

LAKE CREEK METROPOLITAN DISTRICT

Eagle County
Colorado

Prepared for
LAKE CREEK METROPOLITAN DISTRICT
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Prepared by

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A. INTRODUCTION

The purpose of the Lake Creek Metropolitan District is to supply the necessary services of domestic water, fire protection, roads, drainage, safety protection and mosquito control. Section 32-1-102(1), C.R.S. declares that the organization of special districts serve a public use and will promote the health, safety, prosperity, security and general welfare of the inhabitants of such districts. A centralized public authority can promote comprehensive planning of community needs and provide a program of municipal debt financing to equitably distribute the costs over an extended period of time. There currently exists the Lake Creek Meadows Water District that provides domestic water service within the same boundaries of the proposed Lake Creek Metropolitan District. Section 32-1-1006(2), C.R.S. expressly allows that a special district organized for water purposes may become a metropolitan district. This Service Plan represents the first formal stage in the conversion of the Lake Creek Meadows Water District into the Lake Creek Metropolitan District as required by Section 32-1-207, C.R.S. This Plan consists of a financial survey and a preliminary engineering survey showing how the proposed additional services of the Metropolitan District are to be provided and financed.

B. PROPOSED SERVICE AREA

The proposed service area of Lake Creek Metropolitan District is located in Eagle County, Colorado, and is identical to the existing service area of the Lake Creek Meadows Water District. The land to be included in the District includes approximately 312 acres consisting of 84 duplex lots. A legal description and a map of the Lake Creek Metropolitan District are attached as Exhibit A and Exhibit B respectively.

C. DEVELOPMENT AND LAND USE

At the present time, the area included within the proposed Metropolitan District is in various stages of development. The entire developed area shall be a residential community, with no commercial development. There are 92 units currently existing within the District boundaries.

D. POPULATION PROJECTIONS

The existing population of the District may be estimated by using the 92 existing units, obtained from the Eagle County Assessor, and multiplying by 3.0 persons per unit, yielding a population of 276 persons.

There are 14 lots yet to be developed within the subdivision. Most of the duplex lots are built with only one single family residence. It is possible that expansions may occur in the future, although it is not now expected to occur on any scale. Therefore, the total additional number of units expected to be built within the current boundaries of the District are 20 over the next ten years, for a total build-out of 112 single family units.

E. ASSESSED VALUATION

The present assessed valuation of the property included within the proposed District is \$4,390,370. The projected assessed valuation of the property to be included within the proposed District is made part of the District's Financial Forecast, attached as Appendix A.

F. WATER DEMAND

1. Domestic Demand:

To produce the treated water necessary to meet daily demands at total build-out, relatively minor improvements are anticipated primarily in the form of storage and additional loop lines. Water rights of the District are sufficient to serve anticipated build-out per the Water Rights Summary, dated December 5, 1995 and attached as Exhibit C.

2. Fire Demands:

The Lake Creek Meadows water system has been designed to supply the following fire flows to each class of structure according to ISO guidelines and Eagle County requirements as itemized below:

3,000 ft. ²	Single Family Residential (low density 2.0 units per acre)	1,250 gpm
5,000 ft. ²	Duplex	1,750 gpm
	Cluster and Quadraplex	2,500 gpm

3. Potable Water Storage Required:

In addition to the potable water storage set forth in Exhibit C, it is possible that the District may have the opportunity to share water storage with a neighboring development such as Cordillera, Pilgrim Downs or Paws Up. The budget estimate for additional storage is \$350,000.

4. Irrigation Demands:

The irrigation water owned by the District, available through Creamery Ditch and Lui Hopper Ditch, can irrigate approximately 79 acres. The current augmentation pond has a capacity of seven acre-feet. Over time, the District desires to utilize all of the irrigation water owned by it and to improve existing ditches and possibly use the old pump system to assist in distribution.

G. WATER SYSTEM DESCRIPTION

1. General:

The Lake Creek Meadows water system is a gravity feed system which utilizes shallow alluvial wells as a water supply. The water obtained from the wells is treated and disinfected, then pumped to water storage tanks. The water system consists of two pressure zones, the lower zone with the normal static pressures, and the upper zone with the normal static pressures in the same range as in the lower zone.

The advantages of this type of gravity feed system include the following: the pressure at individual services will stay more uniform, the supply pumps at each well can be sized to provide water at a rate corresponding to the maximum daily use, instead of the peak hourly rate or the fire flow demand rate, in case of emergencies, no power or pumps are required to continue supplying water to the residences, provided the storage tanks are at capacity and the system can more easily be controlled and monitored. These advantages are possible since the water stored in the tanks is used for equalization storage to supply water at the many different rates required during the day, thus leaving the well pumps to produce at a constant rate throughout the day. The result is a lower operation and maintenance cost associated with the water supply pumping and a lower capital cost associated with using smaller pumps.

2. Water Rights:

The water from the wells is considered tributary or surface water due to the direct hydraulic connection between the Eagle River and Lake Creek. Since the water is tributary, its use is governed by the appropriate water laws of the State of Colorado. Exhibit C summarizes the water rights status of the District. District's water rights will be used through the District's plan for augmentation which will allow the District wells to divert adequate amounts of water throughout the year.

3. Wells:

The Lake Creek Meadows system will provide shallow alluvial wells operated pursuant to an approved plan for augmentation to supply water to the distribution and storage system. The wells have exhibited in comparison to other wells found in the region.

H. FIRE PROTECTION

A high quality fire protection organization will have significant benefits to property owners within the District. Accordingly, the District proposes to contract with the regional provider of fire protection services, currently administered by the Town of Avon. The District supports the idea of a regional consolidation of fire protection services, and would have fire protection service provided by such a regional fire authority. The District commits to consolidate its fire protection function when a consolidated fire authority is available to join.

I. MOSQUITO CONTROL

There exists a mosquito problem within the District and it is anticipated that the proposed District will provide mosquito control in accordance with Eagle County and Colorado State Health Department standards. Additionally, the District expects to provide mosquito control in conjunction with a proposed regional mosquito control plan in which multiple districts participate.

J. ROAD AND DRAINAGE

District desires to retain the opportunity to participate in arterial and collateral streets (as defined by the applicable Eagle County regulations) and storm drainage within its boundaries. District shall not make any expenditure in excess of \$10,000 per year relating to roads and drainage without first obtaining voter approval for such expenditure. If District desires any major capital improvement relating to roads and drainage, such improvements may be financed with long-term general obligation debt approved by District voters.

K. SAFETY PROTECTION

District proposes to possibly assist in traffic and safety protection within its boundaries by possibly erecting and maintaining signage designed to mitigate the adverse impacts of traffic flow. Although none are anticipated at this time, District reserves the right to take whatever actions may be necessary to protect the safety of its inhabitants.

L. OTHER PUBLIC SERVICES

Certain public services will be supplied by private and government entities already in existence as follows:

1. Electricity:

Holy Cross Electric Association includes the Lake Creek Meadows area in its certificated service area, and will supply electric power to the project under the rules of the Public Utilities Commission.

2. Natural Gas:

KN Energy includes the Lake Creek Meadows area in its certificated service area, and will supply natural gas under the rules of the Public Utilities Commission.

3. Telephone:

PTI Communications includes Lake Creek Meadows in its certificated service area, and will supply telephone service to the District under the rules of the Public Utilities Commission.

4. Police Protection - Construction Inspection - Animal Control:

Eagle County will provide law enforcement, building inspection, and animal control to the Lake Creek Metropolitan District.

5. Schools:

Eagle County School District RE 50-J includes the Lake Creek Meadows area within its boundaries.

6. Solid Waste Disposal:

Trash removal and disposal will be contracted for by individual property owners.

7. Parks, Recreation and Open Space:

The Western Eagle County Metropolitan Recreation District is responsible for parks and recreation facilities which are publicly owned. There are none, however, within this District. The Lake Creek Metropolitan District reserves the right to exercise the powers and authorities of a recreation and park district, to the extent permitted by law, if the existing special district exercising those same powers within the District should cease exercising such powers, or authorize such powers through intergovernmental agreements to the District.

M. STANDARDS OF CONSTRUCTION

The proposed District systems and facilities will be constructed and maintained in accordance with the applicable State Health Departments, Upper Eagle Valley Consolidated Sanitation District uniform standards, and Eagle County standards.

N. ESTIMATED COSTS

A summary of the capital costs is as follows:

Item

Costs to date - to January, 1997

Water System	\$404,836
Legal/Water Rights	<u>22,800</u>
TOTAL COSTS TO DATE	<u>\$427,636</u>

1997-2007 Capital Costs

Water Distribution System (looping)	\$ 50,000
Water Storage	350,000
Fire Protection	25,000 (five-year term)
Storm Drainage	0
Streets	0
Wells	150,000
Engineering	15,000
Contingency	<u>25,000</u>
 TOTAL FUTURE COSTS	 <u>\$615,000</u>

O. FINANCIAL SURVEY

1. General:

After consultation with the engineers and financial advisor to the proposed District, it has been decided that any additional improvements to be constructed by the District will be financed by the issuance of Debt to be authorized and issued in accordance with the procedures established by the Colorado Legislature. The exact interest rates, maturity dates and discounts will be established at the time the bonds are sold by the proposed District and will reflect market conditions at the time of sale.

2. Water Tap Fee Revenue:

Water tap fees or plant investment fees are one-time payments made by property owners and builders to partially pay for the capital costs of constructing capital facilities in the proposed District. The water tap fees are to be paid by the property owner or builder at the time the connection or tap

is made into the water system. This fee does not cover the costs for construction of the service lines to the structure, water meters, service line valves, or other equipment which may be related to the connection. These costs are to be paid by the property owner or the builder.

Water tap fees are based on the amortization of capital costs for water system improvements. The fees are presently \$5,000 per residential dwelling unit, with an equivalency for commercial development to dwelling units measured through the equivalency system developed by the Upper Eagle Valley Consolidated Sanitation District. Although increases are expected to occur in relation to increases in the cost of living, no such increases are assumed in this Service Plan.

3. Water Service Charge Revenue:

Current water service charges of \$54.00/SFE/month minimum are shown in Appendix A. Water meters are required and a charge of \$.54/1,000 gallons is assessed for excess usage over 10,000 gallons per unit per month. These revenue projections do not reflect any increase due to inflation over the life of the service plan, nor are the revenue from excess usage projected. This conservative approach allows for operational costs increases to be offset by the revenue, if necessary.

Service charges will follow the same equivalency system referenced earlier and in use throughout the Upper Eagle Valley. The water meters and excess use charges will encourage water conservation. District policies will also require water conserving shower heads and toilets.

4. Availability of Service Charges:

No assessment of an "availability of service charge" is anticipated. The District Board of Directors has the authority to assess a charge to vacant

property to which water service has been extended but no tap is made. It is not anticipated that such a charge will be necessary.

5. Bond Issues Detail:

The schedules shown in Appendix A reflect the amount of bonds to be sold to finance construction costs, including related expenses of the sale of bonds.

6. Projection of Assessed Valuation:

For purposes of developing the Financial Forecast, it was assumed that development within the District would be assessed at current percentages. It is also assumed that the assessed valuation will be realized one year after construction and that tax collections will be realized two years after initial construction. The assessed valuation on the properties within the proposed District's boundaries is currently \$4,390,370. The projected assessed valuation of the property within the District is included in Appendix A.

7. Operation and Maintenance Expenses:

The annual cost of operation and maintenance of the facilities has been computed within the Financial Forecast Appendix A. It is estimated that the mill levy required along with other revenue to meet operation and maintenance expenses will not exceed 9 mills, such costs to be offset by specific ownership taxes and other revenue receipts projected in the cash flow schedule. A small portion of the mill levy, user fees and charges will provide adequate income for other expenses. It is anticipated that Upper Eagle Valley Consolidated Sanitation District, will operate and maintain the water system and that the streets will continue to be dedicated to Eagle County for operation and maintenance.

8. Cash Flow Summary:

A projected cash flow schedule is included in Appendix A. The schedule anticipates the financing and incurring of debt obligations as currently projected. Actual amounts will be as determined by the Board of Directors.

9. Financing Summary:

The full summary of financing capabilities is shown in Appendix A. Operational costs will be met with current operating charges structured around a fair fee for the benefit received. The principal sources of financing for capital facilities are: municipal bonds, and accumulated surpluses.

Appendix A shows conservatively high capital construction costs, a 15% contingency, and conservative revenue projections. The surpluses shown in the later years will not be allowed to actually accumulate, but instead will be applied to early redemption of outstanding bonds, to the lowering of service charges or a combination of the two alternatives.

P. CONCLUSION

The parties and entities involved in the formation of the proposed Lake Creek Metropolitan District are committed to providing the best possible facilities to serve the Lake Creek area in Eagle County. The diligence shown to date in the preliminary coordination will result in the responsive progression of a Metropolitan District that will enhance the community and the County.

EXHIBIT A

LEGAL DESCRIPTION

LAKE CREEK MEADOWS WATER DISTRICT

The boundaries of the Lake Creek Meadows Water District and the territory to be included therein is described as follows:

A tract of land containing 307.31 acres lying in the West 1/2 of the SE 1/4 of Section 7, the SE 1/4 SW 1/4 of Section 7, the West 1/2 of the NW 1/4 of Section 18, the East 1/2 of the NW 1/4 of Section 18, and the NE 1/4 SW 1/4 of Section 18, all in Township 5 South, Range 82 West of the 6th Principal Meridian, Eagle County, Colorado, described as: Commencing at the Southeast corner of said W 1/2 NE 1/4 of Section 18; thence N 88°05'00" W 254.00 feet along the South line of said W 1/2 NE 1/4 to the true point of beginning; thence continuing N 88°05'00" W 1084.85 feet along said South line to the Center corner of said Section; thence S 0°44'00" W 1387.00 feet along the East line of said NE 1/4 SW 1/4 of Section 18 to the Southeast corner thereof; thence N 86°07'45" W 1268.24 feet along the South line of said NE 1/4 SW 1/4 to the Southwest corner thereof; thence N 0°12'40" W 837.65 feet along the West line of said NE 1/4 SW 1/4 to a point on the approximate centerline of West Lake Creek; thence along said approximate centerline on the following four courses: (1) N 30°23'07" E 175.00 feet; (2) N 9°34'43" E 267.44 feet; (3) N 26°23'40" E 215.52 feet; and (4) N 62°51'50" E 204.85 feet; thence N 53°27'00" W 516.40 feet to a point on the West line of said E 1/2 NW 1/4 of Section 18 which is N 0°12'40" W 501.95 feet from the Southwest corner thereof; thence N 0°12'40" W 2168.25 feet along said West line of the E 1/2 NW 1/4 to the Northwest corner thereof; thence N 0°01'00" W 1319.56 feet along the West line of said SE 1/4 SW 1/4 of Section 7 to the Northwest corner thereof; thence S 88°31'20" E 1331.32 feet along the North line of said SE 1/4 SW 1/4 to the Northeast corner thereof; thence N 0°04'30" W 1324.79 feet along the West line of said W 1/2 SE 1/4 of Section 7 to the Northwest corner thereof,

which point is the Center corner of said Section 7; thence S 88°44'20" E 1065.54 feet along the North line of said W 1/2 SE 1/4 to a point on the Westerly line of Lake Creek Subdivision, Second Filing, a subdivision previously platted and recorded June 28, 1971, in Book 220 at Page 868, from which point the Northwest corner of said subdivision bears N 20°07'15" W 16.97 feet as previously surveyed; thence along the Westerly line of said subdivision on the following seven courses: (1) S20°07'15"W 54.98 feet; (2) S10°27'45"E 89.50 feet; (3) S07°42'44"E 136.59 feet; (4) S04°11'23"E 98.23 feet; (5) S07°08'48"E 180.77 feet; (6) S29°06'09"W 72.97 feet; (7) S36°14'42"W 115.58 feet to the Southwest corner of said subdivision; thence N 88°45'58" E 90.17 feet along the South line of said subdivision; thence S 04°37'54" W 397.12 feet; thence S 01°45'03" E 181.97 feet; thence S 17°03'05" W 156.90 feet; thence S 25°43'24" W 424.60 feet; thence S 89°25'38" E 493.55 feet to a point on the East line of said W 1/2 SE 1/4 of Section 7 from whence the Northeast corner thereof bears N 0°08'00" W 1816.71 feet; thence S 0°08'00" E 843.16 feet along said East line to the Southeast corner of said W 1/2 SE 1/4 of Section 7 which corner is also the Northeast corner of said W 1/2 NE 1/4 of Section 18; thence S 0°36'30" W 2532.12 feet along the East line of said W 1/2 NE 1/4; thence N 88°05'00" W 250.64 feet; thence S 01°55'00" W 146.96 feet to the true point of beginning, the above tract of land also described as:

LAKE CREEK MEADOWS, a subdivision recorded in Book 234 at Page 565 in Eagle County, Colorado, except Lot 1, Block 7 thereof.

