

IN THE DISTRICT COURT IN AND FOR

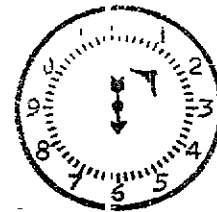
WATER DIVISION NO. 2

STATE OF COLORADO

CASE NO. W-1309

Filed in the office of the Clerk
District Court Water Division
No. 2, State of Colorado

APR 16 73 PM



Priscilla J. Lyons
CLERK

IN THE MATTER OF THE APPLICATION)
FOR WATER RIGHTS OF)

THE POUND STERLING RANCH)

IN THE ARKANSAS RIVER AND)
VARIOUS TRIBUTARIES)

IN EL PASO COUNTY)

JUDGMENT AND DECREE

THE COURT FINDS That no protest has been filed to the
Ruling of the Water Referee in the above case within the
time provided by law, and that the said Ruling should be
confirmed, approved and adopted,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED That
the Ruling of the Water Referee entered on March 6, 1973,
be and the same is incorporated herein by reference and is
hereby confirmed, approved and adopted as the judgment of
this Court.

Done this 16th day of April, A. D. 19 73.

BY THE COURT:

William L. Cohen
WATER JUDGE

cc: Pound Sterling Ranch
#2510 Broadmoor Hotel
Colorado Springs, Colorado 80906

Division Engineer

State Engineer

IN THE DISTRICT COURT IN AND FOR
WATER DIVISION NO. 2
STATE OF COLORADO

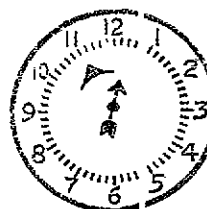
CASE NO. W-1309

IN THE MATTER OF THE APPLICATION)
FOR WATER RIGHTS OF)
THE POUND STERLING RANCH)
IN THE ARKANSAS RIVER)
AND VARIOUS TRIBUTARIES)
IN EL PASO COUNTY)

RULING OF REFEREE

Filed in the office of the Clerk,
District Court Water Division
No. 2, State of Colorado

MAR -6 '73 AM



Frederick J. Leno
CLERK

Pursuant to Order of Referral filed and entered in the
above case on June 8, 1972, the undersigned Water Referee,
having investigated the matter of the application on file here-
in, hereby makes the following findings and ruling thereon

FINDINGS OF FACT

1. That the said application was filed on June 8, 1972.
2. That the Water Clerk caused publication of such filing
as provided by statute; that the time for filing Statements
of Opposition expired on the last day of August, 1972, and
that none has been filed.
3. That the said application covers 3 springs, 3 wells,
and 3 reservoirs which are used for livestock water, and one
well is also used for domestic purposes.
4. That the reservoirs are registered Stock Tanks, and
can not legally be used for irrigation purposes and that there
has been no domestic use from said Stock Tanks.

IT IS, THEREFORE, ORDERED AS FOLLOWS: That applicant be,
and is hereby, awarded water rights which are described as
follows to-wit:

NAME AND ADDRESS: Pound Sterling Ranch
#2510 Broadmoor Hotel
Colorado Springs, Colorado 80906

WATER RIGHT

NAME OF DITCH, SPRING,
OR OTHER STRUCTURE: West Spring.

LOCATION OF POINT OF DIVERSION: In the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec.
33, T. 12S., R. 65W. of the 6th P.M.

DESCRIPTION OF DITCH AND/OR PIPELINE
(MEANS OF DIVERSION): A collection basin for livestock use.

SOURCE OF WATER: A natural spring.

PRIORITY DATE: December 31, 1953, provided, however, that
this right shall be junior to all priorities
awarded in cases filed prior to 1972, and
otherwise junior as provided in CRS 1963,
148-21-22, as amended.

AMOUNT OF WATER: 0.40 c.f.s.

USE OF WATER: Livestock.

LAND IRRIGATED: None.

WATER RIGHT

NAME OF DITCH, SPRING
OR OTHER STRUCTURE: Meadow Spring.

LOCATION OF POINT OF DIVERSION: In the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec.
22, T. 12S., R. 65W. of the 6th P.M.

DESCRIPTION OF DITCH AND/OR PIPELINE
(MEANS OF DIVERSION): A collection basin for livestock use.

SOURCE OF WATER: A natural spring.

PRIORITY DATE: December 31, 1953, provided, however, that
this right shall be junior to all priorities
awarded in cases filed prior to 1972, and
otherwise junior as provided in CRS 1963,
148-21-22, as amended.

