

Enclosure (13)

## **Property Exhibits**

- a. Certification of Mineral Rights
- b. Vicinity Maps
- c. List of Adjacent Bordering Properties
- d. Area Zoning Map
  - (1) Special Districts: Emergency Services
  - (2) Special Districts: School Districts and Facilities
- e. Avigation Easements – Meadow Lake Airport
  - (1) Avigation Easement, 18 March 1969
  - (2) Clear Zone Avigation Easement, 7 September 1990
  - (3) Avigation Easement, 11 October 1990
  - (4) Clear Zone Avigation Easement, 21 December 1990
  - (5) Avigation and Hazard Easement, 4 June 1996
  - (6) Meadow Lake Estates Filing No 6, Subdivision Plat dated December 10, 1982 (excerpt)
  - (7) Proposed Meadow Lake “Airspace Avigation Easement”
- f. Meadow Lake Airport Property Charts
  - (1) Meadow Lake Airport Property Boundary
  - (2) Existing Airport Facilities (including Runway Protection Zones)
  - (3) Meadow Lake Airport Layout Plan – Existing
  - (4) Meadow Lake Airport Layout Plan - Future
- g. Meadow Lake Airspace Charts
  - (1) Meadow Lake Airport Influence Area
  - (2) Meadow Lake Airport AIRSPACE PLAN (Part 77)
  - (3) Meadow Lake Airport Traffic Patterns – Main Runway 15-33
  - (4) Meadow Lake Airport Traffic Patterns – Main Runway 15G-33G
  - (5) Meadow Lake Airport Traffic Patterns – Main Runway 8-26
- h. Colorado Stormwater Permits
  - (1) Inactivation – Stormwater Discharge Permit COR-010077
  - (2) CDPS General Permit COR 406129 dated 7/8/2019
- i. Colorado Ground Water Commission Determinations (21 Nov 2006)
- j. Environmental Assessment, Establishment of Turf Runway (May 2013)
- k. MLAA List of Ground Support Vehicles

**CERTIFICATION:**

I DAVID E ELLIOTT researched the records of the El Paso County Clerk and Recorder and established that there was was not a mineral estate owner(s) on the real property known as MEADOW LAKE AIRPORT. An initial public hearing on \_\_\_\_\_, 2000 \_\_\_\_\_ which is the subject of the hearing, is scheduled for \_\_\_\_\_, 2000 \_\_\_\_\_.

Pursuant to §24-65.5-103(4), C.R.S., I certify that a Notice of an initial public hearing was mailed to the mineral estate owner(s) (if established above) and a copy was mailed to the El Paso County Planning Department on \_\_\_\_\_, 2000 \_\_\_\_\_.

Dated this 24<sup>th</sup> day of January, 2002018

David E Elliott  
PRESIDENT, MLAA

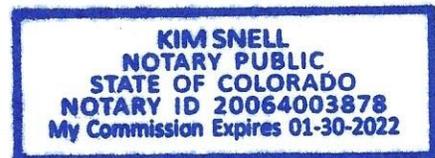
STATE OF COLORADO )  
  ) s.s.  
COUNTY OF EL PASO )

The foregoing certification was acknowledged before me this 24<sup>th</sup> day of January, 2002018, by David E Elliott.

Witness my hand and official seal.

My Commission Expires: 1/30/22

Kim Snell  
Notary Public



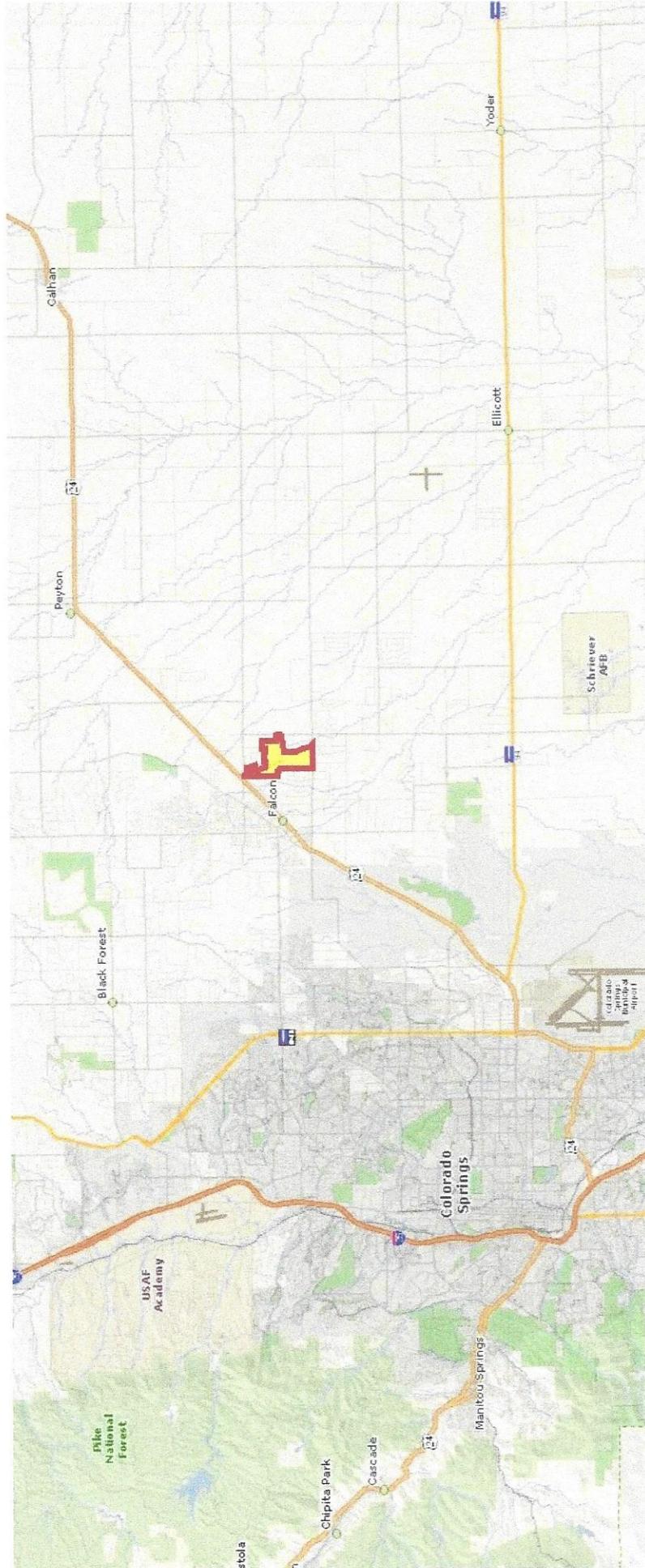
# El Paso County Assessor's Office

**13625 JUDGE ORR RD**

**SCHEDULE: 4300000563**

**OWNER: MEADOW LAKE AIRPORT ASSOC  
MEADOW LAKE AIRPORT ASSOC**

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# El Paso County Assessor's Office

**13625 JUDGE ORR RD**

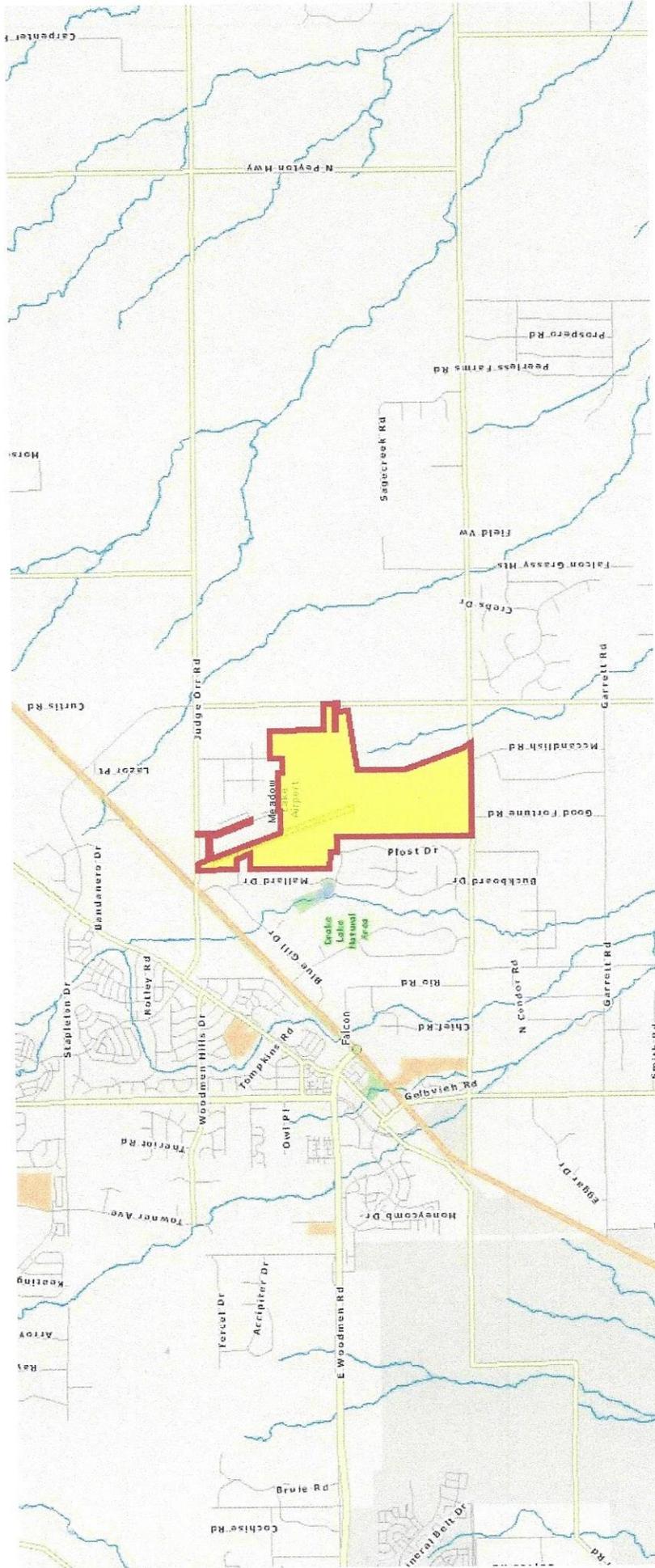
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# El Paso County Assessor's Office

**13625 JUDGE ORR RD**

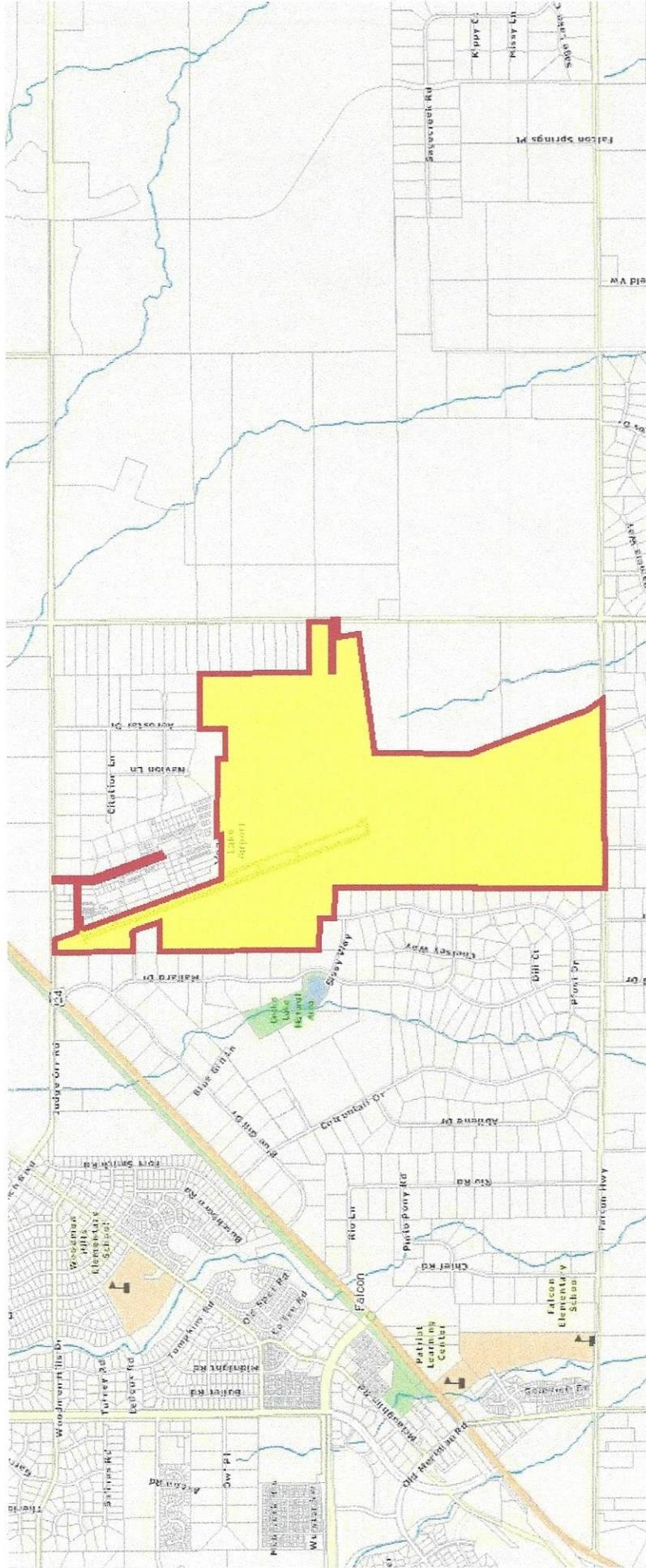
**SCHEDULE: 4300000563**

**OWNER: MEADOW LAKE AIRPORT ASSOC**

**MEADOW LAKE AIRPORT ASSOC**



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**Falcon Heights  
Filings & Sub-Divisions**

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Pamela Way

14

15th Dr

Post Dr

Chelsey Way

Melard Dr

Jack Ct

Hill Ct

Conita Lee Ct

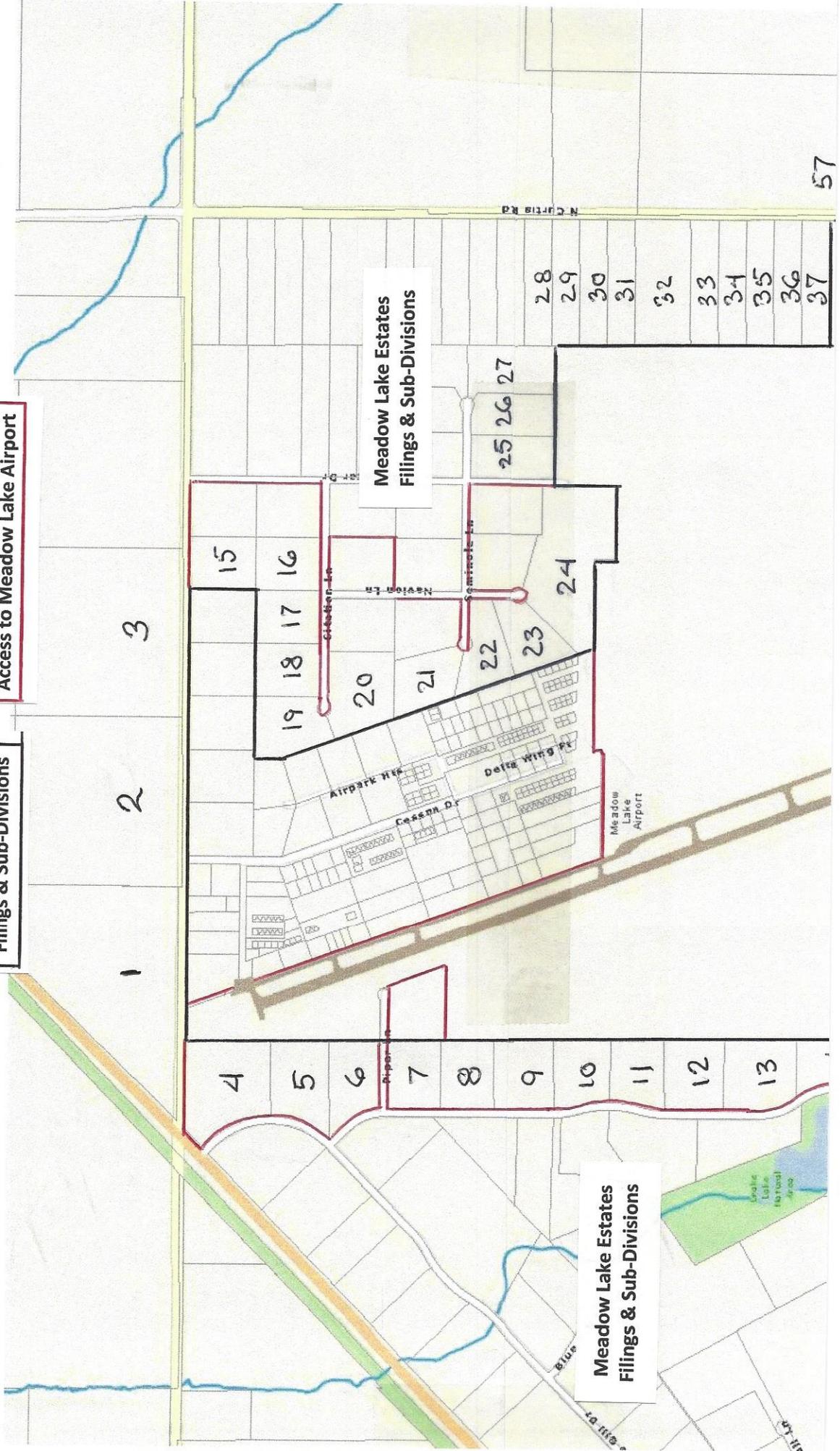
# El Paso County Assessor's Office



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**Meadow Lake Airport  
Filings & Sub-Divisions**

**Properties with Thru-The-Fence  
Access to Meadow Lake Airport**



**Meadow Lake Estates  
Filings & Sub-Divisions**

## Meadow Lake Airport - Adjacent Bordering Properties

**NOTE:** The following properties border the "Meadow Lake Airport Filings". The list does not include the 300+ private properties in the "Meadow Lake Airport Filings" that comprise the Meadow Lake Airport Association. Some of the properties listed below have "Through-The-Fence" access to the airport and are members of the MLAA. There are additional properties outside this first layer of border that also have airport access.

