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DISTRICT COURT, WATER DIVISION I, JAC 104044086

Case No. 82 CW203  
(W-8568-77)

DIV OF WATER RESOURCES  
STATE ENGINEER

COLORADO

FINDINGS AND RULING OF THE REFEREE AND DECREE OF THE WATER COURT

CONCERNING THE APPLICATION FOR WATER RIGHTS OF:  
CHATFIELD EAST DEVELOPMENT COMPANY in DOUGLAS COUNTY

THIS CHANGE, having been filed with the Water Clerk, Water Division I, on June 16, 1982 and originally decreed in Case No. W-8568-77 dated May 15, 1978 and the Referee being fully advised in the premises, does hereby find:

All notices required by law of the filing of this application have been fulfilled, and the Referee has jurisdiction of this application.

No statement of opposition to said application has been filed, and the time for filing such statement has expired.

All matters contained in the application having been reviewed, and testimony having been taken where such testimony is necessary, and such corrections made as are indicated by the evidence presented herein, IT IS HEREBY THE RULING OF THE WATER REFEREE:

1. The name and address of the claimant:

Chatfield East Development Company  
9600 E. Arapahoe Road, Suite 260  
Englewood, Colorado 80112

2. The name of the structure:

Chatfield East LFH Well No. 1-26751-F as incorporated into plan for augmentation decreed in Case No. W-8568-77.

3. The legal description of the structure:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 21, Township 6 South, Range 68 West of the 6th P.M., Douglas County, at a point 2350 feet from the West line and 2500 feet from the South line, Section 21.

4. The source of water:

Laramie-Fox Hills Formation nontributary

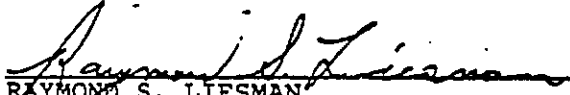
5. The date of appropriation:

May 15, 1978

Chatfield East Development Co.

6. The amount of water:  
  
100 gpm limited to 15 acre feet annually for this plan. (Total annual withdrawal permitted is 125 acre feet).
7. The use of the water:  
  
Augmentation-replacement water for plan decreed in Case No. W-8568-77.
8. In constructing and maintaining wells which draw non-tributary water from designated aquifers, the applicant shall encase the well with an impervious lining at all levels, except at the level of the designated aquifer, to prevent withdrawal of groundwater and water in other aquifers. After construction of the well, applicant shall attach an identification tag, outside any well structure, specifying owner's name, name of well, permit number and aquifer.
9. Use of replacement water from the Laramie-Fox Hills Aquifer instead of water from the Arapahoe aquifer will not alter the effect of Applicant's Plan for Augmentation, nor will it result in any injury to the vested rights or decreed conditional rights of any water user.
10. All references to the proposed non-tributary Arapahoe Well (which references appear on pages 5 and 6 of the Findings of Fact and in paragraph 8 of the Decree in Case No. W-8568-77) are amended to reflect the substitution of the completed non-tributary Laramie-Fox Hills well located at the point described in paragraph 3 above.
11. In all other respects the plan for augmentation, as decreed in Case No. W-8568-77, shall remain unchanged.
12. Retained jurisdiction pursuant to 1973 C.R.S. 37-92-304(6) shall be unnecessary since this change is only changing sources of nontributary replacement water from the Arapahoe aquifer to the Laramie-Fox Hills aquifer.

DATED this   tenth   day of   January  , 1986.

  
RAYMOND S. LIESMAN  
Water Referee  
Water Division No. 1

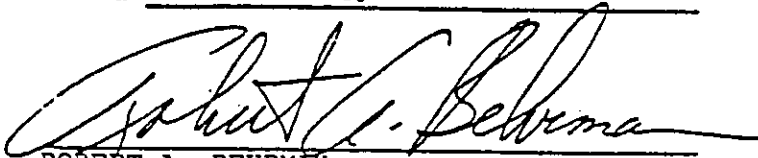
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THE COURT FINDS: NO PROTEST WAS FILED IN THIS MATTER.

THE FOREGOING RULING IS CONFIRMED AND APPROVED, AND IS HEREBY MADE  
THE JUDGMENT AND DECREE OF THIS COURT.

Dated: MAR 21 1986



ROBERT A. BEHRMAN  
Water Judge  
Water Division No. I  
State of Colorado

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MAR 27 1986

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STATE ENGINEER  
COLORADO

**CENTRAL FILES**