AMOUNT OF WATER: 0.10 c.f.s.

USE OF WATER: Livestock.

LAND IRRIGATED: None.

WATER RIGHT

NAME OF DITCH, SPRING,
OR OTHER STRUCTURE: Forest Spring.

LOCATION OF POINT OF DIVERSION: In the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec.
22, T. 12S., R. 65W. of the 6th P.M.

DESCRIPTION OF DITCH AND/OR PIPELINE
(MEANS OF DIVERSION): A collection basin for livestock use.

SOURCE OF WATER: A natural spring.

PRIORITY DATE: December 31, 1953, provided, however, that
this right shall be junior to all priorities
awarded in cases filed prior to 1972, and
otherwise junior as provided in CRS 1963,
148-21-22, as amended.

AMOUNT OF WATER: 0.10 c.f.s.

USE OF WATER: Livestock.

LAND IRRIGATED: None.

UNDERGROUND WATER RIGHT

NAME OF WELL: North Well.

LOCATION OF WELL: In the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 22, T. 12S.,
R. 65W. of the 6th P.M.

DEPTH: Unknown

PRIORITY DATE: December 31, 1953.

AMOUNT OF WATER: 0.056 c.f.s.

USE OF WATER: Domestic and livestock.

STATE ENGINEER'S WELL NUMBER: None.

MEANS OF DIVERSION: By appropriate pump and pipeline.

UNDERGROUND WATER RIGHT

NAME OF WELL: West Well.

LOCATION OF WELL: In the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 33, T. 12S.,
R. 65W. of the 6th P.M.

DEPTH: Unknown.

PRIORITY DATE: December 31, 1953.

AMOUNT OF WATER: 0.022 c.f.s.

USE OF WATER: Livestock.

STATE ENGINEER'S WELL NUMBER: None.

MEANS OF DIVERSION: By appropriate pump and pipeline.

UNDERGROUND WATER RIGHT

NAME OF WELL: Middle Well.

LOCATION OF WELL: In the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 34, T. 12S.,
R. 65W. of the 6th P.M.

DEPTH: Unknown.

PRIORITY DATE: December 31, 1953.

AMOUNT OF WATER: 0.022 c.f.s.

USE OF WATER: Livestock.

STATE ENGINEER'S WELL NUMBER: None.

MEANS OF DIVERSION: By appropriate pump and pipeline.

WATER STORAGE RIGHT

NAME OF RESERVOIR: Dines #1.

LOCATION: a. Reservoir inlet located at a point whence the
SE corner, Sec. 33, T. 12S., R. 65W. 6th P.M.,
bears S 52 degs. E, a distance of 3,200 feet.
b. Reservoir outlet located at a point whence the
SE corner, Sec. 33, T. 12S., R. 65W. 6th P.M.,
bears S 59 degs. 30'E., a distance of 3,000 feet.

SOURCE OF WATER: Sand Creek and the watershed above reservoir.

PRIORITY DATE: September 24, 1962, provided, however, that
this right shall be junior to all priorities
awarded in cases filed prior to 1972, and other-
wise junior as provided in CRS 1963, 148-21-22,
as amended.

AMOUNT OF WATER: 6.0 acre feet.

USE OF WATER: Livestock.

MAXIMUM HEIGHT OF DAM: 15.2 feet.

LENGTH OF DAM: 200 feet.

TOTAL CAPACITY OF RESERVOIR: 6.0 acre feet.

DITCH OR DITCHES LEADING TO OR
FROM RESERVOIR: None.

DATE OF APPROVAL BY STATE ENGINEER: December 13, 1962.

STATE ENGINEER'S NUMBER: Unknown.

WATER STORAGE RIGHT

NAME OF RESERVOIR: Dines #2.

LOCATION: a. Reservoir inlet located at a point whence the
SE corner, Sec. 28, T. 12S., R. 65W. 6th P.M.
bears 69 degs. 30'E, a distance of 900 feet.
b. Reservoir outlet located at a point whence the
SE corner, Sec. 28, T. 12S., R. 65W. 6th P.M.,
bears S 85 degs. E, a distance of 1,080 feet.

SOURCE OF WATER: Sand Creek and watershed above reservoir

PRIORITY DATE: September 10, 1962, provided, however, that
this right shall be junior to all priorities
awarded in cases filed prior to 1972, and
otherwise junior as provided in CRS 1963,
148-21-22, as amended.

