dated August 13, 1917. Rio Grande Project.

Executed by Charles De Groff, Donaciano Baca, L. L. Hay and Elmer G. James, Commissioners of the Wadlington Community Ditch.

~~With~~

Estimated amount involved, \$0. (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 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 *DL* at *El Paso* of the approval of the above. Please return orig. deed for recording.

L. M. Lawson
(Signature.)

- Encls.
- Donation deed in duplicate.
 - 2 certificates of District Counsel, in duplicate.
 - 2 copies of plat, accompanying deed.

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

Approved by *Morris Bien, Acting Director*

NOV 1 - 1917

Date of approval *NOV 1 - 1917*

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

Original enclosed for record and return.

Morris Bien, Acting Director

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.

CERTIFICATE.

I hereby certify that the community ditch described in attached deed of August 13, 1917, from the commissioners of the Wadlington 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. I further certify that there are no liens against the property.

(sd) P. W. Dent

District Counsel.

Dated at El Paso, Texas,

this 27th day of August, 1917.

State of Texas)
County of El Paso)

Before me, L. A. Faix, J.P., and ex-officio Notary Public in and for El Paso County, Texas, on this day personally appeared Donaciano Baca and acknowledged that the foregoing instruemtn was signed by him on behalf of the said Wadlington Community Ditch by authority upon him duly confereed, and the said Donaciano Baca, Commissioner of the said Wadlington Ditch, acknowledged said instrument to be the free act and deed of the said Wadlington Community Ditch.

Given under my hand and seal of office this 14th day of August 1917.

(Seal)

L. A. Faix, J. P. and ex-officio
Notary Public, El Paso County,
Texas.

State of Texas)
County of El Paso)

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned owners of water rights in the Wadlington Community Ditch, for and in consideration of the benefits to accrue to us, respectively, by reason of the reconstruction, enlargement and improvement of the said Wadlington Ditch system to be hereafter performed by the United States of America, hereby disclaim and release all our right, title and interest in and to the said Wadlington Ditch system as the same is now constructed and in existence, as shown on blue print hereto attached and hereby made a part hereof, and agree that the United States, pursuant to the Act of Congress approved June 17, 1902(32 Stat.,388) and acts amendatory thereof and supplementary thereto, may take charge of, operate and maintain, and control said ditch system and all appurtenances thereof, and shall have the right to reconstruct, enlarge and otherwise improve the same in any manner deemed necessary by the proper officers of the United States in order that there may be afforded superior facilities for the irrigation of the lands tributary thereto.

Witness our hands this 13th day of August

A. D. 1917.

The State of Texas)
County of El Paso)

Before me, S. D. Ruffner, Notary Public.

In and for El Paso County, Texas, on this day personally appeared Charles De Groff, Donciciano Baca, CR Hay, and Elmer G. James, Commissioners of the Wadlington Community Ditch, and acknowledged that the foregoing instrument was signed by them on behalf of the said Wadlington Community Ditch by authority upon them duly conferred, and the said Charles De Groff, Donciciano Baca, CR Hay, and Elmer G. James, Commissioners of the said Wadlington Community Ditch, acknowledged said instrument to be the free act and deed of the said Wadlington Community Ditch.

Given under my hand and seal of office, this 13 day of August, A. D. 1917.

S. D. Ruffner
Notary Public in and for
El Paso County, Texas.

My commission expires June 30, 1919.

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 13 day of August, A. D. 1917, with its certificate of authentication, was filed for record in my office this 5 day of November, A. D. 1917, at 3:40 o'clock P m., and duly recorded the 7 day of November, A. D. 1917, at 8:26 o'clock a m., in the records of said county, in Volume 211 on pages 560.

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 L. M. Woodard
Deputy.

State of Texas)
County of El Paso)

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned owners of water rights in the Wadlington Community Ditch, for and in consideration of the benefits to accrue to us, respectively, by reason of the reconstruction, enlargement and improvement of the said Wadlington Ditch system to be hereafter performed by the United States of America, hereby disclaim and release all our right, title and interest in and to the said Wadlington Ditch system as the same is now constructed and in existence, as shown on blue print hereto attached and hereby made a part hereof, and agree that the United States, pursuant to the Act of Congress approved June 17, 1902(32 Stat.,388) and acts amendatory thereof and supplementary thereto, may take charge of, operate and maintain, and control said ditch system and all appurtenances thereof, and shall have the right to reconstruct, enlarge and otherwise improve the same in any manner deemed necessary by the proper officers of the United States in order that there may be afforded superior facilities for the irrigation of the lands tributary thereto.

Witness our hands this 13th day of August.

A. D. 1917.

Charles & A. C. De Groff by Chas De Groff.
his
Andrez Olguien
mark
her
Marecio Maldonada
mark
his
Miguel Gonzales
mark

Zacarias Apodaca

Miguel Chavez
his
Nicolas Olguin
mark

J. M. Coker

D. Baca

Leopoldo Acosta

B. J. Mustain

Pablo Lujan

Silverio Escontuas

E. Cortez

W. E. Miller

Anaoleto Apodaca

Romaldo Lujan

J. L. James

Liborio Olguin

Roberta Gomez by Laborio Olguine

Laura Oden

Jeff Jones

Teofila Olguin

E. Apodaca

Mrs . B. Foote

B. M. Worsham

Schilcknerbla Daugherty

E. B. McClintock, Co. Judge.

Liberio Olguin
Roberto Gomes by Liberio Olguin
Laura Oden
Jeff Jones
Terrell Olguin

E. Apodaca
Mrs. B. Frost
B. W. Worsham
Schildkraut & Daugherty
E. W. Clute & Co. Judge

State of Texas)
)
County of El Paso)

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned owners of water rights in the Wadlington Community Ditch, for and in consideration of the benefits to accrue to us, respectively, by reason of the reconstruction, enlargement and improvement of the said Wadlington Ditch system to be hereafter performed by the United States of America, hereby disclaim and release all our right, title and interest in and to the said Wadlington Ditch system as the same is now constructed and in existence, as shown on blue print hereto attached and hereby made a part hereof, and agree that the United States, pursuant to the Act of Congress approved June 17, 1902(32 Stat.,388) and acts amendatory thereof and supplementary thereto, may take charge of, operate and maintain, and control said ditch system and all appurtenances thereof, and shall have the right to reconstruct, enlarge and otherwise improve the same in any manner deemed necessary by the proper officers of the United States in order that there may be afforded superior facilities for the irrigation of the lands tributary thereto.

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Andrez Olguien
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Marecio Maldonada
mark
his
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mark

Zacarias Apodaca

Miguel Chavez
his
Nicolas Olguin
mark

J. M. Coker

D. Baca

Leopoldo Acosta

B. J. Mustain

Pablo Lujan

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Mrs . B. Foote

B. M. Worsham

Schüldknerbla Daugherty

E. B. McClintock, Co. Judge.

Liberio Algieri
Roberto Gomes by Laborio Algierie
Lara Oden
Jeff Jones
Ferdinand Otavio

E. + Apodaca
Mrs. B. Foote
B. M. Worsham
Schildkneller Daugherty -
E. M. Culbertson Co Judge

The State of Texas }
County of El Paso }

KNOW ALL MEN BY THESE PRESENTS: That we, Charles De Groff, Donaciano Baca, L. L. Hay, and Elmer C. James, duly elected, qualified and acting Commissioner of the Wadlington 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., 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 Wadlington Community Ditch lying in the County of El Paso and State of Texas, more particularly described in blue print hereto attached and made a part hereof.

