



June 28, 2013

Mr. Brandon Danforth  
Environmental Specialist  
WPX Energy  
1058 County Road 215  
Parachute, Colorado 81635

**RE: SG 21-27 Drill Pad Baseline Water Quality Evaluation**

Dear Mr. Danforth,

Western Water & Land, Inc. (WWL) has completed a hydrologic water source evaluation for the WPX Energy Rocky Mountain LLC (WPX) SG 21-27 Drill Pad in accordance with COGCC Rule 609. Drill Pad SG 21-27 is located in NE1/4, NW1/4, Section 27, Township 7 S, Range 96 W. The evaluation considered all water sources as defined in Rule 609 within a 0.5-mile radius of the referenced drill pad. Water sources located on the basis of section quarters were included in the evaluation if the any portion of the section quarter(s) lies within the 0.5-mile radius area. A preliminary screening of the water sources was completed to identify the sources considered to be potentially available for sampling pending results of the owner questionnaire and field inspections to verify sampling feasibility and the consent of the structure owners. Each potentially available water source was then evaluated to identify the preferred sources for the baseline program. If the resulting number of potentially available sources was four or less, all of the sources were included in the list of preferred sources. If more than four sources were potentially available, the sources were prioritized based on WWL's hydrologic knowledge of the region, general hydrologic rationale, and in accordance with the guidelines specified in Rule 609.

**Water Sources**

Water sources as defined in Rule 609 include water wells registered with the Colorado Division of Water Resources (DWR), permitted or adjudicated springs, and monitoring wells installed for baseline sampling and monitoring under COGCC Rules 318A.e(4), 608, or 609. Water sources located within a 0.5-mile radius of the SG 21-27 Drill Pad are shown in Figure 1. Well permit files and/or water right files are included for all wells located within the 0.5-mile radius evaluation area in Attachment A. Structure owners are identified as reported in DWR databases. Property owners are identified as reported in county property records. The water sources within a 0.5-mile radius of the drill pad are summarized as follows:

- Water Well Permit 46022 F (aka Bell Well #1) (structure not usable)
  - Applicant/Owner:  
Frac Tech Services  
16858 Interstate 20  
Cisco, TX 76437

- Property owner:  
Frac Tech Services  
16858 Interstate 20  
Cisco, TX 76437  
2808 North Ave Suite 440  
Grand Junction, CO 81501
  - Use(s): Domestic
  - Well Depth: 250 ft.
  - Well Yield: 15 gpm
  - Bell Well No. 1 decreed in Case No.: 99CW0320 as part of WDWCD Plan for Augmentation
  - Structure Summary Report for Bell Well No. 1 indicates structure not usable in 2011 and 2012 based on user supplied information
- Frac Tech Well #3 (no permit information available) (structure not usable)
  - Applicant/Owner:  
West Divide Water Conservancy District  
818 Taughenbaugh Blvd.  
Rifle, CO 81650
  - Property owner:  
Frac Tech Services  
16858 Interstate 20  
Cisco, TX 76437  
2808 North Ave Suite 440  
Grand Junction, CO 81501
  - Case No.: 02CW0123
  - Decree Rate: 0.0 cfs
  - Decreed Use(s): Domestic
  - Structure Summary Report for Frac Tech Well No. 3 indicates structure not usable in 2011 and 2012 based on user supplied information
- Water Well Permit No. 44152-F (aka Verkerk Well)
  - Applicant/Owner:  
Frac Tech Services  
16858 Interstate 20  
Cisco, TX 76437  
2808 North Ave Suite 440  
Grand Junction, CO 81501
  - Property owner:  
Frac Tech Services  
16858 Interstate 20  
Cisco, TX 76437  
2808 North Ave Suite 440  
Grand Junction, CO 81501
  - Use(s): Domestic
  - Well Depth: 90 ft.
  - Well Yield: 14 gpm
  - Verkerk Well decreed in Case No.: 99CW0320 as part of WDWCD Plan for Augmentation
  - Structure Summary Report for Verkerk indicates water was taken from the structure in 2011 based on user supplied information

- Water Well Permit No. 65619-F (aka Frac Tech Well No. 1) (structure not usable)
  - Applicant/Owner:  
Frac Tech Services  
16858 Interstate 20  
Cisco, TX 76437  
2808 North Ave Suite 440  
Grand Junction, CO 81501
  - Property owner:  
Frac Tech Services  
16858 Interstate 20  
Cisco, TX 76437  
2808 North Ave Suite 440  
Grand Junction, CO 81501
  - Use(s): Commercial
  - Well Depth: 97 ft.
  - Well Yield: unknown
  - Frac Tech Well No. 1 decreed in Case No. 02CW0123 as part of WDWCD Plan for Augmentation
  - Structure Summary Report for Frac Tech Well No. 1 indicates structure not usable in 2011 and 2012 based on user supplied information
- Water Well Receipt No. 0000697C (Application received 6/17/1975; Permit issued; Completion status unknown)
  - Applicant/Owner:  
Occidental Oil  
Grand Junction, CO 81501
  - No additional information available; suspect well is a monitoring well with no pump or power
- Water Well Permit No. 120982 (Permit cancelled)
- Water Well Permit No. 273164 (Permit issued; Completion status unknown)

### **Potentially Available Water Sources**

Each water source identified within the 0.5-mile radius area is considered to be a potentially available water source unless existing information suggests that the water source would not be suitable for the baseline water quality program. The following water sources are considered potentially available for inclusion in the program:

- Water Well Permit 46022 F (aka Bell Well #1)
- Water Well Permit No. 65619-F (aka Frac Tech Well No. 1)
- Frac Tech Well #3 (no permit information available)
- Water Well Permit No. 44152-F (aka Verkerk Well)
- Water Well Permit No. 273164

WWL will mail water source questionnaires and acceptance letters to all potentially available water source land owners, well owners, and holders of water right decrees to addresses as indicated in state databases.

### **Preferred Water Sources**

In accordance with Rule 609, all available water sources within a 0.5-mile radius of the drill pad, up to a maximum of four sources, must be included in the baseline and subsequent monitoring program. Because only three potentially available water sources were identified they are considered to be preferred water sources. Groundwater from these wells is expected to be produced from shallow aquifer sources. The preferred potentially available water sources are as follows:

- Water Well Permit No. 44152-F (aka Verkerk Well)
- Water Well Permit No. 65619-F (aka Frac Tech Well No. 1) – Pending verification that structure is currently usable
- Water Well Permit 46022-F (aka Bell Well #1) – Pending verification that structure is currently usable
- Water Well Permit No. 273164 – Pending verification that well has been completed

Conflicting locations for Well Permit 65619-F (aka Frac Tech Well No. 1) are shown in Figure 1 and need to be field verified. If one or more of the listed preferred water sources is found not to be a viable available water source, other potential available sources will be substituted as appropriate. The preferred water sources will be incorporated into the baseline water quality monitoring program provided the structure owner, or land owner if the structure owner is not known, grants approval to sample the source and inspection of the structure confirms that a reasonably representative sample can be obtained from the structure.

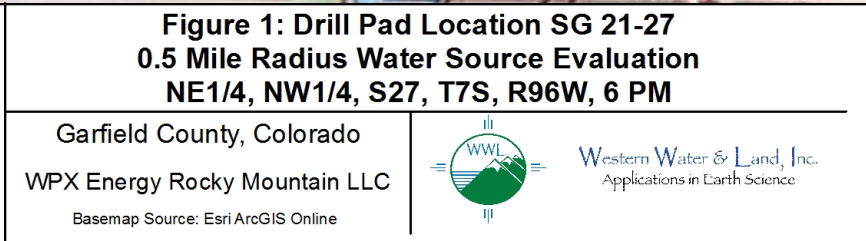
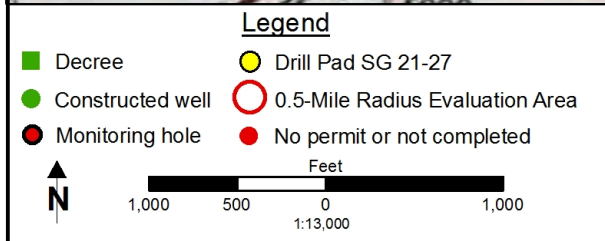
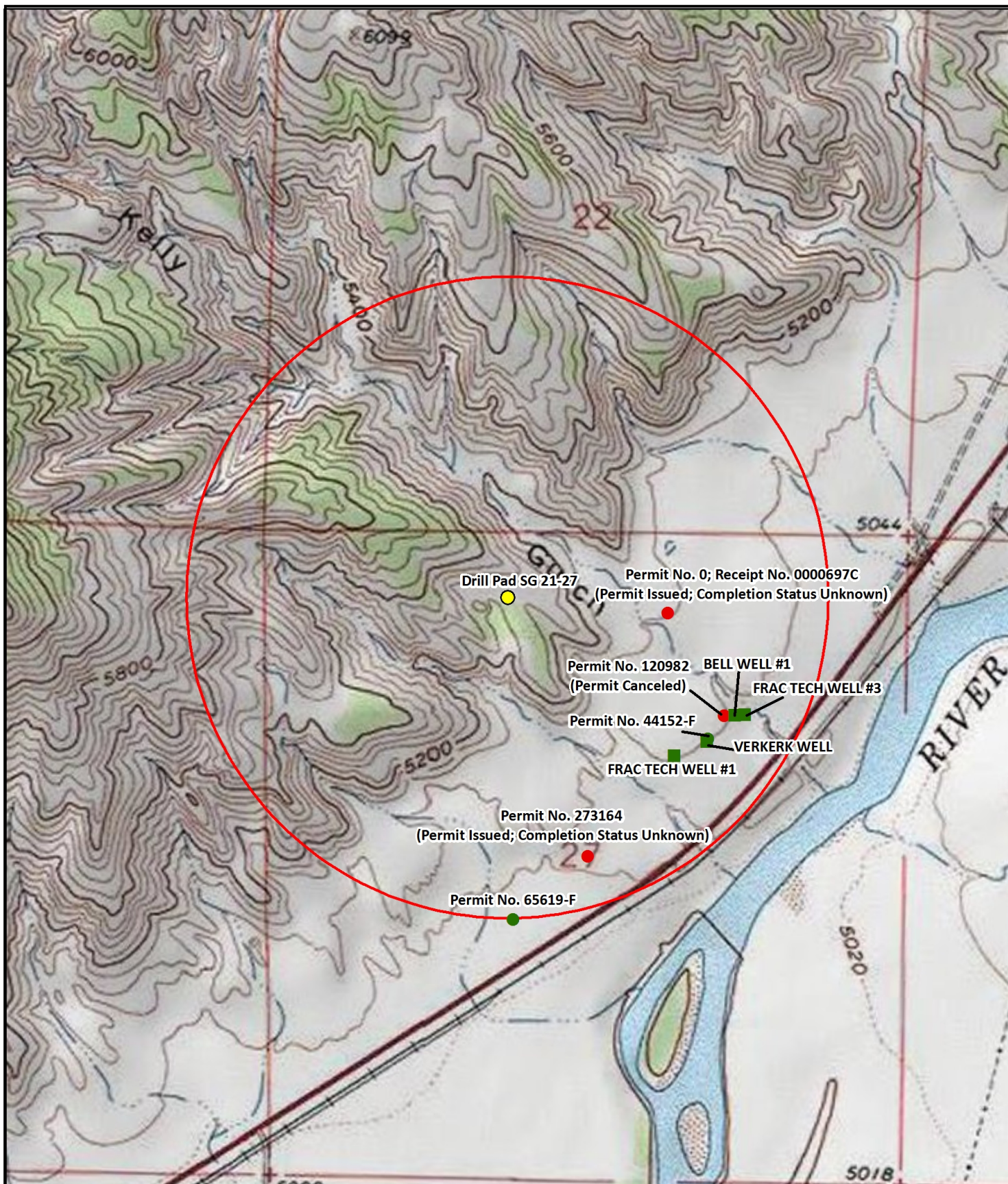
If you have any questions or concerns, please contact me at (970) 242-0170.

Sincerely,



Bruce D. Smith  
Principal Hydrogeologist  
WESTERN WATER & LAND, INC.

Attachments



Attachment A

Water Source Records

**Gabert, John**

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**From:** Lis, Craig  
**Sent:** Tuesday, April 03, 2007 8:31 AM  
**To:** Gabert, John  
**Subject:** FW: Frac tech's well permits

---

**From:** Chris Boelke [mailto:chris@developmentconstructionservices.com]  
**Sent:** Friday, March 30, 2007 5:03 PM  
**To:** Lis, Craig  
**Subject:** Frac tech's well permits

Craig, here is the drawing of the 77 acres with the preferred location shaded, we will start there and hopefully we will hit water. If not we will use other areas with the 600 foot limit in mind. Thanks again for your help.

Chris Boelke  
Development Construction Services, Inc  
Construction Manager  
2350 G Road, Suite 240  
Grand Junction, Colorado 81505  
Phone (970)242-3674 Fax (970)245-3674

*Applicant spoke to Craig Lis on 4/2/07 and requested Rule 6.2.3*  
*Go*

4/3/2007



Development Construction Services, Inc.

