

CENTRAL FILES

DISTRICT COURT, WATER DIVISION I, COLORADO

STATE OF COLORADO
WATER COURT
DIV. I
OFFICE OF WATER CLERK

Case No. 83 CW32

'83 OCT 27 AM 11:40

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 CLAIM, having been filed with the Water Clerk, Water Division I, on January 28, 1983 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.

A Statement of Opposition was filed by Mission Viejo Company and the time for filing additional statements 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
Attention: Ralph Kaufman
9600 E. Arapahoe Road
Suite 260
Englewood, Colorado 80112

2. The name of the structure:

Chatfield East LFH Well No. 1-26751-F

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 approximately 270 feet from the South line and 2350 feet from the West line, Section 21.

4. The source of water:

Laramie Fox Hills non-tributary aquifer.

5. The date of appropriation:

January 12, 1979

STATE'S
EXHIBIT

S-0008
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6. The amount of water:
0.20 cubic feet per second (88 gpm) CONDITIONAL.
Limited to 110 acre feet annually CONDITIONAL.
7. The use of the water:
Domestic, livestock, commercial, industrial,
irrigation, municipal, replacement and augmentation.
8. The applicant has the right to use and reuse this water pursuant to 1973 CRS 37-82-106(2) as amended.
9. Chatfield East LFH Well No. 1 was completed January 22, 1979, under Permit No. 23715-F. No Statement of Beneficial Use was filed and the permit expired. An application for a new permit was filed on January 14, 1983.
10. 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.
11. It is also ordered that the conditional right herein awarded is hereby continued in full force and effect until June 30, 1987. If Applicant desires to maintain such conditional decree, an application for a quadrennial finding of reasonable diligence shall be filed on or before June 30, 1987 or a showing made on or before such date that the conditional water right has become an absolute water right by reason of the completion of the appropriation.

DATED this 27th day of October, 1983.

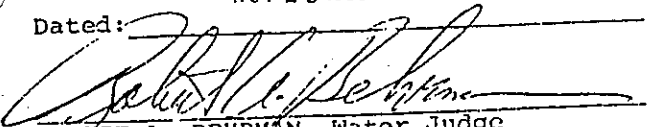

RAYMOND S. LIESMAN
Water Referee
Water Division No. I

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.

NOV 23 1983

Dated:


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