TO HAVE AND TO HOLD All the right, title, interest, estate and claim of the said Wadlington 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 Wadlington 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 the Interior or the Director and Chief Engineer of the United States Reclamation Service.

WITNESS Our hands this the 13th day of August A. D. 1917.

Witness at Request of Grantor:

Chas de Groot
Donaciano Lora
W L Hay
Elmer G James

Commissioners of the
Wadlington Community Ditch.

APPROVED _____

The State of Texas }
County of El Paso }

Before me, S. D. Ruffner, Notary Public

in and for El Paso County, Texas, on this day personally appeared Charles De Groff, Donaciano Baca, CR Hay, and Elmer G. James, Commissioners of the Wadlington Community Ditch, and acknowledged that the foregoing instrument was signed by them on behalf of the said Wadlington Community Ditch by authority upon them duly conferred, and the said Charles De Groff, Donaciano Baca, CR Hay, and Elmer G. James, Commissioners of the said Wadlington Community Ditch, acknowledged said instrument to be the free act and deed of the said Wadlington Community Ditch.

Given under my hand and seal of office, this 13 day of August, A. D. 1917.

S. D. Ruffner
Notary Public in and for
El Paso County, Texas.

My commission expires June 30, 1919.

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 13 day of August, A. D. 1917, with its certificate of authentication, was filed for record in my office this 5 day of November, A. D. 1917, at 3:40 o'clock 7 m., and duly recorded the 7 day of November, A. D. 1917, at 8:25 o'clock a m., in the records of said county, in Volume 311 on pages 560.

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 L. M. Woodard
Deputy.

CERTIFICATE.

I hereby certify that Charles De Croff,
Donaciano Baca, L. L. Hay, and Elmer C. James,
duly elected, qualified and acting Commissioners
of the Wadlington Community Ditch, are in possession
of the property described in the attached deed of
August 13, 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.

F. W. Dent
District Counsel.

Dated at El Paso, Texas,

this 13th day of August, 1917.

The State of Texas }
County of El Paso }

KNOW ALL MEN BY THESE PRESENTS: That we, Charles De Groff, Donaciano Baca, L. L. Bay, and Elmer C. James, duly elected, qualified and acting Commissioner of the Wadlington 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., 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 Wadlington Community Ditch lying in the County of El Paso and State of Texas, more particularly described in blue print hereto attached and made a part hereof.

TO HAVE AND TO HOLD All the right, title, interest, estate and claim of the said Wadlington 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 Wadlington 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 the Interior or the Director and Chief Engineer of the United States Reclamation Service.

WITNESS Our hands this the 13th day of August A. D. 1917.

Witness at
Request of Grantor:

Chas de Groot
Donaciano Lucas
E. L. Hay
Elmer G. James
Commissioners of the
Wadlington Community Ditch.

APPROVED _____

State of Texas)
County of El Paso)

Before me, L. A. Faix, J.P., and ex-officio Notary Public in and for El Paso County, Texas, on this day personally appeared Donaciano Baca and acknowledged that the foregoing instrument was signed by him on behalf of the said Wadlington Community Ditch by authority upon him duly conferred, and the said Donaciano Baca, Commissioner of the said Wadlington Ditch, acknowledged said instrument to be the free act and deed of the said Wadlington Community Ditch.

Given under my hand and seal of office this 14th day of August 1917.

(Seal)

L. A. Faix, J. P. and ex-officio
Notary Public, El Paso County,
Texas.

CERTIFICATE.

I hereby certify that Charles De Croff,
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of the property described in the attached deed of
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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.

Dated at El Paso, Texas,

this 13th day of August, 1917.

CLINT MERCANTILE AND BANKING Co.

(UNINCORPORATED)

CAPITAL \$25,000.00

RESPONSIBILITY \$75,000.00

JAMES E. BOWEN, PRESIDENT



MEMBER TEXAS BANKERS' ASS'N.
MEMBER AMERICAN BANKERS' ASS'N.

CLINT, TEXAS,
Aug 9th, 1917.

Mr H. M. Wells.,
Manager Thompson Ditch.
Clint, Texas.

Dear Sir;-

We the owners land on the Thompson Ditch, feel as though it is your duty to take care of the damage that has been done by the disagua that is turn loose by owners of land above us, on the Thompson & Wadlington Ditches.

We have had for the past six or eight days a constant flow of water down the Thompson Ditch and the results are we have had two breaks in our own ditch and we are unalbe to cleand our own ditches and futher more we have land that we are unalbe to get to and culivateon account of waste water.

And we dont feel as though as it is our duty to furnish a disaguar for the above owners of land on the Thompson & Wadlington Ditches.

x Hoping that you will take this matter up with the water committe, We are, your

Yours Respectfully.

*Cooley Ranch
by Jones*

CLINT MERCANTILE AND BANKING Co.

(UNINCORPORATED)

CAPITAL \$25,000.00

RESPONSIBILITY \$75,000.00

JAMES E. BOWEN, PRESIDENT



MEMBER TEXAS BANKERS' ASS'N.
MEMBER AMERICAN BANKERS' ASS'N.

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And we dont feel as though as it is our duty to furnish a disaguar for the above owners of land on the Thompson & Wadlington Ditches.

x Hoping that you will take this matter up with the water committe, We are, your

Yours Respectfully.

Cooley Ranch
by Jones

ETHAN D. VUILLAUME
THE VARN RANCH
CLINT, TEXAS

August 9th 1917

Mr. E. S. Moore
Clinton, Tex.

Dear Sir

For some time the water from the Dougherty & Wadley ditches have been draining down here across causing no small amount of damage to planted crops but also soaking the land so that it is useless. Two pieces have been planted twice this year, about five acres, only to be flooded by the water runs above us. I don't see any way to ~~prevent~~ prevent for this what was, and I think it should be brought before the officers of the Reclamation Service and those parties fault it is be made to pay the damages.