	Lot Address	Owner Name	Mailing Address	City, State	Zip Code
<b>North Side (Judge Orr Rd)</b>					
1	13630 Judge Orr Rd	Meadow Stone LLC	11605 Meridian Mkt Vw #	Peyton, CO	80831
2	14010 Judge Orr Rd	Prairie Stone LLC	11605 Meridian Mkt Vw	Peyton, CO	80831
3	14200 Judge Orr Rd	Hyatt, Mark A & Angelita C	14200 Judge Orr Rd	Peyton, CO	80831-8404
<b>NorthWest Side (Meadow Lake Estates - Judge Orr Road to section line)</b>					
4	8345 Blue Gill Dr	Triple Hawk Land Holdings LLC	4183 Cherryvale Dr	Colo Spgs, CO	80918-6139
5	8305 Blue Gill Dr	Barton, Chris Hoff, Brian	15 Friendship Lane	Colo Spgs, CO	80904-1810
6	8205 Mallard Dr	Triple Hawk Land Holdings LLC	4183 Cherryvale Dr	Colo Spgs, CO	80918-6139
7	8105 Mallard Dr	Goeglein, Steven M	8105 Mallard Dr	Peyton, CO	80831-8099
8	8015 Mallard Dr	Glaser, Davd E	8015 Mallard Dr	Peyton, CO	80831-8223
9	7955 Mallard Dr	Brightwell Living Trust	7955 Mallard Dr	Peyton, CO	80831-8016
10	7915 Mallard Dr	Rooker, Randall	7915 Mallard Dr	Peyton, CO	80831-8016
11	7815 Mallard Dr	Munnighoff, Jean A	7815 Mallard Dr	Peyton, CO	80831-8075
12	7715 Mallard Dr	Detweiler, John J & Kum Cha	7715 Mallard Dr	Peyton, CO	80831-8074
13	7615 Mallard Dr	Dedeker, Kevin S & Brozik-Dedeker, Vickie E	7615 Mallard Dr	Peyton, CO	80831-8004
14	7505 Mallard Dr	Martin, Sandra S & Richard W	7505 Mallard Dr	Peyton, CO	80831-8004
<b>NorthEast Side (Meadow Lake Estates - Judge Orr Rd to section line)</b>					
15	14255 Judge Orr Rd	Shaffer, Jessie J	14255 Judge Orr Rd	Peyton, CO	80831-8426
16	14250 Citation Ln	Price Family Trust	14250 Citation Ln	Peyton, CO	80831
17	14180 Citation Ln	Kephart, Roger M & MaryAnn S	14180 Citation Ln	Peyton, CO	80831-8035
18	14120 Citation Ln	Elliott, David E & Constance E	14120 Citation Ln	Peyton, CO	80831-8035
19	14050 Citation Ln	Butler, David A & Patricia M	14050 Citation Ln	Peyton, CO	80831-8035
20	14125 Citation Ln	Sanders, Burrall L & Joyce L	14125 Citation Ln	Peyton, CO	80831-8035
21		Rulo, Michael & Karen			
22	14115 Seminole Ln	Swisher, Richard C & Sharon	14115 Seminole Ln	Peyton, CO	80831
23	8020 Navion Ln	Bailey, Eric J	8020 Navion Ln	Peyton, CO	80831-8096
24	7955 Navion Ln	Shook, Julie A	8484 Cessna Dr	Peyton, CO	80831-6148
25	8025 Aerostar Dr	Bernstein, Michael	8025 Aerostar Dr	Peyton, CO	80831-8046
26	14475 Seminole Ln	Watson, Mary L	14475 Seminole Ln	Peyton, CO	80831-6014
27	14515 Seminole Ln	Parsram, Deonarine & Theresa	14515 Seminle Ln	Peyton, CO	80831-6043
28	7990 Curtis Rd	Scrock, Adam O	7990 Curtis Rd	Peyton, CO	80831-7921
29	7950 Curtis Rd	Bernstein, Jay	7950 Curtis Rd	Peyton, CO	80831-7921
30	7920 Curtis Rd	Haley, Britt I	7920 Curtis Rd	Peyton, CO	80831-7921
31	7880 Curtis Rd	Lanotte, Daniel C & Rocal R	7880 Curtis Rd	Peyton, CO	80831-7921
32	7830 Curtis Rd	Robinson, Mark & Michele	7830 Curtis Rd	Peyton, CO	80831-7921
33	7750 Curtis Rd	Bunger Revocable Living Trust	1377 State Road C	Richland, MO	65556-7245
34	7710 Curtis Rd	Rushing, Johnny B & Pamela C	7710 Curtis Rd	Peyton, CO	80831-7922

## Meadow Lake Airport - Adjacent Bordering Properties

35	7670 Curtis Rd	Linnerud, Mark A	7670 Curtis Rd	Peyton, CO	80831-7922
36	7620 Curtis Rd	Sauder, Allen & Susan	7620 Curtis Rd	Peyton, CO	80831-7922
37	7580 Curtis Rd	Renz, Larae & Jonathan	67 Little Mountain Rd	Daniel, WY	83115

### SouthWest Side (Falcon Heights Sub-division - section line to Falcon Highway)

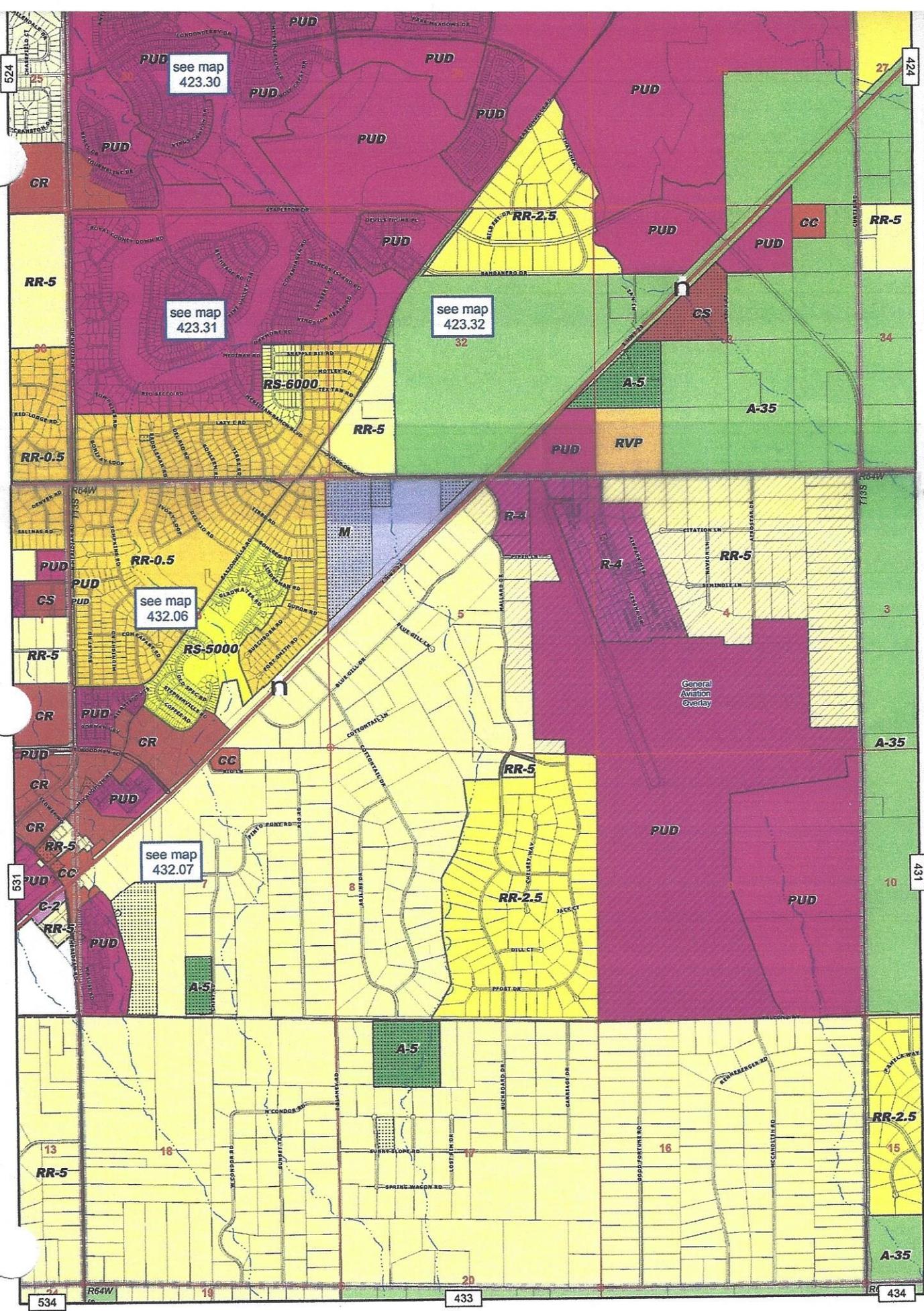
38	12790 Sissy Way	Pfost, Chelsey M	6535 Pfost Dr	Peyton, CO	80831-6063
39	7495 Pfost Dr	Pfost, Jack L	15990 County Road 12	Rush, CO	80833-9012
40	7455 Pfost Dr	Holien, Larry & Cynthia	7455 Pfost Dr	Peyton, CO	80831-6062
41	7415 Pfost Dr	Collins, Jean & Jason D	7415 Pfost Dr	Peyton, CO	80831-8720
42	7375 Pfost Dr	Wallace, Michael & Lea	7375 Pfost Dr	Peyton, CO	80831-6058
43	7335 Pfost Dr	Furnish, Steven R & Candace C	7335 Pfost Dr	Peyton, CO	80831-6058
44	7295 Pfost Dr	Cannon, Mark K & Jessica J	7295 Pfost Dr	Peyton, CO	80831-6065
45	7255 Pfost Dr	Gonzalez, Elizabeth N	7255 Pfost Dr	Peyton, CO	80831-6065
46	7215 Pfost Dr	Sisneros, Beth Ann	7215 Pfost Dr	Peyton, CO	80831-6065
47	7175 Pfost Dr	Meisner, Jessica L	7175 Pfost Dr	Peyton, CO	80831-6073
48	7135 Pfost Dr	Cooper, Christopher M	7135 Pfost Dr	Peyton, CO	80831-6073
49	7095 Pfost Dr	Tripp, Loyal J & Margaret L	7095 Pfost Dr	Peyton, CO	80831-7916
50	7055 Pfost Dr	Jenkins, Jean	7055 Pfost Dr	Peyton, CO	80831-6050
		Delladio, Sean W			
51	7015 Pfost Dr	Delladio, Donna M	7015 Pfost Dr	Peyton, CO	80831-7516
		Delladio, Stephen W			
52	6975 Pfost Dr	Pfost, Jack L	15990 County Road 12	Rush, CO	80833-9012
53	6935 Pfost Dr	Heflin, Brian C & Jennifer N	6935 Pfost Dr	Peyton, CO	80831-6057
54	6895 Pfost Dr	Osborne, Kent W	6895 Pfost Dr	Peyton, CO	80831
55	6525 Connie Lee Ct	Latifi, Deborah L & Kamal	6525 Connie Lee Ct	Peyton, CO	80831-6060
56	6505 Connie Lee Ct	Pauzar, Thomas S	6505 Connie Lee Ct	Peyton, CO	80831-6060
		Lostaunau-Pauzar, Elisana			

### SouthEast Side (section line to Falcon Highway)

57	Sec 3-13-64	Realty Management Group LLC	3033 E 1st Ave Ste 300	Denver, CO	80206-5619
		Smith, Scott			
58	Sec 3-13-64 Sec 10-13-64	Barrack, Roger	17585 Bar X Rd	Colo Spgs, CO	80908-1534
		Brandt, Andre			
59	N Curtis Rd	Ventimiglia, Dorothy B Trust	PO Box 618	Larkspur, CO	80118-0618
60	N Curtis Rd	Oneil, Kevin	101 N Tejon St, Unit 310	Colo Spgs, CO	80903-1429
61	Falcon Hwy	Ventimiglia, Dorothy B Trust	PO Box 618	Larkspur, CO	80118-0618

### South Side (Falcon Highway)

62	6455 Carriage Rd	Reed, Catherine M	6455 Carriage Rd	Peyton, CO	80831-7612
		Reed, Franklin David			
63	6470 Good Fortune Rd	Seeger, George C & Janet J	3248 Austin Dr	Colo Spgs, CO	80909-1055
64	6465 Good Fortune Rd	Moreno, James G & Retta S	6465 Good Fortune Rd	Peyton, CO	80831-7657
65	14150 Falcon Hwy	Baker, Misti D	14150 Falcon Hwy	Peyton, CO	80831-6049
66	14260 Falcon Hwy	Mesick, Michael A & Dixie	14260 Falcon Hwy	Peyton, CO	80831-8017
67	14310 Falcon Hwy	Ming, Veda O	14310 Falcon Hwy	Peyton, CO	80831-8017
68	14350 Falcon Hwy	Benavidez, Simon D & Maria A	14350 Falcon Hwy	Peyton, CO	80831-6088
69	14460 Falcon Hwy	Guerra, Miguel E & Ana P	8006 Dyess Ft	San Antonio TX	78227-4769
70	14510 Falcon Hwy	Guerra, Miguel E & Ana P	8006 Dyess Ft	San Antonio TX	78227-4769



RVP: Recreational  
 Highways  
 Major Road  
 Creeks - Plat  
 Creeks - Inlet  
 Section Center  
 January 18, 2018

Vicinity Map  
 January 18, 2018

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Dev  
 RS-20000: Rv  
 RS-6000: Res  
 RS-5000: Res  
 RM-12: Resic  
 RM-30: Resic  
 RR-0.5: Resic  
 RR-2.5: Resic  
 RR-5: Resic  
 R-7: Resic  
 MHP: Mobile  
 MHP-R: Mob  
 MHS: Mobile  
 RVP: Recre

Highways  
 Major Road  
 Creeks - P  
 Creeks - Ir  
 Section Center  
 January 18, 2018

Vicinity Map  
 January 18, 2018  
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### Emergency Services

