

IN THE WATER COURT IN AND FOR
WATER DIVISION I, STATE OF COLORADO

CASE NO. W-2980

IN THE MATTER OF THE APPLICATION FOR)
WATER RIGHTS OF)

LOWELL J., EVELYN M., TRACY L.
& PATSY COPE)

FINDINGS AND RULING
OF THE REFEREE

IN Larimer County)

THIS CLAIM, having been filed with the Water Clerk, Water Division I,
on May 30, 1972 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.

No statement of opposition to said application has been filed, and
the time for filing such 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 DECREED:

1. The name and address of the claimant:

Lowell J., Evelyn M., Tracy L. and Patsy Cope
Bellvue, Colorado 80512

2. The name of the structures to which a right is hereby Decreed:

Cope Spring No. 1
Cope Spring No. 2
Cope Spring No. 3
Cope Spring No. 4
Cope Spring No. 5
Cope Spring No. 6
Cope Spring No. 7
Cope Spring No. 8
Cope Spring No. 9
Cope Spring No. 10
Cope Spring No. 11

3. The legal description of the structures:

Cope Spring No. 1 is located in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 27,
Township 8 North, Range 71 West of the 6th P.M., Larimer County,
Colorado, at a point which bears ENE 45° 129 feet, thence
North 90° 1200 feet to the N $\frac{1}{4}$ Corner of said Section 27.

Cope Spring No. 2 is located in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 27,
Township 8 North, Range 71 West of the 6th P.M., Larimer County,
Colorado, at a point which bears ENE 72° 856 feet, thence
North 90° to the N $\frac{1}{4}$ Corner of said Section 27.

Cope Spring No. 3 is located in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 27,
Township 8 North, Range 71 West of the 6th P.M., Larimer County,
Colorado, at a point which bears ESE 85° 1230 feet, thence
North 90° 1200 feet to the N $\frac{1}{4}$ Corner of said Section 27.

Cope Spring No. 4 is located in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27, Township 8 North, Range 71 West of the 6th P.M., Larimer County, Colorado, at a point which bears WSW 52 $^{\circ}$ 580.6 feet, thence North 90 $^{\circ}$ 1200 feet to the N $\frac{1}{4}$ Corner of said Section 27.

Cope Spring No. 5 is located in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27, Township 8 North, Range 71 West of the 6th P.M., Larimer County, Colorado, at a point which bears WNW 70 $^{\circ}$ 1041 feet, thence North 90 $^{\circ}$ 1339 feet to the N $\frac{1}{4}$ Corner of said Section 27.

Cope Spring No. 6 is located in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27, Township 8 North, Range 71 West of the 6th P.M., Larimer County, Colorado, at a point which bears SSW 12 $^{\circ}$ 276 feet, thence SSE 25 $^{\circ}$ 323 feet to the E $\frac{1}{4}$ Corner of said Section 27.

Cope Spring No. 7 is located in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27, Township 8 North, Range 71 West of the 6th P.M., Larimer County, Colorado, at a point which bears SSE 9 $^{\circ}$ 693 feet to the E $\frac{1}{4}$ Corner of said Section 27.

Cope Spring No. 8 is located in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27, Township 8 North, Range 71 West of the 6th P.M., Larimer County, Colorado, at a point which bears ENE 56 $^{\circ}$ 724 feet, thence SSE 25 $^{\circ}$ 323 feet to the E $\frac{1}{4}$ Corner of said Section 27.

Cope Spring No. 9 is located in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27, Township 8 North, Range 71 West of the 6th P.M., Larimer County, Colorado, at a point which bears ENE 50 $^{\circ}$ 190 feet, thence ESE 58 $^{\circ}$ 900 feet to the SE Corner of said Section 27.

Cope Spring No. 10 is located in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27, Township 8 North, Range 71 West of the 6th P.M., Larimer County, Colorado, at a point which bears SSW 12 $^{\circ}$ 352 feet, thence ESE 58 $^{\circ}$ 900 feet to the SE Corner of said Section 27.

Cope Spring No. 11 is located in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27, Township 8 North, Range 71 West of the 6th P.M., Larimer County, Colorado, at a point which bears ENE 81 $^{\circ}$ 1872 feet, thence ESE 58 $^{\circ}$ 900 feet to the SE Corner of said Section 27.

4. The source of water: Groundwater, flowing springs at the headwaters of the Middle Fork of Youngs Gulch.

5. The date of appropriation:

Cope Spring No. 1:	December 14, 1908
Cope Spring No. 2:	December 14, 1908
Cope Spring No. 3:	December 14, 1908
Cope Spring No. 4:	February 2, 1889
Cope Spring No. 5:	February 2, 1889
Cope Spring No. 6:	December 31, 1949
Cope Spring No. 7:	December 31, 1949
Cope Spring No. 8:	June 17, 1909
Cope Spring No. 9:	June 17, 1909
Cope Spring No. 10:	October 20, 1908
Cope Spring No. 11:	June 17, 1909

6. The amount of water:

Cope Spring No. 1:	0.0022 cubic feet per second
Cope Spring No. 2:	0.0022 cubic feet per second
Cope Spring No. 3:	0.0011 cubic feet per second
Cope Spring No. 4:	0.0029 cubic feet per second

Cope Spring No. 5:	0.00334 cubic feet per second
Cope Spring No. 6:	0.0011 cubic feet per second
Cope Spring No. 7:	0.00145 cubic feet per second
Cope Spring No. 8:	0.0026 cubic feet per second
Cope Spring No. 9:	0.0022 cubic feet per second
Cope Spring No. 10:	0.0022 cubic feet per second
Cope Spring No. 11:	0.0022 cubic feet per second

7. The use of the water:

Cope Spring No. 1, Cope Spring No. 2, Cope Spring No. 3 and Cope Spring No. 4: Stock watering and irrigation of approximately 30 acres of meadow in parts of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$, all in Section 27, Township 8 North, Range 71 West of the 6th P.M., Larimer County, Colorado.

Cope Spring No. 5: Stock watering and irrigation of approximately 5 acres of meadow in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27, Township 8 North, Range 71 West of the 6th P.M., Larimer County, Colorado.

Cope Spring No. 6: Stock watering.

Cope Spring No. 7: Domestic.

Cope Spring No. 8: Stock watering, fish propagation and irrigation of approximately 7 acres of meadow in parts of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$, all in Section 27, Township 8 North, Range 71 West of the 6th P.M., Larimer County, Colorado.

Cope Spring No. 9: Domestic and irrigation of approximately 60 acres of meadow in parts of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SE $\frac{1}{4}$, all in Section 27, Township 8 North, Range 71 West of the 6th P.M., Larimer County, Colorado.

Cope Spring No. 10: Domestic, stock watering and irrigation of approximately 60 acres of meadow in parts of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SE $\frac{1}{4}$, all in Section 27, Township 8 North, Range 71 West of the 6th P.M., Larimer County, Colorado.

Cope Spring No. 11: Stock watering and irrigation of approximately 60 acres of meadow in parts of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SE $\frac{1}{4}$, all in Section 27, Township 8 North, Range 71 West of the 6th P.M., Larimer County, Colorado.

The priority herein awarded said Cope Springs 1-11 shall be junior to all priorities awarded in previous years. As between all rights adjudicated this calendar year, priorities shall be determined by historical dates of appropriation and not affected by the date of entry of ruling.

DATED this 12th day of July, 1973.


Thomas J. Aron, Jr., Water Referee
Water Division I, State of Colorado

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: August 2, 1973

Nunc pro tunc August 1, 1972

Donald H. Carpenter
Water Judge