(970) 242-3674 • Fax: (970) 245-3674

*The Starting Place* RECEIVED

APR 02 2007

2350 G Road, Ste. 240  
Grand Junction, CO 81505  
WATER RESOURCES  
STATE ENGINEER  
COLO.

[www.developmentconstructionservices.com](http://www.developmentconstructionservices.com)

3/30/2007

Colorado Department Of Water Resources  
Attn: Craig Lis  
1313 Sherman Street  
Room 818  
Denver, CO 80203

Re: Frac Tech Services, LLC well permits

Mr. Lis,

I have enclosed the applications and filing fee we discussed, I am sending the drawings via E-mail. John Roney is Frac Tech's District Manager. Please call me with any further questions.

Sincerely,

Chris Boelke  
Construction Manager

Enclosures \$100 check, 2 applications, legal description.

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Sincerely,

Chris Boelke  
Construction Manager

Enclosures \$100 check, 2 applications, legal description.

COLORADO DIVISION OF WATER RESOURCES  
DEPARTMENT OF NATURAL RESOURCES  
1313 SHERMAN ST., RM 818, DENVER CO 80203  
phone - info: (303) 866-3587 main: (303) 866-3581  
Fax: (303) 866-3589 http://www.water.state.co.us

## MONITORING/OBSERVATION

### Water Well Permit Application

Review instructions on reverse side prior to completing form.  
The form must be completed in black or blue ink or typed.

#### 1. Well Owner Information

Name of well owner

Frach Tech Services LLC

Mailing address

2764 Compass DR Ste 200A

City

GRAND JCT

State

CO

Zip code

81506

Telephone #

(970) 255-1522

E-Mail (Optional)

#### 2. Type Of Application (check applicable boxes)

☐ Use existing well

☐ Replacement for existing monitoring well:

☒ Construct new well

Permit no.:

☐ Other:

#### 3. Refer To (if applicable)

Monitoring hole acknowledgment

Well name or #

MH-

#### 4. Location Of Proposed Well

County

GARFIELD

1/4 of the

1/4

Section

27

Township

7

N or S

☒

Range

96

E or W

☒

Principal Meridian

Distance of well from section lines (section lines are typically not property lines)

Ft from ☐ N ☐ S

Ft. from ☐ E ☐ W

For replacement wells only - distance and direction from old well to new well

feet

direction

Well location address (Include City, State, Zip) ☐ Check if well address is same as item 1.

4.5 miles west of Parachute, CO

Optional: GPS well location information in UTM format

You must check GPS unit for required settings as follows:

Format must be UTM

☐ Zone 12 or ☐ Zone 13

Units must be Meters

Datum must be NAD83

Unit must be set to true north

Was GPS unit checked for above? ☐ YES

Remember to set Datum to NAD83

#### 5. Property Owner Information

Name of property owner

Frach Tech Services, LLC

Mailing address

2764 Compass DR.

City

GRAND JCT

State

CO

Zip Code

81506

Telephone #

(970) 255-1522

Office Use Only

Form GWS-46 (06/2006)

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COLORADO

#### 6. Use Of Well

Use of this well is limited to monitoring water levels  
and/or water quality sampling

#### 7. Well Data (proposed)

Total depth

feet

Aquifer

#### 8. Consultant Information (if applicable)

Name of contact person

Chris Boelke

Company name

Development Construction Services

Mailing address

2350 G Rd

City

GRAND Junction CO

State

Zip Code

81505

Telephone #

(970) 242-3674

#### 9. Proposed Well Driller License #(optional):

#### 10. Signature Of Well Owner, Consultant Or Authorized Agent

The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104 (13)(a). I have read the statements herein, know the contents thereof and state that they are true to my knowledge.

Sign here (Must be original signature)

Date

3/30/07

Print name & title

Office Use Only

USGS map name

DWR map no.

Surface elev.

Rule 6.2.3

Receipt area only

Transaction #: 3014888  
Date: 4/2/2007 10:51:31 AM  
Transaction Total: \$100.00  
CHECK #2733 \$100.00

DIV 5 WD 39 BA MD

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

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203  
(303) 866-3581

LIC

**WELL PERMIT NUMBER** 273164 - -  
DIV. 5 WD 39 DES. BASIN MD

APPLICANT

FRACH TECH SERVICES LLC  
2764 COMPASS DR  
STE 200A  
GRAND JUNCTION, CO 81506-

(970) 255-1522

**PERMIT TO CONSTRUCT A WELL**

APPROVED WELL LOCATION

GARFIELD COUNTY

1/4 1/4 Section 27  
Township 7 S Range 96 W Sixth P.M.

DISTANCES FROM SECTION LINES

Ft. from Section Line  
Ft. from Section Line

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting: Northing:

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure 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) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(b)(I) for uses as described in CRS 37-92-602(1)(f). Use of this well is limited to monitoring water levels and/or water quality sampling.
- 4) This well must be equipped with a locking cap or seal to prevent well contamination or possible hazards as an open well. The well must be kept capped and locked at all times except during sampling or measuring.
- 5) Records of water level measurements and water quality analyses shall be maintained by the well owner and submitted to the Division of Water Resources upon request.
- 6) Upon conclusion of the monitoring program the well owner shall plug this well in accordance with Rule 16 of the Water Well Construction Rules. A Well Abandonment Report must be completed and submitted to the Division of Water Resources within 60 days of plugging.
- 7) The owner shall mark the well in a conspicuous place with the well permit number and name of aquifer as appropriate, and shall take necessary means and precautions to preserve these markings.
- 8) This well must be constructed by or under the supervision of a licensed well driller or other authorized individual according to the Water Well Construction Rules. If non-standard construction is anticipated, a variance request must be submitted in accordance with Rule 18 and approved prior to well construction.
- 9) A Well Construction and Test Report (Form GWS-31), including lithologic log must be submitted by the individual authorized to construct the well. For non-standard construction, the report must include an as-built drawing showing details such as depth, casing, perforated zones, and a description of the grouting type and interval.
- 10) Pursuant to Rule 6.2.3 of the Water Well Construction Rules, the well construction contractor shall submit the as-built well location on work reports required by Rule 17.3 within 60 days of completion of the well. The measured location must be accurate to 200 feet of the actual location. The location information must include either the 1/4, 1/4, Section, Township, Range, and distances from section lines, or a GPS location pursuant to the Division of Water Resources' guidelines.

*4/3/07*

APPROVED  
JSG

*Hel D. Simpson*  
State Engineer

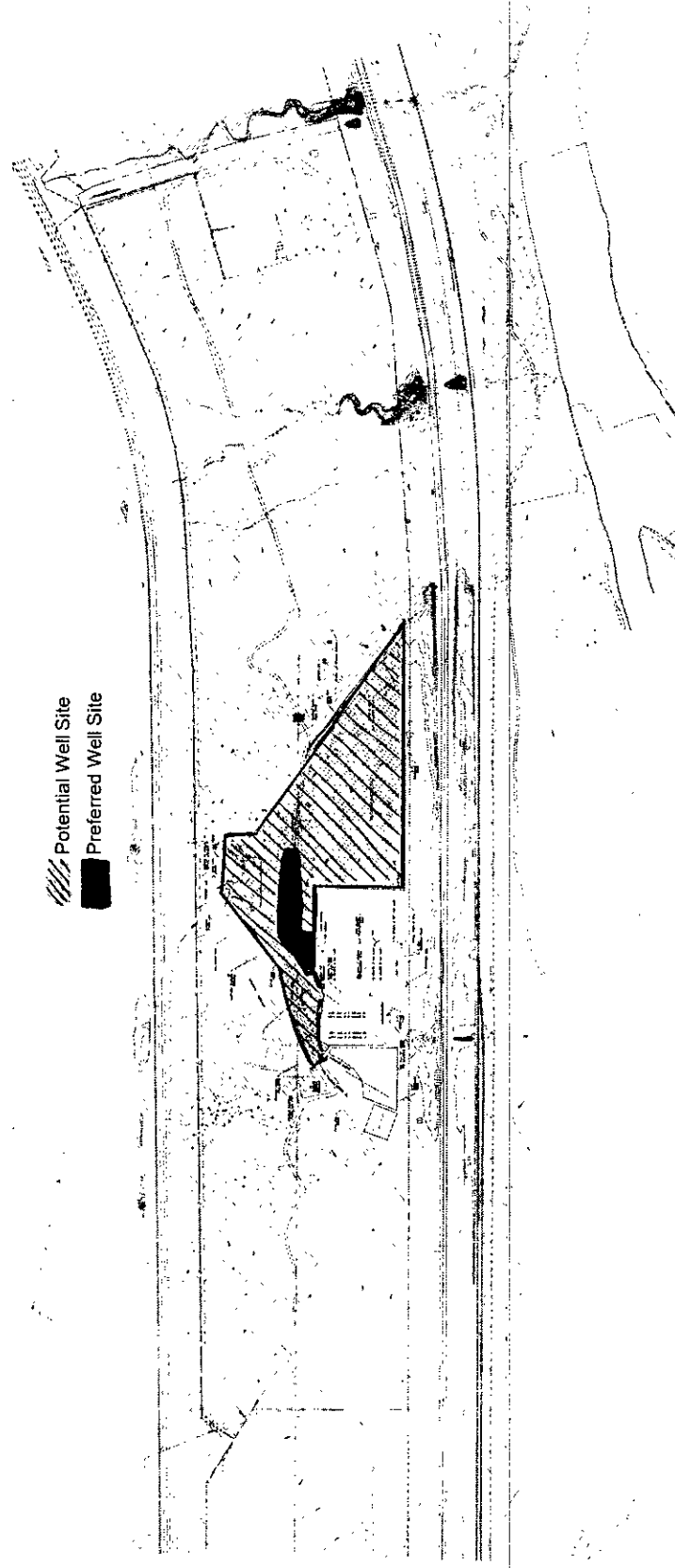
*[Signature]*  
By

Receipt No. 3614888

DATE ISSUED 04-03-2007

EXPIRATION DATE 04-03-2009

06/27/00  
 1/24/01  
 1/24/01  
 1/24/01



Well Site Location Map

PROJECT: 210  
 LOCATION: 210  
 PROJECT: 210

RED HAT, CAP STATION, 1. 2000  
 2. 2000  
 ELEV: 100174

AREA A (TOTAL) 100 ACRES (100,000 SQ. FT.)  
 AREA B (TOTAL) 100 ACRES (100,000 SQ. FT.)  
 AREA C (TOTAL) 100 ACRES (100,000 SQ. FT.)  
 AREA D (TOTAL) 100 ACRES (100,000 SQ. FT.)  
 AREA E (TOTAL) 100 ACRES (100,000 SQ. FT.)

SCALE: 1" = 200'



THE CITY OF ANTONIO  
 OFFICE OF THE CITY CLERK  
 100 N. N. STREET, 10TH FLOOR  
 SAN ANTONIO, TEXAS 78202

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Exhibit A

The SE1/4NW1/4, the NE1/4SW1/4, the NW1/4SW1/4, and Lot 2 of Section 27, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M.

The SW1/4SW1/4 of Section 27, Township 7 South, Range 96 West of 6<sup>th</sup> P.M. except that part of said SW1/4SW1/4 lying south of the southerly boundary of U.S. Highway No. 6 and 24.

That part of Lot 1 and of the W1/2NE1/4 of Section 27, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., described as: Beginning at a point on the westerly boundary line of said W1/2NE1/4 285 feet southerly of the North quarter corner of said Section 27; thence S. 59°35' E. 248 feet; thence S. 22°58' E. 285 feet; thence S. 87°46' E. 178 feet; thence S. 23°35' E. 290 feet; thence S. 63°54' E. 289 feet; thence S. 51°44' E. 545 feet; thence 47°47' E. 378 feet; thence S. 29°09' E. 228 feet; thence S. 74°13' E. 121 feet; thence S. 49°37' E. 176 feet to the Northwestern bank of the Colorado River; thence southwesterly along said bank of said River to its intersection with the south boundary line of said Lot 1; thence westerly along said South boundary line to the Southwest corner of said W1/2NE1/4, and thence northerly along the westerly boundary line of said W1/2NE1/4 to the point of beginning.

Except all that part Northwest of Interstate 70.

Also Excepting therefrom:

- (a) All real property described in Deeds recorded August 10, 1962 in Book 343 at page 569 and Re-recorded in Book 343 at page 426.
- (b) All real property that was taken by Rule and Order of Case No. 81CV164 recorded January 4, 1988 in Book 727 at Page 255 as Reception Number 388735.
- (c) All real property described in Deeds recorded March 16, 1989 in Book 567 at Page 502 as Reception Number 312881, recorded March 16, 1989 in Book 567 at Page 503 as reception Number 312882 and recorded March 16, 1981 in Book 567 at Page 504 as Reception Number 312883.

All Parcels being situated in the County of Garfield, State of Colorado.

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STATE ENGINEER  
COLO.