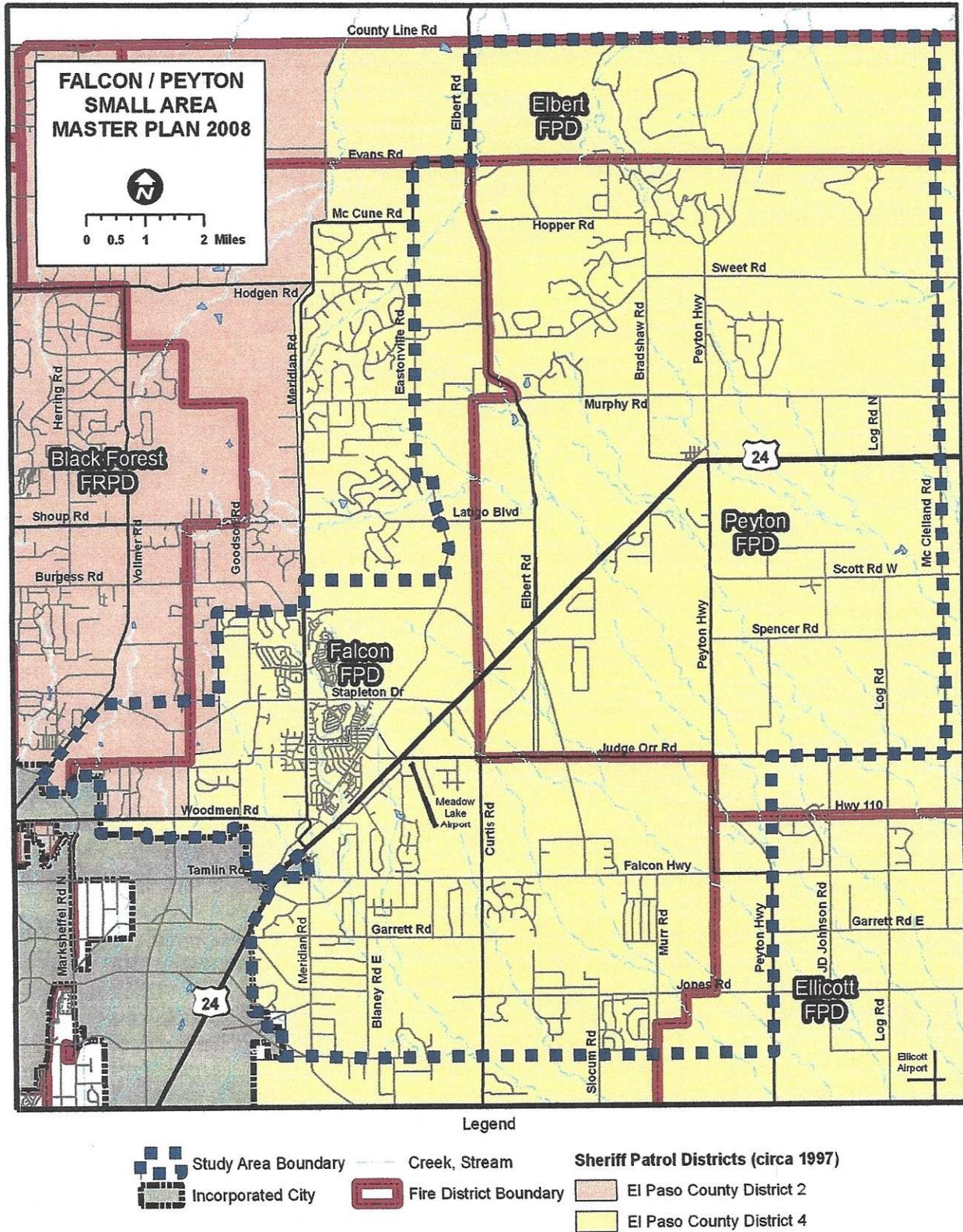


Figure 2-25 - Emergency Services Map

### School Districts and Facilities

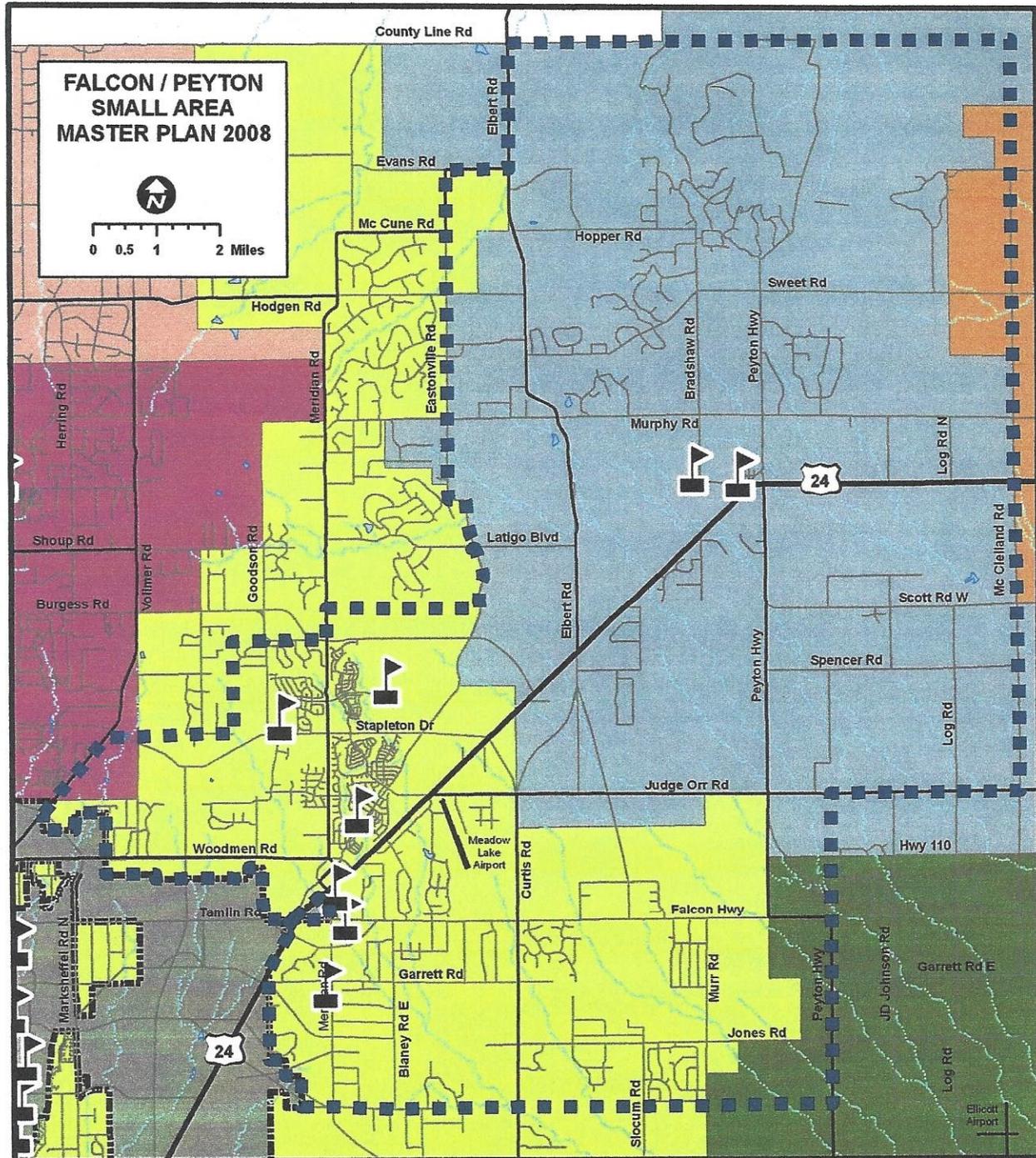


Figure 2-24 - School District Map

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659853 HARRIET BEALS

2285 PAGE 310

AVIGATION EASEMENT

WHEREAS, HELEN DOLORES CONOVER, hereinafter called the Grantor, is the owner in fee simple of those certain parcels of land situated in the County of El Paso, State of Colorado, to-wit: all that property described on the attached Exhibit A, and

NOW THEREFORE, the Grantor, for herself, her heirs, administrators, executors, successors and assigns, does hereby grant, bargain, sell and convey unto the Meadow Lake Airport, presently an unincorporated association, hereinafter called the Grantee, its successors and assigns, ~~for the use and benefit of the public, an~~ easement and right of way, appurtenant to the Meadow Lake Airport, for the passage of all aircraft ("aircraft" being defined for the purposes of this instrument as any device now known or hereafter invented, used, or designed for navigation of or flight in the air) by whomsoever owned and operated, in the airspace above the surface of Grantor's property to an infinite height above said Grantor's property, together with the right to cause in said airspace such noise, vibration, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on said Meadow Lake Airport not inconsistent with State or local law, and Grantor hereby waives, remises and releases any right or cause of action which she or her assigns now has or which she and her successors, administrators, executors, or assigns may have in the future against Grantee, its successors and assigns, due to such noise, vibration and other effects that may be caused by the operation of aircraft landing at, taking off from, or operation at or on said Meadow Lake Airport.

TO HAVE AND TO HOLD said easement and right of way and all rights appertaining thereto unto the Grantee, its successors and



## EXHIBIT A

1. Meadow Lake Estates No. 1, a subdivision of El Paso County
2. Vacation and Refiling of a portion of Meadow Lake Estates No. 1, a subdivision in El Paso County.

3. That part of the Northeast quarter of the Northwest quarter (NE 1/4 NW 1/4) lying Southeast (SE) of the railroad, of Section Thirty-three (33), Township Twelve (12) South, Range Sixtyfour (64) West of the Sixth P.M.; the South half of the Southwest quarter (S 1/2 SW 1/4); and the Southwest quarter of the Southeast quarter (SW 1/4 SE 1/4), except road, of Section Thirty-three (33), Township Twelve (12) South, Range Sixty-four (64) West of the Sixth P. M.; the Southeast quarter of the Northwest quarter (SE 1/4 NW 1/4) lying Southeast (SE) of the railroad; the East half of the Southwest quarter (E 1/2 SW 1/4); the South half of the Southeast quarter (S 1/2 SE 1/4), ~~except road, of Section Thirty-three (33),~~ Township Twelve (12) South, Range Sixty-four (64) West of the Sixth P. M.; the Northwest quarter (NW 1/4) of Section Four (4), Township Thirteen (13) South, Range Sixty-four (64) West of the Sixth P. M.; Lots 1 and 2, being all of the North half of the Northeast quarter (N 1/2 NE 1/4); and the Southeast quarter of the Northeast quarter (SE 1/4 NE 1/4) of Section Four (4), Township Thirteen (13) South, Range Sixty-four (64) West of the Sixth P. M.; that part of the North half (N 1/2), lying South and East of the Rock Island Railway of Section Five (5), Township Thirteen (13) South, Range Sixty-four (64) West of the Sixth P. M.; and

the Southwest quarter (SW 1/4) of Section Four (4), Township Thirteen (13) South, Range Sixty-four (64) West of the Sixth P. M.; the South half (S 1/2), lying South and East of the Rock Island Railway, of Section Five (5), Township Thirteen (13) South, Range Sixty-four West of the Sixth P. M.; the Southeast quarter (SE 1/4), lying South and East of the Rock Island Railway, of Section Six (6), Township Thirteen (13) South, Range Sixty-four (64) West of the Sixth P. M.; all, except road, of Section Eight (8), Township Thirteen (13) South, Range Sixty-four (64) West of the Sixth P. M.

01970572

90 OCT 11 PM 3: 14

Enclosure 13e(2)

ARDIS W. SCHMITT  
EL PASO COUNTY CLERK & RECORDER

BOOK 5780 PAGE 1348

30<sup>00</sup>

**CLEAR ZONE AVIGATION EASEMENT**

THIS INDENTURE made this 7<sup>th</sup> day of SEPTEMBER, 1990, between Randy M. Pech and Valery J. Pech, hereinafter referred to as the "Grantors," and the Meadow Lake Airport Association, a Colorado not for profit corporation, hereinafter referred to as the "Grantee."

The Grantors, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration paid by the Grantee to the Grantors, the receipt and sufficiency of which are hereby acknowledged, do hereby grant unto the Grantee, its successors and assigns a perpetual and assignable easement over that certain parcel of land which the Grantors own in fee simple lying within the approach area as hereinafter described of Runway 15 of the Meadow Lake Airport, situate in the County of El Paso, State of Colorado, described on Exhibit A attached hereto.

The Grantors agree that they, their heirs, successors and assigns shall not hereafter erect or permit the erection of any structure or growth of any tree or other object within the parcel lying within the said Runway 15 clear zone approach area to a height above the clear zone approach surface hereinafter described. The runway clear zone approach area is delineated on Exhibit B. Upon the recording of this Clear Zone Avigation Easement, any prior clear zone avigation easement across Grantors' real property for Runway 15 shall be replaced by this Clear Zone Avigation Easement.

The Grantors further agree that the easement and rights hereby granted to the Grantee in and over that portion of the parcel which lies within the said Runway 15 clear zone approach area for the purpose of ensuring that the said Runway 15 clear zone approach area shall remain free and clear of any structure, tree or other object which is or would constitute an obstruction or hazard to the flight of aircraft in landing or take off from the said Meadow Lake Airport; that these rights shall include, but not be limited to, the following:

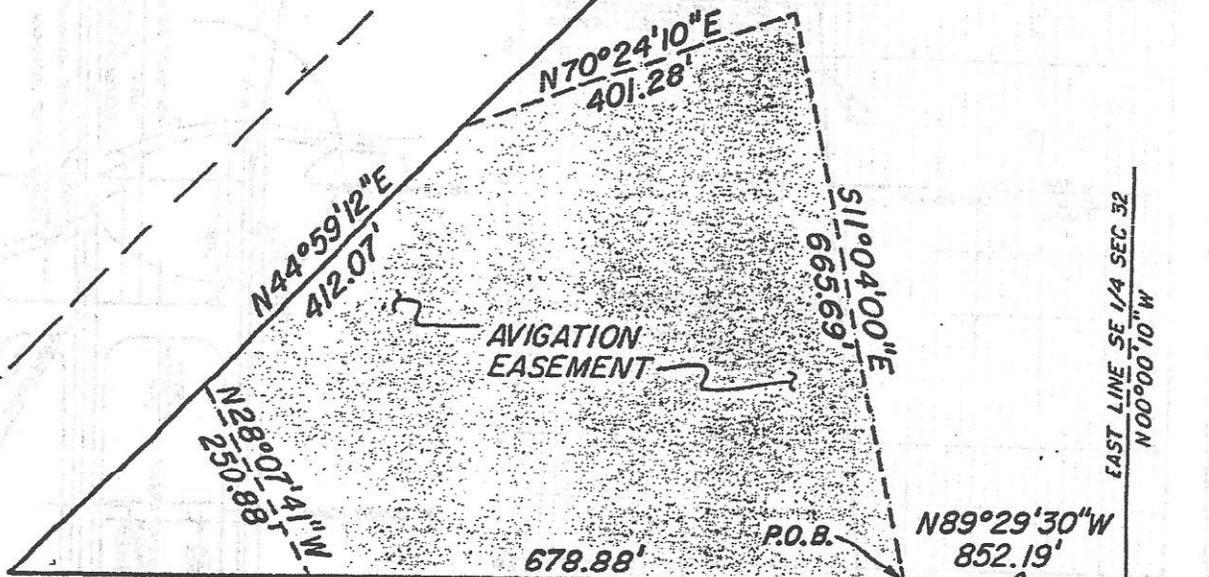




SCALE: 1" = 200'

U.S. HIGHWAY 24

PT. S 1/2, SE 1/4  
SEC 32-12-64



EAST LINE SE 1/4 SEC 32  
N 00°00'10\"/>

NO. 5 REBAR  
SW COR  
SE 1/4 SEC 32

P.O.C.  
NO. 5 REBAR  
@ S.E. COR  
SE 1/4  
SEC 32

BLOCK 6B  
VACATION AND REFLING  
MEADOWLAKE ESTATES  
FIL NO. 1  
PLAT BK 1-2, PG 91

MEADOWLAKE AIRPORT  
FIL NO. 1  
PLAT BK 0-2, PG 62

AVIGATION EASEMENT

WHEREAS, Robert C. Norris and Jane Wright Norris, as Trustee of the Robert C. Norris Family Trust, hereinafter called in the singular "Grantor," is the owner in fee simple of those certain parcels of land situated in the County of El Paso, State of Colorado, to wit:

All of Section 9, Township 13 South, Range 64 West of the 6th P.M., El Paso County, Colorado.

NOW, THEREFORE, the Grantor, for itself, its heirs, administrators, executors, successors and assigns, does hereby grant, bargain, sell and convey unto the Helen D. Conover Living Trust, hereinafter called the "Grantee," its successors and assigns, for the use and benefit of all members of the Meadow Lake Airport Association and the general public, easement and right of way, appurtenant to the Meadow Lake Airport, for the passage of all aircraft ("aircraft" being defined for the purposes of this instrument as any device now known or hereafter invented, used or designed for navigation of or flight in the air), by whomsoever owned and operated, in the airspace above the surface of Grantor's property to an infinite height above said Grantor's property, together with the right to cause in said airspace such noise, vibration and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on said Meadow Lake Airport not inconsistent with state or local law, and Grantor hereby waives, remises and releases any right or cause of action which she or her assigns now has or which she and her successors, administrators, executors or assigns may have in the future against Grantee, its successors and assigns, due to such noise, vibration and other effects that may be caused by the operation of aircraft landing at, taking off from or operation at or on said Meadow Lake Airport.

TO HAVE AND TO HOLD said easement and right of way and all rights appertaining thereto unto the Grantee, its successors and assigns until said Meadow Lake Airport shall be abandoned and shall cease to be used for public airport purposes, it being understood and agreed that these covenants and agreements shall run with the land.

ASSIGNMENT OF AVIGATION EASEMENT

I, Linda C. Renneberger, Trustee of the Helen D. Conover Living Trust, hereby assign all of the Trust's right, title and interest in and to the above and foregoing Avigation Easement between Robert C. Norris and the Robert C. Norris Family Trust, as Grantor, and the Helen Dolores Conover Revocable Trust, as Grantee, to Meadow Lake Airport Association this \_\_\_\_ day of \_\_\_\_\_, 1990.

HELEN D. CONOVER LIVING TRUST

By \_\_\_\_\_  
Linda C. Renneberger, Trustee

STATE OF COLORADO    )  
                                  ) ss.  
COUNTY OF EL PASO    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 1990 by Linda C. Renneberger as Trustee of the Helen Dolores Conover Revocable Trust.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

01992636

91 JAN -3 PM 3: 25

Enclosure 13e(4)

BOOK 5802 INDEX 1290

ARDIS W. SCHMITT  
EL PASO COUNTY CLERK & RECORDER

CLEAR ZONE AVIGATION EASEMENT

THIS INDENTURE made this 21<sup>st</sup> day of Dec, 1990, between Johnson Aircraft, Inc., hereinafter referred to as the "Grantor," and the Meadow Lake Airport Association, a Colorado not for profit corporation, hereinafter referred to as the "Grantee." 3000

The Grantor, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration paid by the Grantee to the Grantor, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto the Grantee, its successors and assigns a perpetual and assignable easement over that certain parcel of land which the Grantor owns in fee simple lying within the approach area as hereinafter described of Runway 15 of the Meadow Lake Airport, situate in the County of El Paso, State of Colorado, described on Exhibit A attached hereto.

The Grantor agrees that it, its heirs, successors and assigns shall not hereafter erect or permit the erection of any structure or growth of any tree or other object within the parcel lying within the said Runway 15 clear zone approach area to a height above the clear zone approach surface hereinafter described. The Runway clear zone approach area is delineated on Exhibit B.

