Fort Collins, Colorado

COY DITCH HEADGATE & POWER PLANT DIVERSION DAM
Cache la Poudre River
LEVEL II DOCUMENTATION

prepared for
US Army Corps of Engineers
Colorado State Historic Preservation Office
City of Fort Collins

completed by
Tatanka Historical Associates, Inc.
P.O. Box 1909
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4 June 2018
USACE File #NWO-2016-02275-DEN
CO OAHP Site #5LR.1827
4 June 2018

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Project:  Coy Ditch Headgate & Power Plant Diversion Dam
          Cache la Poudre River, Fort Collins, CO
          Level II Documentation

Dear Ms. Greer,

Tatanka Historical Associates has completed its Level II documentation of the historic resources referenced above. These are located in the Cache la Poudre River corridor along the north edge of downtown Fort Collins. This work was undertaken to meet US Army Corps of Engineers and Colorado State Historic Preservation Office requirements as specified in a recent Memorandum of Agreement between the agencies and the property owner, which is the City of Fort Collins.

Accompanying this report are the required medium-format black and white photographs with an accompanying photo log, and measured drawings of the resources. All of these materials have been prepared and printed in an archivally stable format to comply with the guidelines found in OAHP publication #1595, entitled “Historic Resource Documentation.”

Sincerely,

Ron Sladek
President
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INTRODUCTION

This project originated in January 2018, when Tatanka Historical Associates Inc. (THAI) was engaged by the City of Fort Collins to complete Level II documentation of three historic resources along the Cache la Poudre River corridor just north of downtown Fort Collins, Colorado. These resources are located on land owned by the City and are associated with planned redevelopment of the area for enhanced public use. The work will focus upon reconfiguration of the river and its banks for the installation of a whitewater park and related public amenities.

On 1 April 2016, THAI completed a Section 106 survey of historic resources along the river corridor. Designed to assist the City in its effort to secure a permit from the US Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act, the study involved the intensive-level documentation of sixteen historic resources located within a defined Area of Potential Effect (APE). Several of the properties were found to be eligible for designation to the National Register of Historic Places. The Coy Ditch Headgate and adjoining Power Plant Diversion Dam (5LR1827) are the subject of this report. These were treated as a single resource because they are structurally attached to one another and the dam diverted water into the ditch headgate as well as the electric power plant across the river to the south.

The proposed undertaking was found to constitute a potential adverse effect to the eligible resources. Following consultation between the USACE and Colorado State Historic Preservation Office (SHPO), a Memorandum of Agreement was prepared between these agencies and the property owner, the City of Fort Collins. This stipulated the completion of Level II documentation prior to the commencement of construction.

In order to meet the requirements for Level II documentation of the resource, THAI enlisted assistance from two of its allied firms with specialized skills. Metcalf Archaeological Consultants (MAC) was brought in to complete the measured drawings. Tom Carr with Colorado Cultural Research Associates (CCRA) was engaged to photograph the resource and provide black and white archival prints. THAI handled project management and report writing.

In February and March 2018, staff from the three firms visited the site to record the resources for the drawings and photographs. These were completed in recent weeks. The Level II report was then prepared and these deliverables fulfill the Level II submittal requirements of the USACE and SHPO, as specified in the MOA. All of the work on the project was guided by Colorado Office of Archaeology and Historic Preservation publication #1595, titled Historic Resource Documentation: Standards for Level I, II and III Documentation (March 2013).

PHYSICAL DETAILS

The Coy Ditch Headgate and Power Plant Diversion Dam are located north of Fort Collins’ downtown district along the Cache la Poudre River corridor. They are situated about 110 yards east of the College Avenue bridge. Surrounding properties include vacant and commercial properties to the north, the river to the east and west, and the historic Fort Collins Municipal
Light & Power Plant (5LR1495, built in 1936) to the south. The former electric plant is still owned by the City of Fort Collins but has been in use for a number of years as Colorado State University’s Powerhouse Energy Campus. The location of the resources documented in this report also corresponds to the northwest quarter of the northwest quarter of Section 12 in Township 7 North, Range 69 West. (see Figure 1)