ETHAN D. VUILLAUME
THE VARN RANCH
CLINT, TEXAS

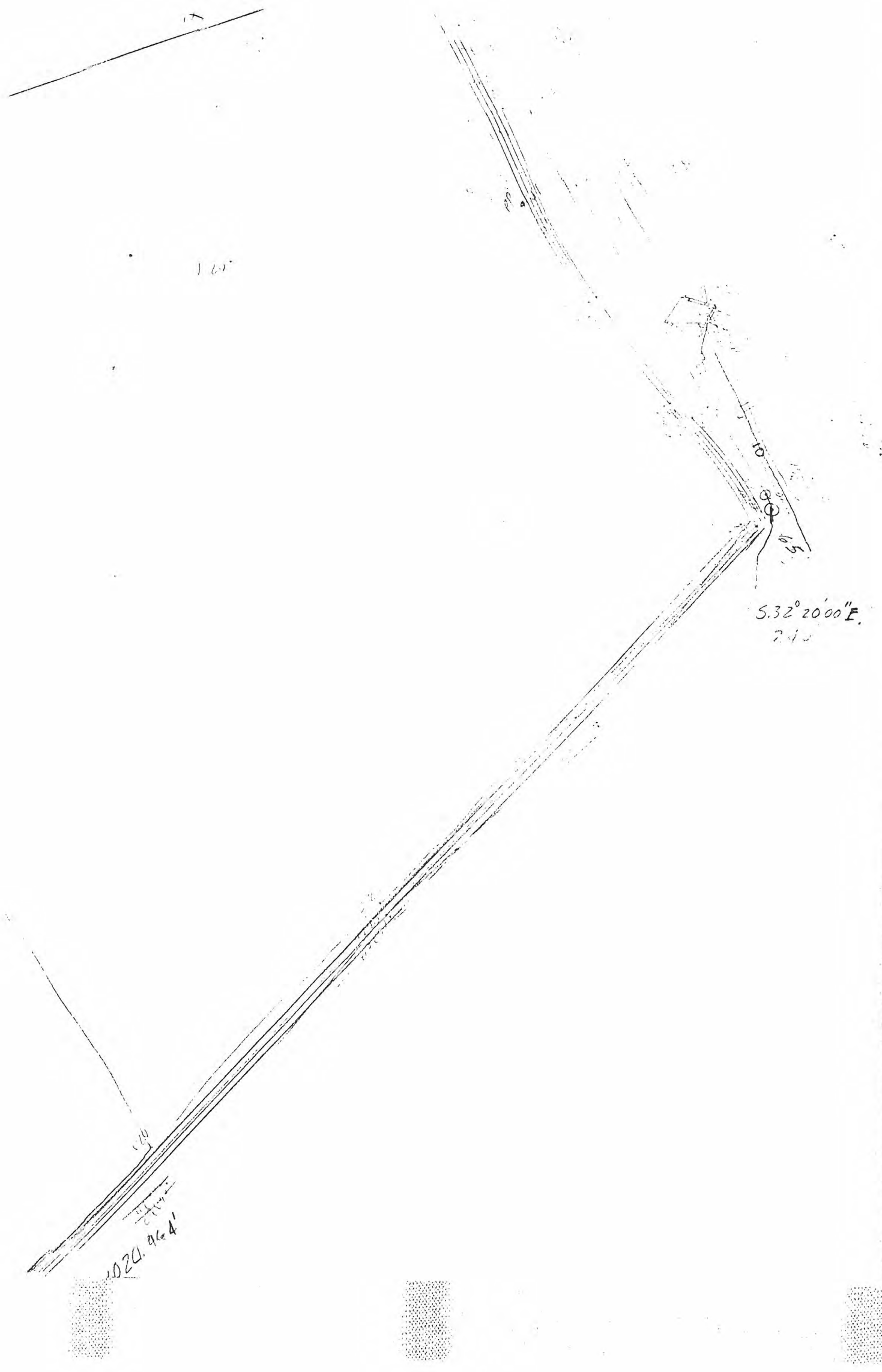
Now the water is standing on about
two feet of iron pit to ten inches
deep, and as to the hardness of
the material above.

You will greatly oblige us
by taking the matter up with
your officials.