EXHIBIT A

The following described real property, situated in the County of Eagle, State of Colorado, is referred to as "Property in the foregoing Inclusion Agreement and shall be subject to all the terms and conditions of said Inclusion Agreement:

LEGAL DESCRIPTION
Lots 1 and 2 Creamery Gulch Ranch

A parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 7, Township 5, South, Range 82 West of the Sixth Principal Meridian, Eagle County, Colorado according to the Dependent Resurvey and Survey of said Township and Range as approved by the U.S. Surveyor General in Denver, Colorado on September 7, 1977: said parcel being more particularly described as follows:

Beginning at a point on the Southerly line of said Northeast Quarter of the Southeast Quarter of Section 7 from which the West Quarter Corner of Section 8, a brass cap monument found in place, bears N.44°49'01"E. 1912.35 feet distant; thence along the Westerly line of said Northeast Quarter of the Southeast Quarter of Section 7 N.00°55'09"E. 228.05 feet to a point on the Easterly Right-of-Way Boundary of Eagle County Road S-25; thence continuing along said Easterly Right-of-Way Boundary the following four (4) courses:

- 1) N.33°51'31"E. 403.06 feet
- 2) N.37°50'56"E. 219.34 feet
- 3) N.56°22'31"E. 126.34 feet
- 4) N.59°44'20"E. 141.38 feet

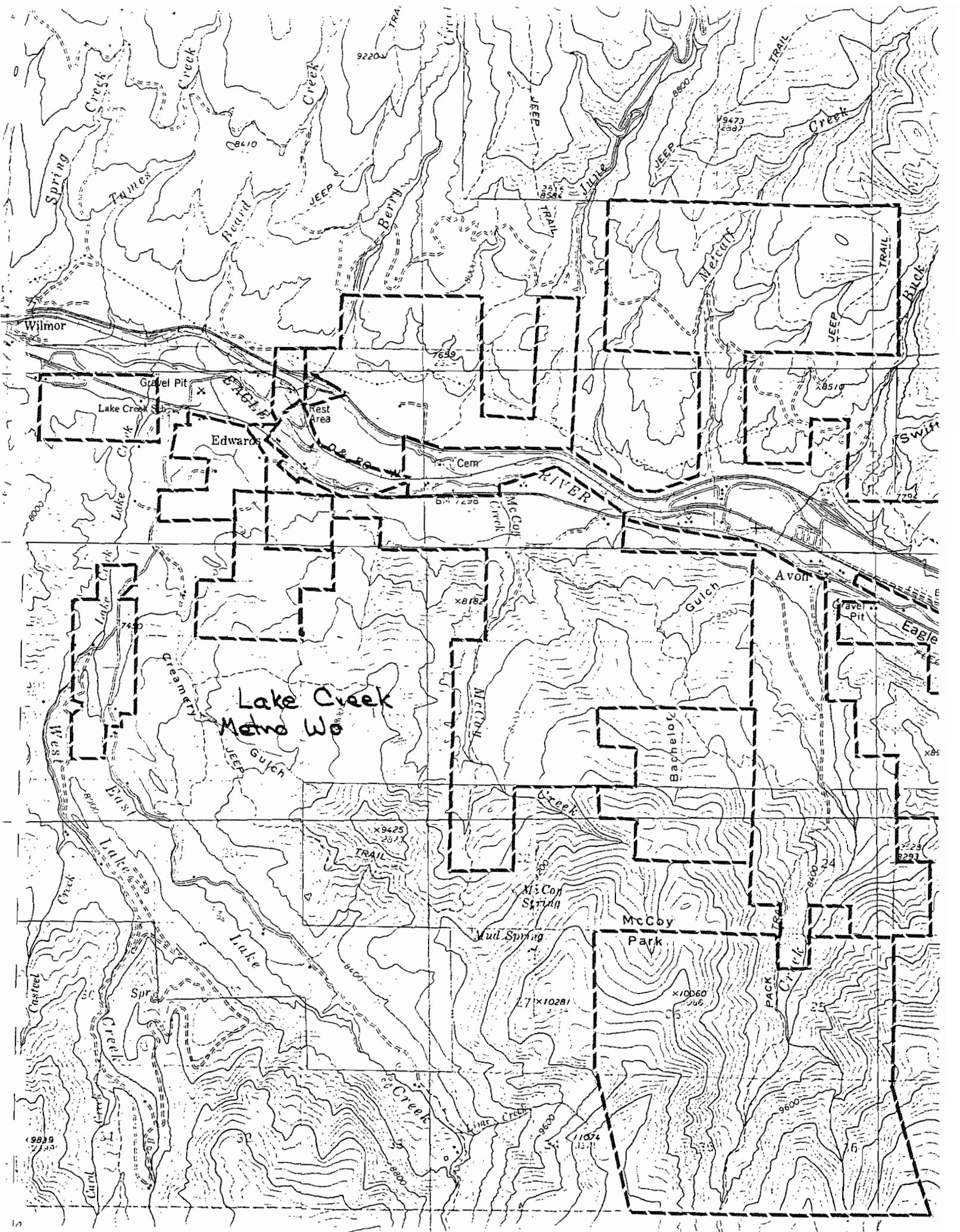
thence departing said Easterly Right-of-Way Boundary S.30°15'40"E. 350.00 feet; thence S.31°59'30"W. 692.12 feet to a point on the Southerly line of said Northeast Quarter of the Southeast Quarter of Section 7; thence along said Southerly line N.88°15'18"W. 400.00 feet to the point of beginning.

Said parcel contains 8.902 acres, more or less.

July 23, 1987

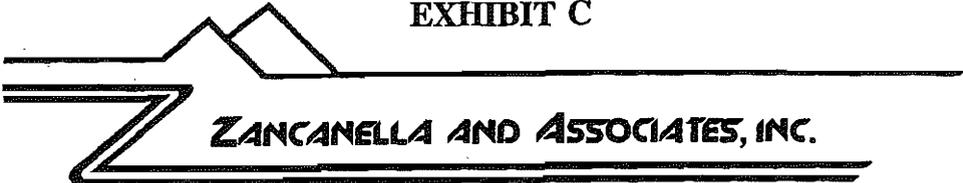
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ZANCANELLA AND ASSOCIATES, INC.

ENGINEERING CONSULTANTS

December 5, 1995

Lori J.M. Satterfield
Delaney & Balcomb, P.C.
Drawer 790
Glenwood Springs, CO 81602

Dear Lori:

At your request, Zancanella & Associates Inc. has prepared an engineering report which investigates the feasibility of four proposed wells as alternate points of diversions for the Lake Creek Meadows Water District's Intake. The Lake Creek Meadows Water District Intake has historically served the subdivision as its main source of water for the municipal system. A change from a surface water source to a groundwater source is proposed to meet Colorado Department of Health water quality concerns. An expansion of use is not contemplated in this change in point of diversion.

WATER RIGHTS

The land served by the Lake Creek Meadows Water District originally was served by two water rights, the Lui Hopper Ditch and the Creamery Ditch (see Table 1). In 1976 Wright Water Engineers determined that the Lui Hopper Ditch irrigated approximately 41 acres on property served by the Lake Creek Meadows Water District. In addition they also determined that the Creamery Ditch irrigated approximately 267 acres, 33 of which were on lands served by the Lake Creek Meadows Water District.

In Water Division 5, case W-3589, the Lake Creek Meadows Water District Intake was adjudicated for 2.0 cfs with an adjudication date of 12/31/1977 and an appropriation date of 6/01/1975 for municipal, domestic, irrigation and recreation uses, Appendix A. In water court case W-3587, an augmentation plan was adjudicated which provided augmentation for 0.1 cfs, or 45 gpm, of out of priority diversions for in-house domestic diversions at the Lake Creek Meadows Water District Intake and other junior water rights controlled by the the district. These records are attached as Appendix B. Water used for irrigation purposes can be diverted through the Lake Creek Meadows Water District Intake, the Lui Hopper Ditch or the Creamery Ditch. All of these diversion points have been decreed as alternate points of diversion.

Table 1 Lake Creek Meadows Water District Rights

<u>Water Right Name</u>	<u>App. Date</u>	<u>Adj. Date</u>	<u>Decreed Amount</u>	<u>Case</u>	<u>Use</u>
Lui Hopper	06/01/1888	10/03/1936	4.84 cfs	CA 963	irrigation
Creamery Ditch 1st Enlg.	05/05/1898	10/03/1936	1.5 (13.16) cfs	CA 963	irrigation
Lake Creek Meadows Ditch	06/01/1969	12/31/1977	2.0 cfs	W 3588	municipal irrigation domestic recreat.
Lake Creek Meadows District Intake	06/01/1975	12/31/1977	2.0 cfs	W 3589	municipal irrigation, domestic recreat.
Lake Creek Meadows District Aug Plan	12/16/1977	12/31/1977	1.5 cfs	W 3587	municipal irrigation domestic recreat.

WATER SUPPLY

In the original "Lake Creek Meadows Water District Service Plan" prepared by Richards Engineering in 1974, it was estimated that a maximum daily in-house diversion rate would be 0.1 cfs for 125 taps. Below is a table of the required diversions of the Lake Creek Water District, the projected total acre feet that would be diverted and the monthly and annual consumption which was estimated to be 15% of diversions:

Table 2 Lake Creek Meadows Water District Service Plan Projected In house Uses

	<u>In-House Domestic Requirements</u>		<u>Consumptive Use</u>
	(CFS)	(AF)	(AF)
January	0.1	6.4	1.0
February	0.1	5.5	0.8
March	0.1	6.4	1.0
April	0.1	5.9	0.9
May	0.1	6.4	1.0
June	0.1	5.9	0.9
July	0.1	6.4	1.0
August	0.1	6.4	1.0
September	0.1	5.9	0.9
October	0.1	6.4	1.0
November	0.1	5.9	0.9
December	<u>0.1</u>	<u>6.4</u>	<u>1.0</u>
ANNUAL		73.9	11.4

Table 3 presents the actual Lake Creek Meadows Water District diversions from 1979 to 1995. Currently there are approximately 69 lots that have connected to the Lake Creek Meadows

Water District water system. In recent times the district has annually diverted approximately 32 acre feet at the Lake Creek Meadows Water District West Lake Creek intake. The water has been used for both in house and outside irrigation needs. There is a wide variation in the amount of lawn irrigation use that is associated with the municipal system. Some of the residences have no outside use while others have a great deal of irrigation use from the municipal system. We estimate that on the average, approximately 1500 ft² per lot of lawn and garden is being irrigated. Table 4 breaks down the current water uses with respect to the in house diversions and consumptive use and the irrigation diversions and consumptive use. In addition, the Lake Creek Meadows Water District has continued to use its irrigation water rights to irrigate approximately 11.58 acres under the Creamery Ditch and approximately 17.38 acres under the Lui Hopper and the Lake Creek Meadows Ditch. There is other irrigation in the Lake Creek Meadows Water District (approximately 15.7 acres). However, it is being performed without benefit of decree directly from Lake Creek or from return flow from the Moses Ditch.

AUGMENTATION

The augmentation plan for Lake Creek Meadows Water District, W-3587, set aside 105.0 AF consumptive use water from the Lui Hopper and the Creamery Ditch. The first 11.4 AF is available for augmentation of the municipal water supply for the Lake Creek Meadows subdivision. As can be seen from Table 4, the district is not exceeding the limits of the existing augmentation plan decreed in W-3587. The Creamery Ditch water right may be taken at the original points of diversion, the original point of diversion of the Lui Hopper Ditch or at any of the three points of diversion decreed to the Lake Creek Meadows Water District: Lake Creek Meadows Reservoir, the Lake Creek Meadows Water District Intake, or the Lake Creek Meadows Ditch at a flow rate of 1.5 cfs. The Lui Hopper water right may be taken at the original point of diversion, or at the point of diversion of the Lake Creek Meadows Water District Intake or the Lake Creek Meadows Ditch at a flow rate of 4.84 cfs. The diversion of consumptive use water from the Lui Hopper and/or the Creamery Ditch is limited to priority diversions and the historical irrigation season. November through April augmentation is made from releases from Lake Creek Meadows Reservoir when there is a Lake Creek or Eagle River call. The Lake Creek Meadows Water District Intake can be augmented from Green Mountain Reservoir when there is a Colorado River call. Releases are made at the above consumptive use amounts or 15% of the actual in house diversions (see Table 3).