The area immediately surrounding the resources consists of vacant ground to the north; a short ditch segment, the river corridor, and the Coy Ponds to the east (the ponds are silted in and now consist of marsh); a tall concrete embankment wall, the Poudre River Trail, and the Powerhouse Energy Campus to the south; and the river corridor and College Avenue bridge to the west. (see Figure 2)

**Figure 1**

Location of the Coy Ditch Headgate and the Power Plant Diversion Dam
Description of the Coy Ditch Headgate: The headgate is located on the north bank of the Cache la Poudre River. It is silted in and no longer functional. Based upon the materials and evidence of aging and weathering, this board-formed concrete structure appears to have been constructed during the 1930s on top of an earlier stone headgate. The sides of the headgate are lined with short parallel concrete walls. Along the riverbank, these tie into longer concrete wingwalls that run to the east and west. While the wingwall to the east is about thirty-five feet long, the lower wall to the west extends for a distance of 285’, almost to the College Avenue Bridge, and acts a flood-control feature. This flood control wall and the taller retaining wall that runs along the river’s south bank are documented separately from the headgate as flood retention, erosion control, and embankment retention features (5LR13944). (see Measured Drawings in Appendices A-C)

At a point about halfway through the headgate is a concrete wall that sits perpendicular to the side walls. This supports the metal gate components. Parts of the control mechanism are missing and the metal gate is buried in the silt. On the north side of the headgate toward the ditch, its lower walls are constructed of sandstone blocks that appear to be much older than the concrete above. These were patched with rough concrete mortar, probably when the headgate was last rebuilt. A metal bar spans these lower walls, presumably for stabilization. Just behind the headgate toward the northwest is what appears to be a simple chart house that measured water flow into the ditch. This feature appears to date from late in the ditch’s history, most likely the 1970s. The chart house consists of an approximately 2'-diameter vertical pipe that rises from the ground, capped by a horizontal metal plate. Mounted on top of the plate is a metal box with a locked hinged lid. This provides access to the measuring equipment below.

Dating from the 1860s, the earthen Coy Ditch originally ran from the headgate for about one mile to the east and southeast. It now extends about 1,025' east of the headgate, where it is truncated by modern development and the BNSF Railroad tracks along the south side of Vine Drive. This segment represents only about 20% of the ditch’s original length. In addition, the current alignment of the ditch through the Coy Ponds just east of the headgate does not follow its original route. This was changed around 1960 when the ditch was pulled south from Vine Drive and moved to its current alignment. Out of use and unmaintained for several decades, the ditch has become eroded and filled with vegetation as it runs through the two ponds, which are now marshes located in the Gustav Swanson Natural Area. Running north and northeast of the headgate, a short segment of the ditch can barely be seen today.

Description of the Power Plant Diversion Dam: Spanning the width of the Cache la Poudre River, the 132'-long diversion dam is a low concrete structure that was designed to cause the streamflow to back up for a distance to the west in the direction of the College Avenue bridge. This allowed water to be diverted toward the north into the Coy Ditch headgate and toward the south into the water cooling system of the Municipal Light & Power Plant. Due to its low profile, the diversion dam also permits water to top its crest and continue downstream at times when the flow is high. This is particularly the case during the spring snow runoff and following large rainstorms. (see Measured Drawings in Appendices D-E)

The dam’s profile has an abrupt angled lip along its upstream (western) edge. Above that, the crest is relatively flat for 4’ before it starts to slope downward to the east. At the bottom of this approximately 4’-wide curved slope, the formed concrete gives way to rocks. This approximately 5’-wide band consists of broken pieces of granite that are set into cement to keep them from
rolling downstream. At its northern end, the diversion dam ties into the headgate structure. The southern end terminates at a tall concrete embankment wall below the former power plant.

Three gaps in the diversion dam allow water to pass through. The first is found at its northern end just south of the Coy Ditch headgate, where a small metal gate is mounted atop an approximately 3½'-wide gap in the concrete dam. Its components suggest that it is of modern origin. The second gap is found in the middle of the river, where an approximately 20'-wide sloped concrete boat chute with low wingwalls is present. This is wide enough for a canoe, kayak or inner tube to pass through and continue downstream. South of the chute is the third gap, an approximately 3'-wide cut formed in the concrete that acts as a fish ladder.