Yours Very Truly,

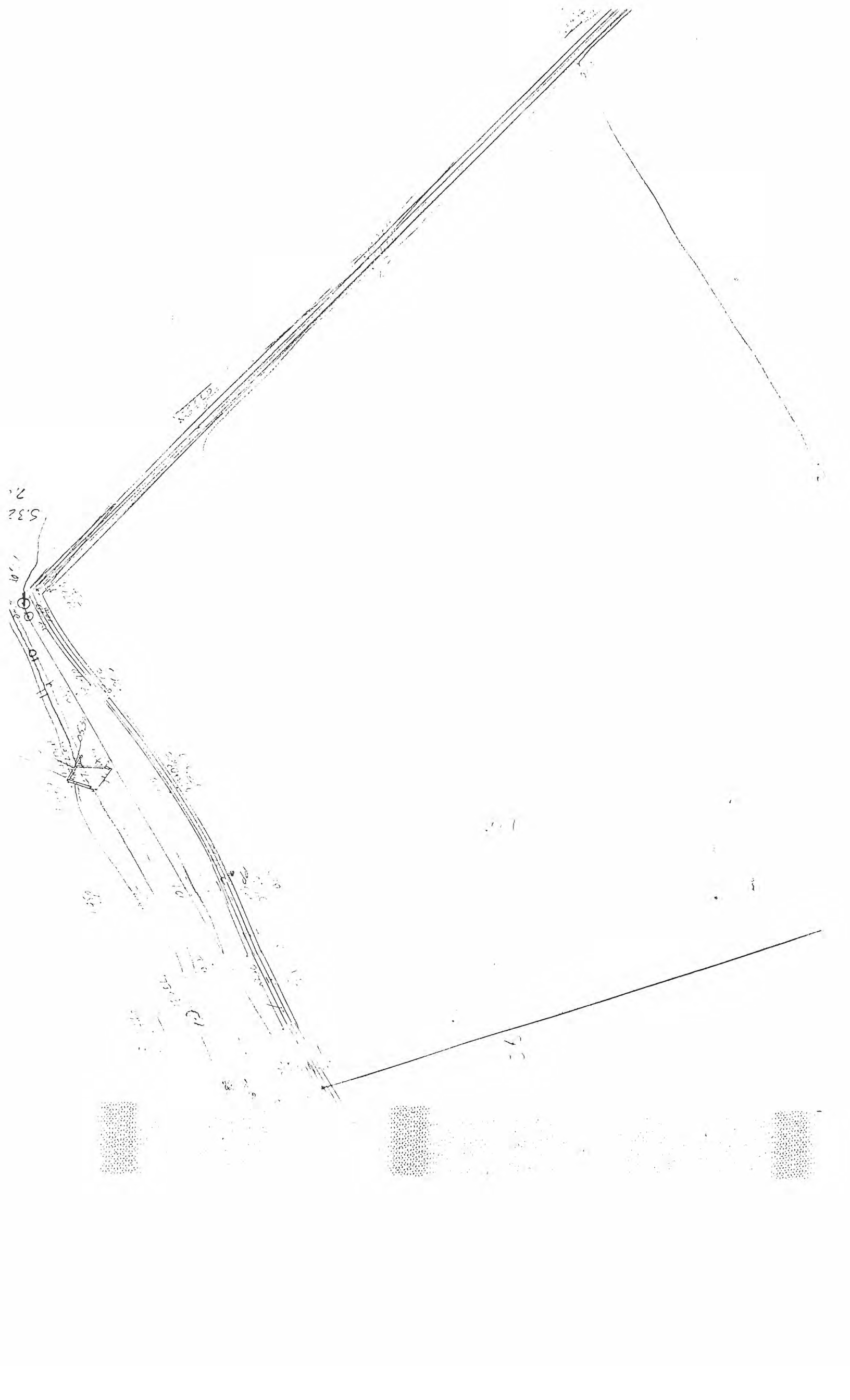
Dr Robt Green owner
E. D. Vuillaume





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S. 32° 20' 00" E.
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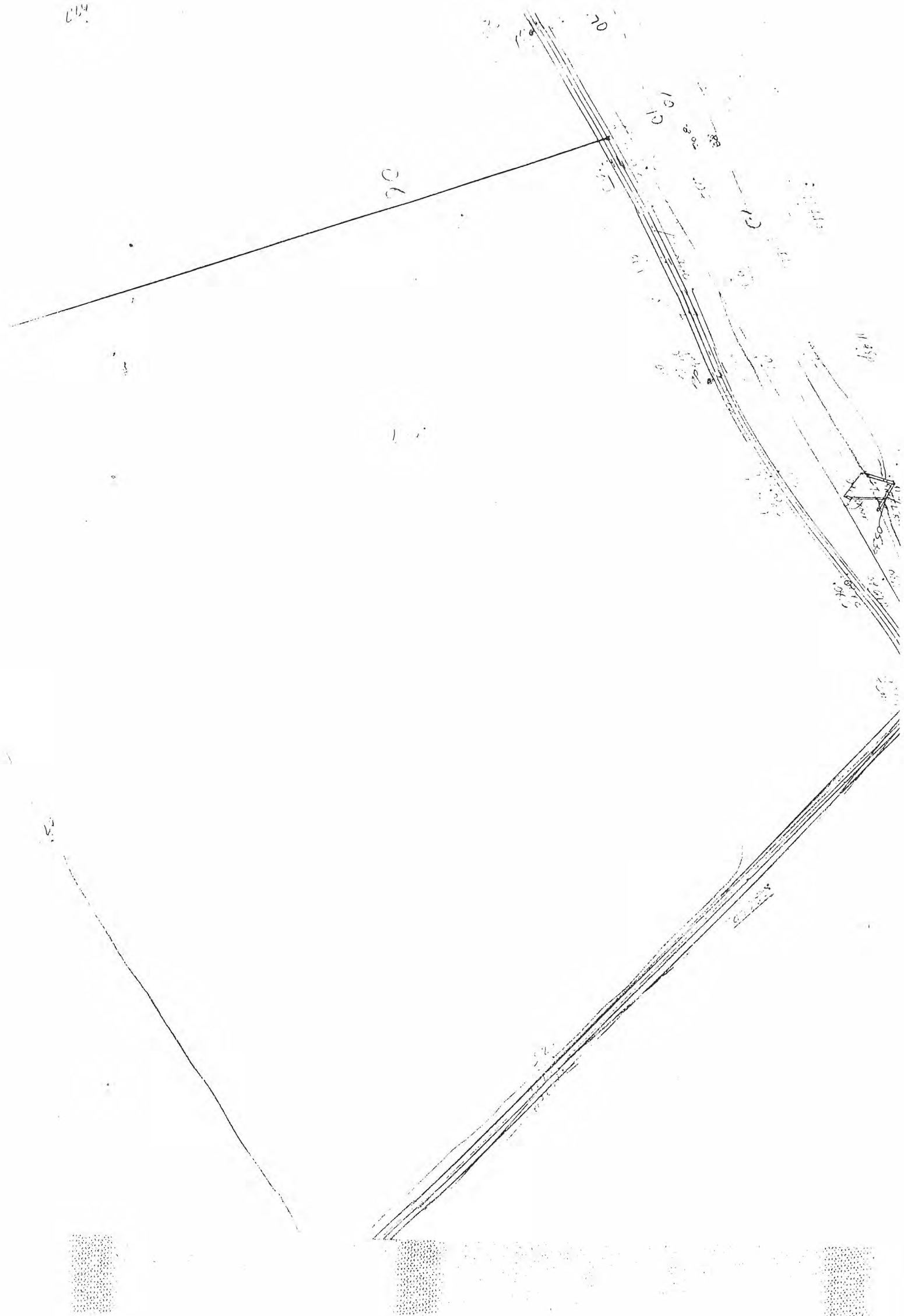
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DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE

El Paso, Texas, August 27, 1917.

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

Subject: Forwarding ~~contract~~ donation deed for approval.

~~Agreement~~ Deed dated August 13, 1917. Rio Grande Project.

Executed by Charles De Groff, Donaciano Baca, L. L. Hay and Elmer G. James, Commissioners of the Wadlington Community Ditch.
~~With~~

Estimated amount involved, \$0. (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 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 DB at El Paso, Texas of the approval of the above. Please return orig. deed for recording.

L. M. Lawson
(Signature.)

Encls.

- Donation deed in duplicate
- 2 certificates of District Counsel, in duplicate.
- 2 copies of plat, accompanying deed.

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

Approved by *Morris Bien, Acting Director*

NOV 1 - 1917

Date of approval NOV 1 - 1917

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

Original enclosed for record and return to P.M.

Morris Bien, Acting Director

CERTIFICATE.

I hereby certify that the community ditch described in attached deed of August 13, 1917, from the commissioners of the Wadlington 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. I further certify that there are no liens against the property.

(sd) P. W. Dent
District Counsel.

Dated at El Paso, Texas,

this 27th day of August, 1917.

ETHAN D. VUILLAUME
THE VARN RANCH
CLINT, TEXAS

August 9th 1917

Mr. E. S. Moore
Clint, Tex.

Dear Sir

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ETHAN D. VUILLAUME
THE VARN RANCH
CLINT, TEXAS

Now the water is standing on about
two feet of iron pit to ten inches
deep. and as to the hardness of
them ranging above.

You are greatly obliged us
by taking the matter up with
your officials.

