

RECEIVED

COLORADO DIVISION OF WATER RESOURCES MAY 17 1984

818 Centennial Bldg., 1313 Sherman St.

Denver, Colorado 80203

WATER RESOURCES STATE-ENGINEER AFFIDAVIT

TYPE OR PRINT IN BLACK INK. COPY OF ACCEPTED STATEMENT MAILED ON REQUEST.

STATE OF COLORADO

COUNTY OF \_\_\_\_\_

SS. \_\_\_\_\_

STATEMENT OF BENEFICIAL USE OF GROUND WATER
AMENDMENT OF EXISTING RECORD 1.00 This form is being submitted
LATE REGISTRATION to change only the name of the owner.

PERMIT NUMBER 78047

LOCATION OF WELL

THE AFFIANT(S) Russell K. Osgood, Attorney for Paclamar Farms, partnership
whose mailing address is 2336 Canyon Blvd., Boulder, CO 80302
County Boulder
W 1/2 1/4 of the NW 1/4, Section 32

City Boulder CO 80302 Twp. 1 N Rng. 69 W 6th P.M.

as shown by the Deed attached hereto as Exhibit 1, Paclamar Farms, partnership,
being duly sworn upon oath, deposes and says that he/they is/are the owner(s) of the well described hereon; the well is
located as described above, at distances of 210 feet from the North section line and 500 feet from the

West section line; water from this well was first applied to/a beneficial use for the purpose(s) described herein on the
day of / / the maximum estimated pumping rate of the well is / / gallons per minute, the pumping
rate divided hereby is / / gallons per minute; the total depth of the well is / / feet; the average annual amount
of water to be diverted is / / acre feet; the which/which is hereby made for / /

purpose(s); the legal description of the land on which the water from this well is used is
W 1/2 of the NW 1/4, Sec. 32 T1N, R69W, 6th P.M.

has/are irrigated and which is illustrated on the map on the reverse side of this form; that this well was completed in
compliance with the permit approved therefor; this statement of beneficial use of ground water is filed in compliance with law; he
they has they read the statements made hereon; knows the content thereof; and that the same are true of his their knowledge.

(COMPLETE REVERSE SIDE OF THIS FORM)

Signature(s) [Signature]
Subscribed and sworn to before me on this 9th day of May, 1984
My Commission expires: April 10, 1987
[Signature] NOTARY PUBLIC

45625

FOR OFFICE USE ONLY
Court Case No.
Prior. Mo. Day Yr.
Div. 1 City. 07
Sec. 1/4 1/4 1/4
Well Use 3
Dist. 06 Basin Mon. Dis.

ACCEPTED FOR FILING BY THE STATE ENGINEER OF COLORADO PURSUANT TO THE FOLLOWING CONDITIONS:

ACCEPTED

MAY 23 1984 DATE

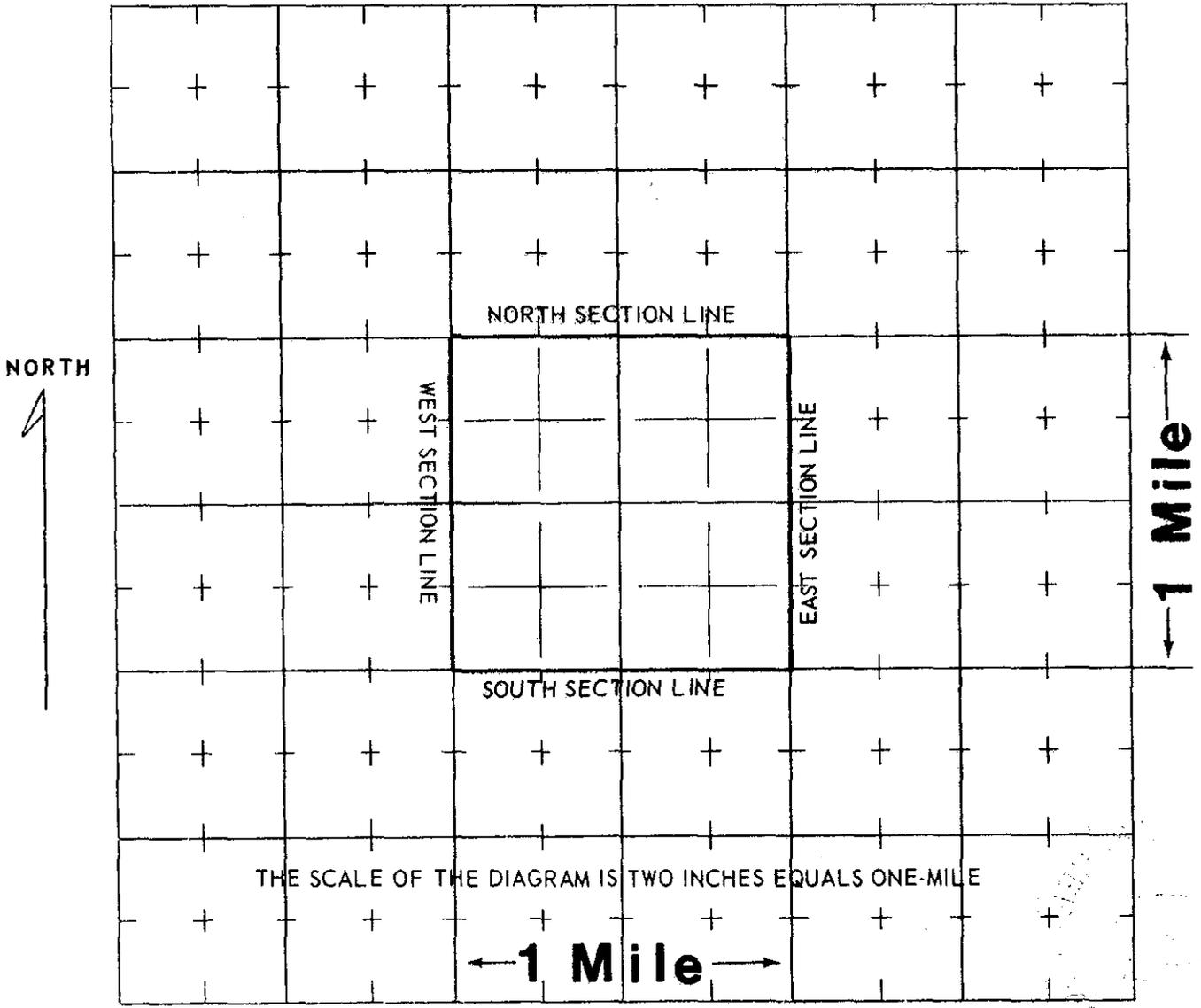
Robert G. Langenbaugh STATE ENGINEER Assistant