COPY

Original Filed

12/30/99

Clerk

By

Deputy

DISTRICT COURT, WATER DIVISION 5, COLORADO

Case No. 99 CW 320

**APPLICATION FOR APPROVAL OF PLAN FOR AUGMENTATION**

CONCERNING THE APPLICATION FOR WATER RIGHTS OF

WEST DIVIDE WATER CONSERVANCY DISTRICT,

in Garfield, Mesa and Pitkin Counties, Colorado

1. Name, address, telephone number of Applicant:

West Divide Water Conservancy District  
c/o Russell George  
Melody D. Massih  
Stuver & George, P.C.  
P.O. Box 907  
Rifle, CO 81650  
(970) 625-1887

2. Names of structures to be augmented:

The structures to be augmented are listed in three groups. The structures listed under Group A are for single family dwelling units whose uses conform to the standard defined below in paragraph 4A., water requirements. The structures listed under Group B consist of structures which are used for various combined purposes as specified in their contracts with the West Divide Water Conservancy District. Those structures listed under Group C are those for which the owner has been granted an individual Plan of Augmentation, but which include a contract with the West Divide Water Conservancy District as a part of that plan.

The actual number of structures to be augmented varies from year to year. The annual report to the State Engineer as described below in paragraph 4, Statement of Plan for Augmentation, will identify the contracts in force as of April 15 of each year.

a. Group A Structures: The uses for each Group A structure are for ordinary household purpose inside one single family dwelling, the watering of domestic livestock, fire protection, and the irrigation of up to 6000 square feet of lawn and garden. The amount claimed for each Group A structure is 0.033 cfs (15 gpm).

The Group A Structures are as follows:

**Water District 38**

**Caldwell Well No. 1**

Located in the NW 1/4 of the NE 1/4 of Section 28, T6S., R.89W. of the 6th P.M.  
at a point 4350 feet from the South section line and 1450 feet from the East  
section line

Well permit No: 44038-F

Number of units served: 1

**Colohan Well**

Located in the NE 1/4 of the SW 1/4 of Section 12, T7S., R.89W. of the 6th P.M.  
at a point 3400 feet from the North section line and 2750 feet from the East  
section line

Well permit No: 210775

Number of units served: 1

**Jarrett Well**

Located in the NE 1/4 of the SE 1/4 of Section 29, T9S., R.88W. of the 6th P.M.  
at a point 2510 feet from the South section line and 1222 feet from the East  
section line

Well permit No: 043952-F

Number of units served: 1

**Knaak Well**

Located in the SE 1/4 of the NE 1/4 of Section 29, T9S., R.88W. of the 6th P.M.  
at a point 3455 feet from the North section line and 1300 feet from the East  
section line

Well permit No: 044112-F

Number of units served: 1

**Somers Cluster Spring No. 5**

Located in the SE 1/4 of the NW 1/4 of Section 7, T11S., R.88W. of the 6th P.M.

Well permit No: N/A

Number of units served: 1

**Stratton Well**

Located in the SE 1/4 of the NE 1/4 of Section 29, T9S., R.88W. of the 6th P.M.  
at a point 2582 feet from the North section line and 765 feet from the East section  
line

Well permit No: 157949

Number of units served: 1

**Water District 39**

**Aaberg Well**

Located in the SE 1/4 of the NW 1/4 of Section 6, T6S., R.92W. of the 6th P.M.  
at a point 3760 feet from the South section line and 3200 feet from the East  
section line

Well permit No: 201118-F

Number of units served: 2

**ADD Well No. 3**

Located in the SE 1/4 of the NW 1/4 of Section 5, T6S., R.91W. of the 6th P.M.  
at a point 2220 feet from the North section line and 1500 feet from the West  
section line

Well permit No: 195920

Number of units served: 1

**ADD Well No. 4**

Located in the SE 1/4 of the NW 1/4 of Section 5, T6S., R.91W. of the 6th P.M.  
at a point 2630 feet from the North section line and 2750 feet from the East  
section line

Well permit No: 46674-F

Number of units served: 2

**ADD Well # 5**

Located in the SE 1/4 of the NW 1/4 of Section 5, T6S., R.91W. of the 6th P.M.  
2635 feet from the North section line and 2650 feet from the East section line.

Well permit No: 046675-F

Number of units served: 1

**Antonelli Well No.1**

Located in the SW 1/4 of the NW 1/4 of Section 4, T6S., R.92W. of the 6th P.M.  
at a point 3563 feet from the South section line and 4840 feet from the East  
section line

Well permit No: 046803- F

Number of units served: 1

**Armijo Well**

Located in the SE 1/4 of the NW 1/4 of Section 1, T6S., R.92W. of the 6th P.M.

Well permit No: Pending

Number of units served: 1

Bates Well No. 1

Located in the NE 1/4 of the SE 1/4 of Section 36, T5S., R.92W. of the 6th P.M.  
at a point 1490 feet from the South section line and 480 feet from the East section  
line

Well permit No: 45723- F  
Number of units served: 1

Bates Well No.2

Located in the NE 1/4 of the SE 1/4 of Section 36, T5S., R.92W. of the 6th P.M.  
at a point 1480 feet from the South section line and 170 feet from the East section  
line

Well permit No: 045724-F  
Number of units served: 1

Bell Well # 1

Located in the SW 1/4 of the NE 1/4 of Section 27, T7S., R.96W. of the 6th P.M.  
at a point 1500 feet from the North section line and 1500 feet from the East  
section line

Well permit No: 046022- F  
Number of units served: 1

Bertolini Well No. 1

Located in the NW 1/4 of the SE 1/4 of Section 35, T5S, T.92W. of the 6th  
P.M.  
at a point 2300 feet from the South section line and 2100 feet from the East  
section line.

Well permit No: 044060-F  
Number of units served: 1

Clark Well

Located in the SW 1/4 of the SW 1/4 of Section 5, T6S., R.92W. of the 6th P.M.  
at a point 140 feet from the South section line and 500 feet from  
the East section line

Well permit No: 046567-F  
Number of units served: 1

Colonna Well

Located in the NW 1/4 of the SW 1/4 of Section 4, T6S., R.92W. of the 6th P.M.  
at a point 2570 feet from the South section line and 570 feet from the West section  
line

Well permit No: 201144  
Number of units served: 2

Davis No. 1 Well

Located in the SW 1/4 of the NE 1/4 of Section 5, T6S., R.92W. of the 6th P.M.  
at a point 1900 feet from the North section line and 2400 feet from the East  
section line

Well permit No: 042711- F  
Number of units served: 1

Dauenhauer Well

Located in the NW 1/4 of the SW 1/4 of Section 4, T6S., R.92W. of the 6th P.M.  
at a point 2190 feet from the South section line and 340 feet from the West section  
line

Well permit No: 201145  
Number of units served: 1

Dick Well

Located in the SE 1/4 of the SE 1/4 of Section 23, T6S., R.94W. of the 6th P.M.  
at a point 1125 feet from the South section line and 850 feet from the East section  
line

Well Permit No. 047472- F  
Number of units served: 1

Eichler Well

Located in the NW 1/4 of the SW 1/4 of Section 34, T5S., R.92W. of the 6th P.M.  
at a point 1700 feet from the South section line and 600 feet from the West section  
line

Well permit No: 047525-F  
Number of units served: 1

Erickson Well

Located in the SW 1/4 of the NW 1/4 of Section 34 , T5S., R.92W. of the 6th P.M.  
at a point 2130 feet from the North section line and 1130 feet from the West  
section line

Well Permit No: 039336-F  
Number of units served: 1

Field Well

Located in the NW 1/4 of the NW 1/4 of Section 34, T5S., R.92W. of the 6th P.M.  
at a point 4450 feet from the South section line and 4850 feet from the East  
section line

Well Permit No: 040173-F  
Number of units served: 1

Germono Well

Located in the SW 1/4 of the NW 1/4 of Section 26, T6S., R.94W. of the 6th P.M.

Well permit No: 049891-F  
Number of units served: 1

Gilbert Well

Located in the SE 1/4 of the SE 1/4 of Section 5, T6S., R.92W. of the 6th P.M.

Well permit No: 047545- F  
Number of units served: 1

Glas Well

Located in the SE 1/4 of the NW 1/4 of Section 24, T5S., R.90W. of the 6th P.M.  
at a point 2300 feet from the North section line and 1700 feet from the West section line

Well permit No: 046117- F  
Number of units served: 1

Goss Well

Located in the NW 1/4 of the NW 1/4 of Section 34, T5S., R.92W. of the 6th P.M.  
at a point 1221 feet from the North section line and 200 feet from the West section line

Well permit No: 037810- F  
Number of units served: 1

Grove Well

Located in the SE 1/4 of the NW 1/4 of Section 5, T6S., R.91W. of the 6th P.M.

Well permit No: 046673-F  
Number of units served: 2

Hablutzel Well

Located in the NW 1/4 of the NE 1/4 of Section 9, T6S., R.93W. of the 6th P.M.  
at a point 820 feet from the North section line and 2520 feet from the East section line

Well permit No: 043593-F  
Number of units served: 1

Henry Well

Located in the NE 1/4 of the NW 1/4 of Section 3, T6S., R.93W. of the 6th P.M.  
at a point 3975 feet from the South section line and 3500 feet from the East section line.

Well permit No: 037322-F  
Number of units served: 1

Hunt Well No. 1

Located in the NW 1/4 of the SW 1/4 of Section 34, T5S., R.92W. of the 6th P.M.  
at a point 2630 feet from the South section line and 660 feet from the West section  
line

Well permit No: 049659-F

Number of units served: 1

Hunt Well No. 2

Located in the NW 1/4 of the SW 1/4 of Section 34, T5S., R.92W. of the 6th P.M.  
at a point 2200 feet from the South section line and 660 feet from the West section  
line

Well permit No: 051070- F

Number of units served: 1

Harms Well

Located in the NE 1/4 of the SE 1/4 of Section 32, T5S., R.92W. of the 6th P.M.  
at a point 1370 feet from the South section line and 350 feet from the East section  
line

Well permit No: 047904- F

Number of units served: 1

Harper Well B

Located in the NE 1/4 of the NE 1/4 of Section 31, T5S., R.91W. of the 6th P.M.  
at a point 582 feet from the North Section line and 500 feet from the East section  
line

Well permit No: 043642-F

Number of units served: 1

Harper Well C

Located in the NE 1/4 of the NE 1/4 of Section 31, T5 S., R.91W. of the 6th P.M.  
at a point 1072 from the North section line and 150 feet from the East section line

Well permit No: 047094- F

Number of units served: 1

Hayes Well

Located in the SW 1/4 of the NW 1/4 of Section 33, T5S., R.92W. of the 6th P.M.  
at a point 550 feet from the North section line and 450 feet from the East section  
line

Well permit No: pending

Number of units served: 1

Helgeland Well No.2

Located in the SW 1/4 of the NW 1/4 of Section 34, T5S., R.92W. of the 6th P.M.  
at a point 3685 feet from the South section line and 805 feet from the West section  
line

Tract E Rolling Meadows Estates

Well permit No: 038481- F

Number of units served: 1

Helgeland Well No.1

Located in the SW 1/4 of the NW 1/4 of Section 34, T5S., R.92W. of the 6th P.M.  
at a point 594 feet from the North section line and 1125 feet from the West Section  
line

Tract C Rolling Meadows

Well permit No: 035901- F

Number of units served: 1

Hillside Center Well

Located in the SE 1/4 of the SW 1/4 of Section 31, T5S., R.91W. of the 6th P.M.  
at a point 210 feet from the South section line and 1814 feet from the West Section  
line

Well permit No: 042723-F

Number of units served: 1

Hillside East Well

Located in the SE 1/4 of the SW 1/4 of Section 31, T5S., R.91W. of the 6th P.M.  
at a point 80 feet from the South section line and 2280 feet from the West Section  
line

Well permit No: 042986-F

Number of units served: 1

Hillside West Well

Located in the SW 1/4 of the SW 1/4 of Section 31, T5S., R.91W. of the 6th P.M.  
at a point 138 feet from the South section line and 1277 feet from the West Section  
line

Well permit No: 042722-F

Number of units served: 1

Hoffmeister Well

Located in the NE 1/4 of the NE 1/4 of Section 6, T6S., R.92W. of the 6th P.M.

Well permit No: 049861-F

Number of units served: 1

Isham Springs

Located in the SE 1/4 of the NE 1/4 of Section 9, T6S., R.93W. of the 6th P.M.  
at a point 1650 feet from the North section line and 2200 feet from the East  
section line

Well permit No: N/A  
Number of units served: 1

Jewell Well

Located in the SE 1/4 of the NE 1/4 of Section 33, T5S., R.92W. of the 6th P.M.  
at a point 3250 feet from the South section line and 300 feet from the East section  
line

Well permit No: 049512-F  
Number of units served: 1

Kent Jolley Well No. 2A

Located in the NW 1/4 of the SW 1/4 of Section 1, T6S, R93W of the 6th P.M.  
at a point 2545 feet from the South section line and 750 feet from the West section  
line

Well Permit No. 044969-F  
Number of Units served: 1

Kent Jolley Well No. 1

Located in the NW 1/4 of the SW 1/4 of Section 1, T6S., R.93W. of the 6th P.M.  
1408 feet from the South Section line, and 1146 from the West Section line.