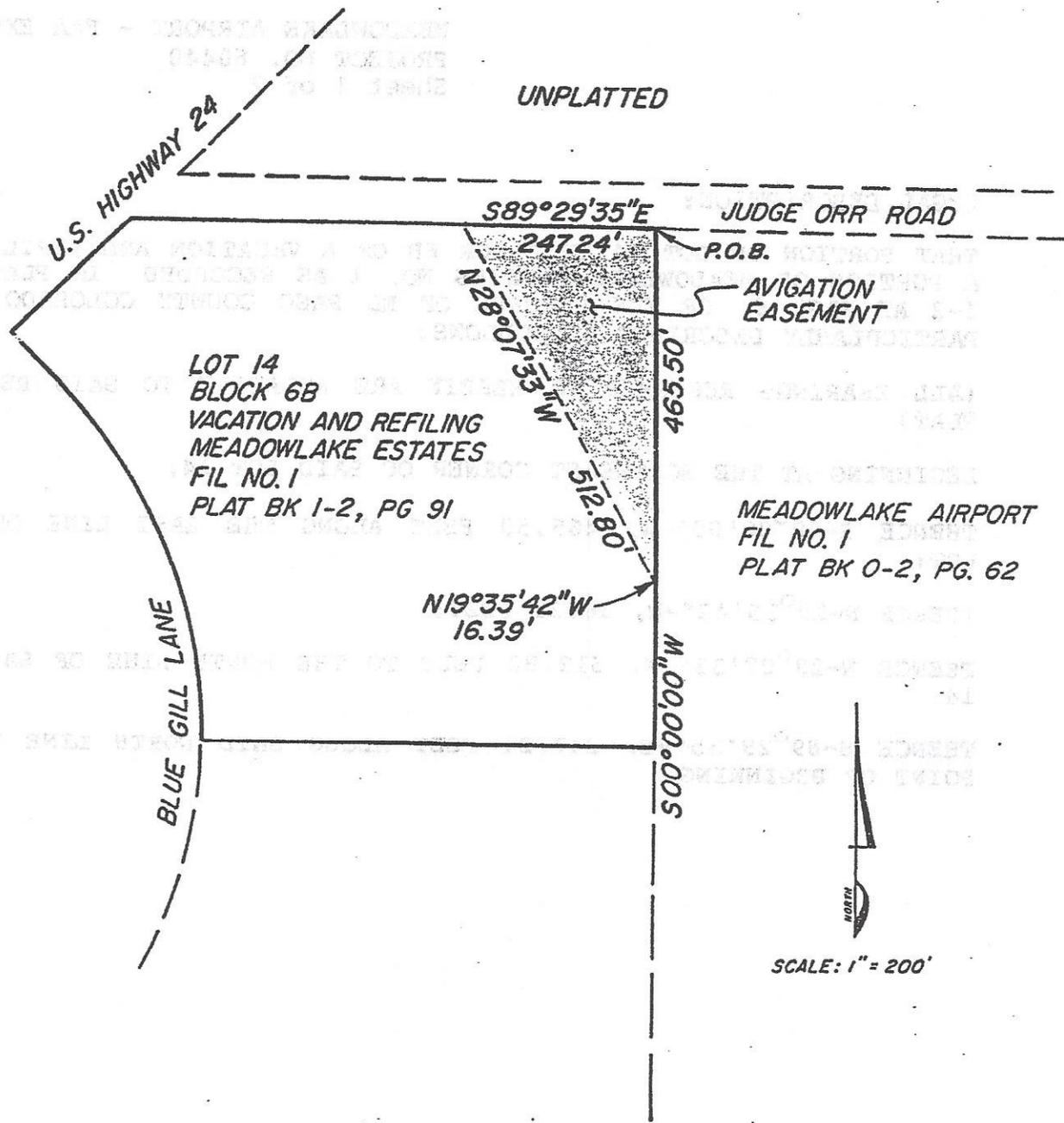
The Grantor further agrees that the easement and rights hereby granted to the Grantee in and over that portion of the parcel which lies within the said Runway 15 clear zone approach area for the purpose of ensuring that the said Runway 15 clear zone approach area shall remain free and clear of any structure, tree or other object which is or would constitute an obstruction or hazard to the flight of aircraft in landing or take off from the said Meadow Lake Airport; that these rights shall include, but not be limited to, the following:

1. For the use and benefit of the public the right of flight for the passage of aircraft in the airspace above the Runway 15 clear zone approach surface hereinafter described, together with the right to cause in said airspace such noise and such incidence of flight as may be inherent



# MVE, INC.

ENGINEERS — SURVEYORS  
LEGAL DESCRIPTION SKETCH





ARDIS W. SCHMITT  
EL PASO COUNTY CLERK & RECORDER

1 of 6

3000  
100

AVIGATION AND HAZARD EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT

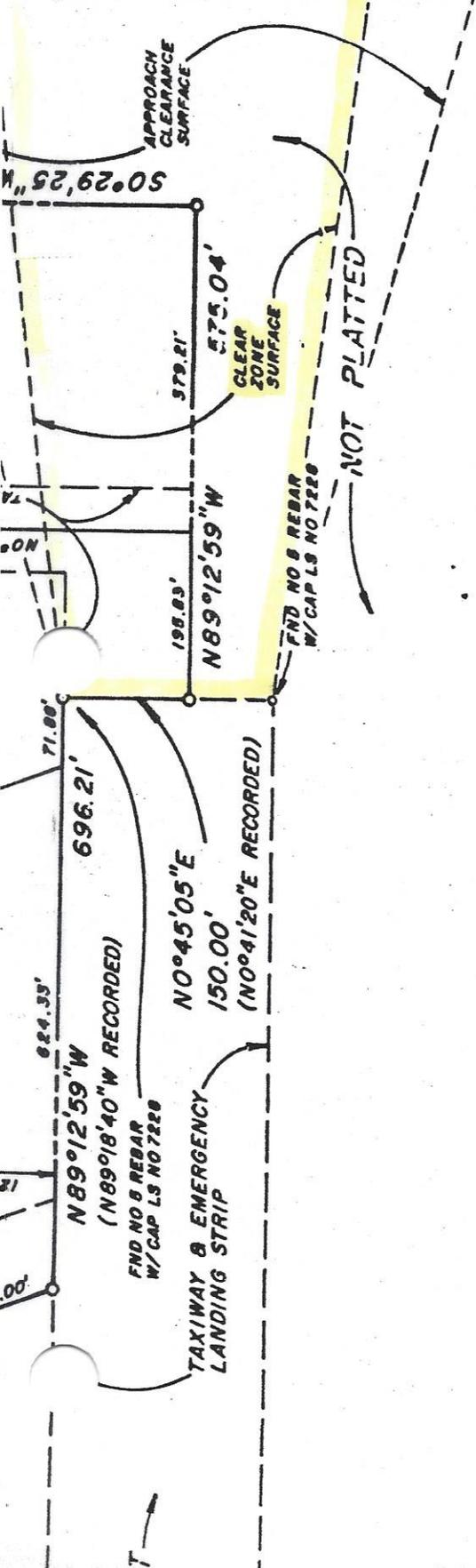
WHEREAS, Thomas D. Pfost, hereinafter referred to as the "Grantor," owns an interest in that tract of land described in Exhibit A attached hereto.

NOW, THEREFORE, in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantors, for themselves, their heirs, personal representatives, successors and assigns, do hereby grant, bargain, sell and convey unto the Meadow Lake Airport Association, their successors and assigns, hereinafter referred to as the "Grantees," for the use and benefit of the public, an easement and right-of-way, appurtenant to the Meadow Lake Airport, for the unobstructed passage of all aircraft, ("aircraft" being defined for the purpose of this instrument as any contrivance now know or hereafter invented, used or designed for navigation of or flight in the air) by whomsoever owned and operated in the airspace above Grantors' property to an infinite height, together with the right to cause in all airspace above the surface of Grantors' property such noise, vibrations, fumes, dust, fuel particles, and all other effects that may be caused by the operation of aircraft landing at, or taking off from, or operating at or on the now existing runways of said Meadow Lake Airport, as shown on Exhibit B attached hereto.

Grantors do hereby waive, remise and release any right or cause of action which they may now have or which they may have in the future against Grantees, their successors and assigns, with respect to Grantors' property due to such noise, vibrations, fumes, dust, fuel particles, and all other effects that may be caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating at or on the now existing runways of said Meadow Lake Airport. Nothing stated in the foregoing waiver, grant and release shall release any person from liability for damages or divest the Grantors, their heirs, personal representatives, successors and assigns from any right or cause of action for damages by any aircraft at any altitude over and across Grantors' property.

The property burdened by this easement may not be used in a manner as to result in electromagnetic, light, or any other physical emissions, which might interfere with aircraft avigation, communications aids, interfere with radio communication between aircraft and the Airport, or said Airport's lights and lights of aircraft, result in glare in the eyes of flyers using said Airport, impair visibility in the vicinity of said Airport or otherwise endanger the landing, taking-off, or maneuvering of aircraft.





8. ALL STRUCTURAL FOUNDATIONS SHALL BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER, CURRENTLY REGISTERED IN THE STATE OF COLORADO.
9. ALL PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO AN AVIGATION EASEMENT AS RECORDED AT BOOK 2289, PAGE 310, OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.
10. TEMPORARY TURNAROUND PROVISIONS SHALL BE RELINQUISHED UPON THE COMPLETION OF ROAD EXTENSION.
11. NO LOT, OR INTEREST THEREIN, SHALL BE SOLD, CONVEYED OR TRANSFERRED WHETHER BY DEED OR BY CONTRACT, NOR SHALL BUILDING PERMITS BE ISSUED, UNTIL AND UNLESS THE REQUIRED PUBLIC IMPROVEMENTS HAVE BEEN CONSTRUCTED AND COMPLETED IN ACCORDANCE WITH THE SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE APPLICANT AND EL PASO COUNTY AS RECORDED AT BOOK PAGE , IN THE OFFICE OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO, OR IN THE ALTERNATIVE, OTHER COLLATERAL IS PROVIDED WHICH IS SUFFICIENT IN THE JUDGEMENT OF THE BOARD OF COUNTY COMMISSIONERS, TO MAKE PROVISION FOR THE COMPLETION OF SAID IMPROVEMENTS. IF THE PUBLIC IMPROVEMENTS ARE NOT INSTALLED AND LEGALLY ACCEPTED WITHIN 18 MONTHS FROM THIS DATE, SAID PLAT MAY BE VACATED AFTER THE APPROPRIATE PUBLIC HEARINGS.
12. HEIGHT OF ALL STRUCTURES WITHIN THIS SUBDIVISION IS SUBJECT TO THE LIMITATIONS DEFINED IN PART 77 OF THE FEDERAL AVIATION REGULATION ENTITLED, OBJECTS AFFECTING NAVIGABLE AIRSPACE.

SCHOOL FEE: \$ 550.00      PARK FEE: \$ 100.00      Receipt # 3506



**AIRSPACE AVIGATION EASEMENT**

This indenture, made this \_\_\_th day of \_\_\_\_, 2019, between \_\_\_\_\_ (hereinafter "GRANTOR"), and the Meadow Lake Airport Association (hereinafter "GRANTEE"), provides that:

**A.** The GRANTOR for and in consideration of fulfillment of a condition of project approval and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to the GRANTEE, its successors and assigns, a perpetual and assignable easement in and over that certain parcel of real property more particularly identified and described in Exhibit A attached hereto and made a part hereof (said parcel hereinafter referred to as PARCEL), and a right-of-way for the free and unrestricted passage and flight of aircraft of the class, size and category as is now or hereinafter may be operationally compatible with Meadow Lake Airport, in, through, across and about the airspace above imaginary planes, as such those planes as defined by Part 77 of the Federal Aviation Regulations; Federal Aviation Administration (FAA) *Airport Design Advisory Circular* (current version); and *United States Standard for Terminal Instrument Procedures (TERPS)* (current version) over said PARCEL, as described below (hereinafter "Airspace").

**B.** The Airspace for avigation easement purposes above said PARCEL consists of the following, further depicted on Exhibit B attached hereto:

all of the air space above the imaginary planes that are described by Part 77 of the Federal Aviation Regulations.

all of the air space above the relevant imaginary planes that are described by the latest version of the FAA *Airport Design Advisory Circular* (current version).

all of the air space above the relevant imaginary planes that are described by the latest version of the *United States Standard for Terminal Instrument Procedures (TERPS)* as described in the FAA Order (current version)

**C.** The aforesaid easement and right-of-way described in Paragraphs A and B includes but is not limited to:

**1.** For the use and benefit of the public, the easement and continuing right to fly, or cause or permit the flight by any and all persons or aircraft, of the class, size and category as is now or hereinafter may be operationally compatible with Meadow

Lake Airport, in, through, across or about any portion of the Airspace hereinabove described; and

2. The easement and right to cause or create, or permit or allow to be caused or created within the Airspace, such noise, dust, turbulence, vibration, illumination, air currents, fumes, exhaust, smoke and all other effects as may be inherent in the proper operation of aircraft, now known or hereafter used for navigation of or flight in air; and

3. The continuing and perpetual right to clear and keep clear the Airspace of any portions of buildings, structures, or improvements of any and all kinds, and of trees, vegetation, or other objects, including the right to remove or demolish those portions of such buildings, structures, improvements, trees or any other objects which extend into said Airspace and the right to cut to the ground level and remove any trees which extend into the Airspace; and

4. The right to mark and light, or cause or require to be marked or lighted, as obstructions to air navigation, any and all buildings, structures, or other improvements, and trees or other objects now upon, or that in the future may be upon, said PARCEL, and which extend into the Airspace; and

5. The right of ingress to, passage within, and egress from said PARCEL, solely for the above stated purposes.

D. GRANTOR, on behalf of itself, its successors and assigns hereby covenants with the GRANTEE, Meadow Lake Airport Association, as follows:

1. GRANTOR, its successors and assigns, will not construct, install, permit or allow any building, structure, improvement, tree, or other object on said PARCEL, to extend into the Airspace, or to constitute an obstruction to air navigation, or to obstruct or interfere with the use of the easement and right-of-way herein granted; and

2. GRANTOR, its successors and assigns, will not hereafter use or permit the use of said PARCEL in such a manner as to create electrical or electronic interference with radio communication or radar operation between any installation upon Meadow Lake Airport and any aircraft.

E. The easement and right-of-way herein granted shall be deemed both appurtenant to and for the direct benefit of that real property which now or hereinafter constitutes Meadow Lake Airport, and shall further be deemed in gross, being conveyed to the GRANTEE for the benefit of the GRANTEE, and any and all members of the general public who may use said easement or right-of-way, taking off from,

landing upon, or operating such aircraft in or about the Meadow Lake Airport or in otherwise flying through said Airspace.

F. This grant of aviation easement shall not operate to deprive the GRANTOR, its successors or assigns, of any rights that it may otherwise have from time to time against any individual or private operator for negligent or unlawful operation of aircraft.

G. It is understood and agreed that these covenants and agreements run with the land and shall be binding upon the heirs, representatives, administrators, executives, successors, and assigns of the GRANTOR, and that for the purposes of this instrument, the PARCEL shall be the servient easement and Meadow Lake Airport shall be the dominant tenement.

H. The aviation easement, covenants and agreements described herein shall continue in effect until the Meadow Lake Airport shall be abandoned or shall cease to be used for public airport purpose, at which time it shall terminate.

I. Grantors agree to waive all damages and claims for damages caused or alleged to be caused by the Grantors violation of any aspect of this easement document.

J. \_\_\_\_\_, ("LENDER") made a loan to GRANTOR for the PARCEL which is secured by a mortgage and Deed of Trust recorded in the Clerk and Recorders Office of El Paso County on \_\_\_\_\_ at Reception Number \_\_\_\_\_ (the "Mortgage"). The Lender is willing to subordinate the Mortgage to this Airspace Aviation Easement in order to facilitate execution of this Airspace Aviation Easement. The Lender agrees that its Mortgage and all rights, interests, claims and remedies under the Mortgage shall be subordinate to this Airspace Aviation Easement and GRANTEE's rights thereunder with the same force and effect as if this Airspace Aviation Easement had been executed and recorded prior to the Mortgage.

IN WITNESS WHEREOF, the GRANTOR has hereunto set its/his/her hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

GRANTOR

\_\_\_\_\_  
By:

Printed Name:

Title:

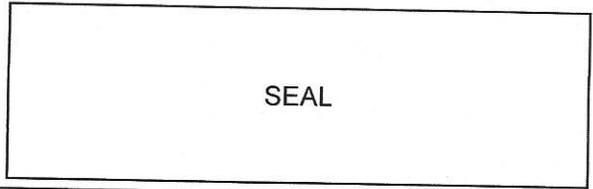
State of Colorado  
County of \_\_\_\_\_

Signed and sworn to [or affirmed] before me on \_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_ (name(s) of individual(s) making statement).

\_\_\_\_\_  
(Notary's official signature)

\_\_\_\_\_  
(Title of office)

\_\_\_\_\_  
(Commission Expiration)



IN WITNESS WHEREOF, the GRANTOR has hereunto set its/his/her hands and  
seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

LENDER

\_\_\_\_\_  
By:  
Printed Name:  
Title:

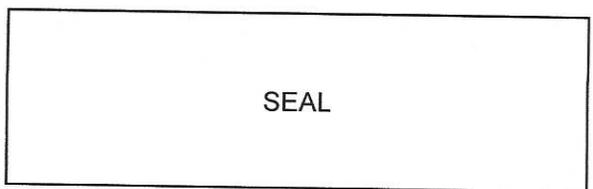
State of Colorado  
County of \_\_\_\_\_

Signed and sworn to [or affirmed] before me on \_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_ (name(s) of individual(s) making statement).