**Figure 2**
Location of the Coy Ditch Headgate and the Power Plant Diversion Dam
HISTORICAL CONTEXT

The Coy Ditch Headgate and Power Plant Diversion Dam, as they stand today, date from different periods in area history. However, they are tied to one another both historically and structurally. Consequently, they are treated as interrelated resources. Both are significant to local history within the contexts of agriculture and settlement. The diversion dam is also important on a broader level due to its historic relationship to the development of water usage and rights in Colorado and throughout the western United States starting in the late 20th century. These resources tell a remarkable story about the agricultural, municipal and recreational usage of water from the Cache la Poudre River.

The Territorial Era (1860s-1870s): During the period around 1860, Euro-American migrants from the eastern United States began traveling up the Cache la Poudre River on their journey west. The route took them past the current site of Fort Collins and on to Laporte, a small community recently settled by fur trappers. While most of the migrants continued westward, some noted that this appeared to be fine country for farming and livestock grazing. Slowly, the lands in and around today's Fort Collins began to attract settlers who viewed this as a worthy place to stake out a new future. Colorado was established as a territory in 1861, and although still sparsely populated, Larimer County became one of its first counties.

The deepening anger of Native American tribes combined with the outbreak of the Civil War in 1861 to create a situation of fear, unrest and instability on the frontier. Many of the federal troops were moved east to fight, leaving volunteer outfits behind to guard the government's interests. The security of commercial, passenger and mail traffic on the frontier was threatened, and the increasing number of settlers, traders and migrants were exposed to risk of attack by bandits and Native warriors. Sensing this weakness, tribes and outlaws stepped up their attacks across the central Plains region between 1862 and 1864, ambushing and disrupting migrant trains, cavalry troops, passenger stagecoaches, freight wagons, stage stations, telegraph and rail lines, isolated settlers' cabins, and the cross-country mail service.

Until 1862, Ben Holladay's Overland Mail stagecoaches, the nation's primary transcontinental passenger and mail service, had followed the Platte River road through Nebraska and the Overland Trail across southern Wyoming. However, attacks by Sioux and Cheyenne warriors pushed freighter and emigrant traffic to be rerouted south into the Colorado Territory along the South Platte River to Latham, near present-day Greeley. From there, many migrants, freight haulers and stagecoaches turned northwest to follow the Cache la Poudre River as they neared the Rocky Mountains. From Laporte, travelers headed north and made their way through the foothills to rejoin the main route of the Overland Trail near present-day Laramie, Wyoming. By the early 1860s, the area now occupied by the city of Fort Collins and the nearby town of Laporte had become the nexus of a network of trails and wagon roads that traversed the largely undeveloped countryside in all directions.

Due to its northern location in the fledgling Colorado Territory and its importance as a transportation hub, the countryside along the Cache la Poudre River came under the protection of troops headquartered at Fort Laramie, located along the North Platte River one hundred miles to the north. With enlisted troops embroiled in the Civil War, volunteer units were posted to guard the critical stage and wagon roads that crossed the frontier. In July 1862, a company of
the 9th Kansas Volunteer Cavalry arrived in Laporte to provide security for area settlers and to protect travelers along the area’s transportation routes, specifically the Overland Trail and Cherokee Trail. A few months later they were relocated and replaced by soldiers from the 1st Colorado Cavalry.

Following the 1864 Sand Creek Massacre in southeastern Colorado, the plains tribes intensified their uprising against the government and Euro-American encroachment. Warriors attacked isolated settlers, stagecoaches and wagon trains on the plains. These actions hampered critical lines of transportation, communication, commerce and emigration that connected Colorado with the east, especially along the Platte River route through Nebraska and the Smoky Hill Trail through Kansas. Many Coloradoans agitated for removal of the plains tribes entirely, allowing the settlers to fully claim the land and make it their own.

