

# WATER RESOURCES REPORT

FOR

## Monument Academy Subdivision and Walden Preserve 2, Filing No. 5

December 8, 2021

Revised  
April 7, 2022

Prepared for  
Walden Preserve  
Matt Dunston  
1230 Scarsbrook Court  
Monument, CO 80132

Oliver E. Watts, Consulting Engineer, Inc.  
Colorado Springs, Colorado

**OLIVER E. WATTS PE-LS**  
OLIVER E. WATTS, CONSULTING ENGINEER, INC.  
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614 ELKTON DRIVE  
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[olliewatts@aol.com](mailto:olliewatts@aol.com)

**Celebrating over 43 years in business**

April 7, 2022

Bill Dunston  
Walden Corporation  
17145 Colonial Park Drive  
Monument, CO 80132

Gentlemen,

At your request, I have investigated the water supply resources of the corporation to determine the existing capacity of the corporation system. It has been revised per the County review comments of January 2022.

**WATER SUPPLY:** The following are the available water rights.

## **WALDEN CORPORATION WATER SYSTEM WELL PERMIT SUMMARY**

October 1, 2021

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As detailed in the "Ground Water Supply Investigation" report by Curtis Wells & Co., the Walden Corporation operates a central water system consisting of 7 Denver Basin wells (6 Dawson aquifer and 1 Denver aquifer), which have been adjudicated in Water Court Cases W-7843-74 and W-6220. The total annual appropriation of the Walden Corporation wells is 604 af/yr, providing a total decreed 100-year supply of 60,400 acre-feet. The Walden central water system currently utilizes the following wells:

**Walden Corporation Well Permit Summary (Central Water System)**

<b>Well No.</b>	<b>Permit No.</b>	<b>Decreed Annual Appropriation (af)</b>
1 (Dawson)	51749-F-R (formerly 34881)	4,500
2 (Dawson)	51751-F-R (formerly 34842)	1,900
3 (Dawson)	25998-F-R	1,300

4 (Dawson)	51750-F-R	2,600
5 (Dawson)	63866-F-R	2,300
6 (Dawson)	16389-F-R	23 800
7 (Denver)	32697-F	24,000
<b>Decreed</b>	<b>Case W-78430 &amp; W-6220</b>	<b>60,400</b>
<b>Decreed</b>	<b>Case 2016-CW3103</b>	<b>15,500</b>
<b>Total</b>		<b>75,900</b>

The District has the following commitments for service:

**Walden Corporation - Water Supply Commitment Summary  
(Central Water System)**

	<b>SFE</b>	<b>Ave. Day Dmd. (af/yr)</b>	<b>Total Water Demand (af)</b>
Historic Commitments ('03)	245.2	83.36	8,336 <sup>3</sup>
Walden Pines Subdivision	7	2.38	714 <sup>4</sup>
Walden Preserve Filing No. 1 (73 lots + Tract A)	74	25.16	7,548 <sup>4</sup>
Walden Preserve 2 PUD <sup>6</sup>	116	39.44	11,832 <sup>4</sup>
<b>Total Water Commitments</b>	<b>442.2</b>	<b>150.3</b>	<b>28,430</b>

<sup>1</sup> Total Dawson/Denver groundwater supply authorized by decree or permit (W-78430 / W-6220) per Curt Wells & Co. report (and DWR letter dated 7/3/13)

<sup>2</sup> Total supply based on legal and physical well production (per DWR letter dated 8/15/14)

<sup>3</sup> Historic filings previously approved based on 100-year supply requirement

<sup>4</sup> New filings required to demonstrate 300-year water supply

<sup>5</sup> Walden Preserve 2 PUD (116 total lots) includes 12 lots previously identified as "Walden Preserve Filing No. 1A" in previous reports / correspondence

<sup>6</sup> WP2 Filing No. 5 comprises the final 50 lots that are a part of the Walden Preserve 2 PUD

The above commitment numbers are based on the assumed average use of 0.34 acre feet per year per residence (Single Family Equivalent), based on the "Ground Water Supply Investigation" for Walden by Curtis Wells & Co. This is based on a projected use of 0.27 acre feet per year for in house use and irrigation of roughly 2,000 square feet of lawn or garden. District use figures show the actual use numbers to be somewhat less than that. This could be the result of some part time occupancy or occupancy of less than one hundred percent, along with limited landscape irrigation in this forested community; however the above commitment figures appear to be conservative on the high side based on actual water use records.

According to District records, the existing Kilmer elementary school has a water use average of 23,000 gallons per month and a population of 383 students. Applying this average to the proposed Monument Academy school population of 1000 students, the total school commitment

would be 3.1 acre feet per year, which correlates to 9.1 SFE. The availability could be summarized as follows:

Available resources:	75,900 AF
Total Commitment	28,431 AF

The proposed total commitment computes to 37% of the availability. Based upon this, the Corporation therefore has more than adequate resources to provide a dependable water supply to the Walden Preserve 2 PUD, including Filing No. 5 and Monument Academy Subdivision. In accordance with LDC 8.4.7.B.5., the Walden Corporation water supply commitment provides sufficient water quantity to meet the needs of the proposed subdivision for 300 years. NOTE that the El Paso County Attorney's Office will make the final determination on this.

Sincerely

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Oliver E. Watts, President  
For and on behalf of  
Oliver E. Watts, Consulting Engineer, Inc.

Encl.

Appendix A: M A Subdivision Water Supply Information Summary

Appendix B: Walden Water Supply Commitment Letter

Appendix C: Walden Well Permit Summary

Appendix D: Updated Denver Basin Groundwater Decrees / Augmentation Plans

Appendix A:  
M A Subdivision Water Supply Information Summary

# WATER SUPPLY INFORMATION SUMMARY

Section 30-28-133(d), C.R.S. requires that the applicant submit to the County, "Adequate evidence that a water supply that is sufficient in terms of quantity, quality and dependability will be available to ensure an adequate supply of water.

1. NAME OF DEVELOPMENT AS PROPOSED <u>MA Subdivision</u>			
2. LAND USE ACTION <u>Final Plat</u>			
3. NAME OF EXISTING PARCEL AS RECORDED			
SUBDIVISION	FILING	BLOCK	LOT
4. TOTAL ACREAGE <u>62.6</u>	5. NUMBER OF LOTS PROPOSED <u>1</u>	PLAT MAP ENCLOSED <input checked="" type="checkbox"/> YES	
6. PARCEL HISTORY - Please attach copies of deeds, plats or other evidence or documentation.			
A. Was parcel recorded with county prior to June 1, 1972? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
B. Has the parcel ever been part of a division of land action since June 1, 1972? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
If yes, describe the previous action _____			
7. LOCATION OF PARCEL - Include a map delineating the project area and tie to a section corner.			
<u>E 1/2</u> <del>1/4</del> OF <u>NW</u> 1/4 SECTION <u>15</u> TOWNSHIP <u>11</u> <input type="checkbox"/> N <input checked="" type="checkbox"/> S RANGE <u>66</u> <input type="checkbox"/> E <input checked="" type="checkbox"/> W			
PRINCIPAL MERIDIAN: <input checked="" type="checkbox"/> 6TH <input type="checkbox"/> N.M. <input type="checkbox"/> UTE <input type="checkbox"/> COSTILLA			
8. PLAT - Location of all wells on property must be plotted and permit numbers provided. Surveyors plat <input type="checkbox"/> Yes <input type="checkbox"/> No If not, scaled hand drawn sketch <input type="checkbox"/> Yes <input type="checkbox"/> No			
9. ESTIMATED WATER REQUIREMENTS - Gallons per Day or Acre Feet per Year		10. WATER SUPPLY SOURCE	
HOUSEHOLD USE # <u>0</u> of units _____ GPD <u>0</u> AF		<input type="checkbox"/> EXISTING WELLS <input type="checkbox"/> DEVELOPED SPRING WELL PERMIT NUMBERS <u>51749-FR 63866-FR</u> <u>51751-FR 16389-FR</u> <u>25998-FR 32697-F</u> <u>51750-FR</u>	
COMMERCIAL USE # <u>0</u> of S.F. _____ GPD <u>0</u> AF			
IRRIGATION # <u>0.5</u> of acres _____ GPD <u>0.81</u> AF		<input type="checkbox"/> MUNICIPAL <input type="checkbox"/> ASSOCIATION <input checked="" type="checkbox"/> COMPANY <input type="checkbox"/> DISTRICT NAME <u>Walden Corporation</u> LETTER OF COMMITMENT FOR SERVICE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
STOCK WATERING # <u>0</u> of head _____ GPD <u>0</u> AF			
OTHER <u>School</u> _____ GPD <u>2.29</u> AF		WATER COURT DECREE CASE NO.'S <u>W- 6220</u> <u>W- 78430-74</u> <u>2016 CW 3103</u>	
TOTAL _____ GPD <u>3.10</u> AF			
11. ENGINEER'S WATER SUPPLY REPORT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, PLEASE FORWARD WITH THIS FORM. (This may be required before our review is completed.)			
12. TYPE OF SEWAGE DISPOSAL SYSTEM			
<input type="checkbox"/> SEPTIC TANK/LEACH FIELD		<input checked="" type="checkbox"/> CENTRAL SYSTEM - DISTRICT NAME <u>Walden Corporation</u>	
<input type="checkbox"/> LAGOON		<input type="checkbox"/> VAULT - LOCATION SEWAGE HAULED TO _____	
<input type="checkbox"/> ENGINEERED SYSTEM (Attach a copy of engineering design)		<input type="checkbox"/> OTHER _____	