\_\_\_\_\_  
(Notary's official signature)

\_\_\_\_\_  
(Title of office)

\_\_\_\_\_  
(Commission Expiration)



MEADOW LAKE AIRPORT

# Property Boundary

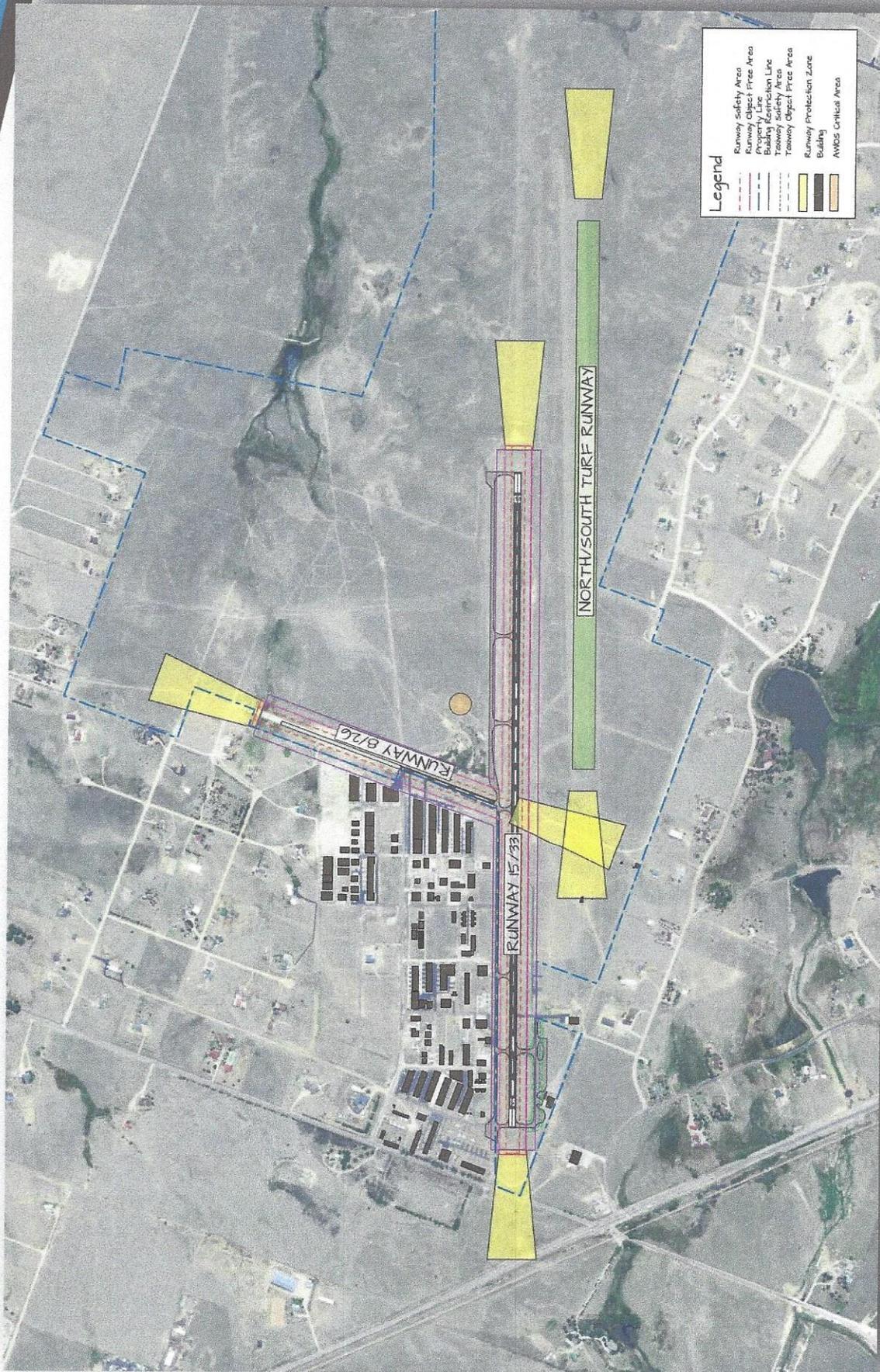


AVIATION

Note: Private Property Not Included in Airport Facility Requirements or Alternatives

MEADOW LAKE AIRPORT

# Existing Airport Facilities



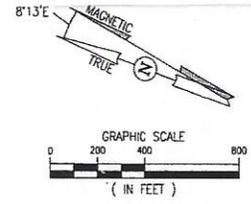
JVIATION



AIRPORT FACILITY LEGEND		
EXISTING ID	ITEM	TOP ELEVATIONS
①	PERMANENT BUILDING	6,271.34
②	ROAD	6,280.00
③	ROAD	6,280.00
④	ROAD	6,280.00
⑤	UNIMPAVED PAVEMENT AND ASPHALT DRIVE	6,270.00
⑥	AIRPORT ROADWAY	6,271.34

**NOTES:**

1. ALL DIMENSIONS UNLESS OTHERWISE INDICATED ARE IN FEET. ALL VERTICAL DIMENSIONS IN FEET.
2. DIMENSIONS BASED ON SURVEY CONDUCTED ON EXISTING RUNWAY 15/33 BY JORDAN SURVEYING CO. IN 2014. POINTS OF INTERSECTION AND POINTS OF BEGINNING SURVEY TO BE SHOWN.
3. ALL BUILDINGS AND STRUCTURES ARE SHOWN AS PRIVATE PROPERTY AND NOT PUBLICLY OWNED.
4. VERTICAL POSITIONS AND HORIZONTAL POSITIONS FROM THE NATIONAL SPATIAL DATASET TO GEOGRAPHICAL SURVEY DATUM 1983 (NAD 83).
5. POINT BEARING BETWEEN POINTS IS AS WELL AS BEARING FROM THE POINT AND BEING USED UPON THE BASIS OF MEASURED AIRPORT FINAL ALIGNMENT AND CONSTRUCTION DATED TO BE DETERMINED.
6. AERIAL PHOTO FROM GOOGLE EARTH, DATED 7/2012.



DATE: APRIL 2015  
ANNUAL RATE OF CHANGE: 0"6"W  
SOURCE: U.S. NGDC

**CONDITIONALLY APPROVED**

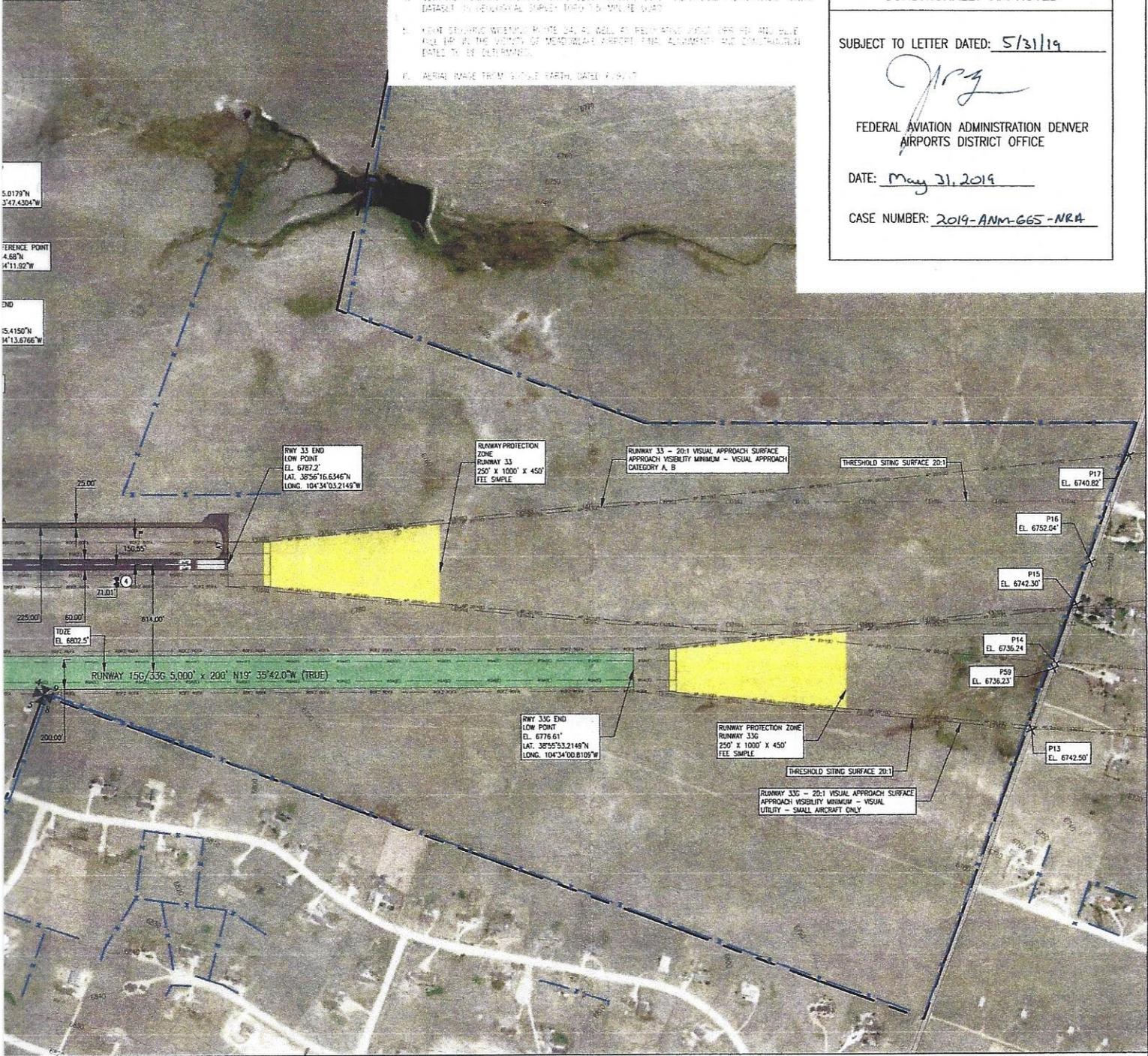
SUBJECT TO LETTER DATED: 5/31/19

*Jrg*

FEDERAL AVIATION ADMINISTRATION DENVER  
AIRPORTS DISTRICT OFFICE

DATE: May 31, 2019

CASE NUMBER: 2019-ANM-665-NRA



ISSUE RECORD	
DESCRIPTION	

**AIRPORT  
LAYOUT PLAN**

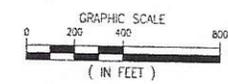
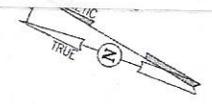
**AIRPORT LAYOUT PLAN -  
EXISTING**

CDAG GRANT NO. 2014-FLY-01	JVIATION PROJ. NO. 2014.FLY.01	DATE: MAY 2019
-------------------------------	-----------------------------------	-------------------

SHEET NO.  
03 of 21



AIRPORT FACILITY LEGEND			
EXISTING ID	ITEM	FUTURE ID	TOP ELEVATION
		1	6,774.30
		2	6,774.00
		3	6,774.00
		4	6,774.00
		5	6,774.00
		6	6,774.00
		7	6,774.00
		8	6,774.00
		9	6,774.00
		10	6,774.00



DATE: APRIL 2015  
ANNUAL RATE OF CHANGE: 0.6"W  
SOURCE: U.S. NGDC

CONDITIONALLY APPROVED

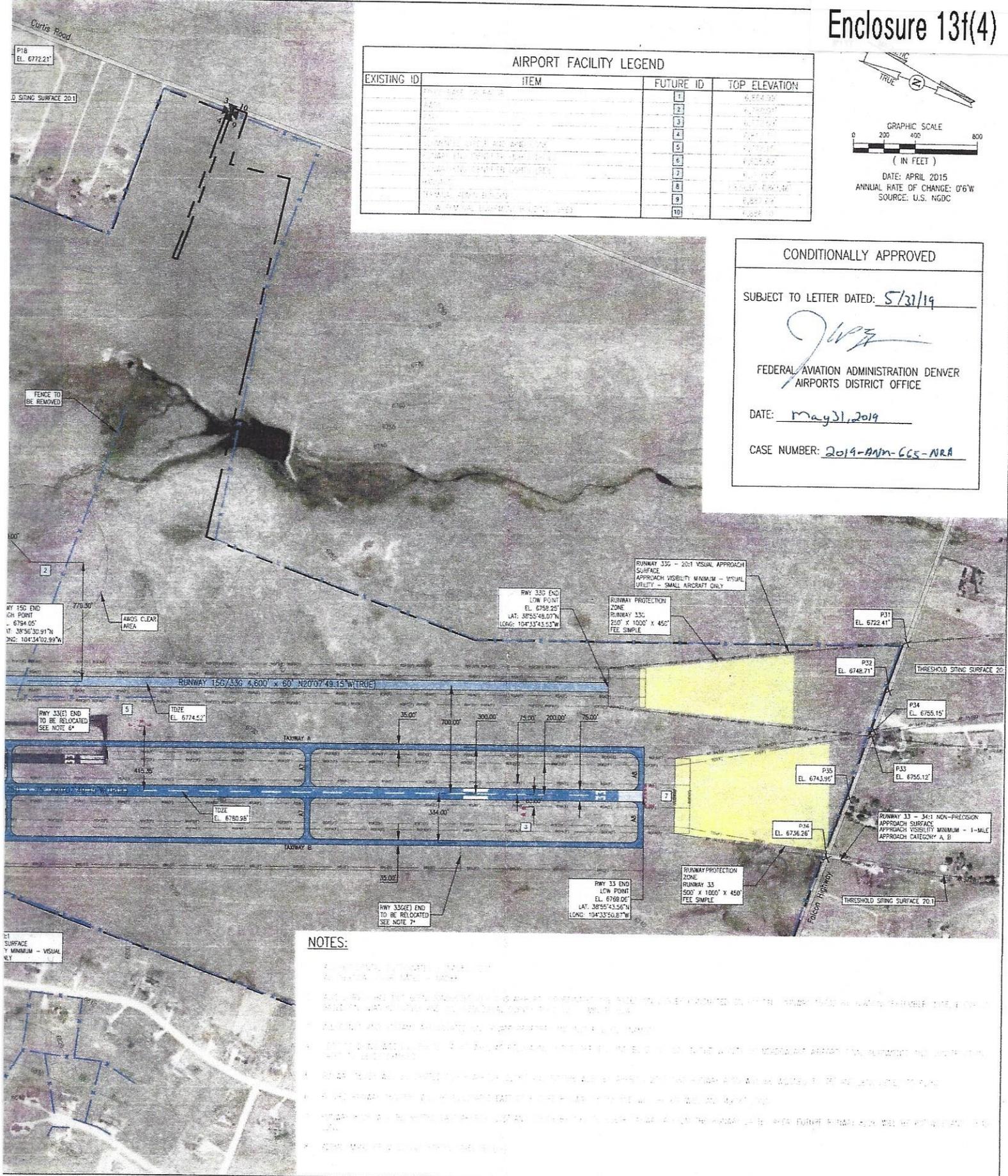
SUBJECT TO LETTER DATED: 5/31/19

*[Signature]*

FEDERAL AVIATION ADMINISTRATION DENVER AIRPORTS DISTRICT OFFICE

DATE: May 31, 2019

CASE NUMBER: 2019-ANM-665-NRA



NOTES:

1. ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE SPECIFIED.
2. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
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8. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
10. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.