In Larimer County, conflict between Native tribes and settlers involved occasional raids, often conducted by Utes descending from the mountains to obtain horses, food, cattle and other goods. Non-Indian bandits perpetrated other attacks. Along the Cache la Poudre, the Arapaho sometimes begged for and on occasion helped themselves to food. While frightening to the isolated settlers, these could hardly be classified as hostile incidents. In May 1864, a company of 11th Ohio Volunteer Cavalry was stationed at the outpost, replacing the Colorado troops. The soldiers had been sent west to Fort Laramie in the middle of the Civil War with orders to protect the region’s transcontinental mail, transportation and telegraph routes from attack. Upon their arrival they received orders to patrol southern Wyoming and northern Colorado. They were also instructed to place troops where federal interests appeared to be threatened.

With the Overland Mail and emigrant trails shifted to the South Platte-Cache la Poudre route, a more substantial presence was needed in the vicinity of Laporte. A contingent of soldiers was dispatched to the area from Fort Laramie, where they were ordered to erect a fort along the Cache la Poudre River. Led by Captain William H. Evans, the men named their post Camp Collins in honor of their commanding officer, Ohio native Lieutenant Colonel William O. Collins. Camp Collins was still under construction when one night in early June 1864 it washed away as the heavy winter snowpack melting in the mountains above combined with a sudden downpour to send the Poudre River raging beyond its banks. Although buildings and supplies were lost, all of the men survived. Determined not to expose his men to another flood, Captain Evans appealed to Lieutenant Colonel Collins for permission to move the fort to higher ground.

On 20 August 1864, Collins issued Special Order No. 1, authorizing relocation of the post to a more favorable spot four miles downstream atop the higher south bank of the river. Little did Collins know that within a decade the date of his order would emerge as the birthdate of a western town that would retain his name. The new military post grew quickly and provided much-improved amenities to its occupants. Larger than its “camp” predecessor and evidently more impressive to the men who served there, the post was named “Fort Collins.” During its several years of operation, the fort consisted of log buildings constructed around a central parade ground located at today’s intersection of Linden Street and Willow Street. With the security the fort provided, the surrounding countryside began to fill with pioneer farms. Among them was the farm of pioneer settlers John and Emily Coy, who homesteaded on land along the north side of the river a short distance east of the fort.
Fort Collins was closed in 1867 and its soldiers reassigned to other posts after the federal government declared the facility unnecessary to the defense of the frontier. Common among military installations, civilians began to arrive at the fort shortly after its establishment. Among the first was Elizabeth Stone, a Connecticut native who moved ever westward during her earlier years. In 1864, at the age of 63, she settled into a two-story log cabin adjacent to the new fort on the Cache la Poudre. Elizabeth had moved west with her husband, Judge Lewis Stone of Minnesota, to open a boardinghouse for officers stationed at the post. Over the following years, the Stone cabin served as the first private residence, hotel and school in Fort Collins.

Between 1867 and 1869, Auntie Stone and fellow pioneer Henry Peterson constructed the first flourmill in the region. This was the Lindell Mill, located on the south bank of the Poudre River in the old fort area where Ranch-Way Feeds is found today. The plant was powered by a millrace that brought water to the factory from the river along a channel that was over one mile in length. In 1870, Stone and Peterson opened a brick-fabricating operation that provided durable building materials for the emerging town of Fort Collins.

Following the closure of the Fort, the administrative office of Larimer County moved from Laporte to the small settlement of Fort Collins. In 1870, a federal census taker found just 838 pioneers residing in all of Larimer County. Although the government had yet to release the military reservation for homesteading, some residents began to occupy and develop the area southwest of the fort across the Denver Road, which became known as Jefferson Street. This core area of the new non-military community of Fort Collins was built on a diagonal in relation to the angled course of the Poudre River and the cavalry post that preceded the town. Today, the Old Town area continues to be distinguished by the diagonal orientation of its streets.

The Late 19th Century (1870s-1890s): In May 1872, the federal government released the Fort Collins Military Reservation for permanent settlement. The nascent community continued to expand with the construction of commercial buildings and residences, expanding from the first commercial district centered at the intersection of Jefferson Street and Linden Street. The town was platted in 1873, with the old fort area and Old Town retaining their diagonal street alignment. While the growing urban core remained south of the river, the expanse of land to the north continued to be settled for agricultural purposes. The year 1876 was marked by Colorado’s admittance as the newest state in the Union.