BY [Signature]

Well drilled by \_\_\_\_\_ Lic. No. \_\_\_\_\_  
 Permanent Pump installed by \_\_\_\_\_ Lic. No. \_\_\_\_\_  
 Meter Serial No. \_\_\_\_\_  Flow Meter Date Installed \_\_\_\_\_  
 Owner of land on which water is being used \_\_\_\_\_

**THE LOCATION OF THE WELL MUST BE SHOWN AND FOR LARGE CAPACITY IRRIGATION WELLS THE AREA ON WHICH THE WATER IS USED MUST BE SHADED OR CROSS-HATCHED ON THE DIAGRAM BELOW.**

This diagram represents nine (9) sections. Use the **CENTER SQUARE** (one section) to indicate the location of the well, if possible.



**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).
- 1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
- 1,000 gpm pumped continuously for one day produces 4.42 acre-feet.
- 100 gpm pumped continuously for one year produces 160 acre-feet.

**(WHITE AND PINK COPY TO BE FILED WITH THE STATE ENGINEER  
 PINK COPY WILL BE RETURNED TO OWNER)**

RECEIVED

APR 07 '75

WATER RESOURCES  
STATE ENGINEER  
COLO.

COLORADO DIVISION OF WATER RESOURCES

300 Columbine Bldg., 1845 Sherman St.  
Denver, Colorado 80203

THIS FORM MUST BE SUBMITTED  
WITHIN 60 DAYS OF COMPLETION  
OF THE WORK DESCRIBED HERE-  
ON. TYPE OR PRINT IN BLACK  
INK.

WELL COMPLETION AND PUMP INSTALLATION REPORT

PERMIT NUMBER 78047

WELL OWNER W. R. Brooks

W 1/2 ¼ of the NW ¼ of Sec. 32

ADDRESS Route 1 Box 312

T. 1 N. 69 W. 6th. P.M.

DATE COMPLETED March 21, , 19 75

HOLE DIAMETER

7 1/4 in. from 0 to 105 ft.

6 in. from 105 to 603 ft.

\_\_\_\_\_ in. from \_\_\_\_\_ to \_\_\_\_\_ ft.

DRILLING METHOD \_\_\_\_\_

CASING RECORD: Plain Casing

Size 6 5/8 & kind Steel from 0 to 50 ft.

Size 4 1/2 & kind Steel from 50 to 400 ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

Perforated Casing

Size 4 1/2 & kind Steel from 400 to 550 ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

GROUTING RECORD

Material Cement

Intervals 0-20

Placement Method Dumped

GRAVEL PACK: Size \_\_\_\_\_

Interval \_\_\_\_\_

TEST DATA

Date Tested March 21, , 19 75

Static Water Level Prior to Test 30 ft.

Type of Test Pump Electric pump

Length of Test 3 hrs.

Sustained Yield (Metered) 30 gpm.

Final Pumping Water Level 70'