ISSUE RECORD		AIRPORT LAYOUT PLAN	AIRPORT LAYOUT PLAN - FUTURE			SHEET NO. 04 of 21
DESCRIPTION	DATE		CDAG GRANT NO. 2014-FLY-01	AVIATION PROJ. NO. 2014.FLY.01	DATE MAY 2019	



### Meadow Lake Airport Influence Area

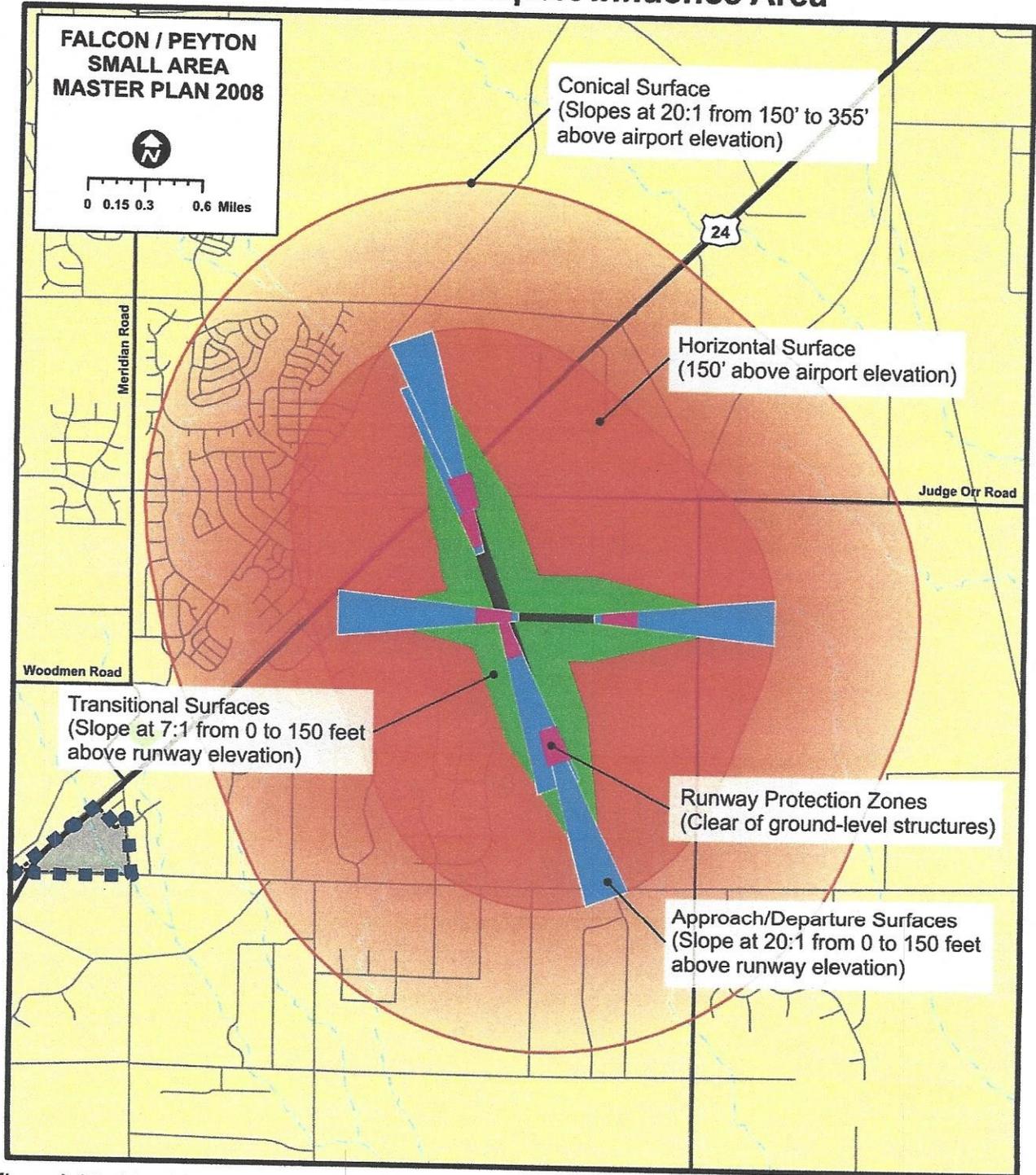
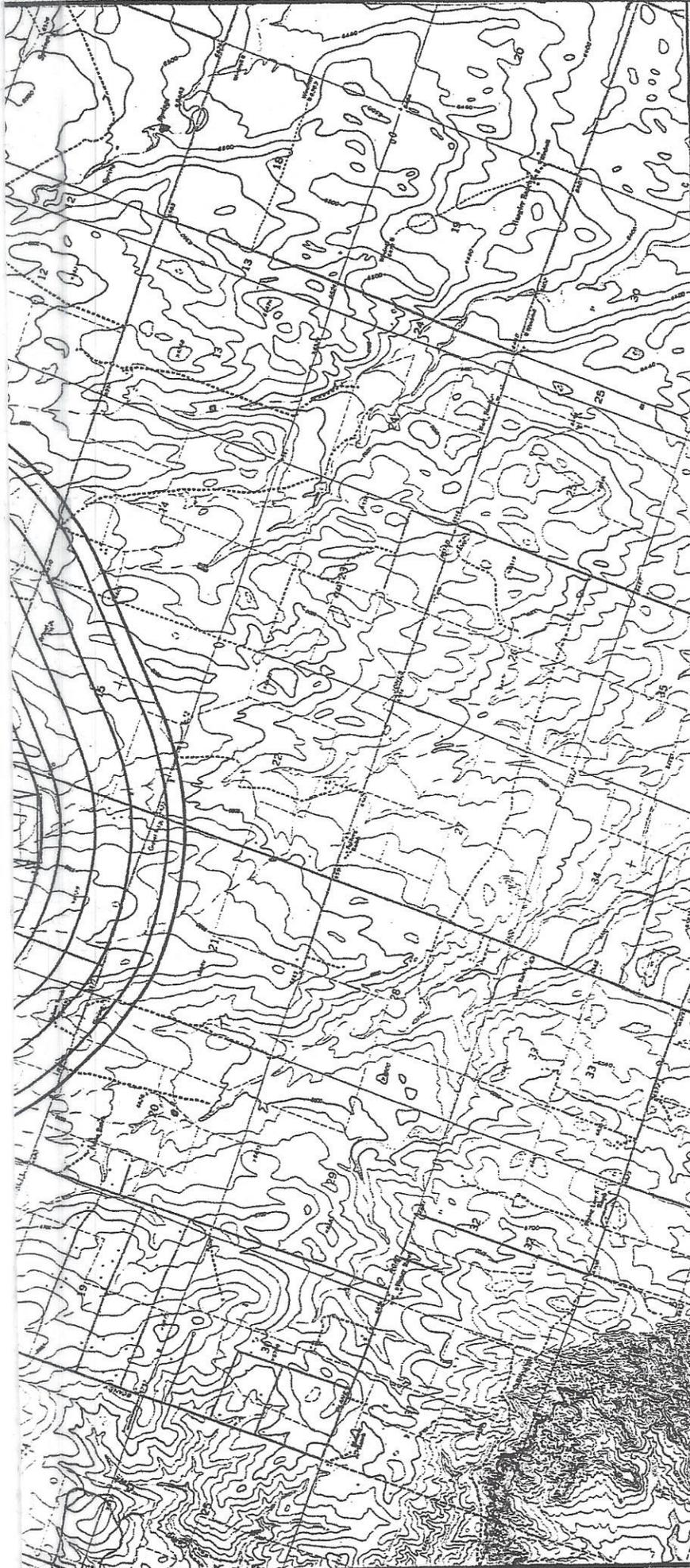


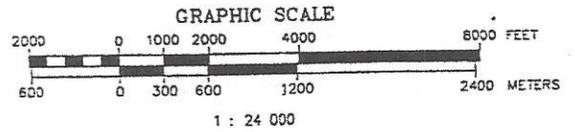
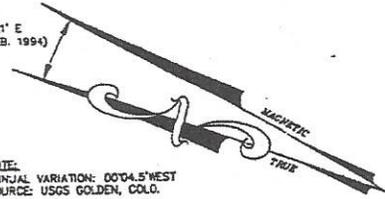
Figure 2-22 - Meadow Lake Airport Influence Area



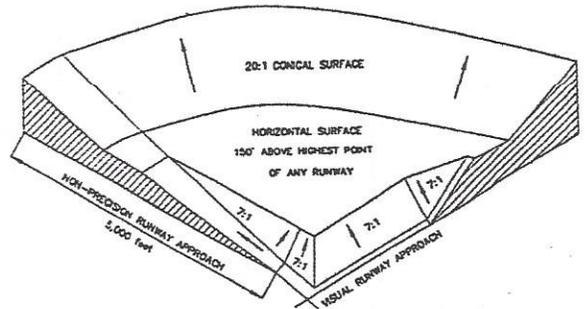
**NOTES:**

1. PRIMARY RUNWAY 15L-33R (F) IS 8,300 FEET IN LENGTH AS SHOWN.  
 RUNWAY 8-26 (F) IS 3,400 FEET IN LENGTH AS SHOWN.  
 RUNWAY 15R-33L (F) IS 2,400 FEET IN LENGTH AS SHOWN.  
 PRIMARY SURFACE FOR 15L-33R IS 500 FEET WIDE BY 8,700 FEET IN LENGTH.  
 PRIMARY SURFACE FOR 8-26 IS 250 FEET WIDE BY 3,800 FEET IN LENGTH.  
 PRIMARY SURFACE FOR 15R-33L IS 250 FEET WIDE BY 2,800 FEET IN LENGTH.
2. THERE ARE NO KNOWN OBSTRUCTIONS (PER USGS & DENVER SECTIONAL AERONAUTICAL CHART).
3. U.S.G.S. 7.5 MINUTE TOPOGRAPHIC (QUAD) MAPS USED FOR CONTOUR BASE: FALCON, CO, DATED: 1961; EASTONVILLE, CO, DATED: 1954; HAEGLER RANCH, CO, DATED: 1954; CORRAL BLUFFS, CO, DATED 1961; FALCON NW, CO, DATED: 1961.
4. EXISTING RUNWAY 8-26 NOT SHOWN.

9°21' E  
(AS OF FEB. 1994)



TYPICAL ISOMETRIC VIEW OF F.A.R. PART 77 SURFACES  
(CUT ON RUNWAY CENTERLINES)



AIP PROJECT No. 3-08-0063-04

NO.	REVISION	APPROVED	DATE
DWG NO: AWD693AE	<b>MEADOW LAKE AIRPORT EL PASO COUNTY, COLORADO</b>		
DES: JCB	<b>AIRSPACE PLAN (PART 77)</b>		
DRAWN: JJS	<b>MSA, Inc.</b> AIRPORT CONSULTANTS, ENGINEERS AND PLANNERS 2101 SO. BLACKHAWK STREET, SUITE 200 AURORA, COLORADO 80014 (303) 368-7548		
CHECKED: JES			
DATE: JUNE 1996			
EXHIBIT IV			



# Meadow Lake Airport

Traffic Patterns

Enclosure 13g(3)

Google Earth

© 2018 Google

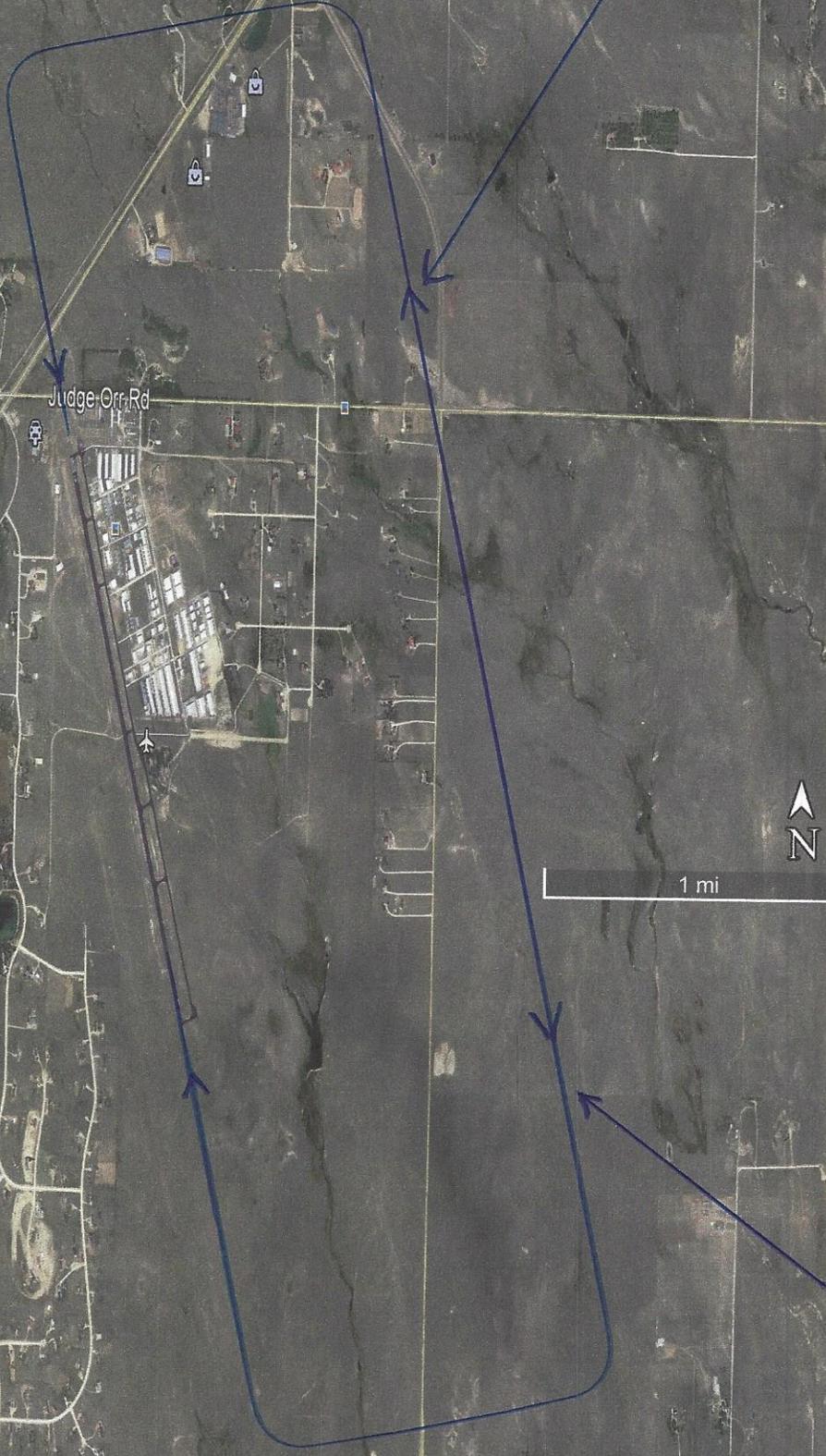
Judge Orr Rd

HWY 24

24



1 mi



# Meadow Lake Airport

Traffic Patterns

Enclosure 13g(4)

Google Earth

© 2018 Google

Hwy 24

Judge Orr Rd



1 mi

# Meadow Lake Airport

Traffic Patterns

Enclosure 13g(5)

Google Earth

© 2018 Google







**CERTIFICATION TO DISCHARGE  
UNDER  
CDPS GENERAL PERMIT COR400000  
STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES**

Certification Number: COR406129

This Certification to Discharge specifically authorizes:

**Owner Meadow Lake Airport Association  
Operator Martin Marietta Materials  
to discharge stormwater from the facility identified as**

**Meadow Lake Airport**

To the waters of the State of Colorado, including, but not limited to:

**Black Squirrel Creek, Arkansas River**

**Facility Activity :** Other- Existing airfield reconstruction

**Disturbed Acres:** 16 acres

**Facility Located at:** 13625 Judge Orr Road Peyton CO 80831  
El Paso County  
Latitude 38.952809 Longitude -104.574251

**Specific Information (if applicable):** Meadow Lake Airport KFLY 13550 Piper Lane Peyton, CO 80831

**Certification is issued and effective: 7/8/2019**  
**Expiration date of general permit: 3/31/2024**

This certification under the permit requires that specific actions be performed at designated times. The certification holder is legally obligated to comply with all terms and conditions of the permit.

This certification was approved by:  
Meg Parish, Section Manager  
Permits Section  
Water Quality Control Division



**COLORADO GROUND WATER COMMISSION  
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR DETERMINATION OF WATER RIGHT TO  
ALLOW THE WITHDRAWAL OF GROUND WATER IN THE UPPER BLACK SQUIRREL CREEK  
DESIGNATED GROUND WATER BASIN

---

APPLICANT: MEADOW LAKE AIRPORT ASSOCIATION, A NON-PROFIT CORPORATION

AQUIFER: DENVER

DETERMINATION NO.: **1046-BD**

---

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Meadow Lake Airport Association, a non-profit corporation, (hereinafter "applicant") submitted an application for determination of water right to allow the withdrawal of designated ground water from the Denver Aquifer.

**FINDINGS**

1. The application was received complete by the Colorado Ground Water Commission on September 1, 2006.
2. The applicant requests a determination of rights to designated ground water in the Denver Aquifer (hereinafter "aquifer") underlying 522 acres, generally described as the majority of the S $\frac{1}{2}$ , and a portion of the W $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 4, the majority of the E $\frac{1}{2}$  of the E $\frac{1}{2}$  of Section 5, and the NW $\frac{1}{4}$  of Section 9, all in Township 13 South, Range 64 West of the 6th Principal Meridian, in El Paso County. According to a signed statement dated April 16, 2006, the applicant owns the 522 acres of land, as further described in said affidavit which is attached hereto as Exhibit A, and claims control of the ground water in the aquifer underlying this land area.
3. The proposed annual amount of ground water to be allocated and withdrawn from the aquifer for intended beneficial uses is the maximum allowable amount.
4. The above described land area overlying the ground water claimed by the applicant is located within the boundaries of the Upper Black Squirrel Creek Designated Ground Water Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Colorado Ground Water Commission (hereinafter "Commission") has jurisdiction.
5. The applicant intends to apply the allocated ground water to the following beneficial uses: domestic, commercial, agricultural, irrigation, stock watering, fire protection, and augmentation. The applicant's proposed place of use of the allocated ground water is the above described 522 acre overlying land area and an additional 222.6 acres generally described as part of the N $\frac{1}{2}$  of the NE $\frac{1}{4}$ , the SW $\frac{1}{4}$ , and part of the W $\frac{1}{2}$  of the SE $\frac{1}{4}$  all in Section 9, Township 13 South, Range 64 West of the 6th P.M. The 222.6 acre additional place of use area is further described in Exhibit B of Determination No. 1044-BD.

6. The replacement water requirement for withdrawal of ground water from the aquifer underlying the 522 acres of overlying land claimed by the applicant consists of two different requirements, which effectively divides the claimed land into three areas. The amount of ground water in the aquifer and a maximum annual amount available for allocation will be determined specifically for the aquifer underlying each of the three areas. These areas are designated and described as follows:

Area A – 464 acres, generally described as the portion of the applicant's claimed overlying land area in the S $\frac{1}{2}$  of Section 4, the southeastern portion of the applicant's claimed overlying land area in the E $\frac{1}{2}$  of the E $\frac{1}{2}$  of Section 5, and the NW $\frac{1}{4}$  of Section 9, all in Township 13 South, Range 64 West of the 6th P.M.

Area B – 57.5 acres, generally described as the northern portion of the applicant's claimed overlying land area in W $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 4, northwestern portion of the applicant's claimed overlying land area in the E $\frac{1}{2}$  of the E $\frac{1}{2}$  of Section 5, Township 13 South, Range 64 West of the 6th P.M.