The growth of early Fort Collins received a major boost with the arrival of the railroad. On 8 October 1877, the first train steamed into town along Mason Street on the tracks of the Colorado Central Railroad. The line extended between Denver and Cheyenne. Because of stiff competition from other regional railroads, the line north of Fort Collins was discontinued in 1886 and the tracks removed. However, the impact of the railroad was permanent. In 1882, the Greeley, Salt Lake & Pacific Railroad constructed a main line from the southeast into the former fort area along Willow Street. The railroads enhanced both travel and commerce for Fort Collins area residents, businesses and farmers.

Another advance in the early development of Fort Collins came with the 1879 opening of Colorado Agricultural College on donated land south of town. From humble beginnings with just five students and three faculty members, the college grew into present-day Colorado State University. This institution brought stability and growth to Fort Collins. Progressive leaders continued to improve the town with the addition of an opera house (1881), waterworks plant
(1882), electricity and the first telephone (1887), a large county courthouse (1887), and sanitary sewers in 1888. By the end of the century, Fort Collins was also graced with competing newspapers, numerous fraternal organizations, and fine schools and medical facilities.

In part, the local economy was based upon the college, supplying its students and faculty with housing, goods and services. In addition, the town served as a market and supply center for the numerous farms, cattle ranches, sheep feeding operations and quarries of northern Larimer County, extending its economic reach far into the surrounding countryside. During the last two decades of the nineteenth century, many of Fort Collins’ finest buildings were erected, its commercial and residential districts established, its cultural life broadened, and its economy diversified. While the urbanized core of the community grew and developed, the areas north and east of town continued to be characterized by agricultural enterprises.

The Early 20th Century (1900s-1930s): Between 1900 and 1910, Fort Collins grew by 5,000 residents and the town moved into the twentieth century with a sense of confidence about its future. Area commerce remained strong and the community continued to serve as a market center. This role was greatly enhanced in 1903 with the construction of a large sugar factory across the river northeast of downtown. Owned by the Great Western Sugar Company of Denver, the plant continued to operate through the mid-1950s. It provided a reliable market for sugar beet farmers and employment for hundreds of factory and farm workers. The sugar factory boosted the community’s overall prosperity and stability for decades.

The steady development of Fort Collins continued throughout the early decades of the twentieth century. By the mid-1910s, the town was home to around 8,000 residents who enjoyed its growing commercial and residential districts. By the end of the decade, Fort Collins was improved with a new federal building, paved tree-lined streets, an efficient streetcar system, automobiles replacing horse-drawn vehicles, several movie theaters, a thriving downtown district and developing college campus, a new municipal airfield, a family-friendly environment, and a steadily growing population. The sugar beet ruled the surrounding countryside, as farmers continued to grow the lucrative crop that supplied the sugar factory with raw goods and provided many area residents with employment and income.

During the 1910s and 1920s, automobiles became commonplace in town and on area roads. This resulted in an increase in travel and tourism. Colorado State Highway 14 was established in the 1920s, running westward from Sterling in eastern Colorado, through Fort Collins along College Avenue and over the Cache la Poudre River. From there the road continued west up the Poudre River Canyon all the way to the North Park town of Walden and beyond almost to Steamboat Springs. U.S. Highway 287 was established in 1939 from Denver to Yellowstone National Park along a north-south route that took drivers through the center of Fort Collins, again traveling along College Avenue and over the Cache la Poudre River. The establishment of these highways, together with the resulting roadway improvements, increased tourism and freight traffic through the city. This sparked the development of North College Avenue from downtown to the northern city limits.

Prior to the mid-1920s, College Avenue had descended from downtown to the river’s south bank, passing beneath the Colorado & Southern Railroad tracks just north of Cherry St. In 1927, the road in this area was filled and raised to the railroad grade. With traffic increasing and vehicles becoming faster and heavier, the small Cache la Poudre River bridge was replaced in
1930 by a much larger structure that was elevated high above the river. Just southeast of the bridge, the open grounds along the east side of College Avenue became the site of the town dump, which remained there into the mid-1920s.