Well permit No: 046042-F  
Number of units served: 1

Kent Jolly Well No.2B

Located in the NW 1/4 of the SW 1/4 of Section 1, T6S., R.93W. of the 6th P.M.  
at a point 2450 feet from the South section line and 400 feet from the West section  
line

Well permit No: 047095- F  
Number of units served: 1

Kent Jolley Well No. 3A

Located in the NW 1/4 of the SW 1/4 of Section 1, T6S., R.93W. of the 6th P.M.  
Lot 4 of Alexandra's Estates

Well permit No: 43499-F  
Number of units served: 1

Kent Jolly Well No. 3B

Located in the NW 1/4 of the SW 1/4 of Section 1, T6S., R.93W. of the 6th P.M.

1595 feet from the South section line and 500 feet from the West section line.

Lot 5 Alexandra's Estates

Well permit No: 044967-F

Number of units served: 1

Kozera Well

Located in the SW 1/4 of the NW 1/4 of Section 6, T6S., R.92W. of the 6th P.M.  
at a point 2400 feet from the North section line and 300 feet from the West section line

Well permit No: 047797-F

Number of units served: 1

Lampiris Well No. 2

Located in the SW 1/4 of the SW 1/4 of Section 30, T5S., R.91W. of the 6th P.M.  
1000 feet from South Section line and 530 feet from the West Section line.

Well permit No: 043451-F

Number of units served: 1

Lampiris Well No. 3

Located in the SW 1/4 of the SW 1/4 of Section 30, T5S., R.91W. of the 6th P.M.  
at a point 200 feet from the South section line and 560 feet from the West Section line

Well permit No: 043452- F

Number of units served: 1

Mazuchi Well

Located in the NW 1/4 of the NE 1/4 of Section 11, T6S, R.92W. of the 6th P.M.  
260 feet from the North section line and 1525 feet from the East section line.

Well permit No: 04989-F

Number of units served: 1

Judy A. Mazuchi Well

Located in the NE 1/4 of the NE 1/4 of Section 11, T6S., R.92W. of the 6th P.M.  
800 feet from the North section line and 825 feet from the East section line.

Well permit No. 045542-F

Number of units served: 1

McCune Well

Located in the SE 1/4 of the SE 1/4 of Section 4, T6S., R.92W. of the 6th P.M.  
at a point 850 feet from the South section line and 150 feet from the East section line

Well permit No: 191946- F

Number of units served: 1

McElroy Well

Located in the NE 1/4 of the SW 1/4 of Section 35, T5S., R.92W. of the 6th P.M.  
at a point 2400 feet from the South section line and 2900 feet from the East  
section line

Well Permit No: 043986- F

Number of units served: 1

Monteleone Well

Located in the NE 1/4 of the SE 1/4 of Section 32, T5S., R.92W. of the 6th P.M.  
at a point 2592 feet from the South section line and 50 feet from the East section  
line

Well permit No: 045748- F

Number of units served: 1

Nesbit Well

Located in the SW 1/4 of the SW 1/4 of Section 5, T6S., R.92W. of the 6th P.M.  
at a point 900 feet from the South Section line and 4100 feet from the East Section  
line

Well permit No: 41511- F

Number of units served: 1

O'Brien Well

Located in the SE 1/4 of the NE 1/4 of Section 26, T5S., R.92W. of the 6th P.M.  
at a point 2680 feet from the South section line and 560 feet from the East

Well permit No: 42758- F

Number of units served: 1

Parcel No.2 Well

Located in the SW 1/4 of the NW 1/4 of Section 4, T6S., R.93W. of the 6th P.M.  
at a point 3613 feet from the South section line and 5000 feet from the East  
section line

Well permit No: 046804- F

Number of units served: 1

Pretti Well

Located in the SW 1/4 of the SW 1/4 of Section 31, T5S., R.91W. of the 6th P.M.  
at a point 250 feet from the South section line and 700 feet from the West section  
line

Well permit No: 034870- F

Number of units served: 1

Reynolds Well

Located in the NW 1/4 of the SW 1/4 of Section 33, T5, R92W, of the 6th P.M.  
at a point 2208 feet from the South section and 159 feet from the West section  
line

Well Permit No. 047544-F

Number of Units Served: 1

Richards Well

Located in the SE 1/4 of the NW 1/4 of Section 4, T6S, R91W of the 6th P.M.  
at a point 3200 feet from the South section line and 2800 feet from the East section  
line

Well Permit No. Pending

Number of units served: 1

Rose Well

Located in the SW 1/4 of the SW 1/4 of Section 5, T5S., R.93W. of the 6th P.M.  
at a point 1320 feet from the South section line and 794 feet from the West  
section line

Well permit No: 46729-F

Number of units served: 1

Sahula Well

Located in the NE 1/4 of the SE 1/4 of Section 30, T6S., R.94W. of the 6th P.M.

Well permit No: pending

Number of units served: 1

Sander Well

Located in the SW 1/4 of the NE 1/4 of Section 35, T 5 S, R90W, of the 6th P.M.  
at a point 1500 feet from the North section line and 1370 feet from the East  
section line.

Well Permit No. 167567

Number of units served: 4

Schopp Well No. 1

Located in the NW 1/4 of the S/W 1/4 of Section 4, T6S, R92W . of the 6th P.M.  
at a point 1365 feet from the South section line and 1100 feet from the West  
section line.

Well Permit No. 045538-F

Number of units served: 1

Stallings Well

Located in the NW 1/4 of the SE 1/4 of Section 26, T5S., R.92W. of the 6th P.M.  
at a point 1800 feet from the South section line and 1450 feet from the East section line

Well permit No: 036287- F  
Number of units served: 1

Simmons Well No.1

Located in the NW 1/4 of the SW 1/4 of Section 24, T5S., R.90W. of the 6th P.M.  
2580 feet from the South section line and 4120 feet from the East section line

Well permit No: 047613-F  
Number of units served: 1

Simmons Well No.2

Located in the NE 1/4 of the SW 1/4 of Section 24, T5S., R.90W. of the 6th P.M.  
2180 feet from the South section line and 3240 feet from the East section line.

Well permit No: 047614-F  
Number of units served: 1

Smith Well

Located in the SW 1/4 of the SW 1/4 of Section 4, T6S., R.92W. of the 6th P.M.  
165 feet from the South section line and 5032 feet from the East section line.

Well permit No: 046427- F  
Number of units served: 2

Spychala Well

Located in the NE 1/4 of the NE 1/4 of Section 7, T6S., R.92W. of the 6th P.M.  
at a point 60 feet from the North section line and 2600 feet from the East section line

Well permit No: 038417-F  
Number of units served: 1

Toler Well

Located in the SE 1/4 of the NW 1/4 of Section 4, T6S., R.91W. of the 6th P.M.  
3960 feet from the South section line and 3360 feet from the East section line.

Well permit No: 045586-F  
Number of units served: 1

Trueblood Well

Located in the SW 1/4 of the NE 1/4 of Section 18, T5S., R.89W. of the 6th P.M.  
at a point 1600 feet from the North section line and 2580 feet from the East section line

Well permit No: 050291-F  
Number of units served: 1

Verkerk Well

Located in the SW 1/4 of the NE 1/4 of Section 27, T7S., R.96W. of the 6th P.M.  
3600 feet from the South section line and 1632 feet from the East section line.

Well permit No: 044152- F

Number of units served: 1

Wills Well No.2

Located in the SE 1/4 of the NE 1/4 of Section 4, T6S., R.92W. of the 6th P.M.  
at a point 1600 feet from the North section line and 1150 feet from the East section line

Well permit No: pending

Number of units served: 4

Witte Well

Located in the NW 1/4 of the SW 1/4 of Section 33, T5S., R.92W. of the 6th P.M.  
1900 feet from the South section line and 50 feet from the West section line.

Well permit No: 049658-F

Number of units served: 1

Wittington Well

Located in the NE 1/4 of the NW 1/4 of Section 6, T6S., R.91W. of the 6th P.M.  
at a point 1308 feet from the North section line and 2670 feet from the East section line

Well permit No: pending

Number of units served: 1

Wilson Well

Located in the SW 1/4 of the NW 1/4 of Section 34, T5S., R.92W. of the 6th P.M.  
at a point 3300 feet from the South section line and 4700 feet from the East section line

Well permit No: 036072-F

Number of units served: 1

**Water District 45**

Allen Well No.1

Located in the NE 1/4 of the SW 1/4 of Section 19, T6S., R.93W. of the 6th P.M.  
at a point 2500 feet from the South section line and 2900 feet from the East section line

Well permit No: 045475-F

Number of units served: 1

Allen Well No.2

Located in the NE 1/4 of the SW 1/4 of Section 19, T6S., R.93W. of the 6th P.M.  
at a point 1350 feet from the South section line and 1920 feet from the West section line

Well permit No: 049477-F  
Number of units served: 3

Bernklau Well No. 1

Located in the SW 1/4 of the NW 1/4 of Section 33, T6S., R.94W. of the 6th P.M.  
at a point 1700 feet from the North section line and 500 feet from the West section line  
Well permit No: 039574-F  
Number of units served: 1

Bernklau Well No. 2

Located in the SW 1/4 of the NW 1/4 of Section 33, T6S., R.94W. of the 6th P.M.  
at a point 1900 feet from the North section line and 900 feet from the West section line  
Well permit No: 036169-F  
Number of units served: 1

Paul Bernklau Well

Located in the NW 1/4 of the NE 1/4 of Section 4, T7S., R.94 W. of the 6th P.M.  
at a point 1290 feet from the North section line and 2330 feet from the East section line  
Well permit No: 049368-F  
Number of units served: 1

Binger Well No.1

Located in the NW1/4 of the SE 1/4 of Section 34, T6S, R 94 W of the 6th P.M.  
2220 ft from the South Section line and 2310 feet from the East section line  
Well permit No: 043920-F  
Number of units served: 1

Binczik Well

Located in the SW 1/4 of the SW 1/4 of Section 2, T7S., R.95W. of the 6th P.M.  
at a point 1050 feet from the South section line and 400 feet from the West section line  
Well permit No: 043919-F  
Number of units served: 1

Burris Well No. 4

Located in the NE 1/4 of the NW 1/4 of Section 17, T6S., R.92W. of the 6th P.M.  
at a point 1200 feet from the North section line and 2150 feet from the West section line  
Well permit No: 046976-F  
Number of units served: 1

Burris Well No. 3

Located in the NE 1/4 of the NW 1/4 of Section 17, T6S., R.92W. of the 6th P.M.

at a point 1200 feet from the North section line and 1700 feet from the West section line  
Well permit No: 046975-F  
Number of units served: 1

Burris Well No. 2

Located in the NE 1/4 of the NW 1/4 of Section 17, T6S., R.92W. of the 6th P.M.  
at a point 1200 feet from the North section line and 1475 feet from the West section line  
Well permit No: 046977-F  
Number of units served: 1

Cray Well

Located in the SW 1/4 of the NW 1/4 of Section 4, T7S., R.95W. of the 6th P.M.  
Well permit No: 187226-F  
Number of units served: 1

Dillon Spring

Located in the NE 1/4 of the SW 1/4 of Section 33, T6S., R.94W. of the 6th P.M.  
Well permit No: N/A  
Number of units served: 1

Goad Well No.1

Located in the NE 1/4 of the SW 1/4 of Section 34, T6S. R94W. of the 6th P. M.  
Well permit No: 049367-F  
Number of units served: 1

Janssen Well

Located in the SE 1/4 of the NE 1/4 of Section 31, T6S., R.94W. of the 6th P.M.  
Well permit No: pending  
Number of units served: 1

Louthan Well No.1

Located in the SW 1/4 of the NE 1/4 of Section 34, T6S., R.94W. of the 6th P.M.  
at a point 3051 feet from the South section line and 2434 feet from the East section line  
Well permit No: 45799-F  
Number of units served: 1

Martin Well

Located in the SE 1/4 of the NW 1/4 of Section 31, T6S., R.94W. of the 6th P.M.  
at a point 1500 feet from the North section line and 2050 feet from the West section line  
Well permit No: 049657-F  
Number of units served: 2

Pearson Well

Located in the SW 1/4 of the NW 1/4 of Section 2, T6S., R 94W of the 6th P.M.

Well permit No: 128722- F

Number of units served: 1

Redmond Well

Located in the NE 1/4 of the SE 1/4 of Section 36, T6S., R.95W. of the 6th P.M.

At a point 1800 feet from the South Section line and 750 feet from the East Section line

Well permit No: 044482-F

Number of units served: 1

Rinna Well

Located in the SW 1/4 of the NW 1/4 of Section 12, T6S., R.92W. of the 6th P.M.

at a point 2600 feet from the North section line and 1300 feet from the West section line

Well permit No: 105074- F

Number of units served: 1

Rothgery's Well A

Located in the SE 1/4 of the SE 1/4 of Section 3, T7S., R.95W. of the 6th P.M.

Well permit No: pending

Number of units served: 1

Rothgery's Well B

Located in the SE 1/4 of the SE 1/4 of Section 3, T7S., R.95W. of the 6th P.M.

Well permit No: pending

Number of units served: 1

Rothgery's Well C

Located in the SE 1/4 of the SE 1/4 of Section 3, T7S., R.95W. of the 6th P.M.

Well permit No: pending

Number of units served: 1

Sabel Well

Located in the SE 1/4 of the SE 1/4 of Section 10, T6S., R.92W. of the 6th P.M.