**TABLE 4
ZANCANELLA & ASSOCIATES
LAKE CREEK MEADOWS WATER DISTRICT**

(values in acre feet)
DATE: 12/04/95

	Diversion						Consumptive Use						
	Domestic In-house	Commercial or Other	Lawn Irrigation	Open Space Irrigation	Livestock	TOTAL	Domestic In-house	Commercial or Other	Lawn Irrigation	Open Space Irrigation	Livestock	TOTAL	UNIT CU
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
January	2.30	0.00	0.00	0.00	0.00	2.30	0.35	0.00	0.00	0.00	0.00	0.35	0.00
February	2.07	0.00	0.00	0.00	0.00	2.07	0.31	0.00	0.00	0.00	0.00	0.31	0.00
March	2.30	0.00	0.00	0.00	0.00	2.30	0.35	0.00	0.00	0.00	0.00	0.35	0.00
April	2.22	0.00	0.00	0.00	0.00	2.22	0.33	0.00	0.00	0.00	0.00	0.33	0.00
May	2.30	0.00	0.34	0.00	0.00	2.64	0.35	0.00	0.24	0.00	0.00	0.59	0.10
June	2.22	0.00	1.22	0.00	0.00	3.44	0.33	0.00	0.86	0.00	0.00	1.19	0.36
July	2.30	0.00	1.43	0.00	0.00	3.73	0.35	0.00	1.00	0.00	0.00	1.35	0.42
August	2.30	0.00	1.12	0.00	0.00	3.42	0.35	0.00	0.78	0.00	0.00	1.13	0.33
September	2.22	0.00	0.54	0.00	0.00	2.76	0.33	0.00	0.38	0.00	0.00	0.71	0.16
October	2.30	0.00	0.10	0.00	0.00	2.40	0.35	0.00	0.07	0.00	0.00	0.42	0.03
November	2.22	0.00	0.00	0.00	0.00	2.22	0.33	0.00	0.00	0.00	0.00	0.33	0.00
December	2.30	0.00	0.00	0.00	0.00	2.30	0.35	0.00	0.00	0.00	0.00	0.35	0.00
Annual	27.05	0.00	4.75	0.00	0.00	31.80	4.08	0.00	3.33	0.00	0.00	7.41	1.40

(1) # of EQR's	69.00												
# persons/residence	3.50							(7) % CU for Domestic				15.00	
# gallons/person/day	100.00							(8) % CU for Commercial				0.00	
(2) # of EQR's	0.00												
(3) Sq. Ft of Lawn Irrigation/Unit	1500.00							(9) % Lawn Irrigation Efficiency				70.00	
Total Lawn Application (ac)	2.38							Annual Irrigation CU (af/ac)				1.73	
(4) Acres of Irrigated Open Space	0.00							Elevation (ft)				7600.00	
Open Space Application (af/ac)	2.00							(10) % Open Space Irrigation Efficiency				70.00	
(5) # of Livestock @ 10 gals/day	0.00							Annual Irrigation CU (af/ac)				1.40	
# gallons/unit/day	15.00							Elevation (ft)				6500.00	
								(11) % CU for Stock				100.00	

GROUNDWATER

Due to water quality problems at the Lake Creek Meadows Water District Intake, a monitoring well was drilled to determine if groundwater appropriations would be feasible as an alternative to the existing infiltration gallery. A land survey was conducted to locate the monitoring well and possible additional wells. On July 31, 1995, a well completion report was sent to the Lake Creek Meadows Water District apprising them of the findings at the monitoring well, Appendix C. It was determined that groundwater could be pumped from the monitoring well at a rate of 70 gallons per minute. We recommend that four new wells alternate points of diversion be decreed for the Lake Creek Meadows Water District. The wells can be described at the following locations:

1. Location: Lake Creek Meadows Water District Well #1 is located in the SW 1/4 of the NE 1/4 of Section 18, Township 5 South, Range 82 West, of the 6th P.M. at a point whence the center of Section 18 bears South $50^{\circ}40'31''$ West a distance of 750.66 feet, located 2063' West of the East line and 2164' South of the North line of said section.
2. Location: Lake Creek Meadows Water District Well #2 is located in the SW 1/4 of the NE 1/4 of Section 18, Township 5 South, Range 82 West, of the 6th P.M. at a point whence the center of Section 18 bears South $39^{\circ}14'51''$ West a distance of 750.36 feet, located 2168' West of the East line and 2061' South of the North line in said section.
3. Location: Lake Creek Meadows Water District Well #3 is located in the SE 1/4 of the NW 1/4 of Section 18, Township 5 South, Range 82 West, of the 6th P.M. at a point whence the center of Section 18 bears North $69^{\circ}59'02''$ East a distance of 1315.83 feet, located 1400' East of the West line and 2230' North of the South line in said section.
4. Location: Lake Creek Meadows Water District Well #4 is located in the SE 1/4 of the NW 1/4 of Section 18, Township 5 South, Range 82 West, of the 6th P.M. at a point whence the center of Section 18 bears North $63^{\circ}12'33''$ East a distance of 1428.99 feet, located 1340' East of the West line and 2030' North of the South line in said section.

The well locations are shown on the attached map (Figure 1) and as proposed the wells will all be located downstream of one of the existing alternate points of diversion. The new wells are not in anticipation of an expansion of use over that which was decreed in the existing augmentation plan. All of the proposed wells are within 100 feet of the stream. It is our opinion that the wells can be administered as surface water rights, delayed pumping effects need not be considered. The existing diversion records appear to be within the volumetric limits set forth in the existing augmentation. It is therefore our opinion that this water rights transfer can be accomplished without injury to downstream senior water rights.

We have enclosed draft well permits, a draft application of underground water rights, and a draft change in point of diversion which include the well locations and proposed amounts to be changed to the alternate groundwater points of diversion. If you have any questions, please feel free to contact our office at 945-5700.

Very truly yours,

Zancanella and Associates, Inc.

Thomas A. Zancanella
Thomas A. Zancanella, President *TAZ*

cc: Lake Creek Meadows Water District
Jerry Bender

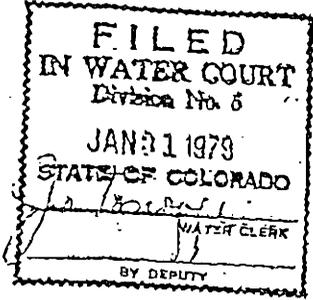
TAZ\95219

APPENDIX A

Water Court Case W-3589

37

IN THE DISTRICT COURT IN AND
FOR WATER DIVISION NO. 5
STATE OF COLORADO
Application No. W-3589



IN THE MATTER OF THE APPLICATION)
FOR WATER RIGHTS OF)
LAKE CREEK MEADOWS LIMITED PARTNERSHIP)
IN THE EAGLE RIVER) RULING OF REFEREE
OR ITS TRIBUTARIES)
TRIBUTARY INVOLVED: WEST LAKE CREEK)
IN EAGLE COUNTY.)

The above entitled application was filed on December 16, 1977, was amended on August 29, 1978, and was referred to the undersigned as Water Referee for Water Division No. 5, State of Colorado, by the Water Judge of said Court on the 13th day of January, 1978, and again, after amendment, on September 6, 1978, in accordance with Article 92 of Chapter 37, Colorado Revised Statutes 1973, known as the Water Rights Determination and Administration Act of 1969.

And the undersigned Referee having made such investigations as are necessary to determine whether or not the statements in the amended application are true and having become fully advised with respect to the subject matter of the amended application does hereby make the following determination and ruling as the Referee in this matter, to-wit

1. The statements in the amended application are true.
2. The name of the structure is Lake Creek Meadows Water District Intake.
3. The name of the claimant and address is Lake Creek Meadows Limited Partnership; c/o Byran Brown; P O Box 547; Vail, Colorado.
4. The source of the water is West Lake Creek, tributary to Lake Creek, tributary to the Eagle River.
5. The point of diversion is located at a point whence the Southwest corner of Section 18, T. 5 S., R. 82 W. of the 6th P.M. bears S. 34°00' W. a distance of 2,410 feet.
6. The use of the water is municipal, domestic, irrigation and recreation.
7. The date of initiation of appropriation is June 1, 1975.
8. The amount of water claimed is 2.0 cubic feet of water per second of time, absolute.
9. The applicant has installed an infiltration gallery at the point of diversion, and has constructed a clearwell, a pumping plant and a pipeline to a storage tank.

10. The water was first applied to the above beneficial uses on June 1, 1977.

The Referee does therefore conclude that the above entitled application should be granted and that 2.0 cubic feet of water per second of time is hereby awarded to the Lake Creek Meadows Water District Intake, for municipal, domestic, irrigation and recreation uses, with appropriation date of the 1st day of June, 1975, absolutely and unconditionally; subject, however, to all earlier priority rights of others and to the integration and tabulation by the Division Engineer of such priorities and changes of rights in accordance with law.

It is accordingly ORDERED that this ruling shall be filed with the Water Clerk and shall become effective upon such filing, subject to Judicial review pursuant to Section 37-92-304, C.R.S. 1973.

It is further ORDERED that a copy of this ruling shall be filed with the appropriate Division Engineer and the State Engineer.

Done at the City of Glenwood Springs, Colorado, this 31st day of January, 1979.

BY THE REFEREE:

No protest was filed in this matter.
The foregoing ruling is confirmed
and approved, and is made the
Judgment and Decree of this court.
Dated: 1-31-79
Blair J. Cole
WATER JUDGE

Blair J. Cole
Water Referee
Water Division No. 5
State of Colorado

APPENDIX B

Water Court Case W-3587

FILED
 IN WATER COURT
 Division No. 5
 DEC 12 1979
 STATE OF COLORADO
 WATER CLERK
P. Cole

IN THE DISTRICT COURT IN AND
 FOR WATER DIVISION NO. 5
 STATE OF COLORADO

Application No. W-3587

IN THE MATTER OF THE APPLI-)
 CATION FOR WATER RIGHTS OF)
 LAKE CREEK MEADOWS LIMITED)
 PARTNERSHIP) RULING OF REFEREE
 IN THE EAGLE RIVER OR ITS)
 TRIBUTARIES)
 TRIBUTARY INVOLVED: LAKE)
 CREEK IN EAGLE COUNTY.)

The above entitled application was filed on December 16, 1977, was published in the resume of December, 1977 applications, and was referred to the Water Referee for Water Division No. 5, State of Colorado, by the Water Judge of said Court on January 13, 1978.

An Amended Application was filed on August 29, 1978, was published in the resume of August, 1978 applications, and was referred to the Water Referee for Water Division No. 5, State of Colorado, by the Water Judge of said Court on September 6, 1978.

Statements of Opposition were filed by Charles Scudder, et al., and by Vail Water and Sanitation District, both of which were effectively withdrawn pursuant to stipulations between the applicant and the opposition. The applications were again referred to the Water Referee by the Water Judge for Water Division No. 5, on September 6, 1978, and on May 22, 1979, all in accordance with Article 92 of Chapter 37, Colorado Revised Statutes 1973, known as The Water Right Determination and Administration Act of 1969.

And the undersigned Referee having made such investigations as are necessary to determine whether or not the statements in the amended application are true and

having become fully advised with respect to the subject matter of the amended application does hereby make the following determination and ruling as the Referee in this matter, to-wit:

1. The statements in the amended application are true.

2. The names of the structures involved are:

(a) The Lake Creek Meadows Water District Intake,

(b) The Lake Creek Meadows Ditch,

(c) The Lake Creek Meadows Reservoir,

(d) The Lui Hopper Ditch, and

(e) The Creamery Ditch, First Enlargement.

3. The name of the claimant and address is: Lake Creek Meadows Limited Partnership; c/o Byron Brown; P.O. Box 547; Vail, Colorado.

4. The source of the water for the Lake Creek Meadows Water District Intake, The Lake Creek Meadows Ditch, The Lake Creek Meadows Reservoir and the Lui Hopper Ditch is West Lake Creek, tributary to Lake Creek, tributary to the Eagle River. The source of the water for the Creamery Ditch, First Enlargement is East Lake Creek, tributary to Lake Creek, tributary to the Eagle River.

5. (a) The point of diversion of the Lake Creek Meadows Water District Intake is located at a point whence the Southwest Corner of Section 18, T. 5 S., R. 82 W. of the 6th P.M. bears S. 34°00' W. a distance of 2,410 feet.

(b) The point of diversion of the Lake Creek Meadows Ditch is located at a point whence the Southwest Corner of Section 18, T. 5 S., R. 82 W. of the 6th P.M. bears S. 31°30' W. a distance of 3,820 feet.

(c) The dam which forms the Lake Creek Meadows

Reservoir is located at a point whence the Southwest Corner of Section 18, T. 5 S., R. 82 W. of the 6th P.M. bears S. 27°00' W. a distance of 4,940 feet.

(d) The point of diversion of the Lui Hopper Ditch, as decreed, is located on the West Bank of West Lake Creek at a point near the center of the Southeast Quarter of Section 18, T. 5 S., R. 82 W. of the 6th P.M. This description is obviously in error and a recent survey indicates that the point of diversion of the Lui Hopper Ditch is located at a point whence the Southwest Corner of Section 18, T. 5 S., R. 82 W. of the 6th P.M., bears S. 36°00' W. a distance of 2,160 feet.

(e) The point of diversion of the Creamery Ditch, as decreed, is located at a point whence the Southwest Corner of Section 8, T. 5 S., R. 82 W. of the 6th P.M. bears N. 30°06' E. a distance of 3,576 feet.

6. (a) On January 31, 1979, in Case No. W-3589, the Water Referee for Water Division No. 5 awarded to the Lake Creek Meadows Water District Intake, an absolute water right for 2.0 cubic feet of water per second of time, to be used for municipal, domestic, irrigation and recreation purposes with appropriation date of June 1, 1975. This Ruling of the Referee ^{was} ~~was~~ confirmed and made a Decree of the Court on May 9, 1979.

(b) On January 31, 1979, in Case No. W-3588, the Water Referee for Water Division No. 5 awarded to the Lake Creek Meadows Ditch, an absolute water right for 2.0 cubic feet of water per second of time for piscatorial use, and a conditional water right for the same 2.0 cubic feet of water per second of time for municipal, domestic, irrigation and recreation uses, all with appropriation date of June 10, 1969. This Ruling of the Referee was confirmed

and made a Decree of the Court on May 9, 1979.

(c) On January 31, 1979, in Case No. W-3590, the Water Referee for Water Division No. 5 awarded to the Lake Creek Meadows Reservoir an absolute water storage right for 7.0 acre feet of water for piscatorial use, and a conditional water storage right for the same 7.0 acre feet of water for municipal, domestic, irrigation, recreation, mechanical, manufacturing, fire protection and sewage treatment uses, all with appropriation date of June 10, 1969. This Ruling of the Referee was confirmed and made a Decree of the Court on May 9, 1979.

(d) On October 3, 1936, in Civil Action No. 963, the Eagle County District Court awarded to the Lui Hopper Ditch, Structure No. 280, Priority No. 373, an absolute water right for 4.84 cubic feet of water per second of time, to be used for irrigation, with appropriation date of June 1, 1888.

(e) On October 3, 1936, in Civil Action No. 963, the Eagle County District Court awarded to the Creamery Ditch, First Enlargement, Structure No. 115, Priority No. 383, an absolute water right for 13.16 cubic feet of water per second of time, to be used for irrigation, with appropriation date of May 5, 1898. The applicant herein is the owner of 1.50 cubic feet of water per second of time of this Priority No. 383.