Appendix B:  
Walden Water Supply Commitment Letter



Walden Corporation  
PO Box 1870  
Monument, CO 80132

August 30, 2021

Monument Academy Foundation  
1150 Village Ridge Pt  
Monument, CO 80132

**RE: M A Subdivision  
Water / Sewer Service Commitment**


Dear Mr. Dunston:

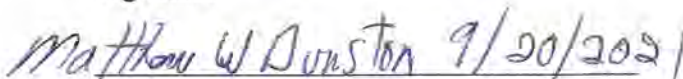
It is our understanding that Monument Academy Foundation (the "Developer") is interested in obtaining water and sewer service from the Walden Corporation for that property known as **M A Subdivision** (the "Development"). It is our understanding that the Development consists of 1 lot for Monument Academy High School

Walden Corporation will provide water and sewer service to the Development in accordance with the Corporation's Rules and Regulations. Walden Corporation understands that all water rights associated with the Development have been appropriately conveyed, the Developer has committed to construct local water and sewer facilities as required to serve the Development in accordance with the subdivision construction drawings, and the Developer has provided for dedication of necessary easements and rights of way for the water and sewer improvements through the subdivision plans and related plat documents.

The proposed Development will be served by the Walden Corporation's central water and sewer system. The Walden Corporation hereby provides an unconditional commitment to serve 1 lot for Monument Academy High School located within the M A Subdivision, with an estimated annual water demand of 3.10 acre-feet per year.

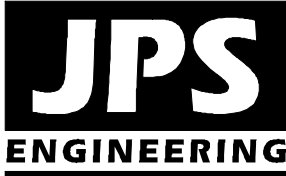
**WALDEN CORPORATION**

  
Signature

  
Name Date



## Appendix C: Walden Well Permit Summary



19 E. Willamette Avenue  
Colorado Springs, CO 80903  
(719)-477-9429  
www.jpsegr.com

## **WALDEN CORPORATION WATER SYSTEM WELL PERMIT SUMMARY**

July 12, 2019

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As detailed in the "Ground Water Supply Investigation" report by Curtis Wells & Co., the Walden Corporation operates a central water system consisting of 7 Denver Basin wells (6 Dawson aquifer and 1 Denver aquifer), which have been adjudicated in Water Court Cases W-7843-74 and W-6220. The total annual appropriation of the Walden Corporation wells is 604 af/yr, providing a total decreed supply of 60,400 acre-feet. The Walden central water system currently utilizes the following wells:

**Walden Well Summary (Central Water System)**

<b>Well No.</b>	<b>Permit No.</b>	<b>Decreed Annual Appropriation (af/yr)</b>
1 (Dawson)	51749-F-R (formerly 34881)	45
2 (Dawson)	51751-F-R (formerly 34842)	19
3 (Dawson)	25998-F-R	13
4 (Dawson)	51750-F-R	26
5 (Dawson)	63866-F-R	23
6 (Dawson)	16389-F-R	238
7 (Denver)	32697-F	240
<b>TOTAL</b>		<b>604</b>



## Well Permit Summary Report

### THIS PAGE IS NOT THE ACTUAL PERMIT

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Permit Number: 51749-F-R      Receipt: 0442750A  
Permit Category: General Purpose      WDID: 0807917  
Permit Status: Well Constructed

### Physical Location

Division: 1      Designated Basin: Outside  
District: 8      Management District: Outside  
County: EL PASO      Denver Basin Aquifer: Outside

Feature Type	Dist N/S	Dist E/W	Q10	Q40	Q160	Sec	Township	Range	PM	UTMx	UTMy	Latitude	Longitude	Location Accuracy
Decreed (Case No: W6220)	580 S	480 W	SW	SW	SW	14	11.0 S	66.0 W	S	521148.2	4326440.0	39.086823	-104.755472	Spotted from section lines
Physical (WDID: 0807917)	580 S	480 W	SW	SW	SW	14	11.0 S	66.0 W	S	521148.2	4326440.0	39.086823	-104.755472	Spotted from section lines
Well (Application/Permit)	562 S	506 W		SW	SW	14	11.0 S	66.0 W	S	521156.1	4326434.6	39.086775	-104.755381	Spotted from section lines

Physical Address:

City & State: ,

Zip:

Parcel Type:

Parcel Name:

### Lot, Block, Filing

No available data

## Permit Details

Acres In Parcel: 100.00 Statute: 37-90-137(4) - Non-exempt nontributary well

Parcel ID:

Use(s): Municipal **Follow Up Permit Conditions (see actual permit for more information)**

Limits: Yield Amount Depth (T) Depth (B) Abandonment Required: See imaged well permit

28.00 Meter Required: Yes

Aquifer(s): DAWSON Geophysical Log Required: See imaged well permit

Area Irrigated: Rule 6.2.2.1 (Notice): See imaged well permit

Within Water Service Area: Rule 6.2.3 (Floating Permit): See imaged well permit

Water Supplier Name:

Type of Sewage System:

Sewer System Details:

## Associated Permit(s)

Permit Association	Assoc Permit	Assoc Receipt	Permit Issued	Permit Status	Comment
Other (associated to)	34881-	9022878		Permit Canceled	

## Associated Case Number(s)

Case Number	Date Signed
W6220	

## Well AKA(s)

Source	AKA Name
WDID	0807917-WALDEN WELL 1-34881
Well Name	WELL 1

## Construction/Pump Installation Details

Driller: HAMACHER WELL WORKS INC (HAMACHER, ALAN RAY) Pump Installer: HAMACHER WELL WORKS INC (HAMACHER, ALAN RAY)

Construction Date: 8/2/1999 Last Pump Installation Date: 10/4/1999

Completed Well Depth: Production Test Yield: 28.00

Perforated Casing Top: 95

Perforated Casing Bottom: 375

Static Water Level:

Well Yield Estimate (GWS-31):

## Application/Permit History

Action	Action Date	Date Received	Comment
Application Received	3/17/1999	3/17/1999	
Application Information Submitted	4/5/1999	4/5/1999	
Permit Issued	4/29/1999		
Well Constructed	8/2/1999	8/6/1999	
Pump Installed	10/4/1999	10/18/1999	
Notice of Commencement of Beneficial Use	11/26/1999	11/26/1999	
Permit Expiration Date	4/29/2000		

## Applicant/Contact

Start Date	End Date	Association Type	Contact Name	Address	City	State	Zip Code
1/1/1900		Owner	WALDEN CORP	17775 GRAMA RIDGE	COLORADO SPRINGS	CO	80908

## Disclaimer

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Note that all of the terms and conditions under which a well can operate, particularly for non-exempt wells, may not be specified on the well permit. Wells may also be subject to relevant statutes, rules and decrees. To learn more about well permitting in Colorado, please visit DWR's Well Permitting Page. If you have any questions about this well permit file, please contact the DWR Groundwater Information Desk at (303) 866-3587 (Hours 9am-4pm M-F).