AMOUNT OF WATER: 5.0 acre feet.

USE OF WATER: Livestock.

MAXIMUM HEIGHT OF DAM: 14.6 feet.

LENGTH OF DAM: 200 feet.

TOTAL CAPACITY OF RESERVOIR: 5.0 acre feet.

DITCH OR DITCHES LEADING TO OR
FROM RESERVOIR: None.

DATE OF APPROVAL BY STATE ENGINEER: November 11, 1962.

STATE ENGINEER'S NUMBER: Unknown.

WATER STORAGE RIGHT

NAME OF RESERVOIR: Dines #3.

LOCATION: In the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 28, T. 12S., R. 65W. of
the 6th P.M.

SOURCE OF WATER: Sand Creek and the watershed above reservoir.

PRIORITY DATE: October 4, 1962, provided, however, that this right shall be junior to all priorities awarded in cases filed prior to 1972, and otherwise junior as provided in CRS 1963, 148-21-22, as amended.

AMOUNT OF WATER: 4.0 acre feet.

USE OF WATER: Livestock.

MAXIMUM HEIGHT OF DAM: 12 feet.

LENGTH OF DAM: 150 feet.

TOTAL CAPACITY OF RESERVOIR: 4.0 acre feet.

DITCH OR DITCHES LEADING TO OR FROM RESERVOIR: None.

DATE OF APPROVAL BY STATE ENGINEER: Unknown

STATE ENGINEER'S NUMBER: Unknown.

IT IS FURTHER ORDERED That applicant shall install and maintain such water measurement devices, recording devices content gauges and inlet and outlet measurement and recording devices, as the case may be, as are deemed essential by the Office of the State Engineer, and the same shall be installed and operated in accordance with instructions from said Office.

IT IS FURTHER ORDERED That copies of this ruling shall be mailed as provided by statute.

Dated and filed with the Water Clerk this 6th day of March, A. D. 1973.

BY THE REFEREE:

Robert F. Harrison
Water Referee, Water Division No. 2
State of Colorado

CENTRAL FILES

RECEIVED

IN THE DISTRICT COURT IN AND FOR

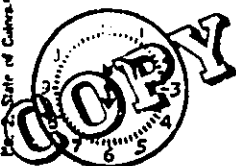
WATER DIVISION NO. 2

STATE OF COLORADO

CASE NO. W-1309

Filed in the office of the Clerk
District Court Water Division
County of Colorado

APR 16 73 PM



Frischilla S. Lucero
CLERK

IN THE MATTER OF THE APPLICATION)
FOR WATER RIGHTS OF)

THE POUND STERLING RANCH)

IN THE ARKANSAS RIVER AND)
VARIOUS TRIBUTARIES)

IN EL PASO COUNTY)

JUDGMENT AND DECREE

THE COURT FINDS That no protest has been filed to the Ruling of the Water Referee in the above case within the time provided by law, and that the said Ruling should be confirmed, approved and adopted,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED That the Ruling of the Water Referee entered on March 6, 1973, be and the same is incorporated herein by reference and is hereby confirmed, approved and adopted as the judgment of this Court.

Done this 16th day of April, A. D. 1973.

BY THE COURT:

William L. Gobin
WATER JUDGE

cc: Pound Sterling Ranch
#2510 Broadmoor Hotel
Colorado Springs, Colorado 80906
Division Engineer
State Engineer

DISTRICT COURT
WATER DIVISION NO. 2
STATE OF COLORADO
Certified to be a full, true
and correct copy of original
on file.

Date: APR 16 1973

FRISCILLA S. LUCERO, CLERK

By: *Frischilla S. Lucero*
Deputy Clerk

RECEIVED

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WATER DIVISION
STATE OF COLORADO

IN THE DISTRICT COURT IN AND FOR
WATER DIVISION NO. 2
STATE OF COLORADO

CASE NO. W-1309



IN THE MATTER OF THE APPLICATION)
FOR WATER RIGHTS)

THE POUND STERLING RANCH)

IN THE ARKANSAS RIVER)
AND VARIOUS TRIBUTARIES)

IN EL PASO COUNTY)

RULING OF REFEREE

Pursuant to Order of Referral filed and entered in the above case on June 1, 1972, the undersigned Water Referee, having investigated the matter of the application on file herein, hereby makes the following findings and ruling thereon:

FINDINGS OF FACT

1. That the said application was filed on June 8, 1972.
2. That the Water Clerk caused publication of such filing as provided by statute; that the time for filing Statements of Opposition expired on the last day of August, 1972, and that none has been filed.
3. That the said application covers 3 springs, 3 wells, and 3 reservoirs which are used for livestock water, and one well is also used for domestic purposes.
4. That the reservoirs are registered Stock Tanks, and can not legally be used for irrigation purposes and that there has been no domestic use from said Stock Tanks.