WELL LOG

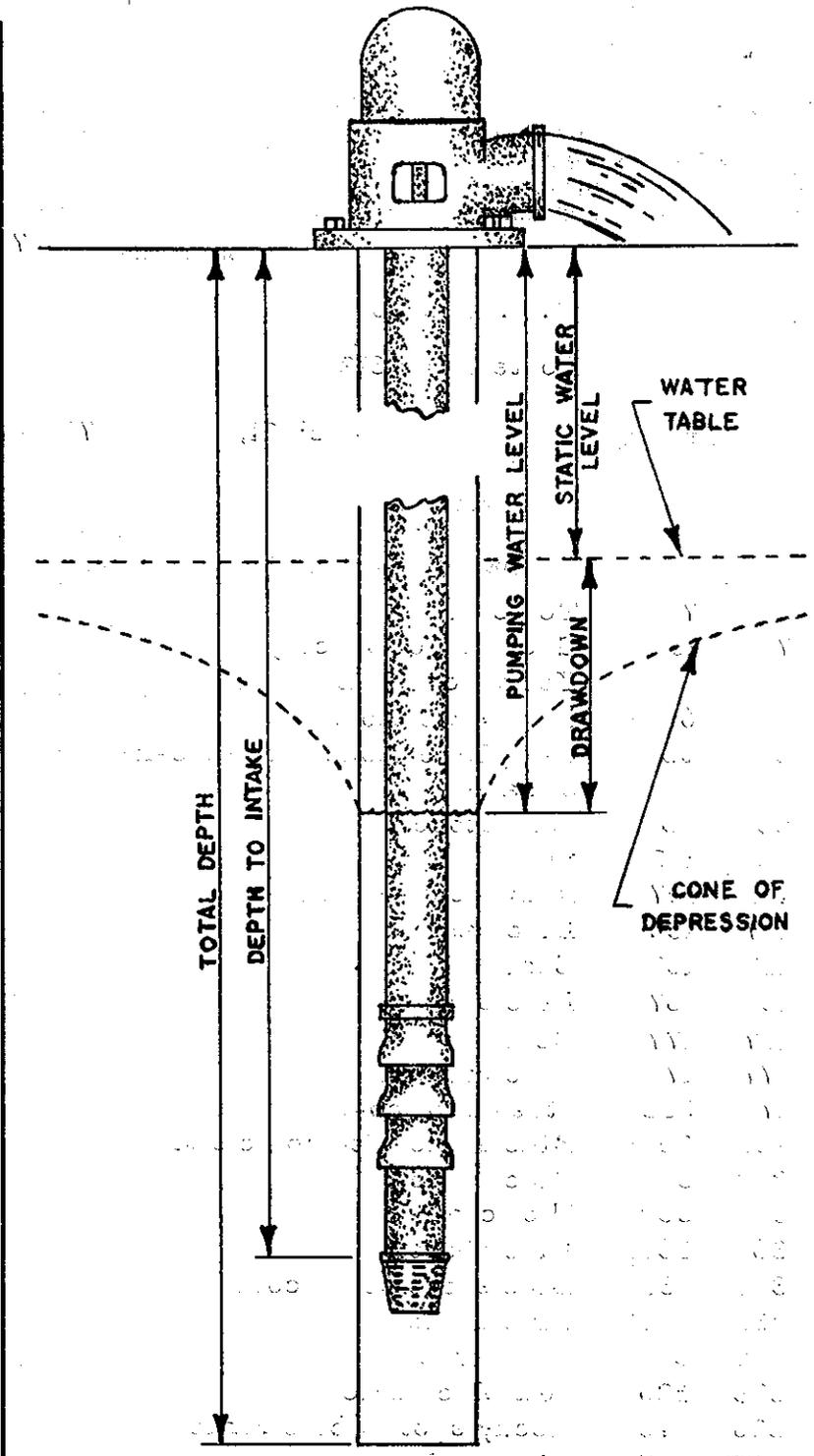
From	To	Type and Color of Material	Water Loc.
0	7	Top soil	
7	15	Greyish yellow clay	
15	40	Yellow clay with sand	
40	60	Hard lime stone	
60	65	Hard lime stone with streaks of sand	
65	85	Sand stone	
85	102	Sand	
102	107	Brown sandy shale	
107	152	Blue sand	
152	162	Coal	
162	167	Blue sand	
167	177	Coal	
177	178	Blue <del>sand</del> sand	
178	235	Streaks of coal	
235	250	Blue shale with some sand	
250	300	Blue shale	
300	360	1' of coal	
360	361	Blue shale	
361	435	Blue shale some coal	
435	440	Blue shale	
440	525	Hard spot	
525	526	Soft blue shale	
526	546	Rocky spot in blue shale	
546	547	Blue shale	
547	603	Blue shale	
		TOTAL DEPTH <u>603'</u>	

Use additional pages necessary to complete log.

**PUMP INSTALLATION REPORT**

Pump Make \_\_\_\_\_  
 Type \_\_\_\_\_  
 Powered by \_\_\_\_\_ HP \_\_\_\_\_  
 Pump Serial No. \_\_\_\_\_  
 Motor Serial No. \_\_\_\_\_  
 Date Installed \_\_\_\_\_  
 Pump Intake Depth \_\_\_\_\_  
 Remarks \_\_\_\_\_

**WELL TEST DATA WITH PERMANENT PUMP**  
 Date Tested \_\_\_\_\_  
 Static Water Level Prior to Test \_\_\_\_\_  
 Length of Test \_\_\_\_\_ Hours  
 Sustained yield (Metered) \_\_\_\_\_ GPM  
 Pumping Water Level \_\_\_\_\_  
 Remarks \_\_\_\_\_



**CONTRACTORS STATEMENT**

The undersigned, being duly sworn upon oath, deposes and says that he is the contractor of the well or pump installation described hereon; that he has read the statement made hereon; knows the content thereof, and that the same is true of his own knowledge.

Signature John J. Barnato License No. 267

State of Colorado, County of ADAMS SS

Subscribed and sworn to before me this 2<sup>nd</sup> day of APRIL, 19 25.

My Commission expires: 3/14, 19 28.

Notary Public Rocco Barnato

COLORADO DIVISION OF WATER RESOURCES  
101 Columbine Bldg., 1845 Sherman St., Denver, Colorado 80203

RECEIVED

JAN 31 1975  
RECEIVED  
WATER RESOURCES  
STATE ENGINEER

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 \_\_\_\_\_

(1) APPLICANT - mailing address

RICHARD L. JACKSON  
JACKSON ENTERPRISES  
NAME W. R. Brooks  
2900 FIRST OF DENVER PLAZA  
STREET Route 1 Box 312 633 17th ST  
CITY DENVER 80202  
Louisville, Colorado (State) (Zip)  
TELEPHONE NO. 666-6801

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. 58631 a  
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.

Approved per (3) (b) (ii). CRS148-21-45: this well to be the only well on a tract of more than 35 acres designated as that 40 acres in NW-NW 32-14-69W-6th

APPROVED FOR THE IRRIGATION OF NOT MORE THAN ONE ACRE OF LAWNS AND GARDENS

(2) LOCATION OF PROPOSED WELL

County Boulder  
W 1 1/2 of the NW 1/4, Section 32  
Twp. 1 N, Rng. 69 W, 6th. P.M.