## Well Permit Summary Report

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Permit Number: 51751-F-R      Receipt: 0442750C  
Permit Category: General Purpose      WDID: 0807918  
Permit Status: Well Constructed

### Physical Location

Division: 1      Designated Basin: Outside  
District: 8      Management District: Outside  
County: EL PASO      Denver Basin Aquifer: Outside

Feature Type	Dist N/S	Dist E/W	Q10	Q40	Q160	Sec	Township	Range	PM	UTMx	UTMy	Latitude	Longitude	Location Accuracy
Decreed (Case No: W6220)	1040 S	840 W	NE	SW	SW	14	11.0 S	66.0 W	S	521255.8	4326582.0	39.088100	-104.754224	Spotted from section lines
Physical (WDID: 0807918)	1040 S	840 W	NE	SW	SW	14	11.0 S	66.0 W	S	521255.8	4326582.0	39.088100	-104.754224	Spotted from section lines
Well (Application/Permit)	1075 S	840 W		SW	SW	14	11.0 S	66.0 W	S	521255.6	4326592.6	39.088196	-104.754226	Spotted from section lines

Physical Address:

City & State: ,

Zip:

Parcel Type:

Parcel Name:

### Lot, Block, Filing

No available data



Permit Details

Acres In Parcel:100.00

Parcel ID:

Use(s):Municipal

Limits:YieldAmountDepth (T)Depth (B)

Aquifer(s):DAWSON

Area Irrigated:

Within Water Service Area:

Water Supplier Name:

Type of Sewage System:

Sewer System Details:

Statute:37-90-137(4) - Non-exempt nontributary well

**Follow Up Permit Conditions (see actual permit for more information)**

Abandonment Required:Yes

Meter Required:Yes

Geophysical Log Required:See imaged well permit

Rule 6.2.2.1 (Notice):See imaged well permit

Rule 6.2.3 (Floating Permit):See imaged well permit

Associated Permit(s)

Permit Association	Assoc Permit	Assoc Receipt	Permit Issued	Permit Status	Comment
Other (associated to)	33842-	9022874		Permit Canceled	

Associated Case Number(s)

Case Number	Date Signed
W6220	

Well AKA(s)

Source	AKA Name
WDID	0807918-WALDEN WELL 2-33842
Well Name	WELL 2

Construction/Pump Installation Details

Driller:HAMACHER WELL WORKS INC  
(HAMACHER, ALAN RAY)

Construction Date:3/22/2001

Completed Well Depth:

Perforated Casing Top:195

Perforated Casing Bottom:375

Static Water Level:

Well Yield Estimate (GWS-31):

Pump Installer:HAMACHER WELL WORKS INC  
(HAMACHER, ALAN RAY)

Last Pump Installation Date:4/20/2001

Production Test Yield:12.00

## Application/Permit History

Action	Action Date	Date Received	Comment
Application Received	3/17/1999	3/17/1999	
Permit Issued	4/29/1999		
Well Constructed	3/22/2001	4/5/2001	
Pump Installed	4/20/2001	4/25/2001	
Notice of Commencement of Beneficial Use	4/24/2001	4/24/2001	
Permit Expiration Date	4/29/2001		

## Applicant/Contact

Start Date	End Date	Association Type	Contact Name	Address	City	State	Zip Code
1/1/1900		Owner	WALDEN CORP	17775 GRAMA RIDGE	COLORADO SPRINGS	CO	80908

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Note that all of the terms and conditions under which a well can operate, particularly for non-exempt wells, may not be specified on the well permit. Wells may also be subject to relevant statutes, rules and decrees. To learn more about well permitting in Colorado, please visit DWR's Well Permitting Page. If you have any questions about this well permit file, please contact the DWR Groundwater Information Desk at (303) 866-3587 (Hours 9am-4pm M-F).



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Permit Number: 25998-F-R      Receipt: 0229710  
Permit Category: General Purpose      WDID: 0807919  
Permit Status: Well Constructed

### Physical Location

Division: 1      Designated Basin: Outside  
District: 8      Management District: Outside  
County: EL PASO      Denver Basin Aquifer: Outside

Feature Type	Dist N/S	Dist E/W	Q10	Q40	Q160	Sec	Township	Range	PM	UTMx	UTMy	Latitude	Longitude	Location Accuracy
Decreed (Case No: W6220)	340 S	1310 W	SE	SW	SW	14	11.0 S	66.0 W	S	521402.2	4326371.5	39.086200	-104.752538	Spotted from section lines
Physical (WDID: 0807919)	340 S	1310 W	SE	SW	SW	14	11.0 S	66.0 W	S	521402.2	4326371.5	39.086200	-104.752538	Spotted from section lines
Well (Application/Permit)	340 S	1310 W		SW	SW	14	11.0 S	66.0 W	S	521207.4	4326466.1	39.087057	-104.754787	User supplied

Physical Address:

City & State: ,  
Zip:

Parcel Type:

Parcel Name:

### Lot, Block, Filing

No available data

Permit Details

Acres In Parcel:Statute:

Parcel ID:

Use(s):MunicipalFollow Up Permit Conditions (see actual permit for more information)

Limits:YieldAmountDepth (T)Depth (B)Abandonment Required:See imaged well permit

Meter Required:See imaged well permit

Aquifer(s):ALL UNNAMED AQUIFERSGeophysical Log Required:See imaged well permit

Area Irrigated:Rule 6.2.2.1 (Notice):See imaged well permit

Within Water Service Area:Rule 6.2.3 (Floating Permit):See imaged well permit

Water Supplier Name:

Type of Sewage System:

Sewer System Details:

Associated Permit(s)

Permit Association	Assoc Permit	Assoc Receipt	Permit Issued	Permit Status	Comment
Replaced by	25998-F	0229710A	12/1/1982 12:00:00 AM	Well Abandoned	
Replaced by	25998-F-R	3691580	4/26/2019 12:00:00 AM	Well Constructed	

Associated Case Number(s)

Case Number	Date Signed
W-6620	

Well AKA(s)

Source	AKA Name
WDID	0807919-WALDEN WELL 3-25998-F-R
Well Name	WELL # 3

Construction/Pump Installation Details

Driller:HAMACHER WELL WORKS INC (HAMACHER, ALAN RAY)Pump Installer:

Construction Date:10/21/1982Last Pump Installation Date:12/22/1982

Completed Well Depth:Production Test Yield:

Perforated Casing Top:

Perforated Casing Bottom:

Static Water Level:

Well Yield Estimate (GWS-31):

## Application/Permit History

Action	Action Date	Date Received	Comment
Application Received	9/8/1982	9/8/1982	
Well Constructed	10/21/1982	1/25/1983	
Permit Issued	12/1/1982		
Pump Installed	12/22/1982	1/25/1983	
Record Change	8/8/2011		
Comment (Permit)	8/8/2011		Land on which ground water will be used: part sect. 14, 15, 23, T 11-S, R 66 W.
Comment (Evaluation)	4/26/2019		First Replacement

## Applicant/Contact

Start Date	End Date	Association Type	Contact Name	Address	City	State	Zip Code
1/1/1900		Owner	WALDEN CORPORATION, INC.		COLORADO SPRINGS	CO	80907

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## Well Permit Summary Report

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Permit Number: 51750-F-R      Receipt: 0442750B  
Permit Category: General Purpose      WDID: 0807920  
Permit Status: Well Constructed

### Physical Location

Division: 1      Designated Basin: Outside  
District: 8      Management District: Outside  
County: EL PASO      Denver Basin Aquifer: Outside