7. On August 29, 1978, the applicant filed, in Water Court for Water Division No. 5, an amended application for change of water right and approval of plan for augmentation, in which it is requested that the Court approve the following changes and plan for augmentation:

(a) That the point of diversion of the Lake Creek Meadows Water District Intake, at the location

as described in paragraph 5(a) above, be used as an alternate point of diversion for 1.50 cubic feet of water ~~per~~^{per} second of time of that water previously awarded to the Creamery Ditch, First Enlargement under Priority No. 383;

(b) That the point of diversion of the Lake Creek Meadows Ditch, at the location as described in paragraph 5(b) above, be used as an alternate point of diversion for 1.50 cubic feet of water per second of time of that water previously awarded to the Creamery Ditch, First Enlargement under Priority No. 383;

(c) That the point of diversion of the Lui Hopper Ditch, at the location as described in paragraph 5(d) above, be used as an alternate point of diversion for 1.50 cubic feet of water per second of time of that water previously awarded to the Creamery Ditch, First Enlargement under Priority No. 383;

(d) That the point of diversion of the Lake Creek Meadows Water District Intake, at the location as described in paragraph 5(a) above, be used as an alternate point of diversion for the water previously awarded to the Lui Hopper Ditch under Priority No. 373;

(e) That the point of diversion of the Lake Creek Meadows Ditch, at the location as described in paragraph 5(b) above, be used as an alternate point of diversion for the water previously awarded to the Lui Hopper Ditch under Priority No. 373;

(f) That the use of the water previously awarded to the Lui Hopper Ditch under Priority No. 373, and 1.50 cubic feet of water per second of time previously awarded to the Creamery Ditch, First Enlargement under Priority No. 383, be changed from

irrigation to recreation, municipal, domestic, irrigation, mechanical, manufacturing, fire protection and sewage treatment;

(g) And for approval of a plan for augmentation, the purpose of which plan is to provide a dependable, year-around supply of water to the Lake Creek Meadows Water District Intake, by augmentation of the Lake Creek Meadows Water District Intake by the use of water previously awarded to the Lui Ropper Ditch under Priority No. 373, by the use of 1.50 cubic feet of water per second of time previously awarded to the Creamery Ditch, First Enlargement under Priority No. 133, and by the use of the water previously awarded to the Lake Creek Meadows Reservoir in Case No. W-3590.

8. A Statement of Opposition was timely filed by Charles Scudder, Elizabeth A. Scudder, Holly Scudder DiFani, Jean Scudder, Caroline Miller and Richard B. Scudder, and as a result the application was re-referred by the Water Referee to the Water Judge for Water Division No. 5.

9. The above Statement of Opposition was withdrawn providing the following conditions are incorporated in the decree awarded to the applicants:

(a) Applicant shall at its sole cost and expense cause to be installed a device sufficient to control the flow of the water out of the Creamery Ditch into the lateral owned by applicant which has historically received applicant's share of the waters of the Creamery Ditch. Furthermore, applicant shall install at its sole expense a device suitable for measuring the flow of water in applicant's lateral below the point from which its lateral diverts water from the main Creamery Ditch.

(b) Applicant may divert the waters heretofore decreed to the Creamery Ditch First Enlargement (that portion owned by applicant which is 1.5 cfs) at the following described points, situate on the west fork of Lake Creek in Eagle County, Colorado, as follows:

(i) On the West bank of West Lake Creek near the center of the Southwest quarter of

Section 18, T. 5 S., R. 82 W., 6th P.M., in Eagle County.

(ii) On the West bank of West Lake Creek in Eagle County at a point near the center of the Southeast quarter of Section 18, T. 5 S., R. 82 W., of the 6th P.M.

(iii) On the West bank of West Lake Creek in Eagle County, whence the NE corner of Section 18, T. 5 S., R. 82 W., 6th P.M. bears N. 61° E., a distance of 4,150 feet.

(iv) The Lui Hopper headgate is located at a point whence the SW corner of Section 18, T. 5 S., R. 82 W. of the 6th P.M. bears South 36° West a distance of 2160 feet.

(v) The Lake Creek Meadows Pipeline is located at a point whence the SW corner of Section 18, T. 5 S., R. 82 W. of the 6th P.M. bears South 34° West a distance of 2410 feet.

(vi) The Lake Creek Meadows Ditch headgate is located at a point whence the SW corner of Section 18, T. 5 S., R. 82 W. of the 6th P.M. bears South 31° 30' West a distance of 3820 feet.

(vii) The Creamery Ditch headgate is located at a point whence the SW corner of Section 18, T. 5 S., R. 82 W. of the 6th P.M. bears South 59° West a distance of 4060 feet.

(viii) The Reservoir is located at a point whence the SW corner of Section 18, T. 5 S., R. 82 W. of the 6th P.M. bears South 27° West a distance of 4940 feet.

Provided, that at such time as applicant is diverting pursuant to the priority heretofore awarded to the Creamery Ditch First Enlargement, at any of the foregoing described points of diversion on the west fork of Lake Creek, applicant may not exercise its priority in such a fashion to cause an administrative call to be made upon any rights on said West Lake Creek which were in existence and in use and adjudicated prior to December 16, 1977.

(c) Applicant agrees, that in the event insufficient water is available to satisfy the decreed priority of the Creamery Ditch First Enlargement, then applicant shall accept a prorata reduction in the water it is entitled to divert pursuant to this priority, which reduction shall be determined by multiplying 1.5 cfs times a fraction, the denominator of which is equal to 13.16 cfs, the numerator of which is equal to the water available to the Creamery Ditch on Lake Creek, Priority No. 383 (the Creamery Ditch First Enlargement).

10. A Statement of Opposition was timely filed by Vail Water and Sanitation District, and as a result

the Amended Application re-referred by the Water Referee to the Water Judge for Water Division No. 5. An Entry of Appearance was also filed by the City of Aurora.

11. The following Stipulation and Withdrawal of Opposition was filed by the applicant and the Vail Water and Sanitation District.

A. In the within matter, Applicant proposes to change the place of use, point of diversion, and type of use for the Lui Hopper Ditch, Priority No. 373, and the Creamery Ditch, First Enlargement - 13.16 c.f.s. (Applicant owns 1.5 c.f.s. of the latter right), Priority No. 383, in order to augment Applicant's Lake Creek Meadows Water District Intake, the subject of Case No. W-3589.

B. Historically, Applicant has irrigated 41 acres under the Lui Hopper Ditch and 33 acres under the Creamery Ditch, First Enlargement, consumptively using irrigation water at the rates of 105 acre-feet during a normal year and 123 acre-feet during a dry year.

C. Applicant may change the place of use, type of use, and points of diversion of the decrees described in paragraph 1 hereinabove, provided diversions pursuant to these priorities occur only during the historic irrigation season as the same shall be determined on an annual basis by the State Engineer or his representative. Use of the junior decree, Lake Creek Meadows Water District Intake (Case No. 3589) shall be permitted in the non-irrigation season, either pursuant to its own priority or at such times as replacement or exchange releases are available from Lake Creek Meadows Reservoir (W-3590).

D. The average year water requirements for the Lake Creek Meadows Subdivision for in-house, domestic purposes will amount to 11.4 acre-feet per annum. The first 11.4 acre-feet available to the water rights described in paragraph 1 hereinabove shall be used for the purposes of augmenting the Lake Creek Meadows Water District Intake (W-3589), either by direct exchange or indirect replacement using the Lake Creek Meadows Reservoir (W-3590). The balance of the consumptive use of irrigation water historically available under Applicant's decrees (93.6 acre-feet per annum) may continue to be used for irrigation purposes at the alternate headgates and points of diversion and reservoir evaporation for Case No. W-3590 described in Applicant's Amended Application herein; provided, however, that when Applicant, or its successors in interest, shall have used for irrigation purposes a cumulative total of 93.6 acre-feet during any single irrigation season, the balance of the water to be diverted for irrigation purposes shall be administered as though it were a 1977 priority such as that requested in Case No. W-3588 (the Lake Creek Meadows Ditch).

E. If the plan of augmentation is operated as hereinabove described and the limitations and conditions hereinabove described are observed, Opponent agrees that no increased use will be made of the decrees described in paragraph 1 hereinabove, and that operation of the priority system will prevent injury to water rights owned or claimed by Opponent by reason of Applicant's change in use and plan of augmentation as described in the Amended Application herein.

F. Conditioned upon Applicant's agreement that the foregoing shall constitute conditions which either be inserted in any decree issued herein or, if not inserted in any decree by act of the Referee or Water Judge, then such conditions shall be specifically enforceable in any court of competent jurisdiction by Opponent herein, Opponent hereby withdraws its Statement of Opposition to the Amended Application heretofore filed and consents to the re-referral of the within matter to the Water Referee for his informal deliberations pursuant to statute.

12. Subsequent to the filing of the Stipulations the Amended Application was again referred to the Water Referee by the Water Judge for Water Division No. 5, for a Ruling.

13. An engineering report submitted by the applicant and prepared by Wright Water Engineers shows historic diversions by the Lui Hopper Ditch and the Creamery Ditch, First Enlargement to be in excess of 500 acre feet per annum, of which 105 acre feet are consumptively used during the year as follows:

January	0
February	0
March	0
April	0
May	7
June	27
July	32
August	25
September	12
October	2
November	0
December	0
Total	105 acre feet

The Blaney-Criddle Method was used to estimate the consumptive use.

14. The Engineering Report indicates that the consumptive use of water diverted at the Lake Creek Meadows Water District Intake and delivered to the Lake Creek Meadows

Subdivision will be 11.4 acre feet during the year as follows:

January	1.0
February	0.8
March	1.0
April	0.9
May	1.0
June	0.9
July	1.0
August	1.0
September	0.9
October	1.0
November	0.9
December	1.0
Total	<u>11.4</u> acre feet

In order to compensate for the consumptive use of water during the non-irrigation season, releases will be made from the Lake Creek Meadows Reservoir at the following times and in the following quantities:

January	1.0
February	0.8
March	1.0
April	0.9
May	0
June	0
July	0
August	0
September	0
October	0
November	0.9
December	1.0
Total	<u>5.6</u> acre feet

15. During the irrigation season, as determined by the Division Engineer or his representative, if necessitated by a valid call, the water diverted at the Lake Creek Meadows Water District Intake will be supplied by either the Lui Hopper Ditch under Priority No. 373, or the Creamery Ditch, First Enlargement under Priority No. 383.

The Referee does therefore conclude that the above entitled application should be granted insofar as it is consistent with the conditions in the stipulations as set forth in paragraph 9 and in paragraph 11 above.

The alternate points of diversion as requested in the Amended Application, and as described in detail in paragraphs 7(a), 7(b), 7(c), 7(d) and 7(e) above are hereby

approved; provided, however, that as such times as the applicant is diverting pursuant to the Creamery Ditch, First Enlargement, Priority No. 383, at any of the alternate points of diversion, applicant may not exercise its priority in such a manner to cause an administrative call to be made on any water rights on West Lake Creek which were in existence prior to December 16, 1977, and further that if insufficient water is available to satisfy the decreed priority of the Creamery Ditch, First Enlargement, then applicant shall accept a prorata reduction in the water it is entitled to divert pursuant to this priority, which reduction shall be determined by multiplying 1.5 cfs times a fraction, the denominator of which is equal to 13.16 cfs, the numerator of which is equal to the water available to the Creamery Ditch, First Enlargement under Priority No. 383, and provided further that the total historical consumptive use shall not be increased.

The use of the water previously awarded to the Lui Hopper Ditch under Priority No. 373, and 1.50 cubic feet of water per second of time of the water previously awarded to the Creamery Ditch, First Enlargement under Priority No. 383, is hereby changed from irrigation to recreation, municipal, domestic, irrigation, mechanical, manufacturing, fire protection and sewage treatment.

The plan for augmentation as set forth in paragraph 11, paragraph 14 and paragraph 15 above is hereby approved. The plan is subject to the terms, conditions and limitations as set forth in the stipulations at paragraph 9 and at paragraph 11 above, and shall be operated by the applicant and administered by the State Engineer and his representatives in the manner as set forth herein.

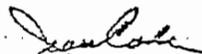
It is accordingly ORDERED that this ruling shall be filed with the Water Clerk and shall become effective upon

such filing, subject to Judicial review pursuant to Section 37-92-304 C.R.S. 1973.

It is further ORDERED that a copy of this ruling shall be filed with the appropriate Division Engineer and the State Engineer.

Done at the City of Glenwood Springs, Colorado, this 12th day of DECEMBER, 1979.

BY THE REFEREE:

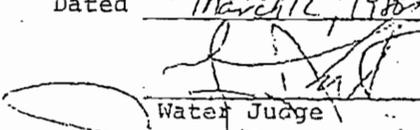


Water Referee
Water Division No. 5
State of Colorado

No protest was filed in this matter, and accordingly the foregoing ruling is confirmed and approved, and is made the Judgment and Decree of this court; provided, however, that the approval of this change of water right shall be subject to reconsideration by the Water Judge on the question of injury to the vested rights of others during any hearing commencing in the ten calendar years succeeding the year in which this decision is rendered.