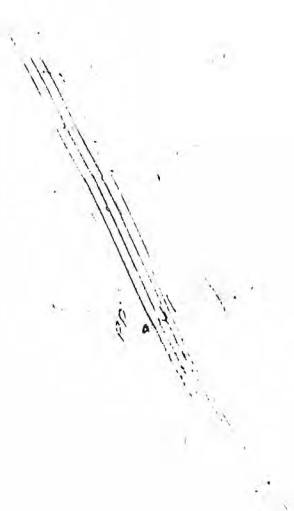
Yours Very Truly

Dr Robt Greer owner
E. D. Vuillaume &

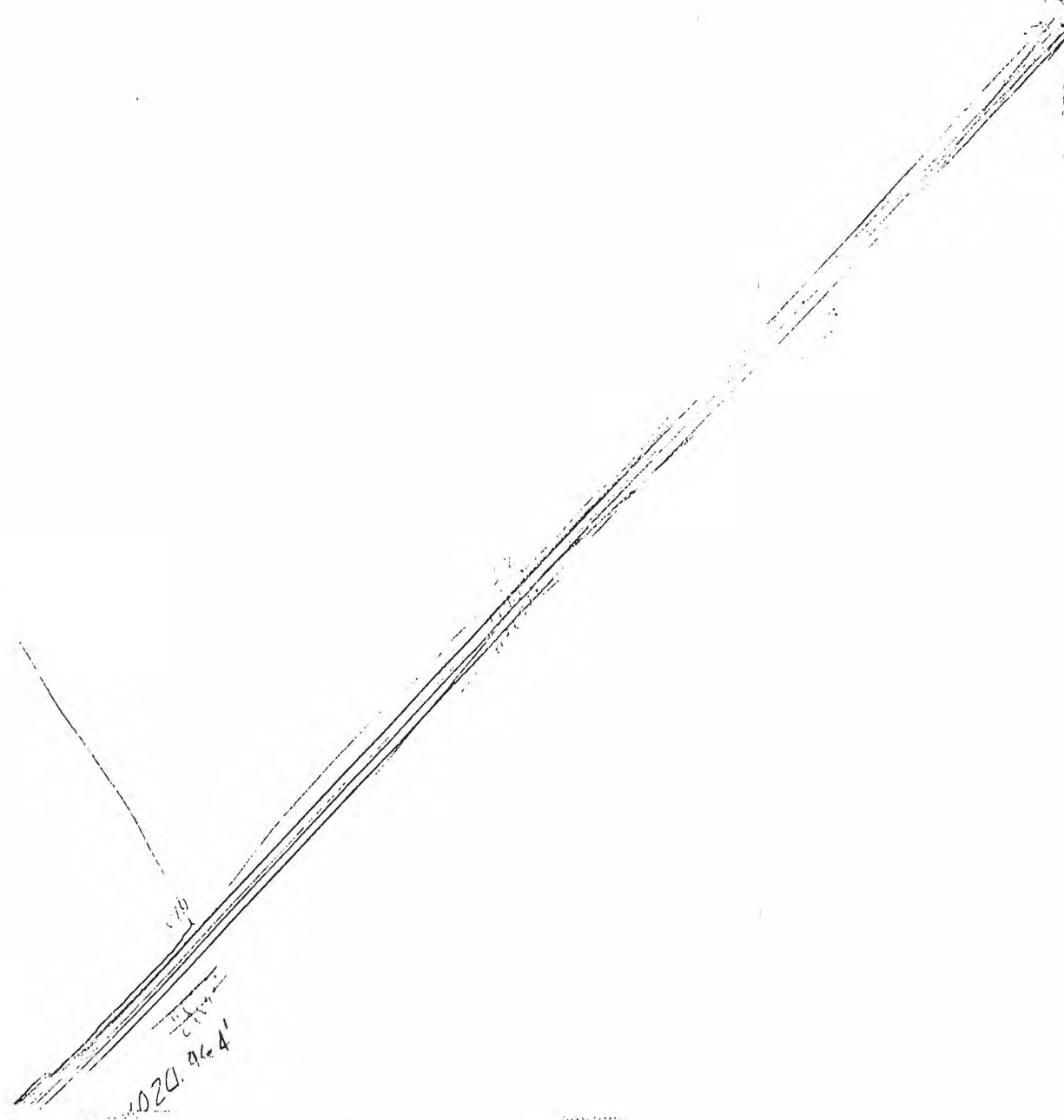




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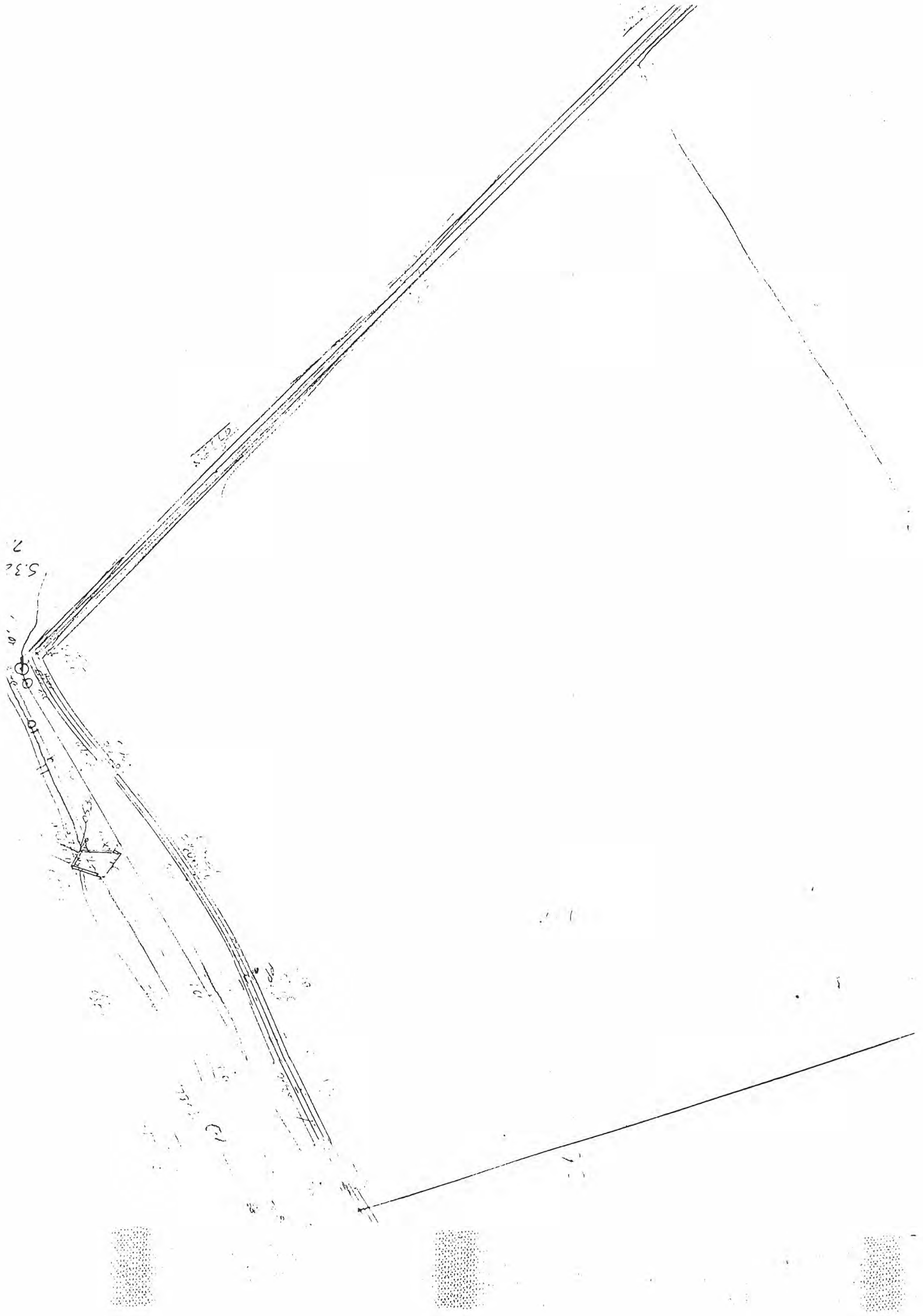