Feature Type	Dist N/S	Dist E/W	Q10	Q40	Q160	Sec	Township	Range	PM	UTMx	UTMy	Latitude	Longitude	Location Accuracy
Decreed (Case No: W6220)	640 N	1400 W	NW	NE	NW	23	11.0 S	66.0 W	S	521432.5	4326073.0	39.083509	-104.752197	Spotted from section lines
Physical (WDID: 0807920)	640 N	1400 W	NW	NE	NW	23	11.0 S	66.0 W	S	521432.5	4326073.0	39.083509	-104.752197	Spotted from section lines
Well (Application/Permit)	665 N	1433 W		NE	NW	23	11.0 S	66.0 W	S	521442.6	4326065.6	39.083442	-104.752080	Spotted from section lines

Physical Address:

City & State: ,

Zip:

Parcel Type:

Parcel Name:

### Lot, Block, Filing

No available data



## Permit Details

Acres In Parcel: 100.00 Statute: 37-90-137(4) - Non-exempt nontributary well

Parcel ID:

Use(s): Municipal **Follow Up Permit Conditions (see actual permit for more information)**

Limits: Yield Amount Depth (T) Depth (B) Abandonment Required: Yes

16.00 Meter Required: Yes

Aquifer(s): DAWSON Geophysical Log Required: See imaged well permit

Area Irrigated: Rule 6.2.2.1 (Notice): See imaged well permit

Within Water Service Area: Rule 6.2.3 (Floating Permit): See imaged well permit

Water Supplier Name:

Type of Sewage System:

Sewer System Details:

## Associated Permit(s)

Permit Association	Assoc Permit	Assoc Receipt	Permit Issued	Permit Status	Comment
Replaces well	51750-F	0442750E	4/29/1999 12:00:00 AM	Well Abandoned	

## Associated Case Number(s)

Case Number	Date Signed
W6220	

## Well AKA(s)

Source	AKA Name
WDID	0807920-WALDEN WELL 4-27917
Well Name	WELL 4

## Construction/Pump Installation Details

Driller: HAMACHER WELL WORKS INC (HAMACHER, ALAN RAY) Pump Installer: HAMACHER WELL WORKS INC (HAMACHER, ALAN RAY)

Construction Date: 8/3/1999 Last Pump Installation Date: 10/4/1999

Completed Well Depth: Production Test Yield: 16.00

Perforated Casing Top: 115

Perforated Casing Bottom: 335

Static Water Level:

Well Yield Estimate (GWS-31):

## Application/Permit History

Action	Action Date	Date Received	Comment
Application Received	3/17/1999	3/17/1999	
Application Information Submitted	4/5/1999	4/5/1999	
Permit Issued	4/29/1999		
Well Constructed	8/3/1999	8/6/1999	
Pump Installed	10/4/1999	10/18/1999	
First Beneficial Use	11/1/1999		
Notice of Commencement of Beneficial Use	11/26/1999	11/26/1999	
Permit Expiration Date	4/29/2000		
Record Change	8/6/2007		

## Applicant/Contact

Start Date	End Date	Association Type	Contact Name	Address	City	State	Zip Code
1/1/1900		Owner	WALDEN CORP	17775 GRAMA RIDGE	COLORADO SPRINGS	CO	80908

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## Well Permit Summary Report

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Permit Number: 63866-F-R      Receipt: 3685186  
Permit Category: General Purpose      WDID:  
Permit Status: Well Constructed

### Physical Location

Division: 1      Designated Basin: Outside  
District: 8      Management District: Outside  
County: EL PASO      Denver Basin Aquifer: Inside

Feature Type	Dist N/S	Dist E/W	Q10	Q40	Q160	Sec	Township	Range	PM	UTMx	UTMy	Latitude	Longitude	Location Accuracy
Well (Application/Permit)	1133 N	1031 E		NE	NE	15	11.0 S	66.0 W	S	520671.0	4327539.0	39.096744	-104.760966	User supplied
Well (Construction Report)	1133 N	1031 E		NE	NE	15	11.0 S	66.0 W	S	520671.0	4327539.0	39.096744	-104.760966	User supplied

Physical Address:

City & State: ,

Zip:

Parcel Type:

Parcel Name:

### Lot, Block, Filing

No available data

Permit Details

Acres In Parcel:Statute:37-90-137(2) - Non-exempt tributary well

Parcel ID:

Use(s):Domestic, MunicipalFollow Up Permit Conditions (see actual permit for more information)

Limits:YieldAmountDepth (T)Depth (B)Abandonment Required:Yes

14.0022.50965Meter Required:Yes

Aquifer(s):DAWSONGeophysical Log Required:No

Area Irrigated:Rule 6.2.2.1 (Notice):Yes

Within Water Service Area:Rule 6.2.3 (Floating Permit):No

Water Supplier Name:

Type of Sewage System:

Sewer System Details:

Associated Permit(s)

Permit Association	Assoc Permit	Assoc Receipt	Permit Issued	Permit Status	Comment
Replaces well	63866-F	0546804	2/14/2006 12:00:00 AM	Well Abandoned	

Associated Case Number(s)

Case Number	Date Signed
W6220	

Well AKA(s)

Source	AKA Name
Well Name	PITCH PLACE WELL

Construction/Pump Installation Details

Driller:HAMACHER WELL WORKS INC (HAMACHER, ALAN RAY)Pump Installer:HAMACHER WELL WORKS INC (HAMACHER, ALAN RAY)

Construction Date:5/30/2018Last Pump Installation Date:6/15/2018

Completed Well Depth:435Production Test Yield:14.00

Perforated Casing Top:

Perforated Casing Bottom:

Static Water Level:150.00

Well Yield Estimate (GWS-31):14.00

## Application/Permit History

Action	Action Date	Date Received	Comment
Application Received	3/9/2018		
Permit Issued	3/9/2018		
Notice of Installation Received (Well)	5/29/2018	5/24/2018	Received from Hamacher Well Works, Lic 71
Well Constructed	5/30/2018	6/1/2018	
Pump Installed	6/15/2018	6/22/2018	
Permit Expiration Date	3/9/2019		

## Applicant/Contact

Start Date	End Date	Association Type	Contact Name	Address	City	State	Zip Code
3/9/2018		Owner	WALDEN CORPORATION (DUNSTON, MATT)	PO BOX 1870	MONUMENT	CO	80132

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## Well Permit Summary Report

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Permit Number: 16389-F-R      Receipt: 3620082  
Permit Category: General Purpose      WDID: 0808181  
Permit Status: Permit Expired

### Physical Location

Division: 1      Designated Basin: Outside  
District: 8      Management District: Outside  
County: EL PASO      Denver Basin Aquifer: Outside

Feature Type	Dist N/S	Dist E/W	Q10	Q40	Q160	Sec	Township	Range	PM	UTMx	UTMy	Latitude	Longitude	Location Accuracy
Decreed (Case No: W7843)			SE	SW	SW	14	11.0 S	66.0 W	S	521311.2	4326367.1	39.086163	-104.753590	Spotted from quarters
Physical (WDID: 0808181)			SE	SW	SW	14	11.0 S	66.0 W	S	521311.2	4326367.1	39.086163	-104.753590	Spotted from quarters
Well (Application/Permit)	320 S	1260 W		SW	SW	14	11.0 S	66.0 W	S	521387.0	4326365.0	39.086140	-104.752710	Spotted from section lines

Physical Address:

City & State: ,

Zip:

Parcel Type: Subdivision

Parcel Name: WALDEN PRESERVE

### Lot, Block, Filing

Lot	Block	Filing	Description
E		1	



Permit Details

Acres In Parcel:0.70

Statute:37-90-137(2) - Non-exempt tributary well

Parcel ID:

Use(s):Municipal

**Follow Up Permit Conditions (see actual permit for more information)**

Limits:YieldAmountDepth (T)Depth (B)

Abandonment Required:See imaged well permit

Meter Required:See imaged well permit

Geophysical Log Required:See imaged well permit

Rule 6.2.2.1 (Notice):See imaged well permit

Rule 6.2.3 (Floating Permit):See imaged well permit

Aquifer(s):DAWSON

Area Irrigated:

Within Water Service Area:

Water Supplier Name:

Type of Sewage System:

Sewer System Details:

Associated Permit(s)

Permit Association	Assoc Permit	Assoc Receipt	Permit Issued	Permit Status	Comment
Replaces well	16389-F	9022828		Well Abandoned	

Associated Case Number(s)

Case Number	Date Signed
W-7843-74	
W6220	

Well AKA(s)

Source	AKA Name
WDID	0808181-WALDEN WELL 6-016389-F
Well Name	DAWSON NO 6

Construction/Pump Installation Details

Driller:

Pump Installer:

Construction Date:

Last Pump Installation Date:

Completed Well Depth:

Production Test Yield:

Perforated Casing Top:

Perforated Casing Bottom:

Static Water Level:

Well Yield Estimate (GWS-31):

## Application/Permit History

Action	Action Date	Date Received	Comment
Application Received	8/13/2007	8/13/2007	
Application Information Submitted	11/7/2007	11/7/2007	
Permit Issued	11/14/2007		
Comment (Permit)	11/14/2007		Tract E
Permit Expiration Date	11/14/2008		
Permit Expired	5/25/2018		

## Applicant/Contact

Start Date	End Date	Association Type	Contact Name	Address	City	State	Zip Code
1/1/1900		Owner	WALDEN CORPORATION (DUNSTON, MATT)	PO BOX 1870	MONUMENT	CO	80132

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## Well Permit Summary Report

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Permit Number: 32697-F      Receipt: 0279384  
Permit Category: General Purpose      WDID: 0815091  
Permit Status: Well Constructed

### Physical Location

Division: 1      Designated Basin: Outside  
District: 8      Management District: Outside  
County: EL PASO      Denver Basin Aquifer: Outside

Feature Type	Dist N/S	Dist E/W	Q10	Q40	Q160	Sec	Township	Range	PM	UTMx	UTMy	Latitude	Longitude	Location Accuracy
Physical (WDID: 0815091)	350 S	1280 W	SE	SW	SW	14	11.0 S	66.0 W	S	521393.0	4326374.0	39.086223	-104.752644	Spotted from section lines
Well (Application/Permit)	350 S	1280 W		SW	SW	14	11.0 S	66.0 W	S	521393.0	4326374.1	39.086224	-104.752644	Spotted from section lines

Physical Address:

City & State: ,

Zip:

Parcel Type: Subdivision

Parcel Name: WALDEN III

### Lot, Block, Filing

Lot	Block	Filing	Description
		2	

Permit Details

Acres In Parcel:	1000.00	Statute:	37-90-137(4) - Non-exempt nontributary well
Parcel ID:			
Use(s):	Municipal	<b><u>Follow Up Permit Conditions (see actual permit for more information)</u></b>	
Limits:	Yield	Amount	Depth (T) Depth (B)
	65.00	Abandonment Required:	See imaged well permit
		Meter Required:	See imaged well permit
Aquifer(s):	DENVER	Geophysical Log Required:	Yes
Area Irrigated:		Rule 6.2.2.1 (Notice):	See imaged well permit
Within Water Service Area:		Rule 6.2.3 (Floating Permit):	See imaged well permit
Water Supplier Name:			
Type of Sewage System:			
Sewer System Details:			

Associated Permit(s)

No available data

Associated Case Number(s)

No available data

Well AKA(s)

Source	AKA Name
WDID	0815091-WALDEN WELL 7-32697-F
Well Name	D-01

Construction/Pump Installation Details

Driller:	CRANDALL DRLG. & TRENCHING INC (CRANDALL, HARLEY)	Pump Installer:	
Construction Date:	9/30/1988	Last Pump Installation Date:	4/5/1989
Completed Well Depth:		Production Test Yield:	65.00
Perforated Casing Top:	1205		
Perforated Casing Bottom:	1780		
Static Water Level:			
Well Yield Estimate (GWS-31):			

## Application/Permit History

Action	Action Date	Date Received	Comment
Application Received	8/24/1987	8/24/1987	
Well Constructed	9/30/1988	10/28/1988	
Permit Issued	11/5/1988		
Pump Installed	4/5/1989	5/31/1989	
First Beneficial Use	5/27/1989		
Notice of Commencement of Beneficial Use	10/30/1989	10/30/1989	
Permit Extended	8/8/2011	8/8/2011	
Record Change	8/8/2011		
Comment (Permit)	8/8/2011		Land on which ground water will be used: Parts of sections 14, 15, 22, & 23, T 11-S, R 66 W, 6th PM

## Applicant/Contact

Start Date	End Date	Association Type	Contact Name	Address	City	State	Zip Code
1/1/1900		Owner	DEWELL, DAVID C	35421 SO GLENBURN DR	CHANDLER	AZ	85248

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Appendix D:  
Updated Denver Basin Groundwater Decrees / Augmentation Plans

<p>DISTRICT COURT, WATER DIVISION 1, COLORADO</p> <p>Court Address: P.O. Box 2038 Greeley, CO 80632</p> <hr/> <p>CONCERNING THE APPLICATION FOR WATER RIGHTS OF:</p> <p>WALDEN CORPORATION, INC., Applicant,</p> <p>IN EL PASO COUNTY.</p>	<p>DATE FILED: August 8, 2017 10:21 AM CASE NUMBER: 2016CW3103</p>     <p>♦ COURT USE ONLY ♦</p> <p>Consolidated Case Numbers: 2016CW3103 (WD-1) and 2016CW3048 (WD-2)</p>
<p>FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE, AND JUDGMENT AND DECREE OF THE WATER COURT</p>	

A claim for approval of plan for augmentation was filed in this case on August 24, 2016. The case was filed in Water Divisions 1 and 2, and was consolidated in Water Division 1. All matters contained in the application having been reviewed, testimony having been taken where such testimony is necessary, and such corrections made as are indicated by the evidence presented herein, the following is hereby the Ruling of the Referee:

#### FINDINGS OF FACT

1. Name, address and telephone number of Applicant:

Walden Corporation, Inc.  
17145 Colonial Park Drive  
Monument, CO 80132  
(720) 851-1113

2. History of Case. The applications for approval of plan for augmentation were filed in Case No. 16CW3103 in Water Division 1 and in Case No. 16CW3048 in Water Division 2. A statement of opposition was filed on behalf of the City of Colorado Springs, acting by and through its enterprise, Colorado Springs Utilities. Applicant and City of Colorado Springs, acting by and through its enterprise, Colorado Springs Utilities entered into a stipulation approving this form of decree. No other statements of opposition were filed and the time for filing such statements has expired. A motion to consolidate the cases was filed and ordered by the Panel on Consolidated Multidistrict Litigation in Case No. 16MD17. A summary of

consultation was filed on November 30, 2016, and a response to said consultation report was filed by Applicant.

3. Subject matter jurisdiction: Timely and adequate notice of the application was published as required by statute, and the Court has jurisdiction over the subject matter of this proceeding and over the parties affected hereby, whether they have appeared or not.

4. Plan for augmentation:

A. Groundwater to be augmented: Up to 155 acre-feet per year for 100 years of not nontributary Dawson aquifer groundwater as decreed in Consolidated Case Nos. 02CW187, District Court, Water Division 1, and 02CW117, District Court, Water Division 2. Said groundwater is located underlying approximately 349 acres of land generally located in parts of Sections 14, 15, 22, and 23, T11S, R66W of the 6th P.M., El Paso County, as shown on Attachment A hereto (Subject Property).

B. Water rights to be used for augmentation: Sewered return flows from the use of not nontributary Dawson aquifer groundwater and return flows and direct discharge of nontributary groundwater underlying the Subject Property as also decreed in cases described above.