At a point 1000 feet from the South section line and 800 feet from the East section line

Well permit No: 162419

Number of units served: 1

Savage Well No.1

Located in the SE 1/4 of the NE 1/4 of Section 34, T6S., R.94W. of the 6th P.M.

at a point 1980 feet from the North section line and 660 feet from the East section line  
Well permit No: 044489-F  
Number of units served: 4

Savage Well No.2

Located in the NE 1/4 of the SW 1/4 of Section 34, T6S., R.94W. of the 6th P.M.  
At a point 2640 feet from the South section line and 2180 feet from the West section line  
Well permit No: 046513-F  
Number of units served: 3

Savage Well No.3

Located in the SW 1/4 of the NE 1/4 of Section 34, T6S., R.94 W. of the 6th P.M.  
At a point 3226 feet from the South section line and 1541 feet from the East section line  
Well permit No: 049595-F  
Number of units served: 2

Spinden Well

Located in the SE 1/4 of the NW 1/4 of Section 3, T7S., R.92W. of the 6th P.M.  
At a point 100 feet from the North section line and 1800 feet from the West section line  
Well permit No: 36004-F  
Number of units served: 1

Stoneking Well

Located in the NW 1/4 of the NE 1/4 of Section 33, T6S., R.92W. of the 6th P.M.  
Well permit No: pending  
Number of units served: 2

Swallow Well

Located in the NE 1/4 of the SW 1/4 of Section 20, T6S., R.93W. of the 6th P.M.  
at a point 2561 feet from the South Section line and 1596 feet from the West Section line  
Well permit No: 45735- F-R  
Number of units served: 2

Talbott Well

Located in the NW 1/4 of the SW 1/4 of Section 30, T6S., R.94W. of the 6th P.M.  
at a point 2200 feet from the South section line and 900 feet from the West section line  
Well permit No: 047186-F  
Number of units served: 1

Van Every Well

Located in the NE 1/4 of the SE 1/4 of Section 24, T6S., R.92W. of the 6th P.M.

Aspen Glen Well No. 4

Located in the NW 1/4 of the NE 1/4 of Section 29, T.7S., R.88 W. of the 6th P.M.

at a point whence the NE corner of section 29 bears N. 72 deg. 15 min. E. 2585 feet.

Aspen Glen Well No. 5

Located in the NW 1/4 of the NE 1/4 of Section 29, T.7S., R.88 W. of the 6th P.M.

at a point whence the NE corner of section 29 bears N. 72 deg. 45 min. E. 2150 feet.

Aspen Glen Well No. 6

Located in the NW 1/4 of the NE 1/4 of Section 29, T.7S., R.88 W. of the 6th P.M.

at a point whence the NE corner of section 29 bears N. 82 deg. 00 min. E. 2300 feet.

Aspen Glen Well No. 7

Located in the NE 1/4 of the NW 1/4 of Section 29, T.7S., R.88 W. of the 6th P.M.

at a point whence the NE corner of section 29 bears N. 82 deg. 25 min. E. 2730 feet.

Diversion amount claimed: 0.23cfs (.033cfs for each of 7 wells)

Dorman Water Rights

Dorman Ditch

The headgate for the Dorman Ditch is located in the NW 1/4 of the NE 1/4 of Section 22, T8 S., R.88 W. of the 6th P.M. at a point 3800 feet from the West section line and 180 feet from the North section line

Diversion amount claimed: 0.30cfs

Dorman Pump and Pipeline

The headgate for the Dorman Pump and Pipeline is located in the SW 1/4 of the SE 1/4 of Section 15, T8S., R.88W. of the 6th P.M.

at a point 3500 feet from the West section line and 170 feet from the South section line

Diversion amount claimed: 0.20cfs

Dorman Pond

The Dorman pond is located in the SW 1/4 of the SE 1/4 of section 15 T. 8 S., R. 88 W. of the 6th P.M. The center point of the axis of the dam is 3585 feet from the west section line and 140 feet from the south section line.

Storage amount claimed: 0.86 acre feet

Four Mile Ranch Development Company Wells

Four Mile Ranch Well No. 1

at a point 2400 feet from the South section line and 800 feet from the East section line  
Well permit No: 29674-F  
Number of units served: 1

**Wells Well**

Located in the NW 1/4 of the SW 1/4 of Section 32, T6S., R.94W. of the 6th P.M.  
at a point 2300 feet from the South section line and 600 feet from the West section line  
Well permit No: 040559-F  
Number of units served: 1

**Yater Well**

Located in the NW1/4 of the SW1/4 of Section 17, T7S, R95W of the 6th P.M.  
at a point 1540 feet from the South section line and 500 feet from the West section line.  
Well permit No: 206247  
Number of units served: 2

**Youland Well**

Located in the SE1/4 of the NE1/4 of Section 31, T6S, R94W of the 6th P.M.  
at a point 3050 feet from the South section line and 1200 feet from the East section line.  
Well permit No: 049257 - F  
Number of units served: 1

b. Group B Structures: The diversion amounts claimed for the Group B structures are identified individually for each structure, and the uses are identified in Table 3, which is attached hereto as "Exhibit A" and incorporated herein.

The Group B Structures are as follows:

**Water District 38**

Aspen Glen Water and Sanitation District Wells

**Aspen Glen Well No. 1**

Located in the SE 1/4 of the SW 1/4 of Section 20, T.7S., R.88W. of the 6th P.M.  
at a point whence the SE corner of section 20 bears S. 78° 15' E. 3830 feet.

**Aspen Glen Well No. 2**

Located in the NW 1/4 of the NE 1/4 of Section 29, T.7S., R.88W. of the 6th P.M.  
at a point whence the NE corner of section 29 bears N. 70 deg. 45' E. 2330 feet.

**Aspen Glen Well No. 3**

Located in the NW 1/4 of the NE 1/4 of Section 29, T.7S., R.88W. of the 6th P.M.  
at a point whence the NE corner of section 29 bears N. 74 deg. 07 min. E. 1855 feet.

Located in the NE 1/4 of the NW 1/4 of Section 34, T6S., R.89W. of the 6th P.M.  
at a point 433 feet from the North section line and 2029 feet from the West section  
line

Well permit No: pending

Diversion amount claimed: 0.167cfs

Four Mile Ranch Well No. 2

Located in the NE 1/4 of the NW 1/4 of Section 34, T6S., R.89W. of the 6th P.M.  
at a point 380 feet from the North section line and 2100 feet from the West section  
line

Well permit No: pending

Diversion amount claimed: 0.167cfs

Kaiser and Sievers Ditch

The headgate for the Kaiser and Sievers Ditch is located in the SE 1/4 of the  
NE 1/4 of the SW 1/4 of Section 33, T. 7S., R.88W. of the 6th P.M.

Diversion amount claimed: 0.07cfs

Kennedy Well

Located in the SW 1/4 of the NW 1/4 of Section 28, T7S., R.88W. of the 6th P.M.  
at a point 2440 feet from the North section line and 100 feet from the West section  
line

Well permit No: 44351- F

Diversion amount claimed: 0.033cfs

Office/Shop Well

Located in the NE 1/4 of the NE 1/4 of Section 13, T7S., R.89W. of the 6th P.M.  
at a point 1100 feet from the North section line and 700 feet from the East section  
line

Well permit No: 043047 F

Diversion amount claimed: 0.144cfs

Owens Domestic Well No. 1

Located in the NW 1/4 of the NW 1/4 of Section 1, T7S., R.89W. of the 6th P.M.  
at a point 260 feet from the North section line and 247 feet from the West section  
line

Well permit No: 34292

Diversion amount claimed: 0.022cfs

Simmons Well

Located in the NW 1/4 of the NE 1/4 of Section 10, T.8S., R.88W. of the 6th P.M.  
at a point 850 feet from the North section line and 1900 feet from the East section  
line

Well permit No: 037094- F  
Diversion amount claimed: 0 .088cfs

**Town of Carbondale Multiple Water Rights**

Located as described in water court case No. 88CW421  
Diversion amount claimed: 0.067cfs (winter diversions only)

**Water District 39**

**Antonelli Well**

Located in the SW 1/4 of the NW 1/4 of Section 4, T6S., R.92W. of the 6th P.M.  
at a point 1420 feet from the North section line and 100 feet from the West section line  
Well permit No: 041789- F  
Diversion amount claimed: 0 .033cfs

**Boland Ranch Water Rights**

**Mings, Chenoweth and Wolverton Ditch**

Located on the west bank of Canyon Creek at a point in the SW1/4 of the NW1/4 of Section 25, T.5S., R.90W of the 6th P.M.

**Boland Ranch Well No. 2**

Located in the SW 1/4 of the SW 1/4 of Section 25, T.5S., R.90W. of the 6th P.M.  
at a point 246 feet from the South section line and 900 feet from the West section line  
Well permit No: 045455-F

**Boland Ranch Well No. 3**

Located in the NW 1/4 of the NW 1/4 of Section 36, T.5S., R.90W. of the 6th P.M.  
at a point 3950 feet from the South section line and 4800 feet from the East section line  
Well permit No: 041103-F

**Boland Ranch Well No. 4**

Located in the NW 1/4 of the NW 1/4 of Section 36, T.5S., R.90W. of the 6th P.M.  
at a point 4100 feet from the South section line and 5200 feet from the East section line  
Well permit No 040283-F  
Diversion amount claimed: 0 .20cfs

**Brynildson Well**

Located in the NW 1/4 of the SE 1/4 of Section 11, T.6S., R.93W. of the 6th P.M.  
at a point 2500 feet from the South section line and 2250 feet from the East section line  
Well permit No: 039168-F  
Diversion amount claimed: 0 .033cfs

**Burning Mountain Wells**

**Well A**

Well permit No: 046654-F

Cedar Hills Ranch Well No. 3

Located in the SE 1/4 of the NE 1/4 of Section 1, T6S., R.92W. of the 6th P.M.  
at a point 2283 feet from the North section line and 951 feet from the East section line

Well permit No: 046655-F

Cedar Hills Ranch Backup Well

Located in the SE 1/4 of the NE 1/4 of Section 1, T6S., R.92W. of the 6th P.M.  
at a point 2381 feet from the North section line and 942 feet from the East section line

Well permit No: 046656-F

Diversion amount claimed: 0.133cfs

Central Aggregates Pond

Located in the NW 1/4 of the SE 1/4 of Section 17, T6S., R.93W. of the 6th P.M.  
at a point 1790 feet from the South section line and 2440 feet from the East section line

Diversion amount claimed: 0.05cfs

Clasen Well

Located in the NE 1/4 of the NE 1/4 of Section 1, T6S., R.92W. of the 6th P.M. at a point 400 feet from the North section line and 1145 feet from the East section line

Well permit No: pending

Diversion amount claimed: 0.033cfs

Cromwell Well

Located in the NE 1/4 of the NE 1/4 of Section 10, T6S., R.92W. of the 6th P.M. at a point 945 feet from the North section line and 960 feet from the East section line

Well permit No: 049301-F

Diversion amount claimed: 0.033cfs

Duplice Well A

Located in the NW 1/4 of the NW 1/4 of Section 12, T6S., R.92W. of the 6th P.M. at a point 650 feet from the North section line and 600 feet from the West section line

Well permit No: 046710- F

Diversion amount claimed: 0.033cfs

Edward Walters Well

Located in the NE 1/4 of the SW 1/4 of Section 32, T5S., R.90W. of the 6th P.M. at a point 1475 feet from the South section line and 2600 feet from the West section line

Well permit No: 043552- F

Diversion amount claimed: 0.067cfs

Fraser Well

Located in the SE 1/4 of the NW 1/4 of Section 6, T6S., R.92W. of the 6th P.M. at a point 2700 feet from the South section line and 3150 feet from the East section line

Well permit No: 047976- F

Diversion amount claimed: 0.033cfs

Located in the NW 1/4 of the SE 1/4 of Section 32, T5S., R.90W. of the 6th P.M.  
at a point 1380 feet from the South section line and 2075 feet from the East section line

Well permit No: 042065- F

Well B

Located in the NW 1/4 of the SW 1/4 of Section 32, T5S., R.90W. of the 6th P.M.  
at a point 1910 feet from the South section line and 1270 feet from the West section line

Well permit No: 042064-F

Well C-1

Located in the SE 1/4 of the SW 1/4 of Section 32, T5S., R.90W. of the 6th P.M.  
at a point 1033 feet from the South section line and 2053 feet from the West section line

Well permit No: 044623- F

Well C-2

Located in the NE 1/4 of the SW 1/4 of Section 32, T5S., R.90W. of the 6th P.M.  
at a point 1320 feet from the South section line and 1500 feet from the West section line

Well permit No: 044622- F

Well C-3

Located in the NE 1/4 of the SW 1/4 of Section 32, T5S., R.90W. of the 6th P.M.  
at a point 1880 feet from the South section line and 440 feet from the West section line

Well permit No: 042061-F

Diversion amount claimed: 0.5cfs

Burning Mountain Well No. D

Located in the SW 1/4 of the SE 1/4 of Section 32, T5S., R.90W. of the 6th P.M.  
at a point 855 feet from the South section line and 2585 feet from the East section line

Well permit No: 37091-F

Diversion amount claimed: 0.033cfs

Busha River Diversions

Water trucks will load from the Colorado River at various locations

Specific locations will be reported to the Division Engineer.