Dated

March 12, 1980



Water Judge

APPENDIX C

Well Completion Report

Well Completion Report

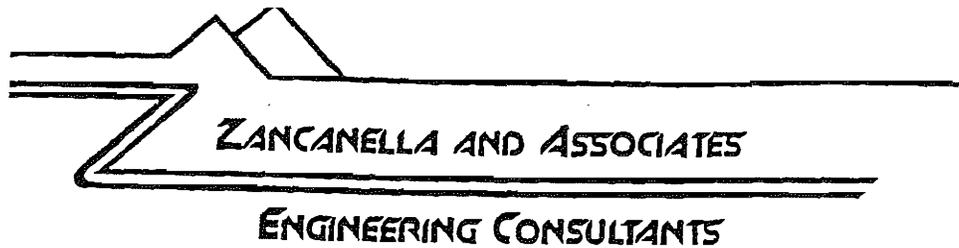
**Lake Creek Meadows Water District Well #1
Edwards, Colorado**

Prepared by:

**Zancanella and Associates, Inc.
Engineering Consultants
P.O. Box 1908
Glenwood Springs, CO 81602**

Prepared For:

**Lake Creek Homeowners Association
% Jerome Gamba and Associates
P.O. Box 1458
Glenwood Springs, Co. 81601**



July 31, 1995

Lake Creek Meadows Water District
% Upper Eagle Valley Water District
P.O. Box 323
Edwards, CO 81623

Re: Lake Creek Meadows Water District Well #1

Dear Lake Creek Meadows Water District:

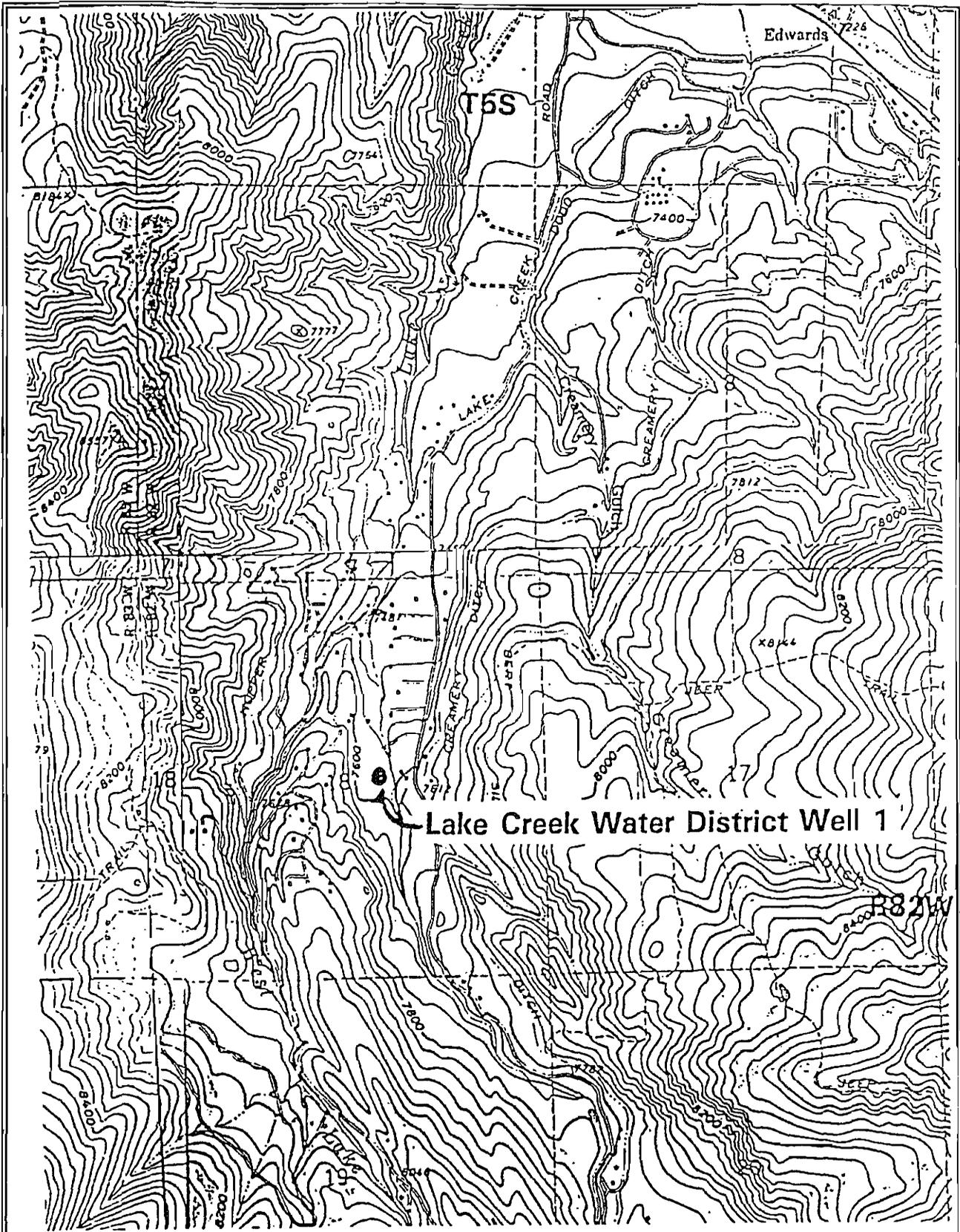
At the request of Jerome Gamba and Associates, Inc. Zancanella and Associates, Inc has reviewed the pump test data collected by Jerry Bender on July 20, 1995. The Lake Creek Meadows Water District Well #1 was tested to document its current capacity and to design the permanent pump. The permitted location of this well is shown on the site map (Figure 1). The permitted description for the well is as follows:

The Lake Creek Water District Well # 1 is located at a point in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, Township 5 South, Range 82 West of the 6th P.M. at a point whence the NE corner of said section bears North $39^{\circ} 75'$ East for a distance of 3350 feet. The well can be approximately plotted 2600 feet from the North Section Line and 2250 feet from the East Section Line.

We recommend that the actual location of the well be surveyed in the field prior to the filling of a permanent water rights application.

The static water level on July 20, 1995 was 27.7 feet below the top of the well casing. The well was drilled to a total depth of 75 feet and was completed in the alluvial gravels. The static water level will provide approximately 47.3 feet of available draw down in the well. Figure 2 is a schematic diagram of the well and the formations encountered.

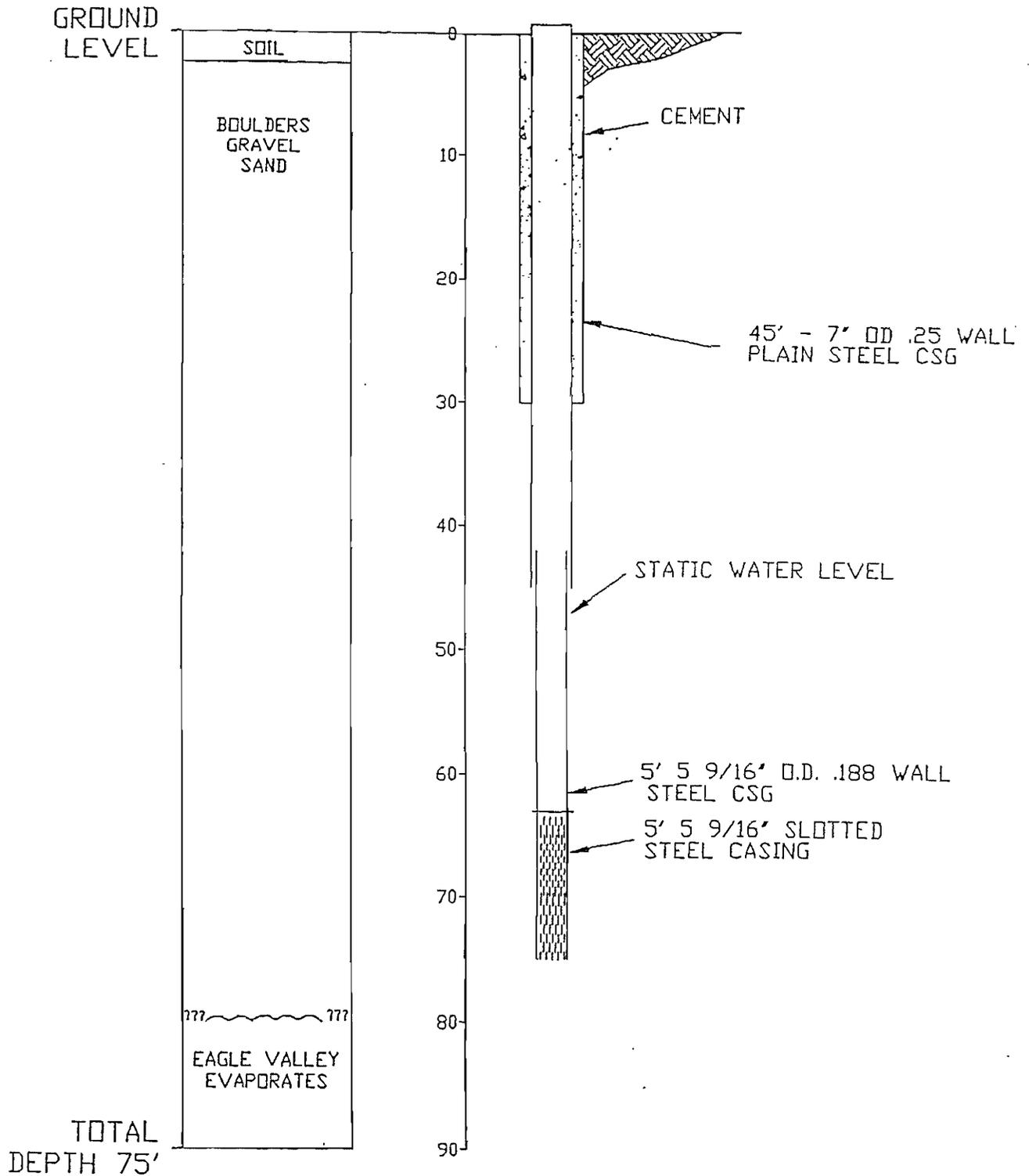
The well was tested on July 20, 1995 by Samuelson Pump company. A Goulds 5 hp pump powered by an electric generator was installed for the test. The well was step-tested at pumping rates of 70 gpm and 100 gpm. A long term rate of 100 gpm was selected and the well continued to pump for an additional 15.5 hours. Normally we prefer the test is run for 24 hours, this test was ended early due to a pump failure. Given the nature of the drawdown curve established during the 18 hours that the well was pumped we did not believe it was



Lake Creek Water District Well 1

Zancanella & Associates, Inc.
 Engineering Consultants
 P.O. Box 1908
 1005 Cooper Ave.
 Glenwood Springs, CO 81602

FIGURE 1
 Lake Creek Water District Well 1
 Scale 1" = 2000'



REV. NO.	DATE	REVISION	MADE BY	CHECK BY	APPRO BY

WELL 1 DETAIL					
SCALE	DATE	SHEET			
NOT TO SCALE	JULY 28, 1988	2 OF 3			
DRAWN BY	CHECK BY	APPRO BY	PLAN NO.		
TL	VAZ		W270/WELL		

LAKE CREEK WATER DISTRICT

ZANCANELLA AND ASSOCIATES, INC.
ENGINEERING CONSULTANTS
POST OFFICE BOX 1088 - 1025 COOPER AVENUE
CLEVEDON SPRING, COLORADO 80520 (303) 946-3700

SHEET NO. **2**

PROJECT: 87219

TABLE 1

LAKE CREEK WELL
PUMPING TEST DATA

DATE	TIME	WATER LEVEL	DRAW DOWN	t	t'	t/t'	Q	COMM.
20-Jul-95	12:08 PM	27.69	0	0				11:55 AM
20-Jul-95	12:09 PM	28.83	1.1	1			70 GPM	
20-Jul-95	12:10 PM	28.94	1.3	2			70	
20-Jul-95	12:11 PM	29.00	1.3	3			70	
20-Jul-95	12:12 PM	29.02	1.3	4			70	
20-Jul-95	12:13 PM	29.08	1.4	5			70	
20-Jul-95	12:14 PM	29.13	1.4	6			70	
20-Jul-95	12:16 PM	29.13	1.4	8			70	
20-Jul-95	12:18 PM	29.13	1.4	10			70	
20-Jul-95	12:20 PM	29.23	1.5	12			70 GPM	
20-Jul-95	12:23 PM	29.19	1.5	15			70	
20-Jul-95	12:28 PM	29.23	1.5	20			70	
20-Jul-95	12:38 PM	29.33	1.8	30			70	
20-Jul-95	12:48 PM	29.46	1.8	40			70	
20-Jul-95	12:58 PM	29.42	1.7	50			70	
20-Jul-95	01:08 PM	29.42	1.7	60			70	
20-Jul-95	01:38 PM	29.46	1.8	90			70	
20-Jul-95	02:08 PM	29.58	1.9	120			70	
20-Jul-95	03:08 PM	29.65	2.0	180			70	
20-Jul-95	03:38 PM	30.21	2.5	210			100	
20-Jul-95	03:40 PM	30.19	2.5	212			100	
20-Jul-95	03:41 PM	30.21	2.5	213			100	
20-Jul-95	03:42 PM	30.19	2.5	214			100	
20-Jul-95	03:43 PM	30.21	2.5	215			100	
20-Jul-95	03:44 PM	30.21	2.5	218			100	
20-Jul-95	03:45 PM	30.29	2.6	217			100	
20-Jul-95	03:47 PM	30.25	2.6	219			100	
20-Jul-95	03:49 PM	30.21	2.5	221			100	
20-Jul-95	03:54 PM	30.33	2.6	228			100	
20-Jul-95	03:57 PM	30.29	2.8	229			100	
20-Jul-95	04:08 PM	30.40	2.7	240			100	
20-Jul-95	04:18 PM	30.50	2.8	250			100	
20-Jul-95	04:28 PM	30.46	2.8	260			100	
20-Jul-95	04:38 PM	30.58	2.9	270			100	
20-Jul-95	05:08 PM	30.56	2.9	300			100	
20-Jul-95	05:38 PM	30.58	2.9	330			100	
20-Jul-95	06:38 PM	30.58	2.9	390			100	
20-Jul-95	10:30 PM	30.58	2.9	622			100	
20-Jul-95	02:30 AM	30.56	2.9	862			100	
20-Jul-95	06:30 AM	30.58	2.9	1102			100	

No data given for recovery of this well

worth repumping the well. The drawdown vs time data collected during the test is presented in Table #1.

We have plotted the data in a drawdown vs time curve for the well and have presented the curve in Figure 3. The well demonstrated continuous drawdown with time during the pumping period, however the established drawdown curve was very flat. The pumping level at 100 gpm stayed well above the pump during the testing period. If the well continues to drawdown at the same rate that was established during the test from 210 minutes to 1000 minutes, the well would be able to pump continuously for 1000 days at the 100 gpm rate with the water level remaining above the top of the pump intake. (Figure 3)

Recovery data for the well was not collected due to the failure of the pump. Normally it is collected for a period of 24 hour after pumping had stopped. The technician was monitoring the well water levels at 4 hour intervals, when he made his 6:30 am check the water level was 30.58 when he returned at 10:30 am the pump had stopped and the well was fully recovered.

If a well recovers at a rate equal to the pumping period we consider this recovery rate to be normal recovery. For the Lake Creek Meadows Water District Well #1 to have fully recovered in a four hour period, would indicate that the cone of depression caused by the well was being recharged by the creek system or the well demonstrated positive recovery.

It was our understanding that Jerome Gamba and Associates, Inc. has calculated the average water demand for the subdivision to be 35 gpm. The well was constructed as a test hole to evaluate the potential aquifer production. The well design did not anticipate encountering such a large volume well at this location. To serve the subdivision directly from the well at a pumping rate of 100 gpm, a 6" pump and motor would be required. From Figure 1 we can see the well was constructed with 5 9/16" and 7" diameter steel pipe. The 5 9/16" casing installed in the well limits the size of pump, that can be installed in the well to four inches in diameter.