C. Statement of plan for augmentation: The Dawson aquifer groundwater will be used for in-house, irrigation, commercial, fire protection, and stock watering purposes, including storage, through a central water supply system, on the Subject Property or on land served through Applicant's central water supply system, including but not limited to Walden III Subdivision, Filings 2 through 7. The Dawson aquifer groundwater will be withdrawn through one or more wells located on the Subject Property which will operate at rates of flow which are necessary to withdraw the entire annual amount. Sewage treatment for in house and commercial use will be through an existing sewage treatment plant which is operated by Applicant or an entity of Applicant and which is generally located in the NW1/4NE1/4 of Section 14, T11S, R66W. Said return flow from in house and commercial use is estimated to be 95% of that use.

D. Replacement of Depletions During Pumping:

Based on assumed annual pumping of 155 acre-feet, the total depletion at the 100<sup>th</sup> year of pumping is 7.85% or 12.16 acre-feet of which 5.16% occurs to the Cherry Creek/South Platte River stream systems and 2.6% occurs to the Monument Creek/Arkansas River stream system. Applicant does not have the physical ability to replace depletions to the Monument Creek/Arkansas River stream systems, but shall instead replace all such depletions to the Cherry Creek/South Platte River stream system. Use of the Dawson aquifer groundwater from in-house and commercial use, will provide sufficient return flows to replace total actual depletions during each year of pumping pursuant to the percentage of depletion for each year as shown on the curve on Attachment B.

E. Replacement of Post-pumping Depletions:



Applicant agrees to replace depletions for the shortest of the following periods: the period provided by the Colorado Legislature, should it eventually specify one and if the Applicant obtains water court approval for such modification; the period determined by the State Engineer, should the State Engineer lawfully establish such a period; the period established through rulings of the Colorado Supreme Court on relevant cases; or until Applicant petitions the water court and after notice to parties in the case proves that it has complied with all statutory requirements. The court finds that the provisions of this paragraph are adequate to comply with existing law and to prevent injury to others. It is estimated that maximum total depletions from pumping of 155 acre-feet per year for 100 years will be approximately 8.25% of average annual pumping in the 120<sup>th</sup> year and will decline thereafter. Applicant's replacement obligation will be the total stream depletion as shown on Attachment B. That required amount of water will be pumped from the Arapahoe and Laramie-Fox Hills aquifers, decreed and reserved herein or such other source of water as receives judicial approval after notice, into the Cherry Creek stream system.

F. Applicant shall reserve and dedicate to this plan for augmentation, 76.28 acre-feet per year and 7628 acre-feet total of the nontributary Laramie-Fox Hills aquifer and 82.36 acre-feet per year and 8236 acre-feet total of the nontributary Arapahoe aquifer water decreed in Consolidated Case Nos. 02CW187, District Court, Water Division 1, and 02CW117, District Court, Water Division 2, for the purpose of replacing to Cherry Creek all post-pumping depletions. If at some time replacement of post-pumping depletions is no longer required pursuant to paragraph 10.E above, said reservation will become null and void at such time as the obligation to replace post-pumping depletions terminates. Applicant will be required to construct a well into the Arapahoe or Laramie-Fox Hills aquifers to provide for post-pumping depletions herein, and such obligation is a covenant running with the Subject Property.

G. Applicant will begin making post pumping replacements when: the total amount of Dawson aquifer groundwater allowed to be withdrawn (15,500 acre-feet) has been withdrawn from the well; the Applicant or successors in interest have acknowledged in writing that all withdrawals for beneficial use of the groundwater has permanently ceased; or for a period of 10 consecutive years that no groundwater has been withdrawn, or when accounting shows that return flows from the use of the water being withdrawn from the Dawson aquifer wells is insufficient to replace depletions that have already occurred.

5. Applicant or a related entity shall pay the cost imposed by operation of this augmentation plan. Failure of either the Applicant or related entity to comply with the terms of the decree may result in an order of the Division Engineer's office to curtail or eliminate pumping of the Dawson aquifer well or wells. This decree shall be recorded in the real property records of El Paso County so that a title examination of the property, or any part thereof, shall reveal to all future purchasers the existence of this decree.

6. Administration of plan for augmentation:

17. A totalizing flow meter shall be installed on any well operating under this decree prior to withdrawal of any water therefrom, and shall be maintained and operational at all times for the life of the well. Applicant shall annually report to the Division Engineer for Water Division 1, a summary of the monthly metered

withdrawals of the subject well or wells on an accounting form acceptable to the Division Engineer, for the withdrawals during the previous year of pumping (November 1 through October 31). Said accounting will be completed by the end of December for that year of pumping.

B. All withdrawals which are the subject of this decree will be metered.

C. Pursuant to Section 37-92-305(8), C.R.S., the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.

D. The Applicant at the direction of the Division Engineer shall make total post-pumping replacements to the Cherry Creek stream system pursuant to the total percentage of depletion caused by pumping as referenced on the depletion curve attached hereto on Attachment B.

7. Retained jurisdiction for plan for augmentation:

17. Pursuant to Section 37-92-304(6), C.R.S., the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also has jurisdiction for the purposes of determining compliance with the terms of the augmentation plan. Objector City of Colorado Springs owns senior water rights on Monument Creek that will be negatively impacted by the operation of this decree wherein depletions to the Arkansas River will not be replaced to the Arkansas River, but rather will be replaced to the South Platte River. In addition, Colorado Springs reserves the right to claim that the cumulative negative impacts of this and other similar decrees constitutes injury to its senior Monument Creek rights. In the interest of settlement only, Colorado Springs consents to the entry of this decree. However, by doing so, Colorado Springs does not waive its right to claim injury and to seek relief in the future according to this paragraph.

B. Any person seeking to invoke the retained jurisdiction of the Court shall file a verified petition with the Court. The petition to invoke retained jurisdiction or to modify the Decree shall set forth with particularity the factual basis and the requested decretal language to effect the petition. The party lodging the petition shall have the burden of going forward to establish prima facie facts alleged in the petition. If the Court finds those facts to be established, Applicant shall thereupon have the burden of proof to show: (1) that any modification sought by Applicant will avoid injury to other appropriators, or (2) that any modification sought by Objector is not required to avoid injury to other appropriators, or (3) that any term or condition proposed by Applicant in response to the Objector's petition does avoid injury to other appropriators.

C. The Court retains jurisdiction for the purpose of determining whether the continued reservation of the nontributary water for use on the Subject Property is required. After

notice to the State Engineer's Office, if Applicant can demonstrate to the Court that post-pumping depletions need no longer be replaced, the Court may remove the requirement that the nontributary water must be reserved.

#### CONCLUSIONS OF LAW

8. The Water Court has jurisdiction over this proceeding pursuant to Section 37-90-137(6), C.R.S. This Court concludes as a matter of law that the application herein is one contemplated by law pursuant to Sections 37-90-137(4) and (9)©, C.R.S. The withdrawal of up to 155 acre-feet per year and no more than 15,500 acre-feet total of Dawson aquifer groundwater in accordance with the terms of this decree will not result in material injury to vested water rights of others subject to the provisions of this decree.

9. This plan for augmentation satisfies the requirements of Section 37-90-137(9)©, C.R.S., for replacement of actual depletions to the affected stream systems for withdrawals of the Dawson aquifer water.

#### JUDGMENT AND DECREE

The Findings of Fact and Conclusions of Law set forth above are hereby incorporated into the terms of this Ruling and Decree as if the same were fully set forth herein.

10. Full and adequate notice of the application was given, and the Court has jurisdiction over the subject matter and over the parties whether they have appeared or not.

11. Applicant may withdraw up to 155 acre-feet per year and no more than 15,500 acre-feet total of not nontributary ground water from the Dawson aquifer under the plan for augmentation decreed herein pursuant to Section 37-90-137(9)©, C.R.S.

12. Applicant has complied with all requirements and met all standards and burdens of proof, including but not limited to Sections 37-90-137(9)©, 37-92-103(9), 37-92-302, 37-92-304(6), 37-92-305(1), (2), (3), (4), (6), (8), (9), C.R.S., to adjudicate this plan for augmentation and is therefor entitled to a decree confirming and approving this plan for augmentation as described in the findings of fact.

13. Pursuant to Section 37-92-305(5), C.R.S., the replacement water herein shall be of a quality so as to meet the requirements for which the water of the senior appropriator has normally used.