IT IS, THEREFORE, ORDERED AS FOLLOWS: That applicant be, and is hereby, awarded water rights which are described as follows to-wit:

NAME AND ADDRESS: Pound Sterling Ranch
#2510 Broadmoor Hotel
Colorado Springs, Colorado 80906

WATER RIGHT

NAME OF DITCH, SPRING,
OR OTHER STRUCTURE: West Spring.

LOCATION OF POINT OF DIVERSION: In the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec.

33, T. 12S., R. 65W. of the 6th P.M.

DESCRIPTION OF DITCH AND/OR PIPELINE
(MEANS OF DIVERSION): A collection basin for livestock use.

SOURCE OF WATER: A natural spring.

PRIORITY DATE: December 31, 1953, provided, however, that
this right shall be junior to all priorities
awarded in cases filed prior to 1972, and
otherwise junior as provided in CRS 1963,
148-21-22, as amended.

AMOUNT OF WATER: 0.40 c.f.s.

USE OF WATER: Livestock.

LAND IRRIGATED: None.

WATER RIGHT

NAME OF DITCH, SPRING
OR OTHER STRUCTURE: Meadow Spring.

LOCATION OF POINT OF DIVERSION: In the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec.

22, T. 12S., R. 65W. of the 6th P.M.

DESCRIPTION OF DITCH AND/OR PIPELINE
(MEANS OF DIVERSION): A collection basin for livestock use.

SOURCE OF WATER: A natural spring.

PRIORITY DATE: December 31, 1953, provided, however, that
this right shall be junior to all priorities
awarded in cases filed prior to 1972, and
otherwise junior as provided in CRS 1963,
148-21-22, as amended.

AMOUNT OF WATER: 0.10 c.f.s.

USE OF WATER: Livestock.

LAND IRRIGATED: None.

WATER RIGHT

NAME OF DITCH, SPRING,
OR OTHER STRUCTURE: Forest Spring.

LOCATION OF POINT OF DIVERSION: In the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec.
22, T. 12S., R. 65W. of the 6th P.M.

DESCRIPTION OF MEANS OF DIVERSION:
(MEANS OF DIVERSION): A collection basin for livestock use.

SOURCE OF WATER: A natural spring.

PRIORITY DATE: December 31, 1953, provided, however, that
this right shall be junior to all priorities
awarded in cases filed prior to 1972, and
superior junior as provided in CRS 1963,
1-1-21-22, as amended.

AMOUNT OF WATER: 0.10 c.f.s.

USE OF WATER: Livestock.

LAND IRRIGATED: None.

UNDERGROUND WATER RIGHT

NAME OF WELL: North Well.

LOCATION OF WELL: In the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 22, T. 12S.,
R. 65W. of the 6th P.M.

DEPTH: Unknown

PRIORITY DATE: December 31, 1953.

AMOUNT OF WATER: 0.056 c.f.s.

USE OF WATER: Domestic and livestock.

STATE ENGINEER'S WELL NUMBER: None. 86006

MEANS OF DIVERSION: By appropriate pump and pipeline.

UNDERGROUND WATER RIGHT

NAME OF WELL: West Well.

LOCATION OF WELL: In the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 33, T. 12S.,
R. 65W. of the 6th P.M.

DEPTH: Unknown.

PRIORITY DATE: December 31, 1953.

AMOUNT OF WATER: 0.022 c.f.s.

USE OF WATER: Livestock.

STATE ENGINEER'S WELL NUMBER: None.

86007

MEANS OF DIVERSION: By appropriate pump and pipeline.

UNDERGROUND WATER RIGHT

NAME OF WELL: Middle Well.

LOCATION OF WELL: In the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 34, T. 12S.,
R. 65W. of the 6th P.M.

DEPTH: Unknown.

PRIORITY DATE: December 31, 1953.

AMOUNT OF WATER: 0.022 c.f.s.

USE OF WATER: Livestock.