We recommend that the Lake Creek Homeowners install a 4" (Model 75S Grundfos 75 gpm 10 HP see attached pump curve) pump with the pump intake located at 65 feet below the top of the well casing. During the test the water level remained approximately 30.5 feet below ground level, if the level remains this high during the late irrigation season. The pump should be capable of supplying the subdivision with an adequate volume of water. The pump should be protected with a motor minder or equal pump protection system. If additional water is needed, a second booster pump could be installed at the chlorination building to boost the water from the well to the distribution system. This type of double pump configuration could be difficult to operate. For mechanical reliability of the system, we suggest the Lake Creek Meadows Home owners association consider constructing a second 8 inch diameter well, equipped stainless steel well screen to be used as the primary well and utilize the existing well

LAKE CREEK WELL

DRAWDOWN vs TIME

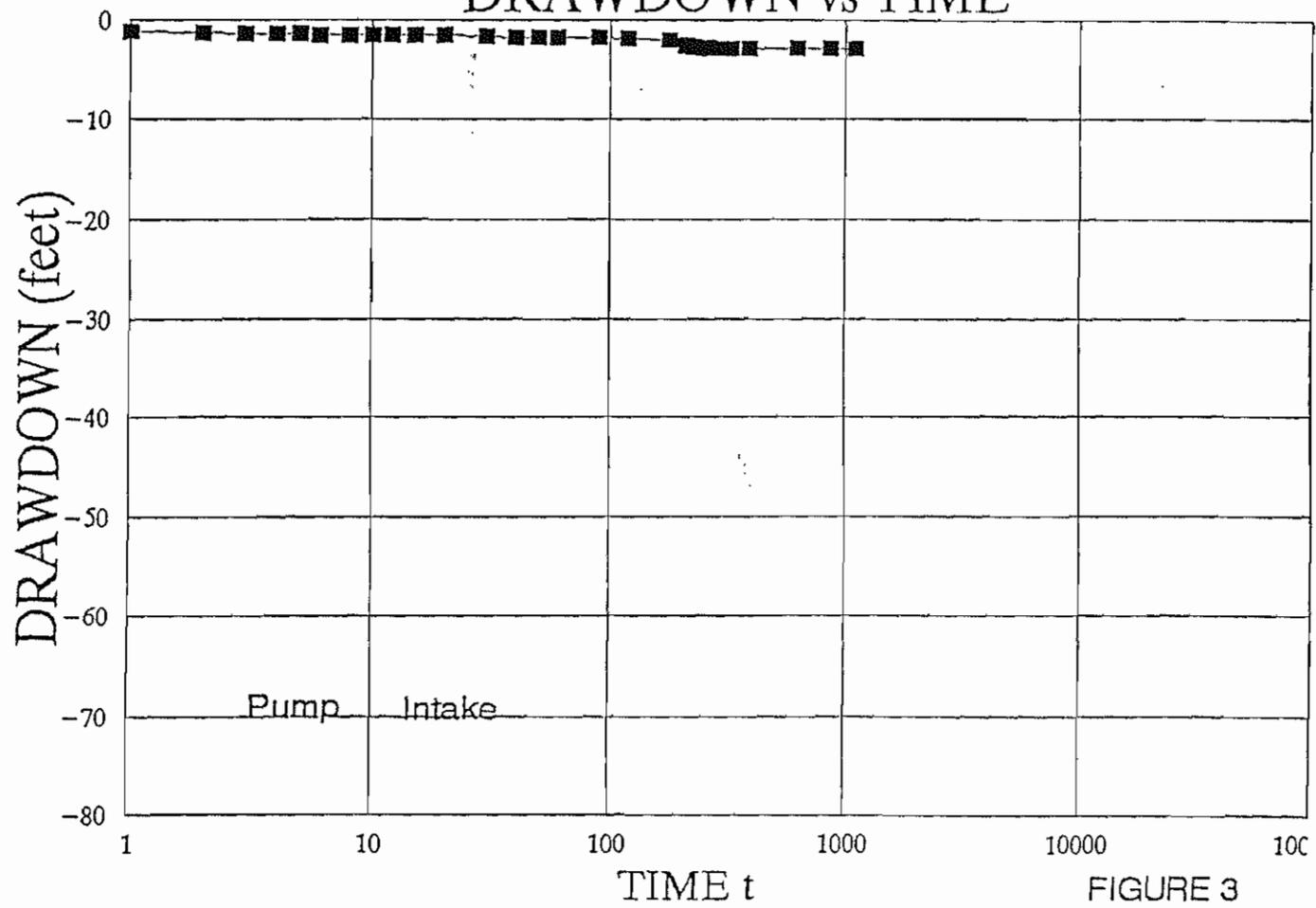


FIGURE 3

as a back up well.

Finally, water samples of the pumping discharge were taken from the well and were submitted to Laboratories for independent water quality analysis of the State mandatory and recommended parameters. The results of the tests are not yet available but will be sent to you as soon as they are completed. It will be necessary to test the well for particulates to determine the amount of influence that the surface water is having on the ground water system, if properly developed and grouted the well should be capable of supplying turbidity free water.

A water rights augmentation plan will need to be filed to protect the well from being called out by senior down stream diverters. We can be available to work with your water attorney to complete these filings.

If you have any questions, please feel free to contact our office at 945-5700.

Very Truly Yours

Zancanella and Associates

Thomas A Zancanella
Thomas A. Zancanella, P.E.

cc: Jerry Bender

TAZ\11\95219

75S

75 GPM

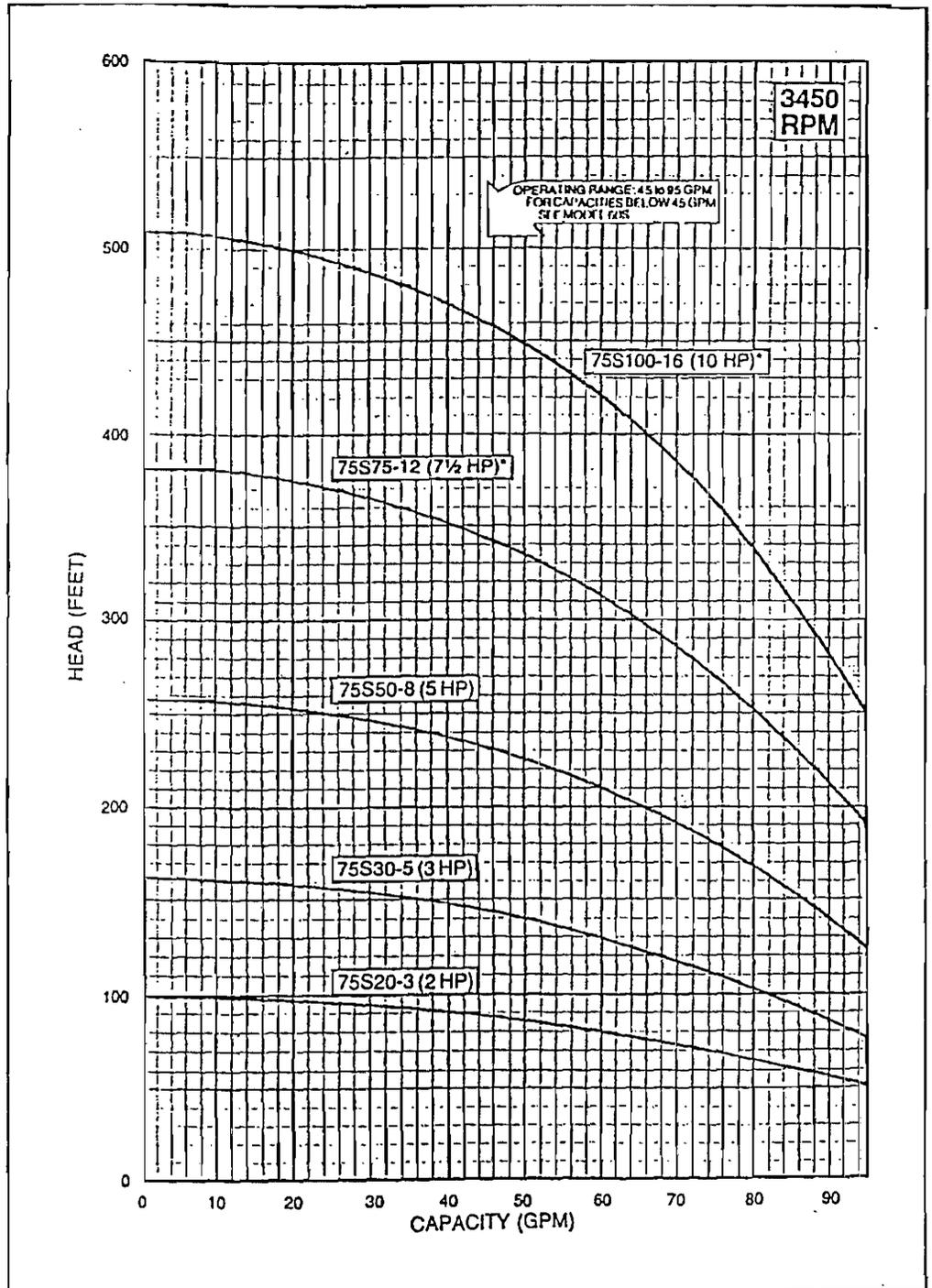
GRUNDFOS

FLOW RANGE
45 to 95 GPM

PUMP OUTLET
2" NPT



PERFORMANCE CURVES



DIMENSIONS AND WEIGHTS

MODEL NO.	HP	LENGTH (INCHES)	WIDTH (INCHES)	APPROX. UNIT SHIPPING WT. (LBS.)
75S20-3	2	28 5/8	3 15/16	38
75S30-5	3	40 3/4	3 15/16	64
75S50-8	5	51 1/4	3 15/16	78
75S75-12	7 1/2*	67 1/2	3 15/16	100
75S100-16	10*	92 1/8	3 15/16	155

Specifications are subject to change without notice.

* A 4-inch motor is provided as standard on these models.

COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in BLACK INK. No overstrikes or erasures unless initialed.

- () A PERMIT TO USE GROUND WATER
- () A PERMIT TO CONSTRUCT A WELL
- FOR: () A PERMIT TO INSTALL A PUMP
- () REPLACEMENT FOR NO. MH-24838
- () OTHER _____
- WATER COURT CASE NO. _____

(1) APPLICANT - mailing address

WATER DISTRICT

NAME LAKE CREEK MEADOWS

STREET 846 FORREST RD.

CITY VAIL CD 81657

(State) (Zip)

TELEPHONE NO. (970) 476-7480

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. _____ / _____

Basin _____ Dist. _____

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

(2) LOCATION OF PROPOSED WELL

County EAGLE

SW 1/4 of the NE 1/4, Section 18

Twp. 5 S, Rng. 82 W, _____ 6 P.M.

(N,S) (E,W)

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 4570

Average annual amount of ground water to be appropriated (acre-feet): 72

Number of acres to be irrigated: 0

Proposed total depth (feet): 75

Aquifer ground water is to be obtained from:
ALLUVIUM

Owner's well designation LAKE CREEK MEADOWS
WELL NO. 1

GROUND WATER TO BE USED FOR:

- () HOUSEHOLD USE ONLY - no irrigation (0)
- () DOMESTIC (1) () INDUSTRIAL (5)
- () LIVESTOCK (2) () IRRIGATION (6)
- () COMMERCIAL (4) () MUNICIPAL (8)
- () OTHER (9) _____

DETAIL THE USE ON BACK IN (11)

APPLICATION APPROVED

PERMIT NUMBER _____

DATE ISSUED _____

EXPIRATION DATE _____

(STATE ENGINEER)

BY _____

(4) DRILLER

Name GOLDEN EAGLE DRILLING

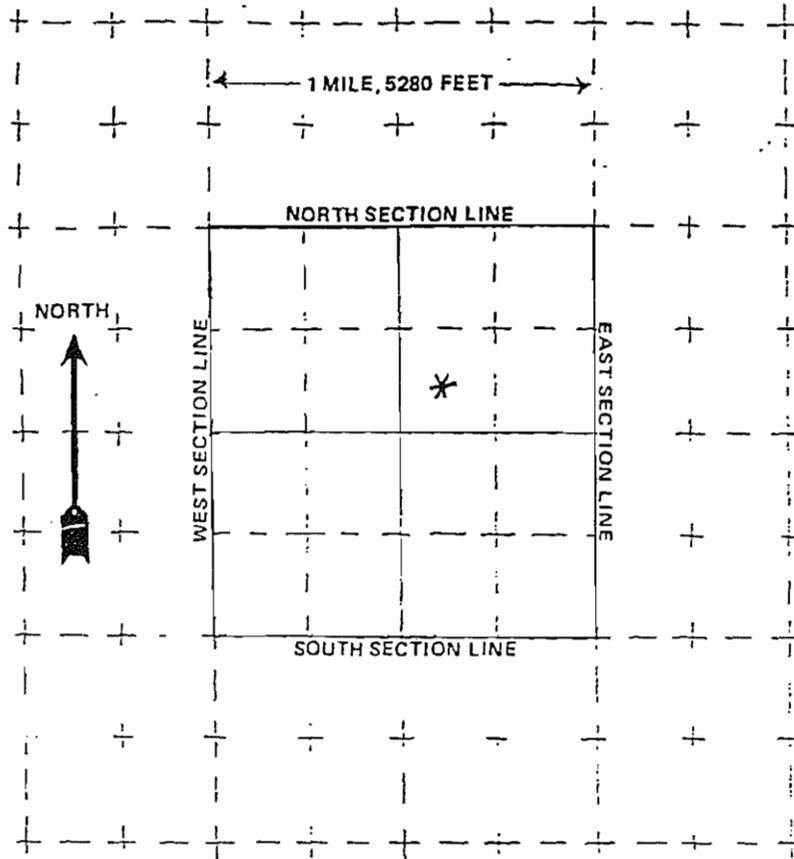
Street PO BOX 475

City ERISCO CD 80443

(State) (Zip)

Telephone No. (970) 668-3564 Lic. No. 388

(5) THE LOCATION OF THE PROPOSED WELL and the area on which the water will be used must be indicated on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)

An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year.
1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

(6) THE WELL MUST BE LOCATED BELOW by distances from section lines.

~~2164~~
~~2300~~ ft. from NORTH (north or south) sec. line
~~2063~~
~~2250~~ ft. from EAST (east or west) sec. line

LOT 2 BLOCK 2 FILING # _____
SUBDIVISION LAKE CREEK MEADOW

(7) TRACT ON WHICH WELL WILL BE LOCATED Owner: LAKE CREEK MEADOW

No. of acres _____ Will this be SUBDIVISION
the only well on this tract? no

(8) PROPOSED CASING PROGRAM

Plain Casing
7 in. from 0 ft. to 45 ft.
_____ in. from _____ ft. to _____ ft.
Perforated casing
5 9/16 in. from 42 ft. to 72 ft.
_____ in. from _____ ft. to _____ ft.

(9) FOR REPLACEMENT WELLS give distance and direction from old well and plans for plugging it:

(10) LAND ON WHICH GROUND WATER WILL BE USED:

Owner(s): n/a No. of acres: _____

Legal description: _____

(11) DETAILED DESCRIPTION of the use of ground water: Household use and domestic wells must indicate type of disposal system to be used. MUNICIPAL USE FOR LAKE CREEK MEADOWS SUBDIVISION

(12) OTHER WATER RIGHTS used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used
<u>LAKE CREEK MEADOW W.D. INTAKE</u>	<u>MUNICIPAL</u>	<u>W-3589</u>
<u>LAKE CREEK MEADOWS W.D. AUGMENTATION PLAN</u>		<u>W-3587</u>

(13) THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.