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 50 15  
Average annual amount of ground water to be appropriated (acre-feet): 3  
Number of acres to be irrigated: 0  
Proposed total depth (feet): 600  
Aquifer ground water is to be obtained from: \_\_\_\_\_

Owner's well designation \_\_\_\_\_

GROUND WATER TO BE USED FOR:

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

(4) DRILLER

Name Bomareto Pump & Equipment Co.  
Street 5511 N. Washington  
City Denver, Colorado 80216  
(State) (Zip)  
Telephone No. 534-1351 Lic. No. 267

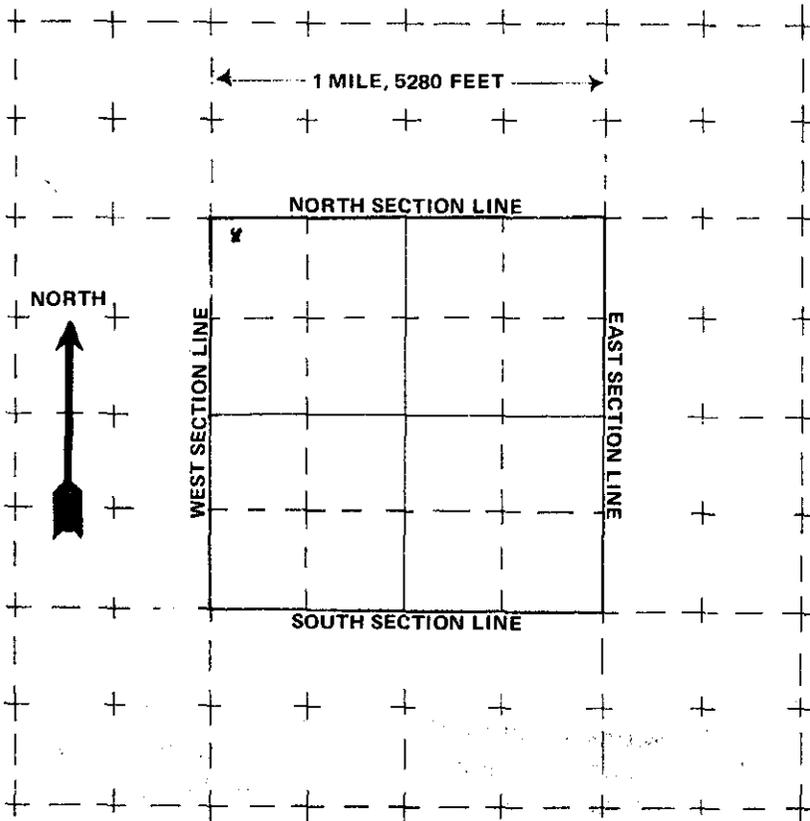
APPLICATION APPROVED

PERMIT NUMBER 78047  
DATE ISSUED FEB 10 1975  
EXPIRATION DATE FEB 10 1977  
BY [Signature] (STATE ENGINEER)  
BY [Signature]  
I.D. 1-06 COUNTY 07

W.R.B.

[Signature]

(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.

500 ft. from West sec. line  
(north or south)

210 ft. from North sec. line  
(east or west)

LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ FILING # \_\_\_\_\_

SUBDIVISION \_\_\_\_\_

(7) **TRACT ON WHICH WELL WILL BE LOCATED**

No. of acres 111 . Will this be the only well on this tract? Yes

(8) **PROPOSED CASING PROGRAM**

Plain Casing

8 5/8 in. from 0 ft. to 100 ft.

6 5/8 in. from 100 ft. to 350 ft.

Perforated casing

6 5/8 in. from 350 ft. to 600 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): W. R. Brooks No. of acres: 111

Legal description: W. 1/2 of the NW 1/4, Sec. 32 Twp. 1N Rng. 69 W. 6th. P.M. Boulder, County

(11) **DETAILED DESCRIPTION** of the use of ground water:

WRB. ~~Commercial Dairy operations~~ Domestic, small lawn/garden  
Care of no more than 40 head dairy herds.

(12) **OTHER WATER RIGHTS** used on this land, including wells.

Type or right	Used for (purpose)	Description of land on which used
<u>WRB. None Ditch</u>	<u>Irrigation</u>	<u>SAME</u>

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

Paclamar Farms by W. R. Brooks  
SIGNATURE OF APPLICANT(S)

THIS FORM MUST BE SUBMITTED PRIOR TO THE EXPIRATION OF THE PERMIT. TYPE OR PRINT IN BLACK INK. COPY OF ACCEPTED STATEMENT MAILED ON REQUEST.

COLORADO DIVISION OF WATER RESOURCES

300 Columbine Bldg., 1845 Sherman St. Denver, Colorado 80203

RECEIVED FEB 09 1982

WATER RESOURCES STATE ENGINEER COLORADO

STATE OF COLORADO

COUNTY OF Denver

SS.

AFFIDAVIT

STATEMENT OF BENEFICIAL USE OF GROUND WATER AMENDMENT OF EXISTING RECORD. This form is being submitted to change only the name of the owner.

PERMIT NUMBER 78047

LOCATION OF WELL

THE AFFIANT(X) James M. King, Attorney for Richard L. Jackson d/b/a Jackson Enterprises whose mailing address is 2900 First of Denver Plaza 633 17th Street

City Denver Colorado 80202

County Boulder W 1/2 of the NW 1/4, Section 32 Twp. 1 N, Rng. 69 W 6'th P.M.

as shown by the deed attached hereto as Exhibit 1, Richard L. Jackson d/b/a Jackson Enterprises being duly sworn upon oath, deposes and says that he (they) is (are) the owner(s) of the well described hereon; the well is

located as described above, at distances of 210 feet from the North section line and 500 feet from the West section line;

water from this well was first applied to a beneficial use for the purpose(s) described herein on the day of February, 1982;

the maximum sustained pumping rate of the well is 19 gallons per minute; the pumping rate claimed hereby is 19 gallons per minute; the total depth of the well is 19 feet; the average annual amount of water to be diverted is 19 acre feet; for which claim is hereby made for

purpose(s); the legal description of the land on which the water from this well is used is

W 1/2 of the NW 1/4, Sec. 32 T1N, R69W, 6th P.M. which totals

acres and which is illustrated on the map on the reverse side of this form; that this well was completed in compliance with the permit approved therefor; this statement of beneficial use of ground water is filed in compliance with law; he (they) has (have) read the statements made hereon; knows the content thereof; and that the same are true of his (their) knowledge.