STATE ENGINEER'S WELL NUMBER: None.

86008

MEANS OF DIVERSION: By appropriate pump and pipeline.

WATER STORAGE RIGHT

NAME OF RESERVOIR: Dines #1.

- LOCATION:
- a. Reservoir inlet located at a point whence the SE corner, Sec. 33, T. 12S., R. 65W. 6th P.M., bears S 52 degs. E, a distance of 3,200 feet.
 - b. Reservoir outlet located at a point whence the SE corner, Sec. 33, T. 12S., R. 65W. 6th P.M., bears S 59 degs. 30'E., a distance of 3,000 feet.

SOURCE OF WATER: Sand Creek and the watershed above reservoir.

PRIORITY DATE: September 24, 1962, provided, however, that this right shall be junior to all priorities awarded in cases filed prior to 1972, and otherwise junior as provided in CRS 1963, 148-21-22, as amended.

AMOUNT OF WATER: 6.0 acre feet.

USE OF WATER: Livestock.

MAXIMUM HEIGHT OF DAM: 15.2 feet.

LENGTH OF DAM: 200 feet.

TOTAL CAPACITY OF RESERVOIR: 6.0 acre feet.

DITCH OR DITCHES LEADING TO OR
FROM RESERVOIR: None.

DATE OF APPROVAL BY STATE ENGINEER: December 13, 1962.

STATE ENGINEER'S NUMBER: Unknown.

WATER STORAGE RIGHT

NAME OF RESERVOIR: Dines #2.

LOCATION: a. Reservoir inlet located at a point whence the
SE corner, Sec. 28, T. 12S., R. 65W. 6th P.M.
bears 85 degs. 30'E, a distance of 900 feet.
b. Reservoir outlet located at a point whence the
SE corner, Sec. 28, T. 12S., R. 65W. 6th P.M.,
bears S 85 degs. E, a distance of 1,080 feet.

SOURCE OF WATER: Sand Creek and watershed above reservoir.

PRIORITY DATE: September 10, 1962, provided, however, that
this right shall be junior to all priorities
awarded in cases filed prior to 1972, and
otherwise junior as provided in CRS 1963,
148-21-22, as amended.

AMOUNT OF WATER: 5.0 acre feet.

USE OF WATER: Livestock.

MAXIMUM HEIGHT OF DAM: 14.6 feet.

LENGTH OF DAM: 200 feet.

TOTAL CAPACITY OF RESERVOIR: 5.0 acre feet.

DITCH OR DITCHES LEADING TO OR
FROM RESERVOIR: None.

DATE OF APPROVAL BY STATE ENGINEER: November 11, 1962.

STATE ENGINEER'S NUMBER: Unknown.

WATER STORAGE RIGHT

NAME OF RESERVOIR: Dines #3.

LOCATION: In the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 28, T. 12S., R. 65W. of
the 6th P.M.

SOURCE OF WATER: Sand Creek and the watershed above reservoir.

PRIORITY DATE: October 4, 1962, provided, however, that this right shall be junior to all priorities awarded in cases filed prior to 1972, and otherwise junior as provided in CRS 1963, 148-21-22, as amended.

AMOUNT OF WATER: 4.0 acre feet.

USE OF WATER:

MAXIMUM HEIGHT OF DAM: 12 feet.

LENGTH OF DAM: 150 feet.

TOTAL CAPACITY OF RESERVOIR: 4.0 acre feet.

DITCH OR DITCHES LEADING TO OR FROM RESERVOIR:

DATE OF APPROVAL BY STATE ENGINEER: Unknown

STATE ENGINEER'S NUMBER: Unknown.

IT IS FURTHER ORDERED That applicant shall install and maintain such water measurement devices, recording devices, content gauges and inlet and outlet measurement and recording devices, as the case may be, as are deemed essential by the Office of the State Engineer, and the same shall be installed and operated in accordance with instructions from said Office.

IT IS FURTHER ORDERED That copies of this ruling shall be mailed as provided by statute.

Dated and filed with the Water Clerk this 6th day of March, A. D. 1973.

BY THE REFEREE:

Robert F. Harrison
Water Referee, Water Division No. 2
State of Colorado

DISTRICT COURT
WATER DIVISION NO. 2
STATE OF COLORADO
Certified to be a full, true
and correct copy of original
on file. MAR - 6 1973
Date:

THOMAS S. LUCERO, CLERK
By: Helma Schmalzer
County Clerk