While the 1920s was a decade of expansion in Fort Collins, the Depression and drought of the 1930s caused a slowdown in commerce and agriculture. However, the area was buffered from the worst effects of the economic downturn by the beet sugar industry and the presence of Colorado Agricultural College, which in 1935 changed its name to the Colorado College of Agriculture and Mechanical Arts (Colorado A&M). The institution’s sizable contingent of faculty, staff and students on government scholarships provided a degree of stability and kept the town afloat during the darkest days of this era.

Despite the slowdown in development caused by the Depression, in 1936 the city celebrated the construction of a new municipal light and power plant adjacent to the river along College Avenue on the site of the former city dump. Paid for by the federal Works Progress Administration and built by crews of local men, the large Art Moderne building became a city landmark while its electrical power freed Fort Collins from the control of privately owned utility companies. The expansive grounds around the building were landscaped, turning the site into an unusually attractive industrial facility that became the pride of the community.

HISTORIES OF THE RESOURCES

History of the Coy Ditch Headgate: Following a journey across the plains during the summer of 1862, John and Emily Coy settled in the Cache la Poudre River bottomlands just east of today’s downtown Fort Collins. At that time, two years before the fort was established, there were no more than a few dozen Euro-American settlers in all of Larimer County. The Coys moved into an abandoned log cabin along the river. John filed a homestead claim and began harvesting the natural hay that grew on the land. This was sold for livestock feed. Over time, the farm grew to more than 300 acres. Once Fort Collins was established in 1864 just west of the Coy Farm, John started selling his hay to the military for the horses. In addition, he transported hay by wagon to the growing market centers of Denver and Golden, and to the mining camps in the mountains above.

Throughout the late 1800s and into the early 1900s, John Coy was a prominent member of the community as the town of Fort Collins emerged after the military post closed in 1867. He served as a Larimer County commissioner and president of the Larimer County Fair Association. John was instrumental in the establishment of the Colorado Agricultural College, now Colorado State University. He was also active in the Larimer County Stockgrowers Association. In 1884, he helped organize the Farmers’ Protective Association to protest price fixing by local flourmills. This led to construction of the Harmony Mill, which continues to stand at Lincoln Avenue and Willow Street.

In the semi-arid climate of northern Colorado, it soon became apparent to the Coys that irrigation would benefit their crop production. In 1865, they acquired water rights along the Cache la Poudre River (priority number 13) and set to work developing an irrigation ditch. John constructed a headgate along the north bank of the river just upstream from the fort, and
excavation of the ditch was accomplished by hand, probably with the aid of a horse-drawn scraper. A small dam, likely constructed of stones and log cribbing, would have been used to divert water into the headgate. The original headgate was likely of similar frontier construction. Over the following decades, these were replaced by larger stone and concrete structures, particularly after they were damaged or destroyed by periodic floods.

When completed, the Coy Ditch extended for about a mile to the east and southeast in the direction of the farm. It ran through open fields that today are occupied by the New Belgium Brewery and Buckingham neighborhood. It then entered the western area of the Coy farm (south of today’s Lincoln Avenue), now the location of Woodward Inc.’s headquarters and manufacturing facility. After running through the crop fields there, the ditch tailed out in the Cache la Poudre River. Lateral ditches brought water to the farm’s eastern crop fields.

Following John’s death in 1912, the property remained in the Coy-Hoffman family. The Hoffman name entered its history when local miller John Hoffman married the Coy’s daughter Francis. Coy-Hoffman descendants continued to operate the farm through the late 1980s. For more than 120 years, it supported the family by allowing them to produce livestock, including both cattle and sheep. In addition, the fields were planted with hay, alfalfa, corn, potatoes, onions and other crops that could be transported to market and sold for a profit. The ditch provided critical irrigation water for all of these crops.

The Coy Ditch’s agricultural era came to an end in 1992 when the property was converted into the Link-N-Greens golf course. As development rapidly changed the area north of the river, the ditch and headgate were soon abandoned. In 1958, the City of Fort Collins acquired half of the water rights associated with the Coy Ditch and added them to the municipal water supply. The remaining rights were sold to the City in 2013.