Signature(s) James M. King, attorney for Richard L. Jackson d/b/a Jackson Enterprises

23462

Subscribed and sworn to before me on this 5th day of February, 1982

My Commission expires July 23, 1984

2900 FIRST OF DENVER PLAZA 633 SEVENTEENTH STREET DENVER, COLORADO 80202 Notary Public

FOR OFFICE USE ONLY Court Case No. Prior. Mo. Day Yr. Div. Cty. Sec. 1/4 1/4 1/4 Well Use Dist. Basin Man. Dis.

ACCEPTED FOR FILING BY THE STATE ENGINEER OF COLORADO PURSUANT TO THE FOLLOWING CONDITIONS:

ACCEPTED FOR CHANGE OF OWNERSHIP ONLY

Robert G. Langenbaugh Assistant

FEB 10 1982

DATE STATE ENGINEER

BY [Signature]

RECEIVED

Well drilled by \_\_\_\_\_ Lic. No. \_\_\_\_\_

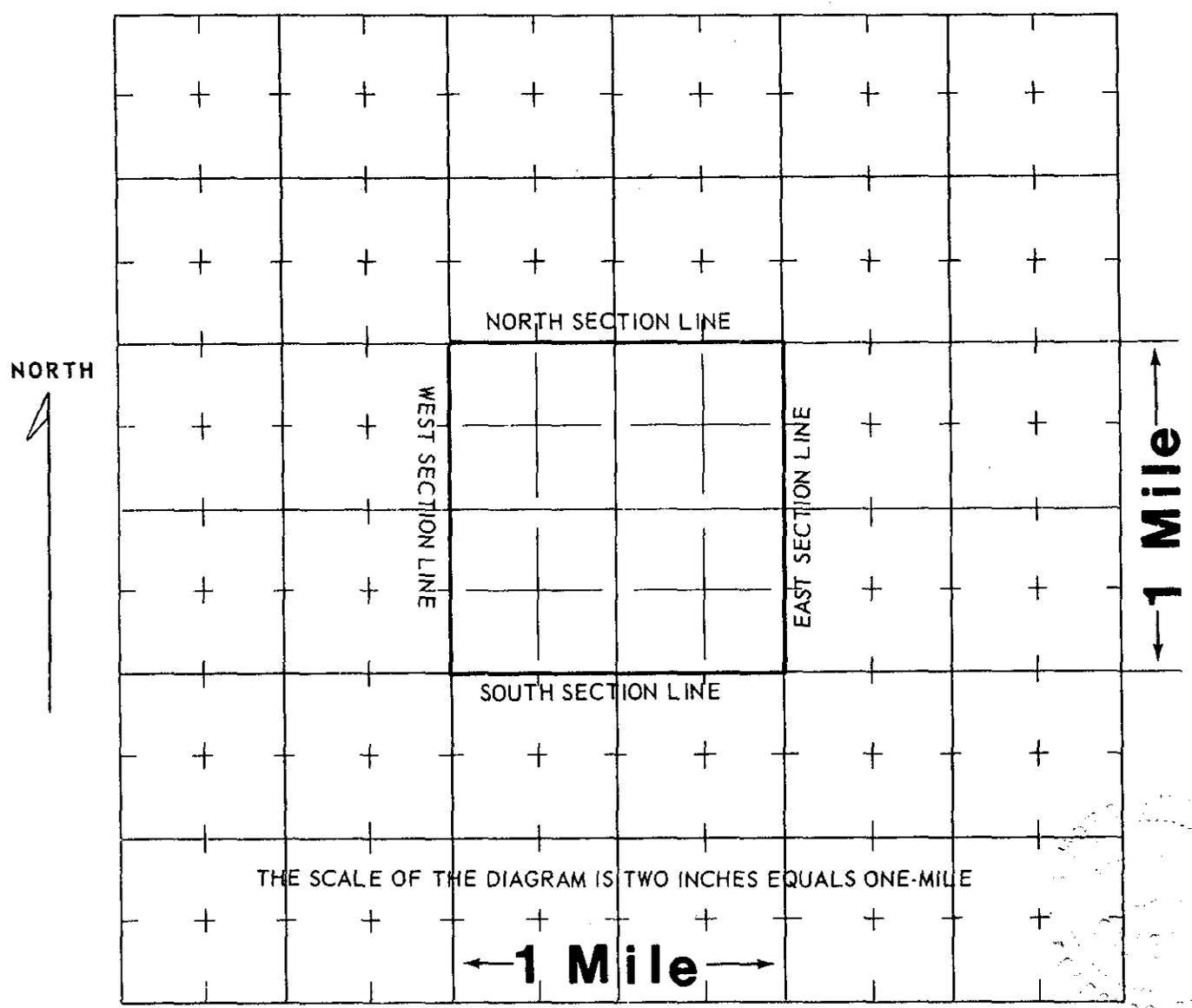
Pump installed by \_\_\_\_\_ Lic. No. \_\_\_\_\_

Meter Serial No. \_\_\_\_\_  Flow Meter Date Installed \_\_\_\_\_

Owner of land on which water is being used \_\_\_\_\_

THE LOCATION OF THE WELL MUST BE SHOWN AND THE AREA ON WHICH THE WATER IS USED MUST BE SHADED OR CROSS-HATCHED ON THE DIAGRAM BELOW.

This diagram represents nine (9) sections. Use the **CENTER SQUARE** (one section) to indicate the location of the well, if possible.



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- 100 gpm pumped continuously for one year produces 160 acre-feet.

618652

1984 MAY -3 AM 11: 29

Recorded at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
Reception No. CHARLOTTE HOUSTON  
CLERK & RECORDER COUNTY OF BOULDER Recorder.  
STATE OF COLORADO

3-1

RECEIVED

FILM 1301 WARRANTY DEED

FILING STAMP  
MAY 17 1984

WATER RESOURCES  
STATE ENGINEER  
COLO.