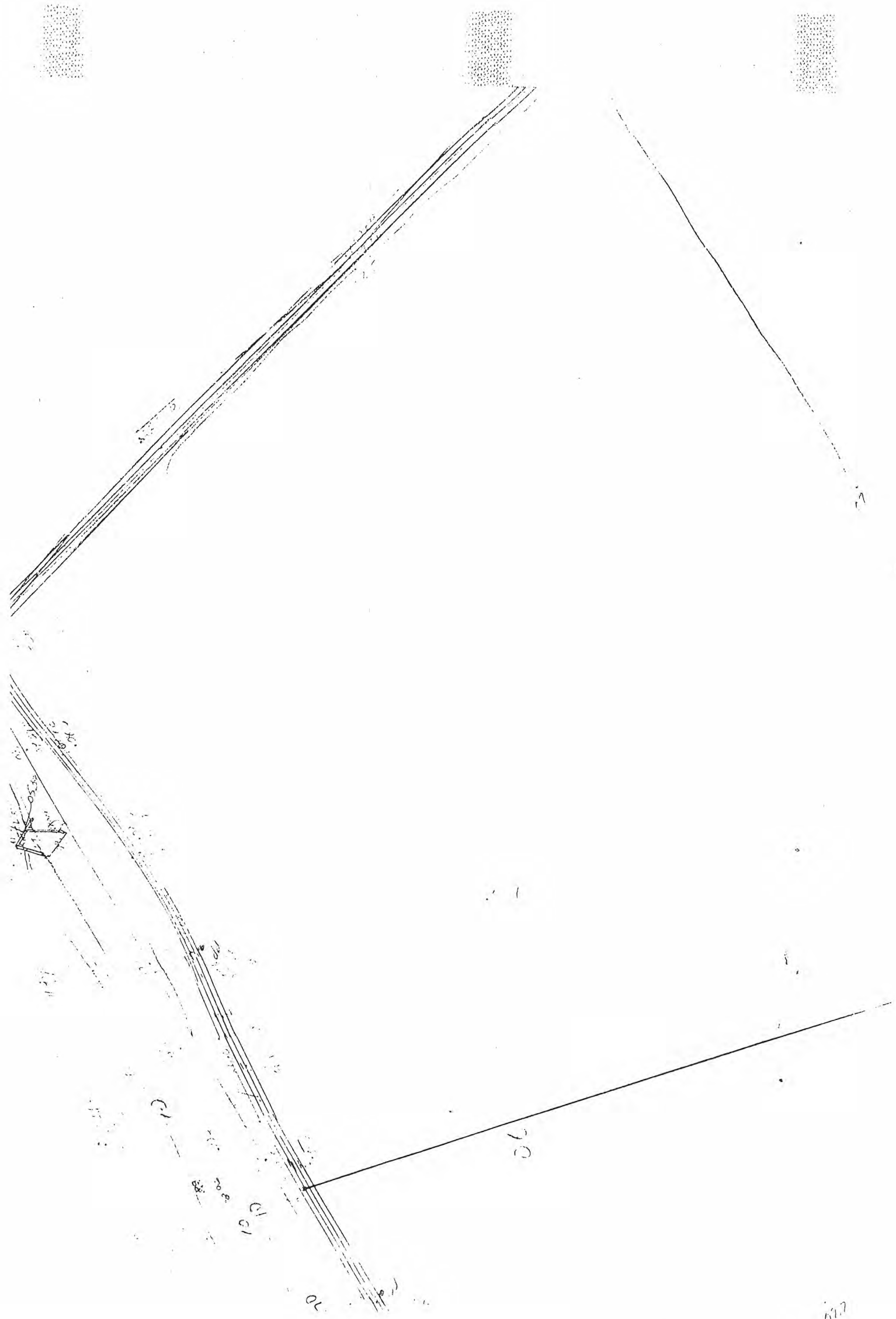
5.32° 20' 00" E.
7.4



1020.964'