**History of the Power Plant Diversion Dam:** As the decades passed, the pioneer diversion dam built and used by the Coy-Hoffman family for agricultural irrigation was enlarged and improved. This would have been necessary following every major flood along the river. Around the mid-1930s, the dam was substantially enlarged, most likely by the US Army Corps of Engineers. This appears to have occurred during the course of a larger project that reshaped the river through downtown Fort Collins. Focused upon flood mitigation, the work also involved removing sandbars and islands, and reducing the braided river to a single channel. The new concrete dam backed water up to the area of the College Avenue vehicular bridge. This allowed for diversions into the Coy Ditch and the city’s new Power Plant.

In 1936, the City of Fort Collins realized a long-held dream when the community had a municipally-owned electric light and power plant constructed just north of downtown. Situated south of the river and east of College Avenue, the prominent location had previously served as the city dump. Its redevelopment was hailed as a major improvement to the downtown area. Upon completion, the large Art Moderne industrial facility and its landscaped grounds became the most notable property encountered as travelers passed over the Cache la Poudre River as they entered or exited the city. The coal-fired power plant produced steam that drove its turbines, and it needed water not only for the steam system but also to provide cooling. Treated city water was likely used in the closed steam system. The facility was sited adjacent to the river so it could also pump water into the plant for cooling purposes and then release the heated water back into the river.
Sometime between 1956 and 1969, the diversion dam appears to have been altered. While the mid-1930s dam wall remained in place, the downstream structure below it seems to have been replaced with a large concrete apron. Throughout the period from 1936 to 1973, when the plant was decommissioned, the diversion dam served its purpose of backing water upstream so it could be pumped into the facility through an intake located along the base of the south embankment wall. The dormant electric plant then sat vacant for a decade before it was repurposed as a visual arts center. In the early 1990s, Colorado State University installed its engine testing facility in the building. This has been expanded in recent years and is now known as the Powerhouse Energy Campus.

By the mid-1980s, the Power Plant Dam was falling into serious disrepair and quick action needed to be taken. In November 1986, the Fort Collins city council approved an expenditure of $182,000 for its restructuring. City staff recommended that the improvements be completed right away because the weakened dam was likely to fail with the coming spring runoff. As the work proceeded into early 1987, the dam was modified to include a boat chute for canoes, kayaks and inner tubes, along with a small fish ladder.

On the last day of 1986, the City submitted a water court filing for a junior water right of just 55 cubic feet per second “for municipal purposes, including recreational, piscatorial, fishery, wildlife, and other beneficial uses.” Although the river corridor itself was initially named as the diversionary structure, in June 1988 the application was amended to focus upon the Fort Collins Nature Center Diversion Dam (which had yet to be constructed) and the historic and recently renovated Power Plant Dam. The City had no plans to remove any water from the river in association with these rights. Instead, it wanted to use the water for in-channel flow for recreational purposes and to support wildlife. In other words, this filing was for the first in-channel diversion in Colorado history.

The move sparked what evolved into a complex legal conflict over the question of who controls water rights related to recreation and wildlife protection. It also raised the question of whether in-channel diversions were legal when no water was actually being removed from the river. The case forced legal wrangling over definitions of the terms “diversion,” and “beneficial use,” and required that a determination be made regarding whether an in-stream dam diverted or controlled the flow of water. In 1992, in City of Thornton v. City of Fort Collins (830 P.2d 915, No. 90SA514), the Colorado Supreme Court ruled in favor of the City of Fort Collins, declaring that the Power Plant Dam was in fact a legal control structure on the river, and that the boat chute and fish ladder constituted beneficial uses of the water rights.

Resolution of the case encouraged other communities across the state to file for water rights related to recreation and wildlife protection. Over the following decade these included Aspen, Breckenridge, Golden, Littleton and Vail. In 2001, the Colorado General Assembly passed Senate Bill 216, which recognized recreational in-channel diversions as a legal, beneficial use of the state’s waters. The legislators also instructed the Colorado Water Conservancy Board to establish appropriate rules governing the filing of cases in water court. The Board’s new rules went into effect on the first day of 2002, and the program has been active ever since. Since that time, additional communities and organizations have secured in-channel water rights decrees. These include Pitkin County, Avon, Carbondale, Chaffee County, Durango, Glenwood Springs, Grand County, Longmont, Pueblo, Silverthorne, Steamboat Springs, and the Upper Gunnison River Water Conservancy District.
Since the 1860s, water rights law in Colorado had focused upon diversions associated with uses such as mining, irrigation and to support municipal water supplies. These events of the late twentieth-century, all starting with the City of Fort Collins’ reconstruction of the Power Plant Dam, resulted in the establishment of a new form of water rights that involved keeping water in the rivers for recreation and to support wildlife.