STATE DOCUMENTARY FEE

MAY 3 1984

\$           

THIS DEED, Made this 1st day of May  
19 84, between Richard L. Jackson, d/b/a Jackson  
Enterprises  
of the \* County of \_\_\_\_\_ and State of  
Ohio  
Colorado/ grantor, and Paclamar Farms, a Partnership

whose legal address is 855 Roxwood Lane, Boulder, Colorado, 80302

of the \_\_\_\_\_ County of Boulder and State of Colorado, grantee:

WITNESSETH, That the grantor for and in consideration of the sum of Ten Dollars and other good and other good and valuable consideration-----DOLLARS, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, his heirs and assigns forever. all the real property together with improvements. if any, situate, lying and being in the County of Boulder and State of Colorado described as follows: to wit:

legal as described in Exhibit A attached hereto

This Deed is given to the party of the second part in consideration of the cancellation of the Promissory Note of the party of the first part dated October 1, 1981 in the original principal amount of \$3,252,477.72 held by the party of the second part and is given in lieu of the party of the second part commencing a foreclosure of a Deed of Trust securing said Promissory Note against the herein described property.

as known by street and number as: 8778 Arapahoe, Boulder, Colorado

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof: and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain, and agree to and with the grantee, his heirs and assigns, that at the time of the ensembling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except except taxes for the year 1984, due and payable in 1985, and two Deeds of Trust for the use of the United Bank of Boulder recorded as reception numbers 148784 and 212955 all of which the party of the second part by the acceptance of this Deed assumes and agrees to pay and subject to easements, covenants, reservations, rights-of-way, and Oil and Gas leases more particularly described on Exhibit B attached hereto, and rights-of-way for the\*\* and the above bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the grantor shall and will WARRANT AND FOREVER DEFEND. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

\*\*McGinn Ditch, the South Boulder Canon Ditch and the Davidson Ditch and for Arapahoe Road over the Northerly portion of the property.

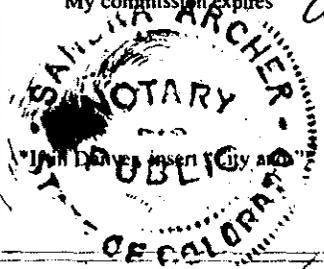
Richard L. Jackson  
Richard L. Jackson, d/b/a Jackson Enterprises

STATE OF COLORADO

County of Boulder } ss.

The foregoing instrument was acknowledged before me this 1st day of May 19 84 by Richard L. Jackson, d/b/a Jackson Enterprises.

My commission expires April 10, 1987. Witness my hand and official seal.



Sandra Archer  
Notary Public

Address

EXHIBIT A

3-2

The West half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 32, Township 1 North, Range 69 West of the 6th P.M., County of Boulder, State of Colorado, except a tract described as follows:

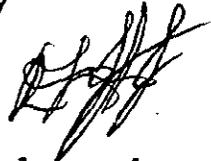
Beginning at the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 32, thence North along the West section line of said Section 32, a distance of 472 feet; thence East a distance of 300 feet; thence South a distance of 472 feet; thence West a distance of 300 feet, to the place of beginning; and except that parcel of land as described in deed of record as Reception No. 743465, Book 1312, Page 393, Boulder County, Colorado, described as follows:

Part of the Northwest Quarter of the Northwest Quarter of Section 32, Township 1 North, Range 69 West of the 6th P.M., County of Boulder, State of Colorado, described as follows:

Beginning at the Northwest corner of said Section 32; thence East along the North line of said Section 32 a distance of 204.00 feet; thence South parallel with the West line of said Section 32 a distance of 864.9 feet to the centerline of an irrigation ditch; thence Southwesterly along the centerline and the centerline extended of said ditch to a point on the West line of said Section 32; 982 feet South of the point of beginning; thence North 982.0 feet to the point of beginning.

Together with all water and water rights, ditches and ditch rights, reservoirs and reservoir rights, water wells and well permit appurtenant to or used in connection with the above-described land, including by way of example but not by way of limitation those rights represented by the following shares of stock and well permit:

Five (5) shares of the Marshallville Ditch Company,  
Eighty-two (82) shares of the Davidson Ditch and Reservoir  
Company and  
Fifty-three (53) shares of the Agitator Ditch Company  
Well Permit No. 78047

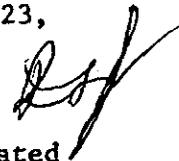


Subject to reservation of one-half interest in all coal or other mineral rights as reserved in a deed dated February 26, 1886 recorded in Book 92, Page 339 and a reservation of one-half interest in all coal in a deed dated October 13, 1833, recorded in Book 76, Page 539, both of the Boulder County Records.

4.4  
3-3

EXHIBIT B

Exceptions

1. Any rights to coal evidenced by the deed recorded April 22, 1898 in Book 197, Page 565.
2. A right of way for an enlargement of a ditch as granted in deed recorded July 26, 1920 in Book 458, Page 40.
3. A right of way 10 feet in width, the center line of which is the center line of the now existing ditch and which said center line is as follows, to-wit:  
  