14. The proposed plan for augmentation as described in the findings of fact is hereby approved, confirmed, and adjudicated, including and subject to the terms and conditions specified herein.

15. No owners of or person entitled to use water under a vested water right or decreed conditional water right will be injured or injuriously affected by the operation of the plan for augmentation as decreed herein.

16. In considering applications for permits for wells to withdraw the groundwater which is the subject of this decree, the State Engineer shall be bound by this decree and shall issue said permits in accordance with terms of this decree.

17. Continuing Jurisdiction:

Pursuant to Section 37-92-304(6), C.R.S., the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question of whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also retains continuing jurisdiction for the purpose of determining compliance with the terms of the augmentation plan.

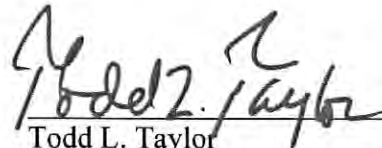
Date: July 17, 2017



John S. Cowan  
Water Referee  
Water Division 1

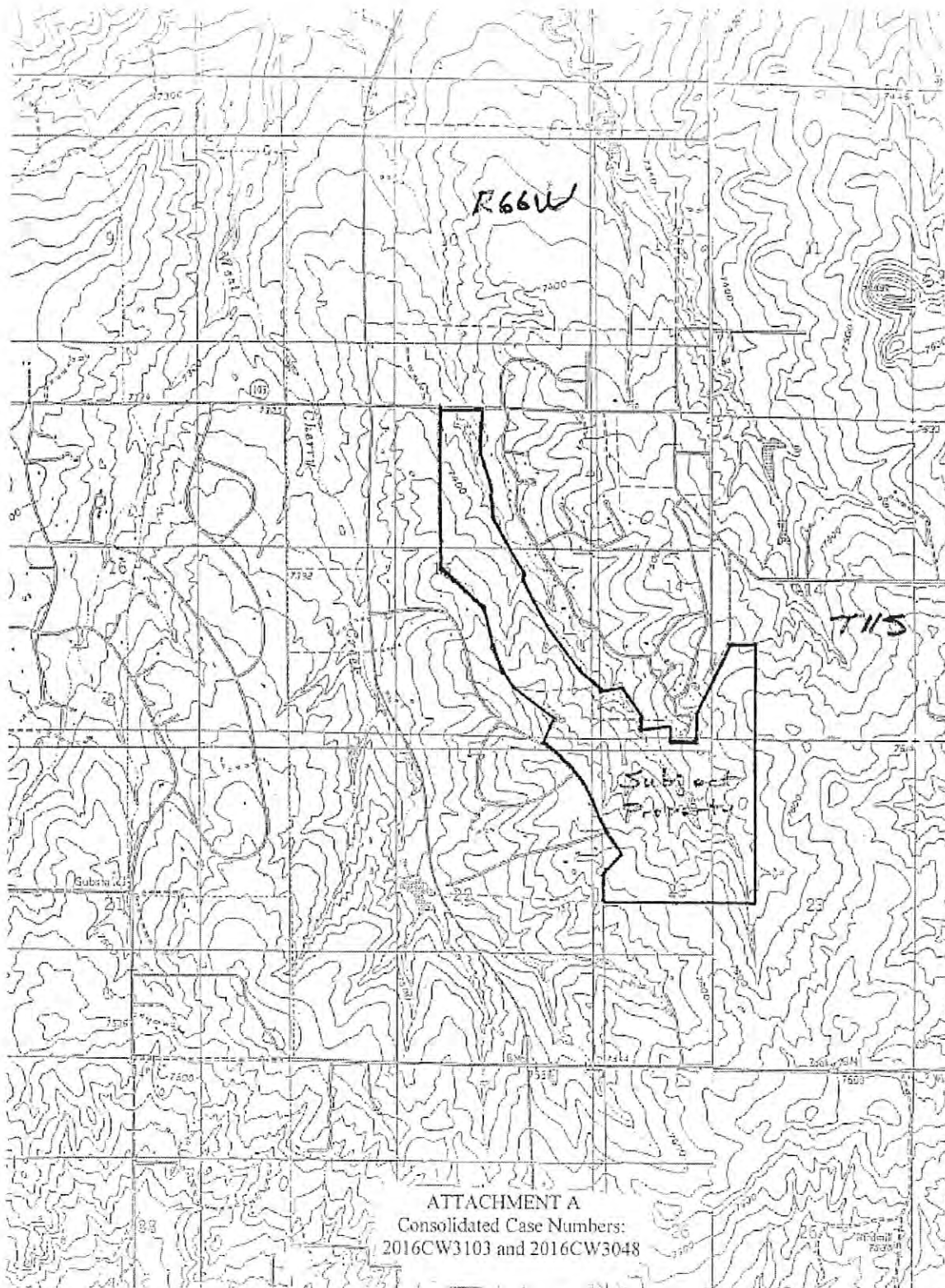
The court finds that no protest was filed in this matter. The foregoing ruling is confirmed and approved, and is made the judgment and decree of this Court.

Date: August 8, 2017



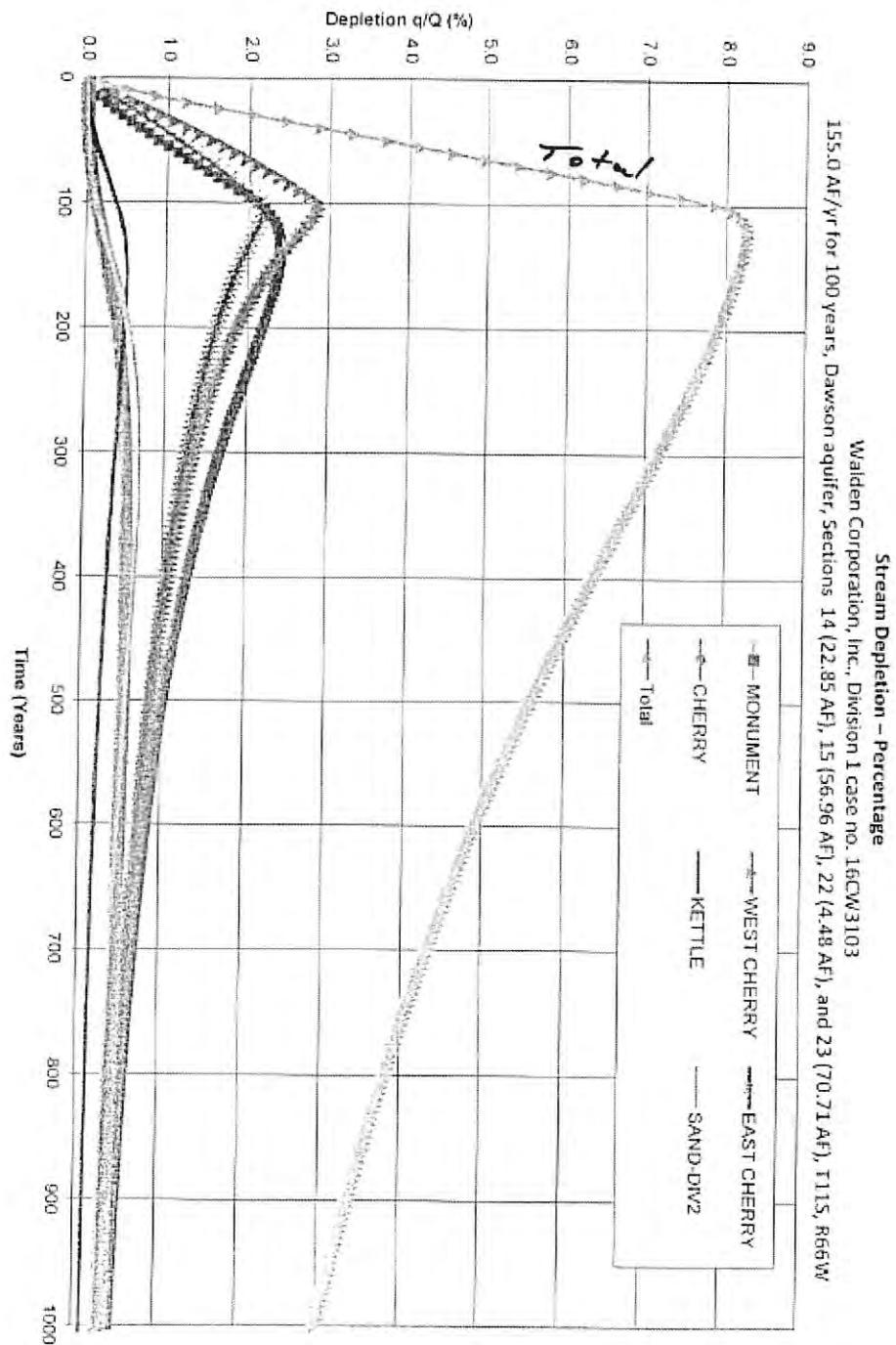
Todd L. Taylor  
Alternate Water Judge  
Water Division 1