SIGNATURE OF APPLICANT(S)

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in BLACK INK. No overstrikes or erasures unless initialed.

- () A PERMIT TO USE GROUND WATER
- () A PERMIT TO CONSTRUCT A WELL
- FOR: () A PERMIT TO INSTALL A PUMP
- () REPLACEMENT FOR NO. _____
- () OTHER _____
- WATER COURT CASE NO. _____

(1) APPLICANT - mailing address

DISTRICT

NAME LAKE CREEK MEADOWS WATER

STREET 846 FOREST RD

CITY VAIL CO 81657
(State) (Zip)

TELEPHONE NO. (970) 476-7480

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. _____ / _____

Basin _____ Dist. _____

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

(2) LOCATION OF PROPOSED WELL

County EAGLE

SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 18

Twp. 5 S, Rng. 82 W, 6 P.M.
(N.S) (E.W)

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 45 100

Average annual amount of ground water to be appropriated (acre-feet): 72

Number of acres to be irrigated: 0

Proposed total depth (feet): 75

Aquifer ground water is to be obtained from:
ALLUVIUM

Owner's well designation LAKE CREEK MEADOWS WATER DISTRICT WELL NO. 2

- GROUND WATER TO BE USED FOR:**
- () HOUSEHOLD USE ONLY - no irrigation (0)
 - () DOMESTIC (1) () INDUSTRIAL (5)
 - () LIVESTOCK (2) () IRRIGATION (6)
 - () COMMERCIAL (4) () MUNICIPAL (8)

() OTHER (9) _____
DETAIL THE USE ON BACK IN (11)

APPLICATION APPROVED

PERMIT NUMBER _____

DATE ISSUED _____

EXPIRATION DATE _____

(STATE ENGINEER)

BY _____

I.D. _____ COUNTY _____

(4) DRILLER

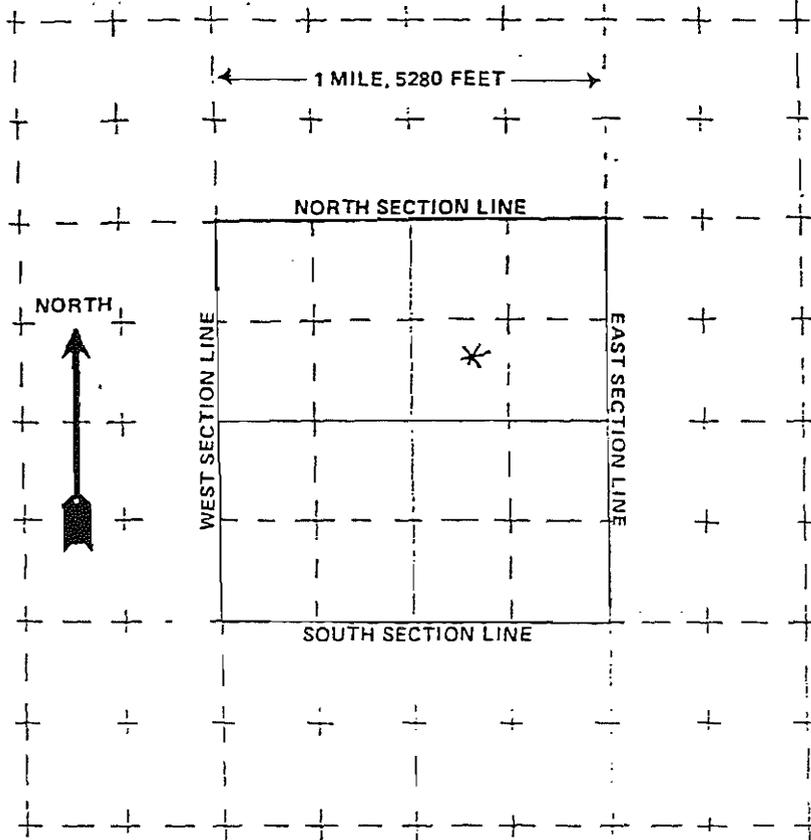
Name LICENSED

Street _____

City _____ (State) (Zip)

Telephone No. _____ Lic. No. _____

(5) THE LOCATION OF THE PROPOSED WELL and the area on which the water will be used must be indicated on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)

An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year.
1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

(6) THE WELL MUST BE LOCATED BELOW by distances from section lines.

2061 ft. from NORTH sec. line
(north or south)
2168 ft. from EAST sec. line
(east or west)

LOT _____ BLOCK 2 FILING # 2
SUBDIVISION LAKE CREEK MEADOWS

(7) TRACT ON WHICH WELL WILL BE LOCATED Owner: LAKE CREEK MEADOWS SUBDIVISION
No. of acres _____ Will this be the only well on this tract? NO

(8) PROPOSED CASING PROGRAM

Plain Casing
7" in. from 0 ft. to 50 ft.
_____ in. from _____ ft. to _____ ft.
Perforated casing
5 9/16 in. from 42 ft. to 72 ft.
_____ in. from _____ ft. to _____ ft.

(9) FOR REPLACEMENT WELLS give distance and direction from old well and plans for plugging it:

(10) LAND ON WHICH GROUND WATER WILL BE USED:

Owner(s): LAKE CREEK MEADOWS SUBDIVISION No. of acres: _____

Legal description: _____

(11) DETAILED DESCRIPTION of the use of ground water: Household use and domestic wells must indicate type of disposal system to be used.

MUNICIPAL USE FOR LAKE CREEK MEADOWS SUBDIVISION

(12) OTHER WATER RIGHTS used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used
LAKE CRK MEADOWS W.D. INTAKE	MUNICIPAL	W-3589
LAKE CRK MEADOWS W.D. AUG. PLAN	AUGMENTATION	W-3587

(13) THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.

SIGNATURE OF APPLICANT(S)

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in **BLACK INK**. No overstrikes or erasures unless initialed.

(X) A PERMIT TO USE GROUND WATER
(X) A PERMIT TO CONSTRUCT A WELL
FOR: (X) A PERMIT TO INSTALL A PUMP
() REPLACEMENT FOR NO. _____
() OTHER _____
WATER COURT CASE NO. _____

(1) APPLICANT - mailing address

NAME Lake Creek Meadows *Water Dist*
STREET 846 Forrest Road
CITY Vail Co 81657
(State) (Zip)
TELEPHONE NO. (970) 476-7480

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. _____ / _____
Basin _____ Dist. _____

(2) LOCATION OF PROPOSED WELL

County Eagle
SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 18
Twp. S S, Rng. 82 W, 6th P.M.
(N,S) (E,W)

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 100
Average annual amount of ground water to be appropriated (acre-feet): 72
Number of acres to be irrigated: 0
Proposed total depth (feet): 100
Aquifer ground water is to be obtained from:
West Lake Creek Alluvium
Owner's well designation Lake Creek Meadows Water District Well No. 3

GROUND WATER TO BE USED FOR:

() HOUSEHOLD USE ONLY - no irrigation (0)
(X) DOMESTIC (1) () INDUSTRIAL (5)
() LIVESTOCK (2) (X) IRRIGATION (6)
() COMMERCIAL (4) (X) MUNICIPAL (8)
(X) OTHER (9) recreation
DETAIL THE USE ON BACK IN (11)

APPLICATION APPROVED

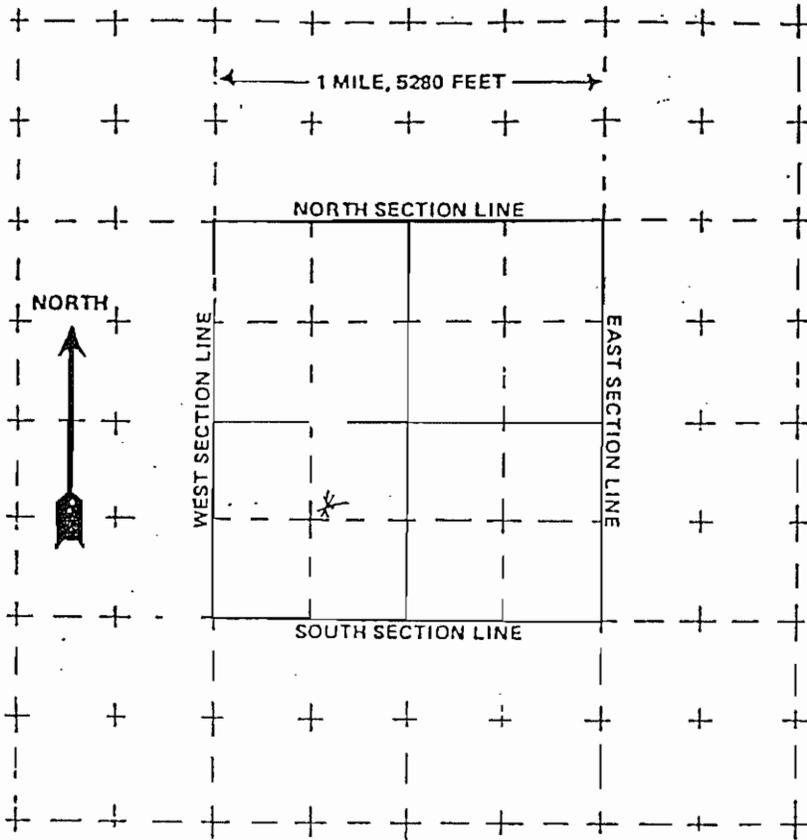
PERMIT NUMBER _____
DATE ISSUED _____
EXPIRATION DATE _____

(STATE ENGINEER)
BY _____
I.D. _____ COUNTY _____

(4) DRILLER

Name licensed *poss Golden Eagle*
Street _____
City _____
(State) (Zip)
Telephone No. _____ Lic. No. _____

(5) THE LOCATION OF THE PROPOSED WELL and the area on which the water will be used must be indicated on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

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1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

(6) THE WELL MUST BE LOCATED BELOW by distances from section lines.

2230 ft. from South sec. line
(north or south)
1400 ft. from West sec. line
(east or west)

LOT _____ BLOCK _____ FILING # _____

SUBDIVISION Lake Creek Meadows

(7) TRACT ON WHICH WELL WILL BE LOCATED Owner: Lake Creek Meadows Sub

No. of acres _____ Will this be the only well on this tract? _____

(8) PROPOSED CASING PROGRAM

Plain Casing
7 in. from 0 ft. to 50 ft.
_____ in. from _____ ft. to _____ ft.
Perforated casing
5 9/16 in. from \$0 ft. to 100 ft.
_____ in. from _____ ft. to _____ ft.

(9) FOR REPLACEMENT WELLS give distance and direction from old well and plans for plugging it:

(10) LAND ON WHICH GROUND WATER WILL BE USED:

Owner(s): N/A No. of acres: _____

Legal description: _____

(11) DETAILED DESCRIPTION of the use of ground water: Household use and domestic wells must indicate type of disposal system to be used. Municipal use for lake creek meadows subdivision

(12) OTHER WATER RIGHTS used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used
<u>Intake</u>	<u>W-3589</u>	
<u>Aug Plan</u>	<u>W-3587</u>	

(13) THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.

SIGNATURE OF APPLICANT(S)

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in **BLACK INK**. No overstrikes or erasures unless initialed.

FOR: A PERMIT TO USE GROUND WATER
 A PERMIT TO CONSTRUCT A WELL
 A PERMIT TO INSTALL A PUMP
 REPLACEMENT FOR NO. _____
 OTHER _____
 WATER COURT CASE NO. _____

(1) APPLICANT - mailing address
 NAME lake Creek Meadows ^{water} Dist
 STREET 846 Forrest Rd
 CITY Vail Co 81657
(State) (Zip)
 TELEPHONE NO. (970) 476-7480

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN
 Receipt No. _____ / _____
 Basin _____ Dist. _____

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

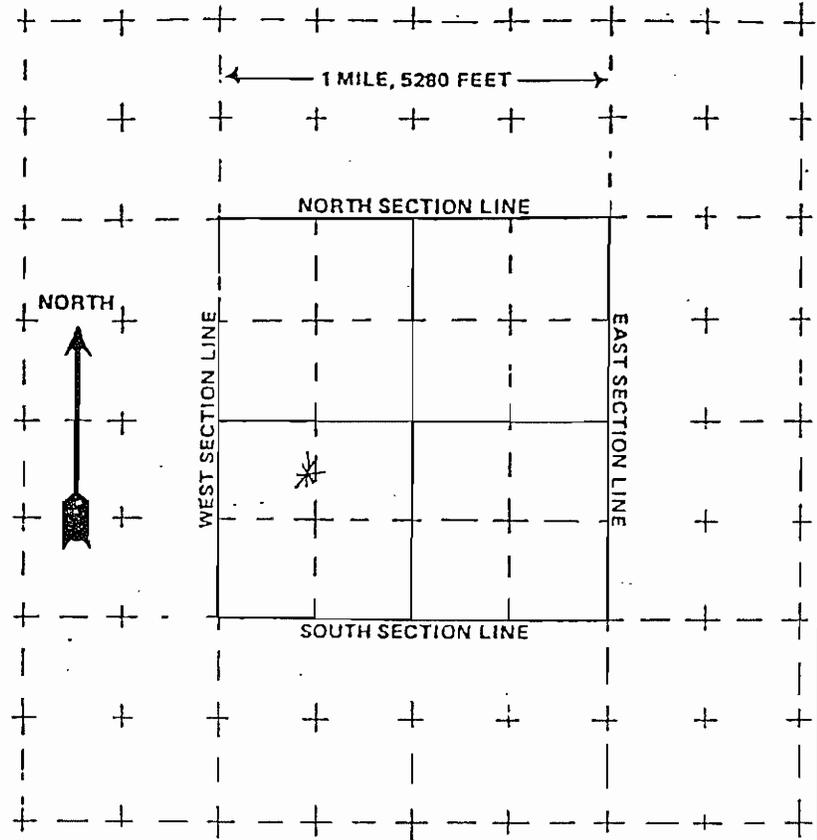
(2) LOCATION OF PROPOSED WELL
 County Eagle
SE 1/4 of the NW 1/4, Section 18
 Twp. S 5 (N.S), Rng. 82 (E.W), 6th P.M.

(3) WATER USE AND WELL DATA
 Proposed maximum pumping rate (gpm) 100
 Average annual amount of ground water to be appropriated (acre-feet): 72
 Number of acres to be irrigated: 0
 Proposed total depth (feet): 100
 Aquifer ground water is to be obtained from:
West lake Creek Alluvium
 Owner's well designation Lake Creek meadows water DISTRICT Well NO. #
GROUND WATER TO BE USED FOR:
 HOUSEHOLD USE ONLY - no irrigation (0)
 DOMESTIC (1) INDUSTRIAL (5)
 LIVESTOCK (2) IRRIGATION (6)
 COMMERCIAL (4) MUNICIPAL (8)
 OTHER (9) recreation
 DETAIL THE USE ON BACK IN (11)

APPLICATION APPROVED
 PERMIT NUMBER _____
 DATE ISSUED _____
 EXPIRATION DATE _____
 _____ (STATE ENGINEER)
 BY _____
 I.D. _____ COUNTY _____

(4) DRILLER
 Name licensed ^{poss.} Golden Eagle
 Street _____
 City _____
(State) (Zip)
 Telephone No. _____ Lic. No. _____

(5) THE LOCATION OF THE PROPOSED WELL and the area on which the water will be used must be indicated on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)

An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year.
1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

(6) THE WELL MUST BE LOCATED BELOW by distances from section lines.