Beginning at a point on said Marshallville Lateral Ditch whence the center of the Southwest Quarter of Section 32, Township 1 North, Range 69 West of the 6th P.M. bears South 83°34' East 1025.0 feet, thence North 45°10' East 39.0 feet, thence North 9°52' East 197.0 feet, thence North 31°50' East 147.0 feet, thence 63°52' East 104.0 feet, thence North 81°52' East 134.0 feet, thence South 88°43' East 143.0 feet, thence South 85°10' East 140.0 feet, thence South 87°10' East 142.0 feet, thence South 83°27' East 82.0 feet, thence North 84°15' East 149.0 feet, to the East line of the West Half of the Southwest Quarter, Section 32, Township 1, Range 69 West, as granted in Decree recorded May 2, 1922, in Book 475, Page 285.
4. So much of the land occupied by the Colorado Central Railroad Company's right of way, as set forth in deed recorded October 18, 1883, in Book 76, Page 539, said right of way shown as a 100 foot right of way on Survey by William J. Stengel dated November 23, 1974, and revised August 25, 1981. 
5. An Oil and Gas Lease, and any and all assignments thereof, dated February 1, 1977, executed by F.S. Di Grappa, John H. Brunel and Robert C. Roehrs, as Lessor, and F.S. Di Grappa, John H. Brunel and Robert C. Roehrs, as Lessee, for a term of Three years, recorded August 30, 1977, Reception No. 239868.
6. An Oil and Gas Lease, and any and all assignments thereof, dated September 30, 1968, executed by United Real Estate and Trust Company, as Lessor, and T.S. Pace, as Lessee, for a term of Five years, recorded January 3, 1969, Reception No. 900934.
7. An Oil and Gas Lease, and any and all assignments thereof, dated January 24, 1972, executed by Harold Kountze, Jr., as receiver of the United Real Estate and Trust Company, a dissolved Nebraska Corporation, as Lessor, and Robert A. Shryock, as Lessee, for a term of Five years, recorded May 3, 1972, Reception No. 016842.
8. The terms and conditions of Declaration of Covenants between the Boulder County Board of Health and Paclamar Farm, regarding an individual sewage disposal system, recorded March 24, 1975, Reception No. 132772, and April 16, 1975 at Reception No. 134836.
9. Any rights as to the filler ditch for the Burke Reservoir running along the East line of said land from the Agitator Ditch to the South line of Arapahoe Highway and also for the ditch taking off from said filler ditch at the Northeast corner of said land extending West along the North line of said land a distance of about 200 feet to the existing Culvert, as disclosed in deed recorded October 28, 1947, in Book 810, Page 182.
10. An Oil and Gas lease and any and all assignments thereof, dated September 12, 1983, executed by Richard L. Jackson d/b/a Jackson Enterprises, as Lessor, and Martin Exploration Management Corp., as lessee for a term of 5 years, recorded September 30, 1983, as Reception No. 579072.

RECEIVED

MAY 17 1984

WATER RESOURCES  
STATE ENGINEER  
COLO.

THORVILSON, OSGOOD AND SIMPSON

ATTORNEYS AT LAW

2336 CANYON BLVD. - SUITE 200

BOULDER, COLORADO 80302

(303) 442-0165

May 16, 1984

JAMES O. THORVILSON  
RUSSELL K. OSGOOD  
ANDREW J. SIMPSON

JULIUS A. TRACY, JR.  
OF COUNSEL

Colorado Division of Water Resources  
818 Centennial Building  
1313 Sherman Street  
Denver, Colorado 80203

Re: Permit No. 78047

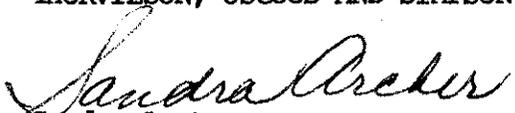
Gentlemen:

Enclosed please find an Amendment of Existing Record for the above-referenced permit to change the name of the owner of the well. Please return a copy of the accepted amendment in the enclosed self-addressed, stamped envelope.

Thank you for your cooperation and if you have any questions, please contact this office.

Sincerely,

THORVILSON, OSGOOD AND SIMPSON

  
Sandra Archer  
Secretary to Russell K. Osgood

/sa

Enclosure



RECEIVED

FEB 09 1982

WATER RESOURCES  
STATE ENGINEER  
COLO.

FILING STAMP

CLERK AND RECORDER

OCT 8 11 09 AM '81

STATE OF COLORADO  
COUNTY OF BOULDER  
FILED FOR RECORD  
IN W. OFFICE

467469

3

THIS DEED, Made this 1st day of October 1981, between Paclamar Farms, a Partnership of the County of Boulder and State of Colorado, of the first part, and Richard L. Jackson, d/b/a Jackson Enterprises

whose legal address is P. O. Box 6, Clayton, Ohio 45315

of the County of Ohio and State of Colorado, of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One Million Two Hundred Thirty One Thousand (\$1,231,000.00) -----DOLLARS, to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the said party of the second part, his heirs and assigns forever, all the following described lot or parcel of land, situate, lying and being in the County of Boulder and State of Colorado, to-wit: legal as described in Exhibit A Attached hereto

STATE DOCUMENTARY FEE

OCT 8 1981

\$ 123.10

also known as street and number 8778 Arapahoe, Boulder, Colorado

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said party of the second part, his heirs and assigns forever. And the said party of the first part, for himself, his heirs, executors, and administrators, does covenant, grant, bargain, and agree to and with the said party of the second part, his heirs and assigns, that at the time of the ensembling and delivery of these presents, he is well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and encumbrances of whatever kind or nature soever, except taxes for the year 1981, due and payable in 1982, and two Deeds of Trust for the use of The United Bank of Boulder recorded as reception numbers 148784 and 212955 all of which the party of the second part by the acceptance of this Deed assumes and agrees to pay and subject to the easements, covenants, reservations, rights-of-way, and Oil and Gas leases more particularly described on Exhibit B attached hereto, and rights of way for the McGinn Ditch, the South Boulder Canon Ditch and the Davidson Ditch and for Arapahoe Road over the Northerly portion of the property.

and the aboved bargained premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will WARRANT AND FOREVER DEFEND. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Paclamar Farms, a Partnership

By: W. R. Brooks (SEAL)  
W. R. Brooks, A General Partner

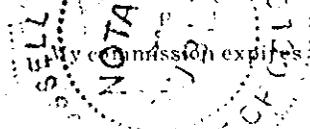
(SEAL)

(SEAL)

STATE OF COLORADO  
County of Boulder } ss.