Area C – 0.5 acres, generally described as the southern portion of the applicant's claimed overlying land area in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 4, Township 13 South, Range 64 West of the 6th P.M.

These three areas are depicted in a map attached hereto as Exhibit B.

7. The quantity of water in the aquifer underlying the 1034 acres of land claimed by the applicant is as follows: Area A = 16,170 acre-feet; Area B = 2,199 acre-feet; Area C = 17 acre-feet. This determination was based on the following as specified in the Designated Basin Rules:
- The average specific yield of the saturated permeable material of the aquifer underlying the land under consideration that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 17 percent.
  - The average thickness of the saturated permeable material of the aquifer underlying the land under consideration that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is as follows: Area A = 205 feet; Area B = 225 feet; Area C = 200 feet.
8. At this time, there is no substantial artificial recharge that would affect the aquifer within a one hundred year period.
9. Pursuant to Section 37-90-107(7), C.R.S., and in accordance with the Designated Basin Rules, the Commission shall allocate ground water in the aquifer based on ownership of the overlying land and an aquifer life of one hundred years. Therefore, the maximum allowed average annual amount of ground water in the aquifer that may be allocated for withdrawal pursuant to the data in the paragraphs above for the 522 acres of overlying land claimed by the applicant is as follows: Area A = 162 acre-feet; Area B = 22.0 acre-feet; Area C = 0.17 acre-feet.

10. In accordance with Rule 5.3.2.4 of the Designated Basin Rules, the maximum average annual amount of ground water available for allocation from the aquifer underlying the 57.5 acre portion of land claimed by the applicant, designated Area B, is reduced to 21.0 acre-feet to allow for the annual withdrawal of a small capacity well which is completed in the aquifer, permit number 202235. Except for this well, review of the records in the Office of the State Engineer has disclosed that none of the water in the aquifer underlying the land claimed by the applicant has been previously allocated or permitted for withdrawal.
11. Pursuant to Section 37-90-107(7)(c)(III), C.R.S., an approved determination of water right shall be considered a final determination of the amount of ground water so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
12. The ability of wells permitted to withdraw the authorized amount of water from this non-renewable aquifer may be less than the one hundred years upon which the amount of water in the aquifer is allocated, due to anticipated water level declines.
13. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that the replacement water requirements for withdrawal of ground water from the aquifer underlying the subject land area are as follows:

Area A – Withdrawal of ground water from the aquifer underlying the 464 acre portion of land claimed by the applicant will, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the ground water is considered to be non-tributary ground water. Also, the location of the 464 acre portion of the land claimed by the applicant is closer than one mile from the aquifer contact with the alluvium. Withdrawal of water from the aquifer underlying the 464 acre portion of the claimed land area would impact the alluvial aquifer of Upper Black Squirrel Creek or its tributaries, which has been determined to be over-appropriated. Commission approval of a replacement plan - pursuant to Section 37-90-107.5, C.R.S., and Rule 5.6 of the Designated Basin Rules - providing for the actual depletion of the alluvial aquifer and adequate to prevent any material injury to existing water rights, would be required prior to approval of well permits for wells to be located on this portion of the land area to withdraw the allocated ground water from the aquifer.

Area B – Withdrawal of ground water from the aquifer underlying the 57.5 acre portion of the land claimed by the applicant will, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one tenth of one percent of the annual rate of withdrawal and, therefore, the ground water is considered to be non-tributary ground water. Also, the location of the 57.5 acre portion of the land claimed by the applicant is farther than one mile from the aquifer contact with the alluvium. The Designated Basin Rules require that at least four percent (4%) of the amount of water withdrawn annually must be returned to the uppermost aquifer in the vicinity of the permitted point or points of withdrawal.

Area C – Withdrawal of ground water from the aquifer underlying the 0.5 acre portion of land claimed by the applicant will, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the ground water is considered to be non-tributary ground water. Also, the location of the 0.5 acre portion of the land claimed by the applicant is closer than one mile from the aquifer contact with the alluvium. Withdrawal of water from the aquifer underlying the 0.5 acre portion of the claimed land area would impact the alluvial aquifer of Upper Black Squirrel Creek or its tributaries, which has been determined to be over-appropriated. Commission approval of a replacement plan - pursuant to Section 37-90-107.5, C.R.S., and Rule 5.6 of the Designated Basin Rules - providing for the actual depletion of the alluvial aquifer and adequate to prevent any material injury to existing water rights, would be required prior to approval of well permits for wells to be located on this portion of the land area to withdraw the allocated ground water from the aquifer.

14. In accordance with Section 37-90-107(7), C.R.S., upon Commission approval of a determination of water right, well permits for wells to withdraw the authorized amount of water from the aquifer shall be available upon application, subject to the conditions of this determination and the Designated Basin Rules and subject to approval by the Commission.
15. On September 20, 2006, in accordance with Rule 9.1 of the Designated Basin Rules, a letter was sent to the Upper Black Squirrel Ground Water Management District requesting written recommendations concerning this application. No written recommendations from the district were received.
16. The Commission Staff has evaluated the application relying on the claims to control of the ground water in the aquifer made by the applicant.
17. In accordance with Sections 37-90-107(7) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on September 28 and October 5, 2006.
18. No objections to the determination of water right and proposed allocation of ground water were received within the time limit set by statute.
19. In order to prevent unreasonable impairment to the existing water rights of others within the Upper Black Squirrel Creek Designated Ground Water Basin it is necessary to impose conditions on the determination of water right and proposed allocation of ground water. Under conditions as stated in the following Order, no unreasonable impairment of existing water rights will occur from approval of this determination of water right or from the issuance of well permits for wells to withdraw the authorized amount of allocated ground water from the aquifer.

### ORDER

In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for determination of rights to designated ground water in the Denver Aquifer underlying 522 acres of land, generally described as the majority of the S $\frac{1}{2}$ , and a portion of the W $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 4, the majority of the E $\frac{1}{2}$  of the E $\frac{1}{2}$  of Section 5, and the NW $\frac{1}{4}$  of Section 9, all in Township 13 South, Range 64 West of the 6th Principal Meridian, is approved subject to the following conditions:

20. The allowed average annual amount of withdrawal of ground water from the aquifer shall not exceed the following: Area A = 162 acre-feet; Area B = 21.0 acre-feet; Area C = 0.17 acre-feet. The allowed maximum annual amount of withdrawal may exceed the allowed average annual amount of withdrawal as long as the total volume of water withdrawn does not exceed the product of the number of years since the date of approval of this determination times the allowed average annual amount of withdrawal.
21. To conform to actual aquifer characteristics, the Commission may adjust the allowed average annual amount of ground water to be withdrawn from the aquifer based on analysis of geophysical logs or other site-specific data if such analysis indicates that the initial estimate of the volume of water in the aquifer was incorrect.
22. The applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
23. Replacement water requirements shall be as follows:
  - a. For the aquifer underlying the above-described 464 acres of Area A, Commission approval of a replacement plan, providing for actual depletion of affected alluvial aquifers and adequate to prevent any material injury to existing water rights in such alluvial aquifers is required prior to approval of well permits for wells to be located on the overlying land area to withdraw ground water from the aquifer.
    - i. Upon withdrawal of the allowed maximum annual amount of withdrawal underlying Area A through wells located within Area A, the allowed maximum annual amount of withdrawal underlying the above-described Area B may be withdrawn through wells located on Area A, subject to the conditions of an approved replacement plan.
    - ii. Upon withdrawal of the allowed maximum annual amount of withdrawal underlying Area A through wells located within Area A, the allowed maximum annual amount of withdrawal underlying the above-described Area C may be withdrawn through wells located on Area A, subject to the conditions of an approved replacement plan.
  - b. For the aquifer underlying the above-described 57.5 acres of Area B, at least four percent (4%) of the amount of water withdrawn annually must be returned to the uppermost aquifer in the vicinity of the permitted point or points of withdrawal.

- i. Upon withdrawal of the allowed maximum annual amount of withdrawal underlying Area B through wells located within Area B, the allowed maximum annual amount of withdrawal underlying the above-described Area A may be withdrawn through wells located on Area B, subject to the conditions of an approved replacement plan.
  - ii. Upon withdrawal of the allowed maximum annual amount of withdrawal underlying Area B through wells located within Area B, the allowed maximum annual amount of withdrawal underlying the above-described Area C may be withdrawn through wells located on Area B, subject to the conditions of an approved replacement plan.
- c. For the aquifer underlying the above-described 0.5 acres of Area C, Commission approval of a replacement plan, providing for actual depletion of affected alluvial aquifers and adequate to prevent any material injury to existing water rights in such alluvial aquifers is required prior to approval of well permits for wells to be located on the overlying land area to withdraw ground water from the aquifer.
  - i. Upon withdrawal of the allowed maximum annual amount of withdrawal underlying Area C through wells located within Area C, the allowed maximum annual amount of withdrawal underlying the above-described Area A may be withdrawn through wells located on Area C, subject to the conditions of an approved replacement plan.
  - ii. Upon withdrawal of the allowed maximum annual amount of withdrawal underlying Area C through wells located within Area C, the allowed maximum annual amount of withdrawal underlying the above-described Area B may be withdrawn through wells located on Area C, subject to the conditions of an approved replacement plan.
24. The use of ground water from this allocation shall be limited to the following beneficial uses: domestic, commercial, agricultural, irrigation, stock watering, fire protection, and augmentation. The place of use shall be limited to the above described 522 acre overlying land area and the above described additional 222.6 acre land area.
25. The applicant, or subsequent persons controlling this water right, shall record in the public records of the county - in which the claimed overlying land is located - notice of transfer of any portion of this water right to another within sixty days after the transfer, so that a title examination of the above described 522 acre land area, or any part thereof, shall reveal the changes affecting this water right. Such notice shall consist of a signed and dated deed which indicates the determination number, the aquifer, a description of the above described land area, the annual amount of ground water (acre-feet) transferred, name of the recipient, and the date of transfer.
26. Subject to the above conditions, well permits for wells to withdraw the allocated annual amount of water from the aquifer shall be available upon application subject to approval by the Commission and the following conditions:
  - a. The wells shall be located on the above described 522 acre overlying land area.

- b. The wells must be constructed to withdraw water from only the Denver Aquifer. Upon application for a well permit to construct such a well, the estimated top and base of the aquifer at the proposed well location will be determined by the Commission and indicated on the approved well permit. Plain non-perforated casing must be installed, grouted and sealed to prevent diversion of ground water from other aquifers and the movement of ground water between aquifers.
- c. The entire depth of each well must be geophysically logged prior to installing the casing as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
- d. Each well shall be constructed within 200 feet of the location specified on the approved well permit and, except for wells permitted pursuant to this determination, must be more than 600 feet from any existing large-capacity well completed in the same aquifer.
- e. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and maintained by the well owner and submitted to the Commission or the Upper Black Squirrel Creek Ground Water Management District upon their request.
- f. The well owner shall mark the well in a conspicuous place with the permit number and the name of the aquifer. The well owner shall take necessary means and precautions to preserve these markings.
27. A copy of this Findings and Order shall be recorded by the applicant in the public records of the county in which the claimed overlying land is located so that a title examination of the above described 522 acre overlying land area, or any part thereof, shall reveal the existence of this determination.

Dated this 21st day of November, 2006.



Hal D. Simpson  
Executive Director  
Colorado Ground Water Commission

By: Keith L. Vander Horst  
Keith Vander Horst, P.E.  
Supervisor, Designated Basins

# EXHIBIT B

1046-BD

Page 1 of 1

## DIVISION OF WATER RESOURCES STATE OF COLORADO

Receipt Number: 3604624 C  
Applicant: Meadow Lake Airport Association  
Basin: Upper Black Squirrel  
GWMD: Upper Black Squirrel  
Aquifer: Tkd

Sections: 4, 5, 9  
Township: 13 S  
Range: 64 W  
Meridian: S

Total area claimed: 522 acres

Area A - NNT AIR  
464 acres

Area B - NNT 4%  
57.5 acres

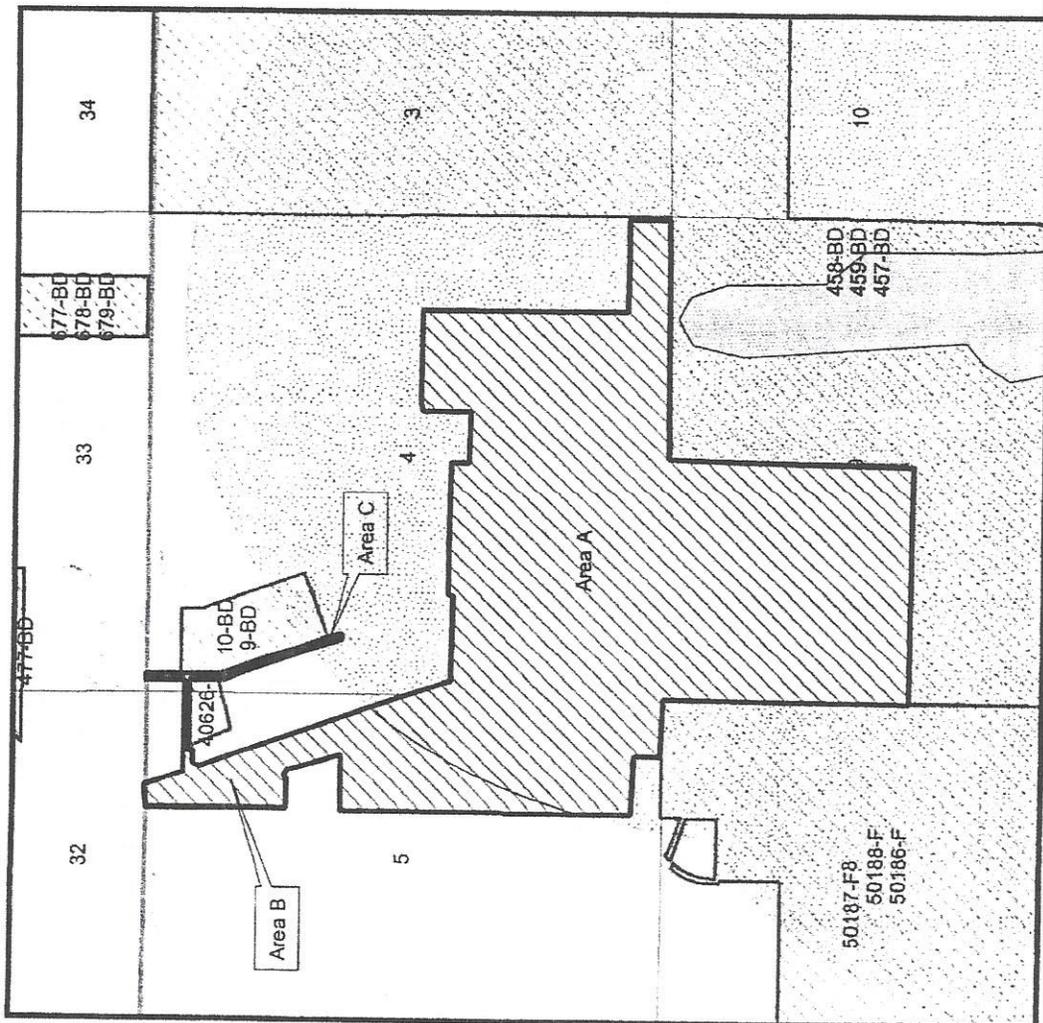
Area C - NNT AIR  
0.5 acres

### Legend

-  Parcel
-  Basin
-  Township
-  Section
-  Tkd Alluvium
-  Tkd AIR



Office of the State Engineer  
Division of Water Resources  
Department of Natural Resources



1:24,000

0 1,000 2,000 4,000 6,000 Feet

0 0.25 0.5 0.75 1 Miles

**COLORADO GROUND WATER COMMISSION  
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR DETERMINATION OF WATER RIGHT TO ALLOW THE WITHDRAWAL OF GROUND WATER IN THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN

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APPLICANT: MEADOW LAKE AIRPORT ASSOCIATION, A NON-PROFIT CORPORATION

AQUIFER: ARAPAHOE

DETERMINATION NO.: 1045-BD

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In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Meadow Lake Airport Association, a non-profit corporation, (hereinafter "applicant") submitted an application for determination of water right to allow the withdrawal of designated ground water from the Arapahoe Aquifer.