2030 ft. from South (north or south) sec. line
1340 ft. from West (east or west) sec. line

LOT _____ BLOCK _____ FILING # _____
SUBDIVISION Lake Creek Meadows

(7) TRACT ON WHICH WELL WILL BE LOCATED Owner: Lake Creek Meadows

No. of acres _____ Will this be the only well on this tract? _____

(8) PROPOSED CASING PROGRAM

Plain Casing
7 in. from 0 ft. to 50 ft.
_____ in. from _____ ft. to _____ ft.
Perforated casing
5 9/16 in. from 40 ft. to 100 ft.
_____ in. from _____ ft. to _____ ft.

(9) FOR REPLACEMENT WELLS give distance and direction from old well and plans for plugging it:

(10) LAND ON WHICH GROUND WATER WILL BE USED:

Owner(s): JA No. of acres: _____

Legal description: _____

(11) DETAILED DESCRIPTION of the use of ground water: Household use and domestic wells must indicate type of disposal system to be used.

Municipal use for lake creek meadows subdivision

(12) OTHER WATER RIGHTS used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used
<u>Intake</u>	<u>W-3589</u>	
<u>aug plan</u>	<u>W-3587</u>	

(13) THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.

SIGNATURE OF APPLICANT(S)

DISTRICT COURT, WATER DIVISION NO.5, COLORADO

Case No. _____

APPLICATION FOR CHANGE OF WATER RIGHTS

CONCERNING THE APPLICATION OF WATER RIGHTS OF:

Lake Creek Meadows Water District in Eagle County, Colorado

1. Name and address of Applicant:

Lake Creek Meadows Water District
c/o Delaney and Balcomb
Drawer 790
Glenwood Springs, Colorado 81602

FIRST CLAIM

2. Name of Structure: Lake Creek Meadows Water District Intake

3. From previous Decree:

A. Date Entered: 12/31/1977
Case No.: W-3589
Court: Division 5 Water Court

B. Point of Diversion: Infiltration gallery located at a point from whence the Southwest corner of Section 18, Township 5 South, Range 82 West, of the 6th P.M. bears South 34 degrees West, 2410 feet.

C. Source: West Lake Creek

D. Appropriation Date: 6/01/1975
Amount: 2.0 cfs absolute

E. Use: Municipal, domestic, irrigation, recreation

4. Proposed Change: Applicant seeks alternate points of diversions for the Lake

DISTRICT COURT, WATER DIVISION NO.5, COLORADO

Case No. _____

APPLICATION FOR UNDERGROUND WATER RIGHTS

CONCERNING THE APPLICATION OF WATER RIGHTS OF:

Lake Creek Meadows Water District in Eagle County, Colorado

1. Name and address of Applicant:

Lake Creek Meadows Water District
c/o Delaney and Balcomb
Drawer 790
Glenwood Springs, Colorado 81602

FIRST CLAIM

2. Lake Creek Meadows Water District Well No. 1

3. Location: Lake Creek Meadows Water District Well No.1 SW 1/4 of the NE 1/4 of Section 18, Township 5 South, Range 82 West, of the 6th P.M. at a point whence the center of Section 18 bears South 50°40'31" West a distance of 750.66 feet, located 2063' West of the East line and 2164' South of the North line of said section.

4. Source: East Lake Creek Alluvium

A. Depth: 72.0 feet

B. Date of Appropriation : 7/20/1995

C. Date water was applied to beneficial use:

D. How appropriation was initiated: appropriation was initiated by surveying the well location and drilling a test well

E. Amount: 70 gpm, conditional

- F. Use: Municipal, domestic, irrigation, recreation
- G. Permit: Pending approval or denial by the State Engineer's Office

SECOND CLAIM

5. Name : Lake Creek Meadows Water District Well No. 2:
6. Proposed Location: Lake Creek Meadows Water District Well No. 2 SW 1/4 of the NE 1/4 of Section 18, Township 5 South, Range 82 West, of the 6th P.M. at a point whence the center of Section 18 bears South 39°14'51" West a distance of 750.36 feet, located 2168' West of the East line and 2061' South of the North line in said section.
7. Source: East Lake Creek Alluvium
- A. Depth: 72.0 feet
- B. Date of Appropriation : 7/20/1995
- C. Date water was applied to beneficial use:
- D. How appropriation was initiated: Appropriation was initiated by surveying the well location and drilling a test well
- E. Amount: 100 gpm, conditional
- F. Use: Municipal, domestic, irrigation, recreation
- G. Permit: Pending approval or denial by the State Engineer's Office

THIRD CLAIM

2. Lake Creek Meadows Water District Well No. 3
3. Location: Lake Creek Meadows Water District Well No. 3 is located in the SE 1/4 of the NW 1/4 of Section 18, Township 5 South, Range 82 West, of the 6th P.M. at a point whence the center of Section 18 bears North 69°59'02" East a distance of 1315.83 feet, located 1400' East of the West line and 2230' North of the South line in said section.
4. Source: West Lake Creek Alluvium

- A. Depth: 100.0 feet (est.)
- B. Date of Appropriation : 7/20/1995
- C. Date water was applied to beneficial use: N/A
- D. How appropriation was initiated: appropriation was initiated by surveying the well location and drilling a test well
- E. Amount: 100 gpm, conditional
- F. Use: Municipal, domestic, irrigation, recreation
- G. Permit: Pending approval or denial by the State Engineer's Office

FOURTH CLAIM

2. Lake Creek Meadows Water District Well No. 4

3. Location: Lake Creek Meadows Water District Well No 4 is located in the SE 1/4 of the NW 1/4 of Section 18, Township 5 South, Range 82 West, of the 6th P.M. at a point whence the center of Section 18 bears North 63°12'33" East a distance of 1428.99 feet, located 1340' East of the West line and 2030' North of the South line in said section.

4. Source: West Lake Creek Alluvium

- A. Depth: 100.0 feet (est.)
- B. Date of Appropriation : 7/20/1995
- C. Date water was applied to beneficial use: N/A
- D. How appropriation was initiated: appropriation was initiated by surveying the well location and drilling a test well
- E. Amount: 100 gpm, conditional
- F. Use: Municipal, domestic, irrigation, recreation
- G. Permit: Pending approval or denial by the State Engineer's Office

Proposed Operation of Wells:

Lake Creek Meadows Water District Wells No. 1 2, 3 and 4 will be used to provide the municipal water supply to Lake Creek Meadows Subdivision. The wells will be operated as alternate points to the Lake Creek Meadow Water District Intake and will be pumped under the priority of the Lake Creek Meadow Water District Intake or under the Lake Creek Meadow Water District Plan for Augmentation, water court

case W-3587 when the Lake Creek Meadow Water District Intake is out of priority.

8. Names(s) and address(es) of owner(s) of land on which structure(s) for the water right is located :

Lake Creek Meadows Water District
846 Forest Road
Vail, CO 8165

Respectfully submitted this _____ day of _____, 1995

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LAKE CREEK METROPOLITAN DISTRICT
FINANCIAL FORECAST
FOR THE YEARS 1997 THROUGH 2006

GENERAL GOVERNMENT FUND	Page 1
WATER ENTERPRISE FUND	Page 2
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APPENDIX A

LAKE CREEK METROPOLITAN DISTRICT
 FINANCIAL FORECAST
 FOR THE YEARS 1997 THROUGH 2006

GENERAL GOVERNMENT FUND										
	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
REVENUE:										
Property Taxes (Schedule A)	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000
Specific Ownership	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Interest Income	48	183	218	308	294	293	368	498	517	589
TOTAL REVENUE	42,048	42,183	42,218	42,308	42,294	42,293	42,368	42,498	42,517	42,589
EXPENDITURES:										
Fire Protection Operations Agreement	17,561	17,945	18,329	18,713	19,097	19,481	19,865	20,249	20,633	21,017
Mosquito Control	1,000	1,000	1,000	1,000	1,500	1,500	1,500	1,500	1,500	1,500
Management Contract - Admin. portion	2,000	2,000	2,000	2,000	2,500	2,500	2,500	2,500	2,500	2,500
Insurance	5,000	5,150	5,305	5,464	5,628	5,796	5,970	6,149	6,334	6,524
Audit	2,000	2,060	2,122	2,185	2,251	2,319	2,388	2,460	2,534	2,610
Legal-General	2,000	2,060	2,122	2,185	2,251	2,319	2,388	2,460	2,534	2,610
Director's Fees and Expenses	2,000	2,000	2,000	2,000	2,000	2,300	2,300	2,500	2,500	2,500
Election Expense	0	2,000	0	2,000	0	2,000	0	2,000	0	2,000
Membership Fees	300	300	300	300	300	400	400	400	400	400
Treasurer's Fees	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
Other	600	600	600	600	600	600	600	600	600	600
TOTAL EXPENDITURES	38,661	41,315	39,978	42,648	42,327	40,415	39,112	42,018	40,734	43,460
REVENUE OVER (UNDER) EXPENDITURES	3,387	868	2,241	(340)	(33)	1,878	3,256	480	1,783	(872)
FUND BALANCE - BEG OF YEAR	1,200	4,587	5,455	7,695	7,355	7,322	9,200	12,456	12,936	14,719
FUND BALANCE - END OF YEAR	\$4,587	\$5,455	\$7,695	\$7,355	\$7,322	\$9,200	\$12,456	\$12,936	\$14,719	\$13,847

LAKE CREEK METROPOLITAN DISTRICT
 FINANCIAL FORECAST
 FOR THE YEARS 1997 THROUGH 2006

WATER ENTERPRISE FUND

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
REVENUE:										
Water Service Income	\$65,000	\$66,300	\$67,626	\$68,979	\$70,358	\$71,765	\$73,201	\$74,665	\$76,158	\$77,681
Tap Fees (Schedule A)	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	0
Loan Proceeds	590,000	0	0	0	0	0	0	0	0	0
Interest Income	1,800	1,880	1,961	2,043	2,125	2,206	2,287	2,365	2,440	2,512
Other	200	200	200	200	200	200	200	200	200	200
TOTAL REVENUE	667,000	78,380	79,787	81,222	82,683	84,172	85,687	87,229	88,798	80,393
EXPENDITURES:										
LCM-Water System Operation	12,500	12,875	13,261	13,659	14,069	14,491	14,926	15,373	15,835	16,310
Management Contract	30,000	30,900	31,827	32,782	33,765	34,778	35,822	36,896	38,003	39,143
Legal-Water	2,000	2,060	2,122	2,185	2,251	2,319	2,388	2,460	2,534	2,610
Transfer to Debt Service Fund	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000
Other	500	515	530	546	563	580	597	615	633	652
TOTAL EXPENDITURES	665,000	76,350	77,741	79,173	80,648	82,167	83,732	85,344	87,005	88,715
REVENUE OVER (UNDER) EXPENDITURES	2,000	2,030	2,047	2,049	2,035	2,004	1,955	1,885	1,793	(8,322)
FUND BALANCE - BEG OF YEAR	45,000	47,000	49,030	51,077	53,126	55,161	57,165	59,120	61,005	62,798
FUND BALANCE - END OF YEAR	\$47,000	\$49,030	\$51,077	\$53,126	\$55,161	\$57,165	\$59,120	\$61,005	\$62,798	\$54,477

LAKE CREEK METROPOLITAN DISTRICT
 FINANCIAL FORECAST
 FOR THE YEARS 1997 THROUGH 2006

<u>DEBT SERVICE FUND</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
REVENUE:										
Property Taxes (Schedule A)	\$55,000	\$55,000	\$55,000	\$55,000	\$55,000	\$55,000	\$55,000	\$55,000	\$55,000	\$55,000
Specific Ownership Taxes	2,750	2,750	2,750	2,750	2,750	2,750	2,750	2,750	2,750	2,750
Transfer from Water Enterprise Fund	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000
Interest Revenue	0	118	240	368	500	638	782	931	1,086	1,247
TOTAL REVENUE	87,750	87,868	87,990	88,118	88,250	88,388	88,532	88,681	88,836	88,997
EXPENDITURES:										
Debt Service (Schedule B)	82,654	82,654	82,654	82,654	82,654	82,654	82,654	82,654	82,654	82,654
Treasurer's Fees	1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650
Paying Agent Fees	500	500	500	500	500	500	500	500	500	500
TOTAL EXPENDITURES	84,804	84,804	84,804	84,804	84,804	84,804	84,804	84,804	84,804	84,804
REVENUE OVER (UNDER) EXPENDITURES	2,946	3,064	3,186	3,314	3,446	3,584	3,728	3,877	4,032	4,193
FUND BALANCE - BEG OF YEAR	0	2,946	6,010	9,196	12,510	15,956	19,541	23,268	27,145	31,177
FUND BALANCE - END OF YEAR	\$2,946	\$6,010	\$9,196	\$12,510	\$15,956	\$19,541	\$23,268	\$27,145	\$31,177	\$35,370

LAKE CREEK METROPOLITAN DISTRICT
 FINANCIAL FORECAST
 FOR THE YEARS 1997 THROUGH 2006

DEBT SERVICE:

Year	\$500,000 Drinking Water Revolving Fund G.O. Loan Dated January 1996			\$590,000 Drinking Water Revolving Fund G.O. Loan Dated January 1997			<u>TOTAL DEBT SERVICE</u>
	Principal	Interest	Total	Principal	Interest	Total	
1997	\$16,196	\$21,108	\$37,304	\$18,800	\$26,550	\$45,350	\$82,654
1998	16,933	20,371	37,304	19,646	25,704	45,350	82,654
1999	17,704	19,600	37,304	20,530	24,820	45,350	82,654
2000	18,509	18,795	37,304	21,454	23,896	45,350	82,654
2001	19,352	17,952	37,304	22,419	22,931	45,350	82,654
2002	20,232	17,072	37,304	23,428	21,922	45,350	82,654
2003	21,153	16,151	37,304	24,482	20,868	45,350	82,654
2004	22,115	15,189	37,304	25,584	19,766	45,350	82,654
2005	23,122	14,182	37,304	26,735	18,615	45,350	82,654
2006	24,174	13,130	37,304	27,939	17,411	45,350	82,654
2007 through 2015	<u>273,583</u>	<u>62,156</u>	<u>335,739</u>	<u>358,983</u>	<u>94,735</u>	<u>453,718</u>	<u>789,457</u>
Total	<u>\$473,073</u>	<u>\$235,706</u>	<u>\$708,779</u>	<u>\$590,000</u>	<u>\$317,218</u>	<u>\$907,218</u>	<u>\$1,615,997</u>