The foregoing instrument was acknowledged before me this 1st day of October

1981, by W. R. Brooks as General Partner of Paclamar Farms, a Partnership



W. R. Brooks Witness my hand and official seal.

Address: 1245 Pearl #200

Boulder, Colo 80302

425987  
123.10  
01.281

EXHIBIT A

The West half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 32, Township 1 North, Range 69 West of the 6th P.M., County of Boulder, State of Colorado, except a tract described as follows:

Beginning at the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 32, thence North along the West section line of said Section 32, a distance of 472 feet; thence East a distance of 300 feet; thence South a distance of 472 feet; thence West a distance of 300 feet, to the place of beginning; and except that parcel of land as described in deed of record as Reception No. 743465, Book 1312, Page 393, Boulder County, Colorado, described as follows:

Part of the Northwest Quarter of the Northwest Quarter of Section 32, Township 1 North, Range 69 West of the 6th P.M., County of Boulder, State of Colorado, described as follows:

Beginning at the Northwest corner of said Section 32; thence East along the North line of said Section 32 a distance of 204.00 feet; thence South parallel with the West line of said Section 32 a distance of 864.9 feet to the centerline of an irrigation ditch; thence Southwesterly along the centerline and the centerline extended of said ditch to a point on the West line of said Section 32; 982 feet South of the point of beginning; thence North 982.0 feet to the point of beginning.

Together with all water and water rights, ditches and ditch rights, reservoirs and reservoir rights, water wells and well permit appurtenant to or used in connection with the above-described land, including by way of example but not by way of limitation those rights represented by the following shares of stock and well permit:

Five (5) shares of the Marshallville Ditch Company,  
Eighty-two (82) shares of the Davidson Ditch and Reservoir  
Company and  
Fifty-three (53) shares of the Agitator Ditch Company  
Well Permit No. 78047

Subject to reservation of one-half interest in all coal or other mineral rights as reserved in a deed dated February 26, 1886 recorded in Book 92, Page 339 and a reservation of one-half interest in all coal in a deed dated October 13, 1833, recorded in Book 76, Page 539, both of the Boulder County Records.

*W. R. Brooks*

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EXHIBIT B

Exceptions

1. Any rights to coal evidenced by the deed recorded April 22, 1898 in Book 197, Page 565.
2. A right of way for an enlargement of a ditch as granted in deed recorded July 26, 1920 in Book 458, Page 40.
3. A right of way 10 feet in width, the center line of which is the center line of the now existing ditch and which said center line is as follows, to-wit:  
  
Beginning at a point on said Marshallville Lateral Ditch whence the center of the Southwest Quarter of Section 32, Township 1 North, Range 69 West of the 6th P.M. bears South 83°34' East 1025.0 feet, thence North 45°10' East 39.0 feet, thence North 9°52' East 197.0 feet, thence North 31°50' East 147.0 feet, thence 63°52' East 104.0 feet, thence North 81°52' East 134.0 feet, thence South 88°43' East 143.0 feet, thence South 85°10' East 140.0 feet, thence South 87°10' East 142.0 feet, thence South 83°27' East 82.0 feet, thence North 84°15' East 149.0 feet, to the East line of the West Half of the Southwest Quarter, Section 32, Township 1, Range 69 West, as granted in Decree recorded May 2, 1922, in Book 475, Page 285.
4. So much of the land occupied by the Colorado Central Railroad Company's right of way, as set forth in deed recorded October 18, 1883, in Book 76, Page 539, said right of way shown as a 100 foot right of way on Survey by William J. Stengel dated November 23, 1974, and revised August 25, 1981.
5. An Oil and Gas Lease, and any and all assignments thereof, dated February 1, 1977, executed by F.S. Di Grappa, John H. Brunel and Robert C. Roehrs, as Lessor, and F.S. Di Grappa, John H. Brunel and Robert C. Roehrs, as Lessee, for a term of Three years, recorded August 30, 1977, Reception No. 239868.
6. An Oil and Gas Lease, and any and all assignments thereof, dated September 30, 1968, executed by United Real Estate and Trust Company, as Lessor, and T.S. Pace, as Lessee, for a term of Five years, recorded January 3, 1969, Reception No. 900934.
7. An Oil and Gas Lease, and any and all assignments thereof, dated January 24, 1972, executed by Harold Kountze, Jr., as receiver of the United Real Estate and Trust Company, a dissolved Nebraska Corporation, as Lessor, and Robert A. Shryock, as Lessee, for a term of Five years, recorded May 3, 1972, Reception No. 016842.
8. The terms and conditions of Declaration of Covenants between the Boulder County Board of Health and Paclamar Farm, regarding an individual sewage disposal system, recorded March 24, 1975, Reception No. 132772, and April 16, 1975 at Reception No. 134836.
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*W.R. Brooks*

ROY ROMER  
Governor



JERIS A. DANIELSON  
State Engineer

**OFFICE OF THE STATE ENGINEER**  
DIVISION OF WATER RESOURCES

1313 Sherman Street-Room 818  
Denver, Colorado 80203  
(303) 866-3581

January 10, 1991

Mr. Kenneth C. Dell  
Rocky Mountain Consultants, Inc.  
1960 Industrial Circle, Suite A  
Longmont, CO 80501

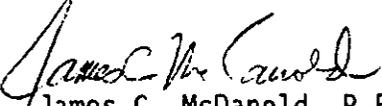
Re: Paclamar Stables

Dear Mr. Dell:

We have reviewed your submitted proposal to use an existing well (Permit No. 78047) for a proposed commercial horse stable. The well is permitted for domestic and livestock purposes. As I stated in our conversations, the permit probably should not have been issued for uses at the dairy operation. A dairy is also considered a commercial use.

In any event, the proposed change of use to the stable is not permitted. A new permit is required for the well to allow the new uses. This new permit could not be issued without an augmentation plan approved in Water Court. The well could, however, be used to supply the residence and the owner's non-commercial livestock. Horses boarded at the stable, the offices, etc. must be supplied by the Left Hand Water Supply Company tap.

Sincerely,

  
James C. McDanold, P.E.  
Senior Professional Engineer

JCM/clf:5230I

cc: Alan Berryman, Division Engineer  
Bruce DeBrine