Walden Corporation, Inc.  
2016CW3103 and 3048

ATTACHMENT A





5. Decreed change: In the original decree, an augmentation plan was approved for the use of 93 individual wells in the not nontributary Dawson aquifer for the annual withdrawal of 0.47 acre-feet per well and 43.71 acre-feet total for 300 years (13,113 acre-feet total over 300 years). The decree also required that an equal amount of nontributary groundwater be reserved for future use in the plan. (107.3 acre-feet per year of nontributary Laramie-Fox Hills and 23.8 acre-feet of nontributary Arapahoe aquifer groundwater reserved for this purpose).

The Subject Property only requires use of 22 individual Dawson aquifer wells and 10.34 acre-feet per year for 300 years (3102 acre-feet total). The original augmentation plan is revised by this decree to reduce the number of Dawson aquifer wells which will operate pursuant to that augmentation plan from 93 to 22 wells. Terms and conditions associated with the permitting and operation of the 22 wells remains the same as decreed in the original augmentation plan. The water associated with the remaining 71 lots (33.37 acre-feet per year and 10,011 acre-feet total) are no longer required and the terms and conditions of the original decree are vacated as to those 71 wells. The nontributary aquifer groundwater reserved for future use in the augmentation plan for the operation of the 22 wells is reduced to 31.02 acre-feet per year and 3102 acre-feet per year total of nontributary Laramie-Fox Hills aquifer groundwater. The remaining 76.28 acre-feet per year and 7628 acre-feet total of nontributary Laramie-Fox Hills aquifer and the 23.8 acre-feet per year and 2380 acre-feet total of nontributary Arapahoe aquifer groundwater as reserved in the original plan for augmentation, is vacated from use in the original decree and is no longer reserved for use in that plan.

No other provisions of the original decree are changed herein, including continued operation of existing wells or permitting and operation of the 22 wells pursuant to the original decree.

#### CONCLUSIONS OF LAW

6. This Court has jurisdiction over the subject matter of these proceedings and over all who may be affected thereby, whether they have chosen to appear or not pursuant to Section 37-92-302, 37-92-304, and 37-92-305, C.R.S.

7. Timely and adequate notice of the pendency of this action was given in the manner provided by law.

8. The change of water rights decreed herein is, as a matter of law, permissible and comes within the definitions authorized by statute.

9. The terms and conditions as set forth in this decree are adequate to prevent injury to the owners of, or persons entitled to use, water under a vested water right or a decreed conditional water right pursuant to Section 37-92-305, C.R.S.

#### JUDGMENT AND DECREE

10. The foregoing Findings of Fact and Conclusions of Law are fully incorporated herein.



Date: May 20, 2015

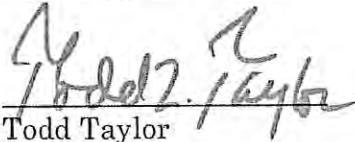


John S. Cowan  
Water Referee  
Water Division 1

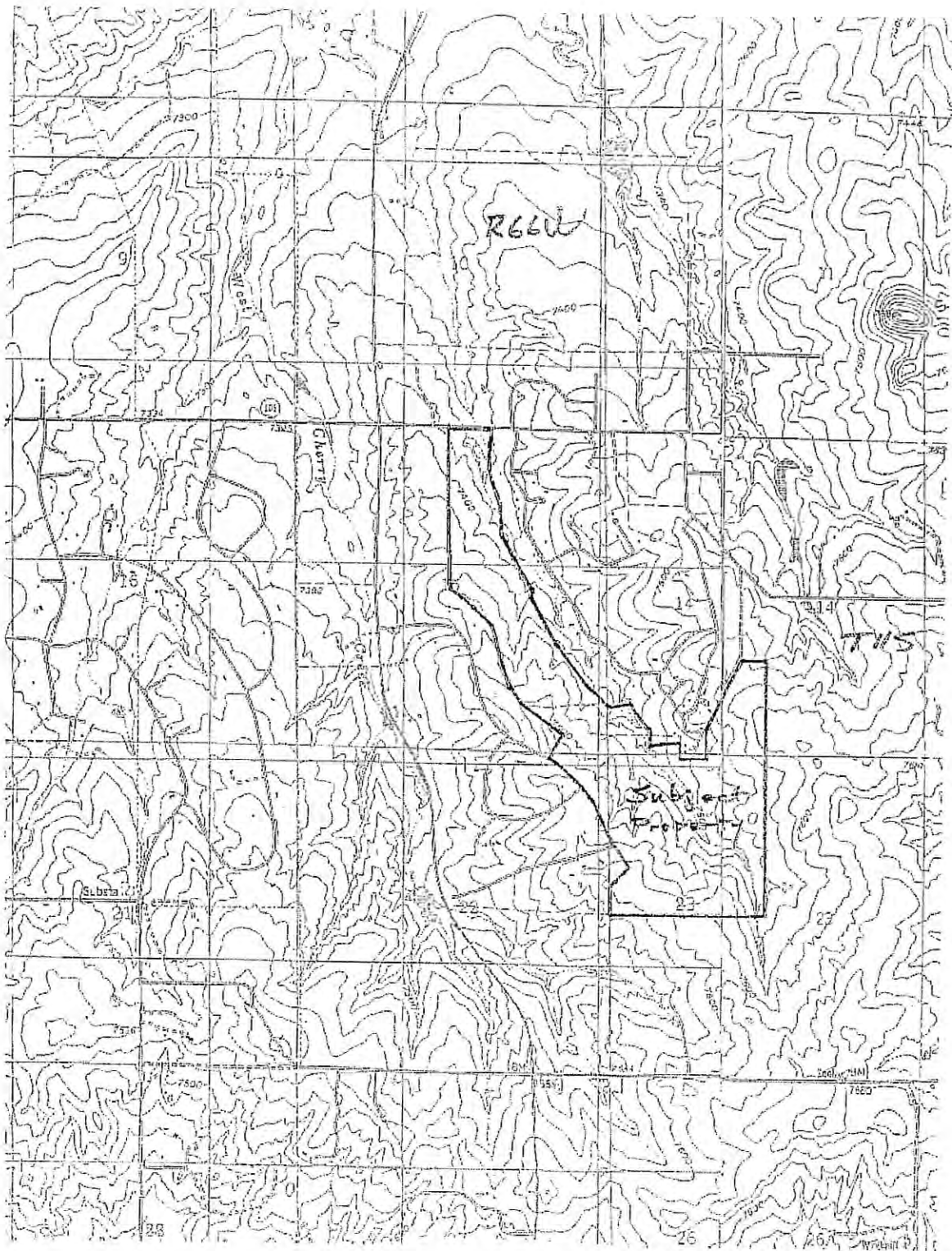
No protest was filed in this matter. The foregoing ruling is confirmed, approved, and hereby made the Judgment and Decree of this Court.

*So Ordered:*  
June 11, 2015

BY THE COURT:



Todd Taylor  
Alternate Water Judge  
Water Division 1



Custom Castles, Inc.  
15CW3007

ATTACHMENT A