44-437 F.C. = 0+00 Washington Ditch

County Road
Franklin Canal

Mrs. J.L. James

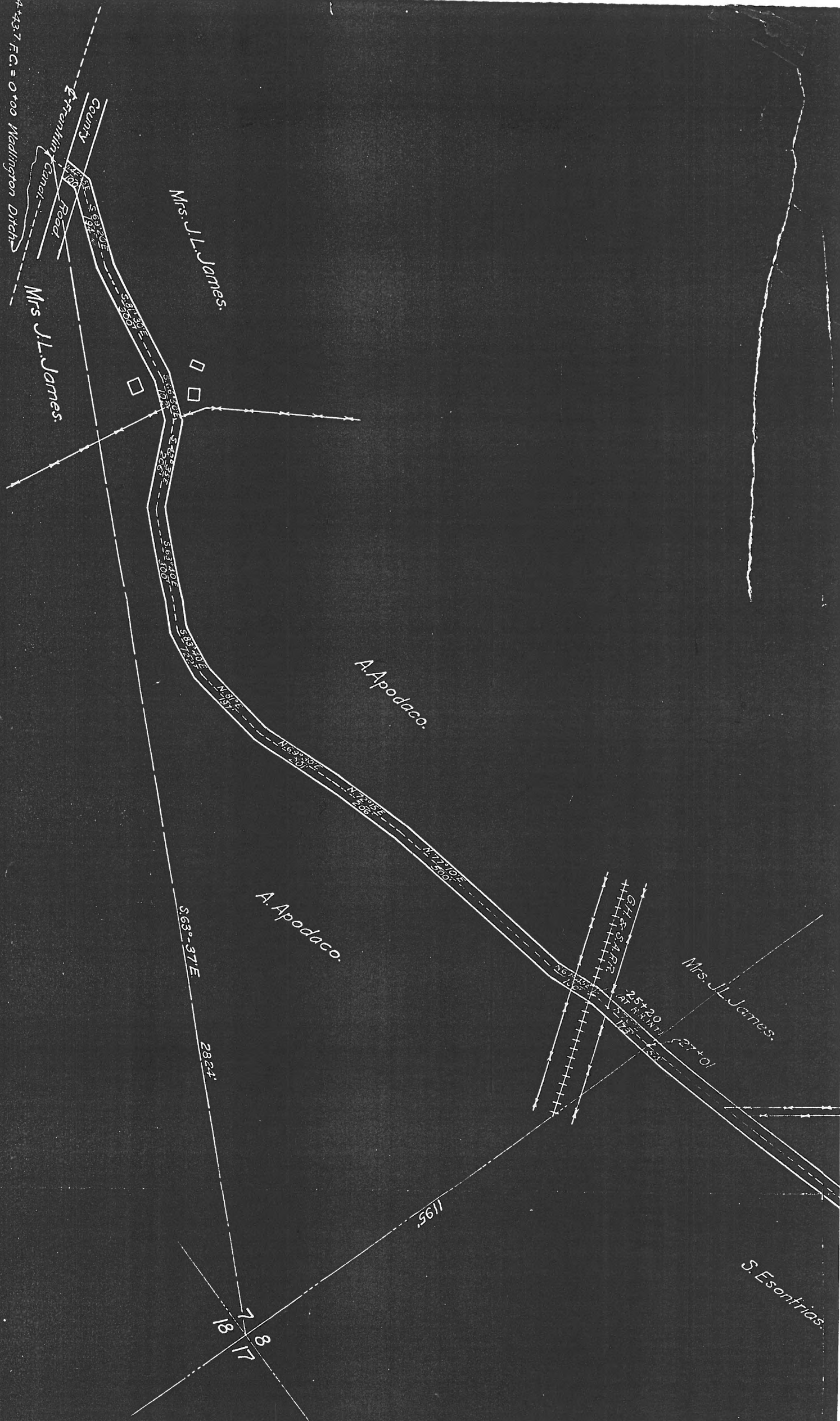
Mrs. J.L. James

A. Apodaco

A. Apodaco

Mrs. J.L. James

S. Esentrias

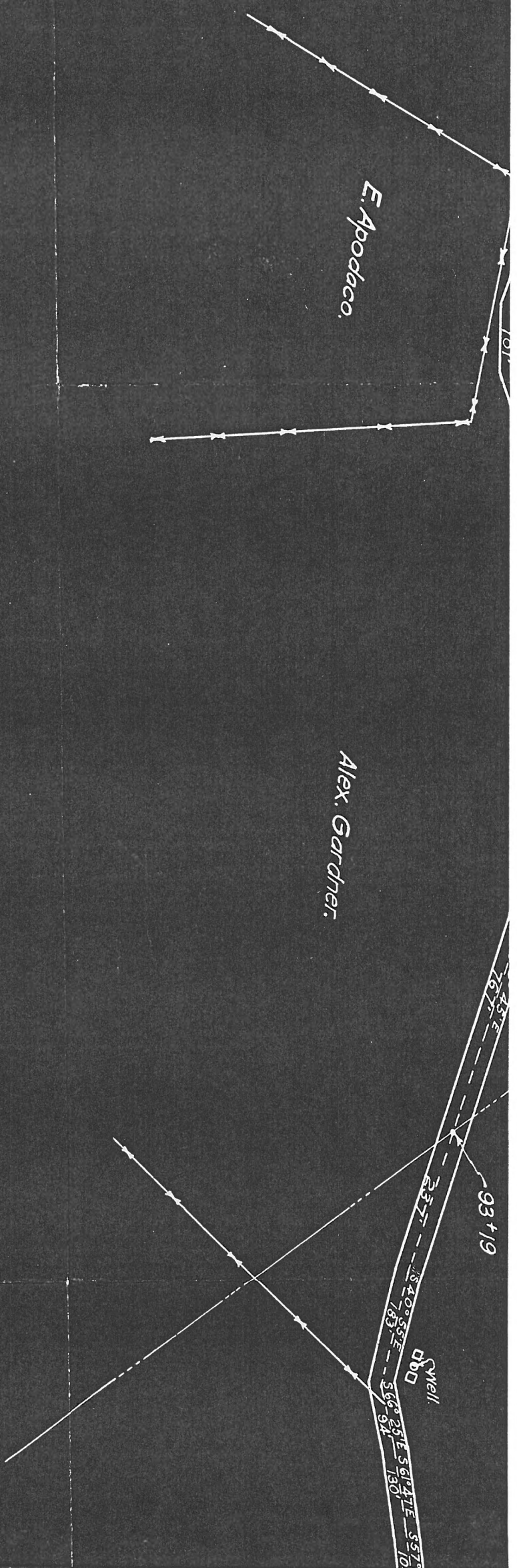


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Notes:

E. Apodaco.

Alex. Gardner.



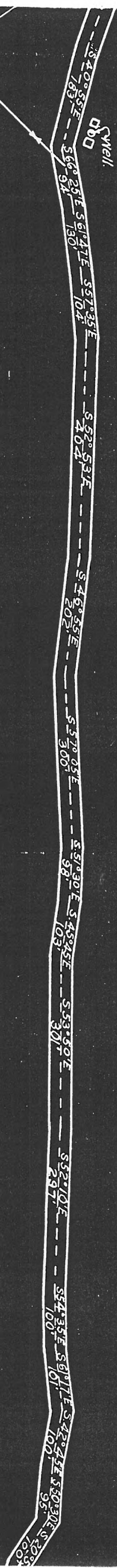
437 E
16 1/2

93+19

dbd
Well

S 42° 55' E 183.71'
S 42° 55' E 357.10'
S 42° 55' E 357.10'

