

CENTRAL FILES

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DISTRICT COURT, WATER DIVISION I, COLORADO

FILED IN DISTRICT COURT

JAN 4 1987

Case No. 83 CW002

WATER RIGHTS
ENGINEER
J.M.A.

FINDINGS AND RULING OF THE REFEREE AND DECREE OF THE WATER COURT

CONCERNING THE APPLICATION FOR WATER RIGHTS OF WILL-O-WISP, NORTH FORK ASSOCIATES AND MOUNTAIN MUTUAL RESERVOIR COMPANY in PARK COUNTY

THIS CLAIM, having been filed with the Water Clerk, Water Division I, on January 3, 1987 and the Referee being fully advised in the premises, does hereby find:

All notices required by law of the filing of this application have been fulfilled, and the Referee has jurisdiction of this application.

A Statement of Opposition was filed by Billy Walker and an Entry of Appearance was filed by the City and County of Denver. The time for filing additional statement has expired.

All matters contained in the application having been reviewed, and testimony having been taken where such testimony is necessary, and such corrections made as are indicated by the evidence presented herein, IT IS HEREBY THE RULING OF THE WATER REFEREE:

1. The name and address of the claimant:

Will-O-Wisp, North Fork Associates and
Mountain Mutual Reservoir Company
2525 South Wadsworth #306
Denver, Colorado 80227

2. The name of the structure:

Glasman Ditch No. 2

3. The legal description of the structure:

In the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, Township 6 South, Range 72 West of the 6th P.M., Park County. The headgate is located at a point whence the W $\frac{1}{4}$ Corner of Section 26 bears North 52°44' West, 2030 feet. The ditch flows generally in an easterly direction for a distance of approximately 500 feet, terminating in Woodside Reservoir, a reservoir conditionally decreed in Case No. W-8771-77. This is the headgate for the Glasman Ditch as decreed in Park County on May 22, 1913.

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4. The source of water:

Elk Creek, a tributary to the North Fork of the South Platte River.

5. The date of appropriation:

August 31, 1981

6. The amount of water:

0.70 cubic feet per second CONDITIONAL.


7. The use of the water:

Domestic, commercial, irrigation, piscatorial, recreational and municipal.

8. It is also ordered that the conditional right herein awarded is hereby continued in full force and effect until November, 1988 . . . If Applicant desires to maintain such conditional decree, an application for a quadrennial finding of reasonable diligence shall be filed on or before November, 1988 or a showing made on or before such date that the conditional water right has become an absolute water right by reason of the completion of the appropriation

9. The priority herein awarded said Glasman Ditch No. 2 was filed in the Water Court in the year of 1983 and shall be administered as having been filed in that year; and shall be junior to all priorities filed in previous years. As between all rights, filed in the same calendar year, priorities shall be determined by historical dates of appropriation and not affected by the date of entry of ruling.

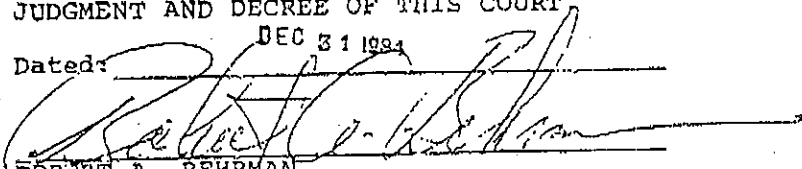
DATED this 27th day of November, 1984.


RAYMOND S. LIESMAN
Water Referee
Water Division No. I

THE COURT FINDS: NO PROTEST WAS FILED IN THIS MATTER.

THE FOREGOING RULING IS CONFIRMED AND APPROVED, AND IS HEREBY MADE THE JUDGMENT AND DECREE OF THIS COURT

Dated: DEC 31 1984


ROBERT A. BEHRMAN
Water Judge
Water Division No. I