Diversion amount claimed: 025cfs

Cedar Hills Ranch Wells

Cedar Hills Ranch Well No. 1

Located in the SE 1/4 of the NE 1/4 of Section 1, T6S., R.92W. of the 6th P.M.  
at a point 2310 feet from the North section line and 1264 feet from the East section line

Well permit No: 046653-F

Cedar Hills Ranch Well No. 2

Located in the SE 1/4 of the NE 1/4 of Section 1, T6S., R.92W. of the 6th P.M.  
at a point 2161 feet from the North section line and 363 feet from the East section line

Garfield County River Diversions

Water trucks will load from the Colorado River at various locations. Specific locations will be reported to the Division Engineer.

Diversion amount claimed: 0.1cfs

Graviett Well

Located in the NE 1/4 of the NE 1/4 of Section 36, T5S., R.92W. of the 6th P.M. at a point 2550 feet from the South section line and 280 feet from the East section line

Well permit No: 042426- F

Diversion amount claimed: 0.033cfs

Johnson Well

Located in the SE 1/4 of the SE 1/4 of Section 14, T6S., R.94W. of the 6th P.M. at a point 111 feet from the South section line and 142 feet from the East section line

Well permit No: 050032- F

Diversion amount claimed: 0.033cfs

Mammoth Hot Spring and Small Yampa Spring

Located in the SE 1/4 of the NE 1/4 of Section 9, T6S., R.89W of the 6th P.M.

Diversion amount claimed: 0.01cfs

Macauley Pit Evaporation

Located in the Sw 1/4 of Section 18 T6S, R93W

Diversion amount claimed: 0.2cfs

Melton Well

Located in the SW 1/4 of the NW 1/4 of Section 4, T6S., R.91W. of the 6th P.M. at a point 3900 feet from the South section line and 390 feet from the West section line

Well permit No: 047909- F

Diversion amount claimed: 0.033cfs

Rippy RV Associates Ltd. Wells

Betty Jane Well

Located in the NW 1/4 of the NW 1/4 of Section 1, T6S., R.91W. of the 6th P.M. at a point 100 feet from the North section line and 800 feet from the West section line

Well permit No: 042144- F-R

Phil Well

Located in the NW 1/4 of the NW 1/4 of Section 1, T6S., R.91W. of the 6th P.M. at a point 250 feet from the North section line and 700 feet from the West section line

Well permit No: 042146- F

Bill Well

Located in the NW 1/4 of the NW 1/4 of Section 1, T6S., R.91W. of the 6th P.M. at a point 250 feet from the North section line and 1200 feet from the West section line

Well permit No: 042145-F-R

Diversion amount claimed: 0.10cfs

Rumery Well

Located in the NE 1/4 of the NE 1/4 of Section 5, T6S., R.91W. of the 6th P.M. at a point 4400 feet from the South Section line and 20 feet from the East Section line

Well permit No: 112000-A

Diversion amount claimed: 0.033cfs

Schopp Springs 1-13

Located in the SW 1/4 of the SW 1/4 of Section 4, T6S., R.92W. of the 6th P.M. within an area 665 feet North to 579 feet North of the South section line and 997 feet to 408 feet East of the West section line, the location of each individual spring being more particularly described in Water Court Case No. 91CW097. Diversion amount claimed: 0.033cfs

Smilack Wells

Smilack Well No. 1

Located in the SW 1/4 of the NE 1/4 of Section 5, T6S., R.91W. of the 6th P.M. at a point 3420 feet from the South section line and 3280 feet from the West section line

Well permit No: 045747- F

Smilack Well No. 2

Located in the SW 1/4 of the NE 1/4 of Section 5, T6S., R.91W. of the 6th P.M. at a point 2150 feet from the North section line and 1400 feet from the East section line

Well permit No: 046609- F

Diversion amount claimed: 0.132cfs

Terrell Well

Located in the NW 1/4 of the NE 1/4 of Section 9, T6S., R.92W. of the 6th P.M. at a point 520 feet from the North section line and 2042 feet from the East section line

Well permit No: 133069

Diversion amount claimed: 0.033cfs

Toby's Pumping and Drilling River Diversions

After trucks will load from the Colorado River at various locations. Specific locations will be reported to the Division Engineer.

Diversion amount claimed: 0.5cfs

Town of New Castle Well

Located in the NE 1/4 of the SE 1/4 of Section 31, T5S., R.90W. of the 6th P.M. at a point 1800 feet from the South section line and 700 feet from the East section line

Well permit No: 141621-F

Diversion amount claimed: 0.033cfs

**Water District 45**

Bell Well

Located in the NW 1/4 of the SE 1/4 of Section 31, T5S., R.90W. of the 6th P.M. at a point 1830 feet from the North section line and 1700 feet from the East section line the South section line and 1700 feet from the East section line

Well permit No: 046023-F

Diversion amount claimed: 0.033cfs

Flag Well

Located in the NW 1/4 of the SE 1/4 of section 11, T6S, R92W at a point 1680 feet from the South section line and 3020 feet from the West section line

Well Permit No. 049611-F

Diversion amount claimed: 0.1cfs.

IMD Well No. 1

Located in the SE 1/4 of the SE 1/4 of section 4, T5S, R90W at a point 1291 feet from the South section line and 312 feet from the West section line

Well Permit No. 049610-f

Diversion amount claimed: 0.033cfs.

Platzer Well

Located in the NE 1/4 of the SE 1/4 of Section 31, T5S., R.90W. of the 6th P.M. at a point 1500 feet from the South section line and 300 feet from the East section line

Well permit No: 41988-F

Diversion amount claimed: 0.033cfs.

Riverbend Water and Sewer Company Water Rights:

Riverbend Well No.1

Located in the NW 1/4 of the SW 1/4 of Section 35, T5 S., R.90 W. of the 6th P.M. at a point 2677 feet from the South section line and 195 feet from the West section line

Well permit No: 18144-F

Riverbend Well No.2

Located in the NW 1/4 of the SW 1/4 of Section 35, T5 S., R.90 W. of the 6th P.M. at a point 2556 feet from the South section line and 548 feet from the West section line

Well permit No: 18145-F

Riverbend Well No.3

Located in the NW 1/4 of the SW 1/4 of Section 35, T5 S., R.90 W. of the 6th P.M. at a point 2482 feet from the South section line and 879 feet from the West section line

Well permit No: 18146-F

Riverbend Well No. 4

Located in the NW 1/4 of the SW 1/4 of Section 35, T5 S., R.90 W. of the 6th P.M. at a point 2328 feet from the South section line and 1203 feet from the West section line

Well permit No: 18147-F

Riverbend Well No.5

Located in the NE 1/4 of the SW 1/4 of Section 35, T5 S., R.90 W. of the 6th P.M. at a point 2205 feet from the South section line and 1579 feet from the West section line

Well permit No: 18148-F

Diversion amount claimed: 0.167cfs.

C. Group C Structures: The structures in Group C are identified by the name of the Applicant and case number of the individual plan of augmentation.

Applicant has a contractual obligation to meet the conditions stipulated in these various augmentation plans. However, these plans are not a part of the Applicant's current application.

The Group C Structures are as follows:

**Water District 38**

Teller Springs Wells

Plan of Augmentation entered in Case No. 90CW267

Westbank Mesa Homeowners Association, Inc.  
Plan of Augmentation entered in Case No. 94CW143

Roaring Fork Investments, LLC  
Plan of Augmentation entered in Case No. 97CW236

**Water District 39**

Canyon Creek Estates HOA  
Plan of Augmentation entered in Case No. 92CW337

G. Thomas Morton  
Plan of Augmentation entered in Case No. 96CW302

**Water District 45**

Alpine Garden and Landscape, Inc.  
Plan of Augmentation entered in Case No. 97CW152

Stephen Keinath  
Plan of Augmentation entered in Case No. 96CW300

Rapids Development Corporation  
Plan of Augmentation entered in Case No. W-3262

North Star Foundation  
Plan of Augmentation entered in Case Nos. 94CW374 and 94CW375

Loesch Gravel Pit  
Plan of Augmentation entered in Case No. 95CW319

Battlement Mesa Pond  
Plan of Augmentation entered in Case No. 97CW266

3. Previous Decrees for Water Rights to be used for Augmentation:

Ruedi Reservoir:

- a. Date Entered: June 20, 1958  
Case No.: C.A. 4613  
Court: Garfield County District Court
- b. Legal Description of Point(s) of Diversion or Place of Storage:

Ruedi Reservoir is located in parts of Sections 7, 8, 9, 11 and 14 through 18, Township 8 South, Range 84 West, 6th P.M., in Eagle and Pitkin Counties. The dam thereof is located in the NW1/4 of Section 18, Township 8 South, Range 84 West, 6<sup>th</sup> P.M., its exact location being described as follows:

The initial point of survey of said dam is on the right abutment thereof at a point whence the Southwest corner of Section 7, Township 8 South, Range 84 West, 6<sup>th</sup> P.M. bears North 68° 58' at a distance of 426 feet.

c. Source: The Frying Pan River, tributary to the Roaring Fork River, tributary to the Colorado River.

d. Appropriation Date: July 29, 1957  
Amount: 101,369 acre feet

By Water Service Agreement dated May 12, 1982, between Applicant and the United States Bureau of Reclamation, Applicant has the right to call for the release of up to 100 acre feet per year from Ruedi Reservoir for augmentation and other purposes. The term of this Water Service Agreement extends until September 30, 2019, and may be extended at Applicant's option for an additional forty years.

e. Use: Domestic, municipal, irrigation, industrial, generation of electrical energy, stock watering and piscatorial uses

Green Mountain Dam and Reservoir:

a. Date Entered: October 12, 1955  
Case No.: (2782, 5016 and 5017)  
Court: United States District Court for the District of Colorado

b. Legal Description of Point(s) of Diversion or Place of Storage:

Green Mountain Reservoir on the Blue River, a tributary of the Colorado River is located in all or parts of Sections 11, 12, 13, 14, 15 and 24, Township 2 South, Range 80 West, and Sections 17, 18, 19, 20, 21, 28, 29, 33 and 34, Township 2 South, Range 79 West, 6<sup>th</sup> P.M., Summit County. Station 0 + 00 on the dam axis bears South 36° 31' 45" West a distance of 11,165 feet from the SW Corner of Section 1, Township 2 South, Range 80 West, 6<sup>th</sup> P.M., thence the axis bears North 21° 00' 00" East.

b. Source: Blue River and all tributaries of the Blue River upstream from the dam and Elliot Creek by means of its diversion canal, all of which are within the Colorado River Basin.

c. Appropriation Date: August 1, 1935

d. Amount: 154,645 acre feet

By contract dated October 21, 1998, between Applicant and the United States, Applicant has the right to call for the release of up to 150 acre feet per year from Green Mountain Reservoir for municipal/domestic uses and 50 acre feet per year for Category B industrial use. The contract became effective on the date of execution and will remain in effect for a period of 25 years thereafter. The contract may be renewed for an additional term of 25 years upon written request to the Contracting Officer on or before two years prior to the expiration of this contract.

e. Use: Green Mountain Reservoir provides storage to supply water for use in accordance with paragraph 5(a), (b) and (c) of the section entitled "Manner of Operation of Project Facilities and Auxiliary Features" in Senate Document 80.

The Reservoir was authorized to provide replacement water for senior downstream diversion rights in western Colorado when water is diverted to or stored for use in eastern Colorado through the Colorado-Big Thompson Project. Additional capacity was provided for hydroelectric power generation and beneficial uses in western Colorado including irrigation, municipal/domestic, and industrial uses.

Avalanche Canal and Siphon:

a. Date Entered: June 20, 1958  
Case No.: C.A. 4613  
Court: Garfield County District Court

b. Legal Description of Point(s) of Diversion or Place of Storage:

Avalanche Canal and Siphon has two headgates:

(1) Headgate No. 1, being the initial point of Avalanche Canal and Siphon, is located on the right bank of the Crystal River at a point whence the witness corner at the Southwest Corner of Section 9, Township 10 South, Range 88 West, 6th P.M. bears North 03°09' West 546 feet, said point being at the outlet of the Osgood Reservoir.

(2) Headgate #2, being the second point of diversion of said Avalanche Canal and Siphon, is located on the Right bank of Avalanche Creek at a point whence the West Quarter Corner of Section 28, Township 9 South, Range 88 West, 6th P.M. bears North 67° 15' West, a distance of 4538.1 feet.

c. Source: Crystal River or Avalanche Creek or both sources.

d. Appropriation Date: April 22, 1957  
Amount: 830 cfs, conditional

e. Use: Generation of electric energy, domestic and municipal, industrial, irrigation and stockwatering.