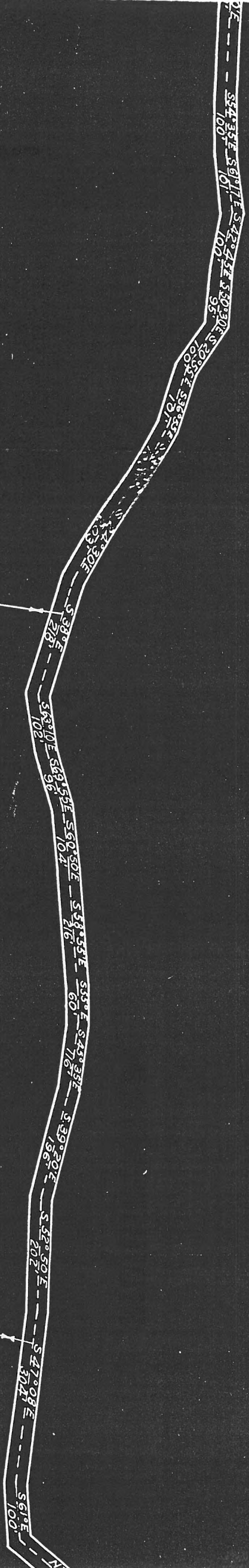
Well

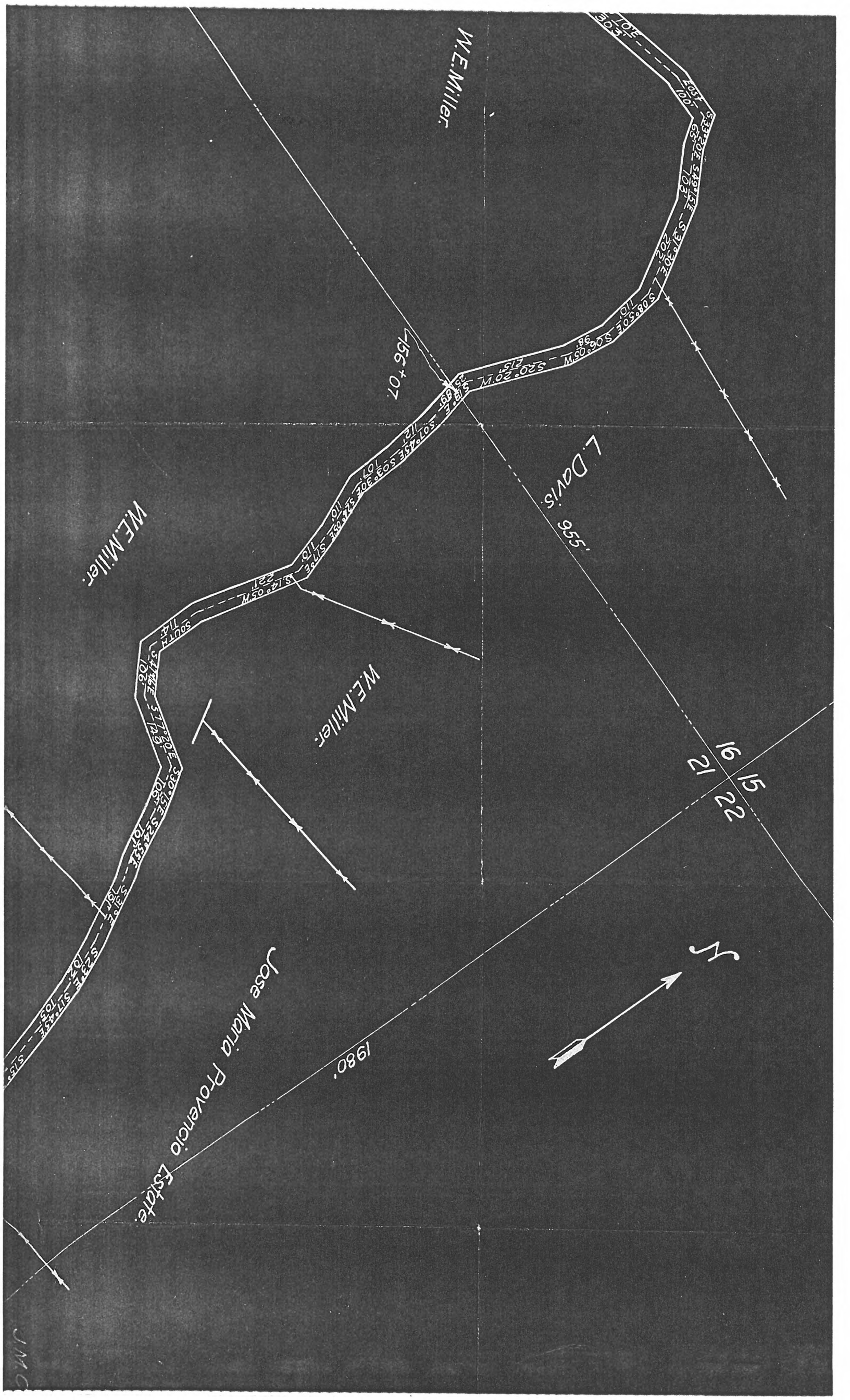


Jose Cueto.

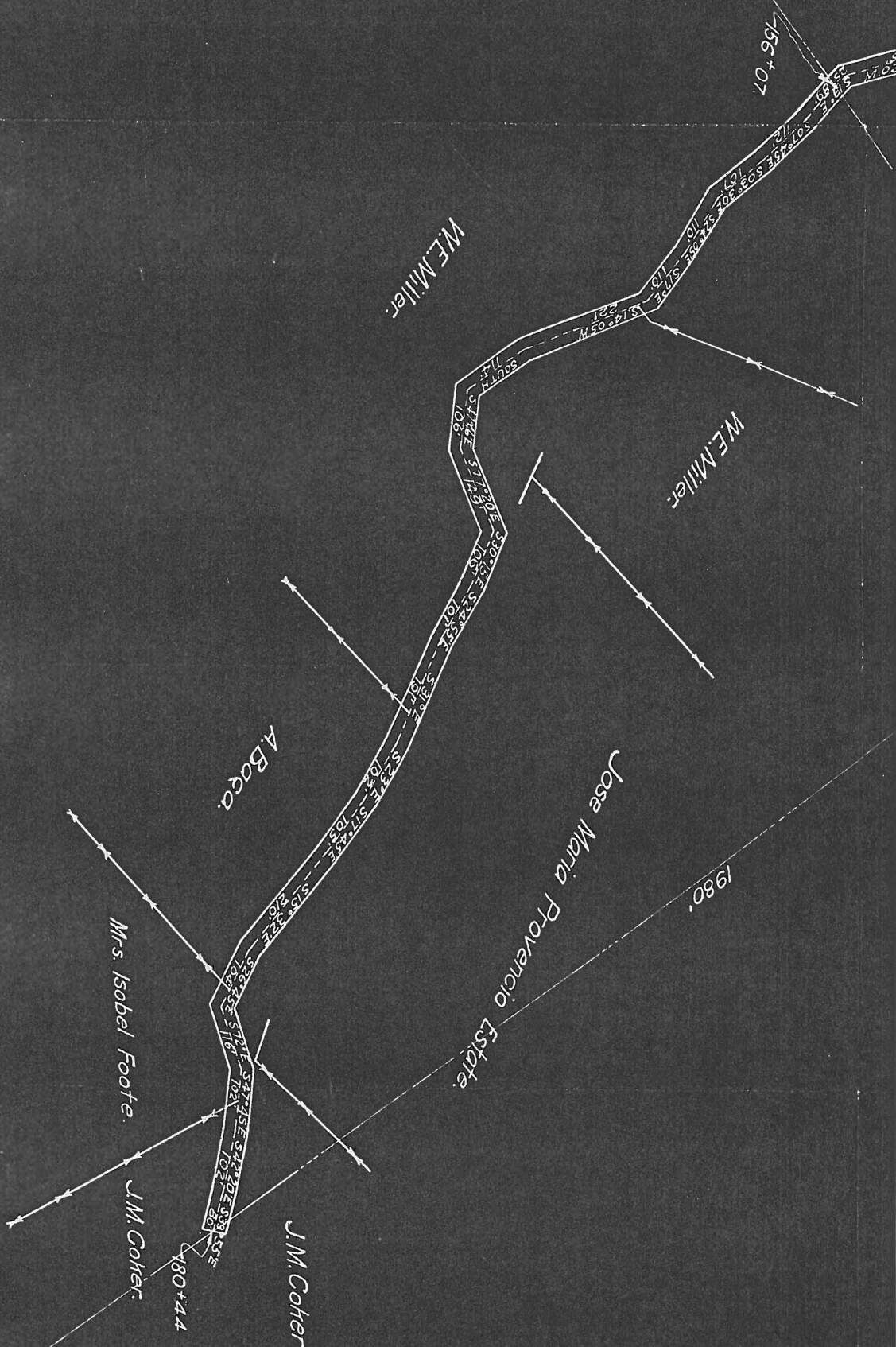
J.Y. Madlinton.

E. Acosta.





JMG



STATE EXHIBIT 101246

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
RIO GRANDE PROJECT NEW MEX.-TEX.
S.B. WILLIAMSON, CHIEF CONST.; L.M. LAWSON, PROJ. MGR.
EL PASO VALLEY
MAP OF
WADLINGTON DITCH.
Scale: 1"=200'
Traced: JIMS.
Checked: _____
Approved: _____
June 9, 1915
Project Manager: _____

E 617 R 50