**FINDINGS**

1. The application was received complete by the Colorado Ground Water Commission on September 1, 2006.
2. The applicant requests a determination of rights to designated ground water in the Arapahoe Aquifer (hereinafter "aquifer") underlying 522 acres, generally described as the majority of the S $\frac{1}{2}$ , and a portion of the W $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 4, the majority of the E $\frac{1}{2}$  of the E $\frac{1}{2}$  of Section 5, and the NW $\frac{1}{4}$  of Section 9, all in Township 13 South, Range 64 West of the 6th Principal Meridian, in El Paso County. According to a signed statement dated April 16, 2006, the applicant owns the 522 acres of land, as further described in said affidavit which is attached hereto as Exhibit A, and claims control of the ground water in the aquifer underlying this land area.
3. The proposed annual amount of ground water to be allocated and withdrawn from the aquifer for intended beneficial uses is the maximum allowable amount.
4. The above described land area overlying the ground water claimed by the applicant is located within the boundaries of the Upper Black Squirrel Creek Designated Ground Water Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Colorado Ground Water Commission (hereinafter "Commission") has jurisdiction.
5. The applicant intends to apply the allocated ground water to the following beneficial uses: domestic, commercial, agricultural, irrigation, stock watering, fire protection, and augmentation. The applicant's proposed place of use of the allocated ground water is the above described 522 acre overlying land area and an additional 222.6 acres generally described as part of the N $\frac{1}{2}$  of the NE $\frac{1}{4}$ , the SW $\frac{1}{4}$ , and part of the W $\frac{1}{2}$  of the SE $\frac{1}{4}$  all in Section 9, Township 13 South, Range 64 West of the 6th P.M. The 222.6 acre additional place of use area is further described in Exhibit B of Determination No. 1044-BD.
6. The quantity of water in the aquifer underlying the 522 acres of land claimed by the applicant is 17,304 acre-feet. This determination was based on the following as specified in the Designated Basin Rules:

- a. The average specific yield of the saturated permeable material of the aquifer underlying the land under consideration that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 17 percent.
- b. The average thickness of the saturated permeable material of the aquifer underlying the land under consideration that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 195 feet.
7. At this time, there is no substantial artificial recharge that would affect the aquifer within a one hundred year period.
8. Pursuant to Section 37-90-107(7), C.R.S., and in accordance with the Designated Basin Rules, the Commission shall allocate ground water in the aquifer based on ownership of the overlying land and an aquifer life of one hundred years. Therefore, the maximum allowed average annual amount of ground water in the aquifer that may be allocated for withdrawal pursuant to the data in the paragraphs above for the 522 acres of overlying land claimed by the applicant is 173 acre-feet.
9. A review of the records in the Office of the State Engineer has disclosed that none of the water in the aquifer underlying the land claimed by the applicant has been previously allocated or permitted for withdrawal.
10. Pursuant to Section 37-90-107(7)(c)(III), C.R.S., an approved determination of water right shall be considered a final determination of the amount of ground water so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
11. The ability of wells permitted to withdraw the authorized amount of water from this non-renewable aquifer may be less than the one hundred years upon which the amount of water in the aquifer is allocated, due to anticipated water level declines.
12. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of ground water from the aquifer underlying the land claimed by the applicant will not, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the ground water is nontributary ground water as defined in Rule 4.2.19 of the Designated Basin Rules. No more than 98% of the amount of ground water withdrawn annually shall be consumed, as required by the Designated Basin Rules.
13. In accordance with Section 37-90-107(7), C.R.S., upon Commission approval of a determination of water right, well permits for wells to withdraw the authorized amount of water from the aquifer shall be available upon application, subject to the conditions of this determination and the Designated Basin Rules and subject to approval by the Commission.

Applicant: Meadow Lake Airport Association  
Aquifer: Arapahoe  
Determination No.: 1045-BD

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14. On September 20, 2006, in accordance with Rule 9.1 of the Designated Basin Rules, a letter was sent to the Upper Black Squirrel Ground Water Management District requesting written recommendations concerning this application. No written recommendations from the district were received.
15. The Commission Staff has evaluated the application relying on the claims to control of the ground water in the aquifer made by the applicant.
16. In accordance with Sections 37-90-107(7) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on September 28 and October 5, 2006.
17. No objections to the determination of water right and proposed allocation of ground water were received within the time limit set by statute.
18. In order to prevent unreasonable impairment to the existing water rights of others within the Upper Black Squirrel Creek Designated Ground Water Basin it is necessary to impose conditions on the determination of water right and proposed allocation of ground water. Under conditions as stated in the following Order, no unreasonable impairment of existing water rights will occur from approval of this determination of water right or from the issuance of well permits for wells to withdraw the authorized amount of allocated ground water from the aquifer.

#### ORDER

In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for determination of rights to designated ground water in the Arapahoe Aquifer underlying 522 acres of land, generally described as the majority of the S $\frac{1}{2}$ , and a portion of the W $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 4, the majority of the E $\frac{1}{2}$  of the E $\frac{1}{2}$  of Section 5, and the NW $\frac{1}{4}$  of Section 9, all in Township 13 South, Range 64 West of the 6th Principal Meridian, is approved subject to the following conditions:

19. The allowed average annual amount of withdrawal of ground water from the aquifer shall not exceed 173 acre-feet. The allowed maximum annual amount of withdrawal may exceed the allowed average annual amount of withdrawal as long as the total volume of water withdrawn does not exceed the product of the number of years since the date of approval of this determination times the allowed average annual amount of withdrawal.
20. To conform to actual aquifer characteristics, the Commission may adjust the allowed average annual amount of ground water to be withdrawn from the aquifer based on analysis of geophysical logs or other site-specific data if such analysis indicates that the initial estimate of the volume of water in the aquifer was incorrect.
21. The applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.

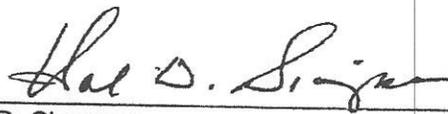
22. No more than 98% of the ground water withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the water withdrawn is being consumed.
23. The use of ground water from this allocation shall be limited to the following beneficial uses: domestic, commercial, agricultural, irrigation, stock watering, fire protection, and augmentation. The place of use shall be limited to the above described 522 acre overlying land area and the above described additional 222.6 acre land area.
24. The applicant, or subsequent persons controlling this water right, shall record in the public records of the county - in which the claimed overlying land is located - notice of transfer of any portion of this water right to another within sixty days after the transfer, so that a title examination of the above described 522 acre land area, or any part thereof, shall reveal the changes affecting this water right. Such notice shall consist of a signed and dated deed which indicates the determination number, the aquifer, a description of the above described land area, the annual amount of ground water (acre-feet) transferred, name of the recipient, and the date of transfer.
25. Subject to the above conditions, well permits for wells to withdraw the allocated annual amount of water from the aquifer shall be available upon application subject to approval by the Commission and the following conditions:
  - a. The wells shall be located on the above described 522 acre overlying land area.
  - b. The wells must be constructed to withdraw water from only the Arapahoe Aquifer. Upon application for a well permit to construct such a well, the estimated top and base of the aquifer at the proposed well location will be determined by the Commission and indicated on the approved well permit. Plain non-perforated casing must be installed, grouted and sealed to prevent diversion of ground water from other aquifers and the movement of ground water between aquifers.
  - c. The entire depth of each well must be geophysically logged prior to installing the casing as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
  - d. Each well shall be constructed within 200 feet of the location specified on the approved well permit and, except for wells permitted pursuant to this determination, must be more than 600 feet from any existing large-capacity well completed in the same aquifer.
  - e. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and maintained by the well owner and submitted to the Commission or the Upper Black Squirrel Creek Ground Water Management District upon their request.
  - f. The well owner shall mark the well in a conspicuous place with the permit number and the name of the aquifer. The well owner shall take necessary means and precautions to preserve these markings.

Applicant: Meadow Lake Airport Association  
Aquifer: Arapahoe  
Determination No.: 1045-BD

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26. A copy of this Findings and Order shall be recorded by the applicant in the public records of the county in which the claimed overlying land is located so that a title examination of the above described 522 acre overlying land area, or any part thereof, shall reveal the existence of this determination.

Dated this 21st day of November, 2006.



Hal D. Simpson  
Executive Director  
Colorado Ground Water Commission

By: Keith L. Vander Horst

Keith Vander Horst, P.E.  
Supervisor, Designated Basins

Prepared by: SKR

COLORADO GROUND WATER COMMISSION  
FINDINGS AND ORDER

IN THE MATTER OF AN APPLICATION FOR DETERMINATION OF WATER RIGHT TO  
ALLOW THE WITHDRAWAL OF GROUND WATER IN THE UPPER BLACK SQUIRREL CREEK  
DESIGNATED GROUND WATER BASIN

APPLICANT: MEADOW LAKE AIRPORT ASSOCIATION, A NON-PROFIT CORPORATION

AQUIFER: LARAMIE-FOX HILLS

DETERMINATION NO.: 1044-BD

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Meadow Lake Airport Association, a non-profit corporation, (hereinafter "applicant") submitted an application for determination of water right to allow the withdrawal of designated ground water from the Laramie-Fox Hills Aquifer.

FINDINGS

1. The application was received complete by the Colorado Ground Water Commission on September 1, 2006.
2. The applicant requests a determination of rights to designated ground water in the Laramie-Fox Hills Aquifer (hereinafter "aquifer") underlying 522 acres, generally described as the majority of the S $\frac{1}{2}$ , and a portion of the W $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 4, the majority of the E $\frac{1}{2}$  of the E $\frac{1}{2}$  of Section 5, and the NW $\frac{1}{4}$  of Section 9, all in Township 13 South, Range 64 West of the 6th Principal Meridian, in El Paso County. According to a signed statement dated April 12, 2006, the applicant owns the 522 acres of land, as further described in said affidavit which is attached hereto as Exhibit A, and claims control of the ground water in the aquifer underlying this land area.
3. The proposed annual amount of ground water to be allocated and withdrawn from the aquifer for intended beneficial uses is the maximum allowable amount.
4. The above described land area overlying the ground water claimed by the applicant is located within the boundaries of the Upper Black Squirrel Creek Designated Ground Water Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Colorado Ground Water Commission (hereinafter "Commission") has jurisdiction.
5. The applicant intends to apply the allocated ground water to the following beneficial uses: domestic, commercial, agricultural, irrigation, stock watering, fire protection, and augmentation. The applicant's proposed place of use of the allocated ground water is the above described 522 acre overlying land area and an additional 222.6 acres generally described as part of the N $\frac{1}{2}$  of the NE $\frac{1}{4}$ , the SW $\frac{1}{4}$ , and part of the W $\frac{1}{2}$  of the SE $\frac{1}{4}$  all in Section 9, Township 13 South, Range 64 West of the 6th P.M. The 222.6 acre additional place of use area is further described in the attached Exhibit B.
6. The quantity of water in the aquifer underlying the 522 acres of land claimed by the applicant is 16,052 acre-feet. This determination was based on the following as specified in the Designated Basin Rules:

- a. The average specific yield of the saturated permeable material of the aquifer underlying the land under consideration that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 15 percent.
- b. The average thickness of the saturated permeable material of the aquifer underlying the land under consideration that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 205 feet.
7. At this time, there is no substantial artificial recharge that would affect the aquifer within a one hundred year period.
8. Pursuant to Section 37-90-107(7), C.R.S., and in accordance with the Designated Basin Rules, the Commission shall allocate ground water in the aquifer based on ownership of the overlying land and an aquifer life of one hundred years. Therefore, the maximum allowed average annual amount of ground water in the aquifer that may be allocated for withdrawal pursuant to the data in the paragraphs above for the 522 acres of overlying land claimed by the applicant is 160 acre-feet.
9. A review of the records in the Office of the State Engineer has disclosed that none of the water in the aquifer underlying the land claimed by the applicant has been previously allocated or permitted for withdrawal.
10. Pursuant to Section 37-90-107(7)(c)(III), C.R.S., an approved determination of water right shall be considered a final determination of the amount of ground water so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
11. The ability of wells permitted to withdraw the authorized amount of water from this non-renewable aquifer may be less than the one hundred years upon which the amount of water in the aquifer is allocated, due to anticipated water level declines.
12. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of ground water from the aquifer underlying the land claimed by the applicant will not, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the ground water is nontributary ground water as defined in Rule 4.2.19 of the Designated Basin Rules. No more than 98% of the amount of ground water withdrawn annually shall be consumed, as required by the Designated Basin Rules.
13. In accordance with Section 37-90-107(7), C.R.S., upon Commission approval of a determination of water right, well permits for wells to withdraw the authorized amount of water from the aquifer shall be available upon application, subject to the conditions of this determination and the Designated Basin Rules and subject to approval by the Commission.

14. On September 20, 2006, in accordance with Rule 9.1 of the Designated Basin Rules, a letter was sent to the Upper Black Squirrel Ground Water Management District requesting written recommendations concerning this application. No written recommendations from the district were received.
15. The Commission Staff has evaluated the application relying on the claims to control of the ground water in the aquifer made by the applicant.
16. In accordance with Sections 37-90-107(7) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on September 28 and October 5, 2006.
17. No objections to the determination of water right and proposed allocation of ground water were received within the time limit set by statute.
18. In order to prevent unreasonable impairment to the existing water rights of others within the Upper Black Squirrel Creek Designated Ground Water Basin it is necessary to impose conditions on the determination of water right and proposed allocation of ground water. Under conditions as stated in the following Order, no unreasonable impairment of existing water rights will occur from approval of this determination of water right or from the issuance of well permits for wells to withdraw the authorized amount of allocated ground water from the aquifer.

#### ORDER

In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for determination of rights to designated ground water in the Laramie-Fox Hills Aquifer underlying 522 acres of land, generally described as the majority of the S $\frac{1}{2}$ , and a portion of the W $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 4, the majority of the E $\frac{1}{2}$  of the E $\frac{1}{2}$  of Section 5, and the NW $\frac{1}{4}$  of Section 9, all in Township 13 South, Range 64 West of the 6th Principal Meridian, is approved subject to the following conditions:

19. The allowed average annual amount of withdrawal of ground water from the aquifer shall not exceed 160 acre-feet. The allowed maximum annual amount of withdrawal may exceed the allowed average annual amount of withdrawal as long as the total volume of water withdrawn does not exceed the product of the number of years since the date of approval of this determination times the allowed average annual amount of withdrawal.
20. To conform to actual aquifer characteristics, the Commission may adjust the allowed average annual amount of ground water to be withdrawn from the aquifer based on analysis of geophysical logs or other site-specific data if such analysis indicates that the initial estimate of the volume of water in the aquifer was incorrect.
21. The applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.

22. No more than 98% of the ground water withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the water withdrawn is being consumed.
23. The use of ground water from this allocation shall be limited to the following beneficial uses: domestic, commercial, agricultural, irrigation, stock watering, fire protection, and augmentation. The place of use shall be limited to the above described 522 acre overlying land area and the above described additional 222.6 acre land area.
24. The applicant, or subsequent persons controlling this water right, shall record in the public records of the county - in which the claimed overlying land is located - notice of transfer of any portion of this water right to another within sixty days after the transfer, so that a title examination of the above described 522 acre land area, or any part thereof, shall reveal the changes affecting this water right. Such notice shall consist of a signed and dated deed which indicates the determination number, the aquifer, a description of the above described land area, the annual amount of ground water (acre-feet) transferred, name of the recipient, and the date of transfer.
25. Subject to the above conditions, well permits for wells to withdraw the allocated annual amount of water from the aquifer shall be available upon application subject to approval by the Commission and the following conditions:
  - a. The wells shall be located on the above described 522 acre overlying land area.
  - b. The wells must be constructed to withdraw water from only the Laramie-Fox Hills Aquifer. Upon application for a well permit to construct such a well, the estimated top and base of the aquifer at the proposed well location will be determined by the Commission and indicated on the approved well permit. Plain non-perforated casing must be installed, grouted and sealed to prevent diversion of ground water from other aquifers and the movement of ground water between aquifers.
  - c. The entire depth of each well must be geophysically logged prior to installing the casing as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
  - d. Each well shall be constructed within 200 feet of the location specified on the approved well permit and, except for wells permitted pursuant to this determination, must be more than 600 feet from any existing large-capacity well completed in the same aquifer.
  - e. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and maintained by the well owner and submitted to the Commission or the Upper Black Squirrel Creek Ground Water Management District upon their request.
  - f. The well owner shall mark the well in a conspicuous place with the permit number and the name of the aquifer. The well owner shall take necessary means and precautions to preserve these markings.

Applicant: Meadow Lake Airport Association  
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26. A copy of this Findings and Order shall be recorded by the applicant in the public records of the county in which the claimed overlying land is located so that a title examination of the above described 522 acre overlying land area, or any part thereof, shall reveal the existence of this determination.

Dated this 21st day of November, 2006.



Hal D. Simpson  
Executive Director  
Colorado Ground Water Commission

By: Keith Vander Horst  
Keith Vander Horst, P.E.  
Supervisor, Designated Basins

Prepared by: SKR

Meadow Lake Airport  
Ground Support Vehicles

	year	make	model	remarks	acquired	from	via
plows	2007	International	7500	14' plow	2019	Denver Int'l	CDAG
	2005	Chevrolet	2500	7'6" plow sprayer	2016	Denver Int'l	CDAG
	1970	Oshkosh	W-712	14' plow	2007	Denver Int'l	CDAG
	1993	International	2574	12' plow	2005	Denver Int'l	CDAG
	1998	Chevrolet	3500	9' plow sander	2005	Denver Int'l	CDAG
brooms	1987	Oshkosh	H2318-SPCL	18' broom	2005	Denver Int'l	CDAG
mowers	1997	Case	8920		2016	Denver Int'l	CDAG
	2004	Rhino		triple-deck			CDAG
		International	2544		2003	Rocky Mountain Metro	cash
utility	1986	International	F-1954	aerial lift	2019	Denver Int'l	CDAG
	2004	Chevrolet	2500	4x4 Utility	2019	Jeffco	CDAG
	2001	Chevrolet	Suburban		2017	Denver Int'l	CDAG
	2005	Trackless	MT5	broom flailer	2015	Denver Int'l	CDAG
	1999	Trackless	MT5	broom mower	2015	Denver Int'l	CDAG
	1991	MB	GSV	mower broom	2005	Denver Int'l	CDAG
	1993	John Deere	F930	mower snow blower			cash
	1975	Ford	545	loader			cash
	2001	Marathon	TRA/REM	melting kettle	2012	Telluride	cash