4. Statement of Plan for Augmentation:

a. The water requirements for in-house use for single family dwelling units have been derived on the basis of 3.5 people per unit utilizing an average of 75 gallons per capita per day in-house, resulting in an average annual diversion demand of 0.2940 acre-feet per unit. An allowance has been made for a higher in-house use during the summer months than in winter.

b. Outside use is limited to the irrigation of not more than 6000 square feet of lawn and garden, watering of non-commercial livestock, and fire protection. The maximum water demand per household for lawn and garden was computed by the Modified Blaney Criddle Method based on climatological data from the Rifle Weather Station. The annual consumptive irrigation requirement (total consumptive water requirements less effective precipitation) for lawns and gardens was computed to be 2.02 acre feet per acre, or 0.278 acre feet for a standard dwelling unit. Irrigation efficiency is estimated to be 80 percent, thus producing a maximum diversion allowance of 0.347 acre feet for irrigation for a standard dwelling unit.

c. An allowance of water for a maximum of five head of livestock has been allotted to each single family dwelling in an amount of 0.06 acre feet per year. This allotment may or may not be actually used. Livestock water is considered to be 100 percent consumptive.

d. Total combined use for one single family dwelling unit is 0.698 acre feet per year. A tabulation by month of water uses and stream depletions for one standard dwelling unit is set forth in Table 1, which is attached hereto as Exhibit B.

e. Augmentation waters will not be needed in peak runoff months or in other months of the year when demands by senior downstream rights are satisfied by natural streamflows. In general, augmentation may be required in dry years during the months of April, and July through October, and potentially during the winter months of November through March.

f. On Table 2, which is attached hereto as Exhibit C, consumptive uses for all 144 standard residential units included in Group A as identified in paragraph 2 above, are shown.

g. The diversion and augmentation requirements for each of the structures in Group B are shown individually on Table 3 (Exhibit A). The requirements for Group B structures are based upon the particular requirements of each contractee.

h. The augmentation water contracted for may or may not represent the total requirements of the development in any given year. The annual report to the State Engineer will identify the projected use as of April 15 of that year.

i. Structures and diversion amounts listed in Table 2 (Exhibit C) and Table 3 (Exhibit A) will be utilized as alternate points of diversion for like amounts from the Avalanche Canal and Siphon, at such times as the said water right is legally and physically available at one of the decreed points of diversion as described in paragraph 3 above. When Avalanche Canal and Siphon is not in priority, well depletions must be replaced by release of Applicant's water stored in Ruedi Reservoir .

j. The Applicant will submit, by April 15 of each year, a report identifying each contractee by name and address, quantity of water allocated, the point of diversion, a monthly diversion schedule for the year in rate of flow, and summation of monthly diversion rates for all contractees. Any restrictions on use by each contractee including irrigated acreage limitations will also be indicated.

5. Names and addresses of owners of land on which structures are located:

Contractees of West Divide Water Conservancy District.

Six maps depicting the locations of all the above-described structures in Groups A, B, and C are on file with the Application as Exhibit D.

A decree approving the plan for augmentation, will not result in injury to any vested or decreed conditional water rights.

WHEREFORE, Applicant prays for a decree which:

1. Finds that Applicant's augmentation plan is within contemplation of the decrees as described in paragraph 3 above;

2. Finds that implementation of the plan for augmentation and alternate points of diversion described herein will injure no vested or decreed conditional water rights, and thus may be approved by the Court; and

3. Grants the plan for augmentation herein contemplated.

Dated this 29th day of December, 1999.

STUVER & GEORGE, P.C.

By

Russell George - #6096  
Melody D. Massih - #24683  
Attorneys for Applicant  
120 West Third Street  
P. O. Box 907  
Rifle, CO 81650  
Telephone: (970) 625-1887

[illegible]

I, Samuel B. Potter, state under oath that I have read this Application and verify its contents.

Samuel B. Potter, Vice President of West Divide  
Water Conservancy District

Subscribed under oath before me on December 29, 1999.

My commission expires: 8/21/2003

Notary Public

# CENTRAL FILES

DISTRICT COURT, WATER DIVISION NO. 5, COLORADO  
Court Address: 109 Eighth Street  
Glenwood Springs, CO 81601  
Phone Number: (970) 945-5075

**CONCERNING THE APPLICATION FOR WATER  
RIGHTS OF WEST DIVIDE WATER  
CONSERVANCY DISTRICT, IN GARFIELD, MESA  
AND PITKIN COUNTIES, COLORADO.**

*Attorneys for Applicant:*

Edward B. Olszewski, #24723  
Leavenworth & Karp, P.C.  
P.O. Drawer 2030  
1011 Grand Ave.  
Glenwood Springs, Colorado 81601  
Telephone: (970) 945-2261  
Facsimile: (970) 945-7336  
E-mail: [ebo@lklawfirm.com](mailto:ebo@lklawfirm.com)

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Case No. 99CW320

## FINDINGS OF FACT AND DECREE OF COURT

West Divide Water Conservancy District filed an Application for Approval of Plan for Augmentation and Change of Water Rights on December 29, 1999. In accordance with C.R.S. §37-92-203(7), the Water Judge referred the subject Application to the Water Referee for Water Division No. 5, State of Colorado.

The Referee made such investigations as were necessary to determine whether or not the Application should be granted, became fully advised with respect to the subject matter of the Application, consulted with the Division Engineer for Water Division No. 5, and entered his Ruling of Referee on January 31, 2004.

Subsequent to the entry of the Water Referee's Ruling, the State and Division Engineers filed a Protest to the Ruling of Referee on February 23, 2004. The West Divide Water Conservancy District and the State and Division Engineers resolved their differences in this matter and executed a Stipulation dated June 14, 2004.

The following Findings of Fact and Decree of Court are hereby approved.

### FINDINGS OF FACT

1. The statements in the Application are true.
2. West Divide Water Conservancy District is the Applicant herein.

3. None of the subject water rights or their sources are located within a designated ground water basin.
4. One Statement of Opposition was timely filed by the Southeastern Colorado Water Conservancy District ("Southeastern"). Southeastern consented to this Decree pursuant to a Stipulation filed with the Court on May 30, 2001. The Stipulation was approved by the Court on May 31, 2001. No other Statements of Opposition were filed and the time for filing Statements of Opposition has expired.
5. The Water referee entered his Ruling of Referee on January 31, 2004. A Protest to the Ruling of the Referee was filed by the State and Division Engineers on February 23, 2004. The West Divide Water Conservancy District and the State and Division Engineers have resolved their differences in this matter and executed a Stipulation dated June 14, 2004. The State and Division Engineers consented to this Decree pursuant to Stipulation.

**Claim for Approval of Plan for Augmentation**

6. The West Divide Water Conservancy District provides augmentation water to water users via water allotment contracts.
7. Names of structures to be augmented:

The structures to be augmented are listed in three tables attached to this Decree. The tables reference Water Allotment Contract Number, Name of Structure, and Legal Description for each of the various structures. Table 1.A. describes domestic contracts, Table 1.B. describes commercial contracts, and Table 1.C. describes industrial contracts.

The actual number of structures to be augmented may decrease from year to year, but will not increase under this plan for augmentation. Structures may be dropped from the plan for augmentation if contractees fail to pay annual water allotment contract fees or voluntarily terminate the water allotment contract. The annual report to the State Engineer as described below in paragraph 9 will identify the contracts in force and to be augmented as of April 15 of each year.

8. Previous Decrees for Water Rights to be used for Augmentation:
  - A. Ruedi Reservoir:
    - I.. Date Entered: June 20, 1958  
Case No.: C.A. 4613  
Court: Garfield County District Court

II. Legal Description of Point(s) of Diversion or Place of Storage:

Ruedi Reservoir is located in parts of Sections 7, 8, 9, 11 and 14 through 18, Township 8 South, Range 84 West, 6th P.M., in Eagle and Pitkin Counties. The dam thereof is located in the NW1/4 of Section 18, Township 8 South, Range 84 West, 6<sup>th</sup> P.M., its exact location being described as follows:

The initial point of survey of said dam is on the right abutment thereof at a point whence the Southwest corner of Section 7, Township 8 South, Range 84 West, 6<sup>th</sup> P.M. bears North 68° 58' at a distance of 426 feet.

III. Source: The Fryingpan River, tributary to the Roaring Fork River, tributary to the Colorado River.

IV. Appropriation Date: July 29, 1957  
Amount: 102,369 acre feet

By Water Service Agreement dated May 12, 1982, between Applicant and the United States Bureau of Reclamation, Applicant has the right to call for the release of up to 100 acre feet per year from Ruedi Reservoir for augmentation and other purposes. The term of this Water Service Agreement extends until September 30, 2019, and may be extended at Applicant's option for an additional forty years.

V. Use: Domestic, municipal, irrigation, industrial, generation of electrical energy, stock watering and piscatorial uses consistent with the Operating Principles for the Fryingpan-Arkansas Project. Ruedi Reservoir was authorized to provide replacement water for senior downstream water rights in Western Colorado when water is diverted to Eastern Colorado through the Fryingpan-Arkansas Project. Additional storage capacity is available for beneficial uses in Western Colorado.

B. Green Mountain Dam and Reservoir:

I. Date Entered: October 12, 1955  
Case No.: (2782, 5016 and 5017)  
Court: United States District Court for the District of Colorado

II. Legal Description of Point(s) of Diversion or Place of Storage:

Green Mountain Reservoir on the Blue River, a tributary of the Colorado River is located in all or parts of Sections 11, 12, 13, 14, 15 and 24,

Township 2 South, Range 80 West, and Sections 17, 18, 19, 20, 21, 28, 29, 33 and 34, Township 2 South, Range 79 West, 6<sup>th</sup> P.M., Summit County. Station 0 + 00 on the dam axis bears South 36°31'45" West a distance of 11,165 feet from the SW Corner of Section 1, Township 2 South, Range 80 West, 6<sup>th</sup> P.M., thence the axis bears North 21° 00' 00" East.

- III. Source: Blue River and all tributaries of the Blue River upstream from the dam and Elliot Creek by means of its diversion canal, all of which are within the Colorado River Basin.

- IV. Appropriation Date: August 1, 1935.  
Amount: 154,645 acre feet.

By contract dated October 21, 1998, between Applicant and the United States, Applicant has the right to call for the release of up to 150 acre feet per year from Green Mountain Reservoir for municipal/domestic uses and 50 acre feet per year for Category B industrial use. The contract became effective on the date of execution and will remain in effect for a period of 25 years thereafter. The contract may be renewed for an additional term of 25 years upon written request to the Contracting Officer on or before two years prior to the expiration of this contract.

- V. Use: Green Mountain Reservoir provides storage to supply water for use in accordance with paragraph 5(a), (b) and (c) of the section entitled "Manner of Operation of Project Facilities and Auxiliary Features" in Senate Document 80.

The Reservoir was authorized to provide replacement water for senior downstream diversion rights in western Colorado when water is diverted to or stored for use in eastern Colorado through the Colorado-Big Thompson Project. Additional capacity was provided for hydroelectric power generation and beneficial uses in western Colorado including irrigation, municipal/domestic, and industrial uses.

C. Avalanche Canal and Siphon:

- I. Date Entered: June 20, 1958  
Case No.: C.A. 4613  
Court: Garfield County District Court
- II. Legal Description of Point(s) of Diversion or Place of Storage:

Avalanche Canal and Siphon is a conditional water right decreed with two points of diversion:

(1) Headgate No.1, being the initial point of Avalanche Canal and Siphon, is located on the right bank of the Crystal River at a point whence the witness corner at the Southwest Corner of Section 9, Township 10 South, Range 88 West, 6th P.M. bears North 03°09' West 546 feet, said point being at the outlet of the Osgood Reservoir.

(2) Headgate #2, being the second point of diversion of said Avalanche Canal and Siphon, is located on the Right bank of Avalanche Creek at a point whence the West Quarter Corner of Section 28, Township 9 South, Range 88 West, 6th P.M. bears North 67° 15' West, a distance of 4538.1 feet.

III. Source: Crystal River or Avalanche Creek or both sources.

IV. Appropriation Date: April 22, 1957  
Amount: 830 cfs, conditional

V. Use: Generation of electric energy, domestic and municipal, industrial, irrigation and stockwatering.

9. Statement of Plan for Augmentation:

This plan for augmentation replaces out of priority consumptive use depletions from the structures to be augmented using water released from Ruedi Reservoir and/or Green Mountain Reservoir as described above. Water requirements vary by structure and are described in Tables 2.A., 2.B., and 2.C., attached hereto and incorporated herein by this reference. Table 2.A. describes domestic uses, Table 2.B. describes commercial uses, and Table 2.C. describes industrial uses.

Diversions are as follows: Domestic, 180.77 acre feet; commercial, 60.11 acre feet; and industrial, 1.91 acre feet. Total consumptive use depletions are as follows: Domestic, 87.30 acre feet; commercial, 54.16 acre feet; and industrial, 1.91 acre feet. Total diversions are 242.79 acre feet and total depletions are 143.37 acre feet. Monthly distributions of diversions and depletions are contained in Tables 2.A., 2.B., and 2.C.

The depletions associated with the diversions are based upon the following assumptions:

Lawn and Garden Irrigation. Water requirements associated with lawn and garden irrigation have been determined from a modified Blaney-Criddle assessment adjusted for precipitation and temperature conditions at varying elevation zones (Table 1). Irrigation efficiency of 70% will be assumed for all sprinkler irrigation applications.