**Significance of the Resource:** The **Coy Ditch Headgate** is directly related to the history of the Coy Farm and irrigated agricultural in the Fort Collins area. In 1995, the Coy farmstead was officially listed in the Colorado State Register of Historic Properties. It was awarded this landmark status due to its association with early settlement and high plains agriculture as one of the oldest surviving agricultural complexes in the region, for its association with prominent pioneers John and Emily Coy, and for its architectural style, age and method of construction.

The Coy headgate along the Cache la Poudre River, located about one mile upstream from the farm, diverted water into the small earthen ditch and transported it to the family’s crop fields for more than a century. The ditch has experienced substantial changes in recent decades. Most importantly, it was truncated about 1,025’ east of the headgate and no longer comes anywhere close to the original farm, which has recently been redeveloped. In addition, it now runs through the two ponds in the Gustav Swanson Natural Area just east of the headgate. Because much of this segment was moved away from its original course closer to Vine Drive and realigned through the ponds, it is no longer visible as an intact ditch. Consequently, this segment of the Coy Ditch does not support its overall significance, rendering it ineligible for the National Register of Historic Places.

The headgate was rebuilt at least a few times to address damage caused by periodic floods. The last time this took place appears to have been in the mid-1930s (possibly as late as the early 1950s), which would represent a historic alteration to the structure. It remained in use for decades. Today the headgate is largely intact and it continues to convey its use and historical associations. Consequently, the headgate has been assessed as eligible for the National Register of Historic Places on the local level under Criterion A in the area of Agriculture for its association with events that have made a significant contribution to the broad patterns of history.

The **Power Plant Diversion Dam** was constructed during the mid-1930s and served two functions. It was clearly associated with the Coy Ditch as it diverted water in the direction of the headgate on the north bank of the river. However, it also served the Fort Collins Light and Power Plant, built in 1936, by diverting water into the facility’s cooling water intake. The dam was restructured between the late 1950s and 1960s, and then again in early 1987. This last phase of work included the installation of a boat chute and fish ladder, features that led to court and legislative action. This resulted in landmark changes to Colorado water law that are discussed in detail above.

As it exists today, the dam continues to convey its use and historical associations, and was found to be eligible for the National Register of Historic Places on the local and state levels under Criterion A in the area of Law for its association with events that have made a significant contribution to the broad patterns of history. This specifically involves its relationship to the development of Colorado water law, particularly the establishment of in-channel diversion rights for recreation and wildlife protection.
The diversion dam’s period of significance starts in 1986, when the City of Fort Collins moved to modify the dam, and runs through 2002, when the new rules promulgated by the Colorado Water Conservancy Board went into effect. This triggers an additional requirement for review under NRHP Criteria Consideration G as a property that has achieved significance within the past fifty years. Much has been written in newspaper articles, online materials, and legal journals about the development of Colorado water law during the late 1900s and early 2000s. These documents underscore the importance of the City of Fort Collins’ 1987 modification of the Power Plant Dam, along with its related effort to secure water rights for in-channel diversions.

The resulting legal case that made its way to the Colorado Supreme Court, followed by passage of a bill in the Colorado General Assembly, speak to the importance of this structure in recent history. Subsequent events, including the promulgation of new rules for the filing of water rights claims by the Colorado Water Conservancy Board underscore the impact this has had, and will continue to have, upon the evolution of Colorado water law. For these reasons, the Power Plant Diversion Dam has been determined to be of exceptional importance and meets the standard for Criteria Consideration G.

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APPENDIX A
Coy Ditch Headgate
Plan View
APPENDIX B
Coy Ditch Headgate
Profile 1
APPENDIX C
Coy Ditch Headgate
Profile 2
APPENDIX D
Diversion Dam
Plan View
APPENDIX E
Diversion Dam
Profile View