Table 1 Irrigation Consumptive Use (feet)				
	Elevation Zone			
	<u>4500' - 4999'</u>	<u>5000' - 5499</u>	<u>5500' - 5999'</u>	<u>6000' - 6499'</u>
April	0.166	0.115	0.069	0.039
May	0.352	0.338	0.307	0.291
June	0.487	0.471	0.440	0.421
July	0.517	0.495	0.470	0.454
August	0.415	0.402	0.373	0.356
September	0.289	0.284	0.264	0.253
October	<u>0.091</u>	<u>0.089</u>	<u>0.077</u>	<u>0.065</u>
Annual	2.318	2.193	2.000	1.878

Domestic In-house Use. In-house diversions for single and multi-family residences will be 300 gallons per day per residence. Consumptive water use will be 15% for non-evaporative ISDS systems and 5% for central wastewater treatment systems.

Livestock. Consumptive use for horses, cows and other types of livestock will be 11 gallons per day per animal.

Evaporation. Replacement water for evaporation from ponds or other water surfaces will vary by elevation zone and will be determined by Applicant and the Division Engineer's Office.

Office Buildings. Water use for office buildings will be based on 20 gallons per capita day. Consumptive water use will be 15% for non-evaporative ISDS systems and 5% for central wastewater treatment systems.

Water Hauling. All water hauled for commercial and industrial purposes is assumed to be 100% consumptive.

Other Uses. Water requirements for other uses, including commercial and industrial, have been and will be determined on a case-by-case basis. These case-by-case water use estimates will be subject to review and approval by the Division Engineer.

Transit Losses. Transit losses, as determined appropriate by the Applicant and Division Engineer, will be applied to all releases from Ruedi Reservoir and/or Green Mountain Reservoir.

Applicant will provide detailed accounting of diversions and depletions to the State and Division Engineers as required by the State and Division Engineers to administer the within augmentation plan. Measuring devices will be required for all surface and groundwater diversions.

Augmentation of depletions will not be needed in peak runoff months or in other months of the year when demands by senior downstream rights are satisfied by natural streamflows. In general, augmentation may be required in dry years during the months of April, and July through October, and potentially during the winter months of November through March. The annual report to the State Engineer will identify the projected use as of April 15 of that year.

#### Claim for Change of Water Right

10. The structures and diversion amounts listed in Tables 1A-1C and 2A-2C will be utilized as alternate points of diversion for like amounts from the Avalanche Canal and Siphon, at such times as the said water right is legally and physically available at one of the decreed points of diversion for the Avalanche Canal and Siphon as described above. However, to avoid injury to other water rights, the alternate points of diversion for the Avalanche Canal and Siphon shall not place any upstream call on the Colorado River, Roaring Fork River and their tributaries, except for the Crystal River and Avalanche Creek. When Avalanche Canal and Siphon is not in priority, well depletions must be replaced by release of Applicant's water stored in Green Mountain or Ruedi Reservoirs.

11. Accounting. The Applicant will submit, by April 15 of each year, a report identifying each contractee by name and address, quantity of water allocated, the point of diversion, a monthly diversion schedule for the year in rate of flow, and summation of monthly diversion rates for all contractees. Any restrictions on use by each contractee including irrigated acreage limitations will also be indicated.

12. Delayed Stream Depletions. The amount of stream depletion will be calculated using delayed depletion factors and delayed return flow factors based on a Glover analysis of well diversions. Wells are grouped in six separate categories based on location and aquifer characteristics as follows:

#### WELL CATEGORY

#### DESCRIPTION

A1

Alluvial wells less than 1000 ft. from stream  
T = 100,000 GPD/FT

	S = 0.20
A2	Alluvial wells between 1000-2000 ft. from stream T = 100,000 GPD/FT S = 0.20
A3	Alluvial wells greater than 2000 ft from stream T = 100,000 GPD/FT S = 0.20
B1	Bedrock wells less than 1000 ft. from stream T = 5,000 GPD/FT S = 0.15
B2	Bedrock wells between 1000-2000 ft. from stream T = 5,000 GPD/FT S = 0.15
B3	Bedrock wells greater than 2000 ft. from stream T = 5,000 GPD/FT S = 0.15

The delayed depletion factors for each category are presented in Table 3, attached hereto and incorporated by this reference.

### **DECREE OF COURT**

The Court has examined the information submitted by the Applicant and has become advised with respect to the subject matter of the Application.

The Court rules as follows:

1. The foregoing Findings are incorporated herein and made part of this Decree of Court.
2. The plan for augmentation and change of water rights proposed by Applicant are such as are contemplated by law. If implemented and administered in accordance with this Decree, the plan for augmentation and change of water rights described herein will provide water to Applicant's contractees without adversely affecting the owners or users of vested water rights or decreed conditional water rights. The plan for augmentation and change of water rights described herein may be lawfully decreed by this Court.

3. The Court rules that the plan for augmentation and change of water rights described herein are approved.
4. Pursuant to Colo. Rev. Stat. §37-92-305(8), the State Engineer shall curtail all of Applicant's out of priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights. Further, the Applicant and its assigns understand that some of Applicant's contract rights to water in storage (identified in paragraph 8) are limited in duration, and if such contract rights should expire, fail to be renewed, are terminated, or an alternative source of replacement water is not included in this decree by proper amendment prior to such expiration, curtailment of all out-of-priority diversions will occur.
5. Applicant shall install measuring devices, provide accounting, and supply calculations regarding the timing of depletions as required by the Division Engineer for the operation of this plan. The Applicant shall also file an annual report with the Division Engineer by November 15<sup>th</sup> of each year summarizing diversions and replacements made under this plan.
6. In consideration of the specific findings and conclusions made herein and in conformance with Colo. Rev. Stat. §37-92-304(6) (1990), as amended, the approval of the plan for augmentation and change of water rights decreed herein shall be subject to reconsideration by the Water Judge on the question of injury to the vested water rights of others for a period of five (5) calendar years after entry of the within decree. If no petition for reconsideration is filed within those five (5) years, retention of jurisdiction for this purpose shall automatically expire

IT IS ACCORDINGLY ORDERED that a copy of this Decree shall be filed with the State Engineer and Division Engineer for Water Division No. 5.

The foregoing is confirmed and approved, and is made the Judgment and Decree of this Court.

Dated: June 21, 2004

BY THE COURT:

Copy of the foregoing mailed to all Counsel  
Recorded ☒ Filed ☒ Div. Engineer  
and State Engineer 6-21-04

Deputy Clerk Water Div. 5 J. March

Olszewski  
Leonhardt  
Cyan

[Signature]  
Water Judge

TABLE 1A  
LEGAL DESCRIPTIONS  
DOMESTIC CONTRACTS  
CASE NO. 99CW320

CONTRACT #	STRUCTURES	LEGAL DESCRIPTION
830627CHB(b)	Carl Bernklau Well	SW1/4NW1/4 S33, T6S, R94W, 6th P.M. 1700 ft from North section line; 500 ft from West section line.
860120BDP(d) east	Hillside East Well	SE1/4SW1/4 S31, T5S, R91W, 6th P.M. 80 ft from South section line; 2280 ft from West section line.
860120BDPWest(e)	Hillside West Well	SW1/4SW1/4 S31, T5S, R91W, 6th P.M. 138 ft from South section line; 1277 ft from West section line.
880525RDP(b)	West Roadside Well	SW1/4SW1/4, S31, T5S, R91W, 6th P.M. 250 ft from South section line; 850 ft from West section line.
890609WNC2(b)	Colohan Well B	NE1/4SW1/4 S12, T7S, R89W, 6th P.M. 3040 ft from North section line; 2660 ft from East section line.
890614CHB(b)	Grand View School Site	SW1/4NW1/4 S33, T6S, R94W, 6th P.M. 1900 ft from North section line; 900 ft from West section line.
890715OSH#2(b)	Helgeland Well #2	SW1/4NW1/4 S34, T5S, R92W, 6th P.M. 3685 ft from South section line; 805 ft from West section line.
891115LAW(b)	Loyd A. Wilson Well #1	SW1/4NW1/4 S34, T5S, R92W, 6th P.M. 3300 ft from the South section line; 4700 ft from the East section line.
900117MVS(b)	Spychala Well #2	NE1/4NW1/4 S7, T6S, R92W, 6th P.M. 60 ft from North section line; 2600 ft from East section line.
900416EFH(b)	Henry well	NE1/4 NW1/4 S3, T6S, R93W, 6th P.M. 3975 ft from South section line; 3500 ft from East section line.
900524JSM(a)	Isham Springs 1-9	SE1/4NE1/4 S9, T6S, R93W, 6th P.M. and are situate at the following distances and directions from the North Quarter Corner of said S9: #1-1723 ft South; 395 ft East. #2-1695 ft South; 396 ft East. #3-1673 ft South; 410 ft East. #4-1640 ft South; 414 ft East. #5-1620 ft South; 442 ft East. #6-1536 ft South; 378 ft East. #7-1505 ft South; 392 ft East. #8-1446 ft South; 446 ft East. #9-1478 ft South; 526 ft East.
900702RRB(a)	Hablutzel Well	NW1/4 NE1/4, S9, T6S, R93W 6th P.M. 820 ft from North section line; 2520 ft from East section.
900807AVR(b)	Rinna Well	SW1/4NW1/4 S12, T6S, R92W, 6th P.M. 1300 ft East of the West section line; 2600 ft South of the North section line
900807RLG(a)	Goss Well	NW1/4NW1/4 S34, T5S, R92W, 6th P.M. 1221 ft from North section line; 200 ft from West section line

901106SES(a)	Smilack Well	SW1/4NE1/4 S5, T6S, R91W, 6th P.M. 2150 ft from North section line; 1400 ft from East section line.
910401WDE(a)	Erickson Well #1	SW1/4NW1/4 S34, T5S, R92W, 6th P.M. 2130 ft from North section line; 1130 ft from West section line.
910613BRP(b)	Boland Ranch Well #4	NW1/4NW1/4 S36, T5S, R90W, 6th P.M. 4100 ft from South section line; 5200 ft from East section line.
910629DUF(a)	Unsworth Well	NW1/4NW1/4 S34, T5S, R92W, 6th P.M. 4450 ft from South section line; 4850 ft from East section line.
910930MJW(a)	MJW-1 Well	NW1/4SW1/4 S32, T6S, R94W, 6th P.M. 2300 ft from South section line; 600 ft from West section line.
920619KWS(b)	Owens Domestic Well No. 1	NW1/4NW1/4 S1, T7S, R89W, 6th P.M. at a point whence the NW corner of said S1 bears N43°36' W 359.1 ft.
920619KWS(b)	River Ridge Irrigation	
920622DJN(a)	Nesbit Well	SW1/4SW1/4 S5, T6S, R92W, 6th P.M. 900 ft from South section line; 4100 ft from East section line.
930410LG(c)	Graviett Well-Dard.	NE1/4SE1/4 S36, T5S, R92W, 6th P.M. 2550 ft from South section line; 280 ft from East section line
	Graviett Well-Blair	
	Graviett Well-Schall	
930518LMD(a)	Davis Well #1	SW1/4NE1/4 S5, T6S, R92W, 6th P.M. 1900 ft from North section line; 2400 ft from East section line.
931012HB(a)	Harper Well B	NE1/4NE1/4 S31, T5S, R91W, 6th P.M. 582 ft from North section line; 500 ft from East section line.
931012HC(b)	Harper Well C	NE1/4NE1/4 S31, T5S, R91W, 6th P.M. 1072 ft from North section line; 150 ft from East section line.
931012K(a)	Kennedy Well	SW1/4NW1/4 S28, T7S, R88W, 6th P.M. 2440 ft from North section line; 100 ft from West section line.
931014JK#1(b)	Kent Jolley Well #1	NW1/4SW1/4 S1, T6S, R93W, 6th P.M. 1408 ft from South section line; 1146 ft from West section line.
931014KJ#2A(c)	Kent Jolley Well #2B	NW1/4SW1/4 S1, T6S, R93W, 6th P.M. 2545 ft from South section line; 750 ft from West section line.
931014KJ#2B(b)	Kent Jolley Well #2A	NW1/4SW1/4, S1, T6S, R93W, 6th P.M., 2450 ft from South section line; 400 ft from West section line. (Lot 3 Alexandras Estates)
931014KJ#3A(b)	Kent Jolley Well #3A	NW1/4 SW1/4 S1, T6S, R93W 6th P.M. 1870 ft. from South section line; 100 ft from West section line
931014KJ3B(b)	Kent Jolley Well #3B	NW1/4SW1/4 S1, T6S, R93W, 6th P.M. 1595 ft from South section line; 500 ft from West section line.
940319AY(b)	Dillon Spring	NE1/4SW1/4 S33, T6S, R94 W 6th P.M. 2360 ft from South section line; 2790 ft from East section line.
940319TGB2(c)	Lampiris Well #2	SW1/4SW1/4 S30, T5S, R91W, 6th P.M. 1000 ft from South section line; 530 ft from West section line.

940319TGB3(c)	Lampiris Well #3	SW1/4SW1/4 S30, T5S, R91W, 6th P.M. 200 ft from South section line; 560 ft from West section line.
940426FB(a)	Binczik Well	SW1/4 SW1/4 S2, T7S, R95W, 6th P.M. 1050 ft from South section line; 400 ft from West section line
940427DKB	Binger Well #1	NW1/4 SE1/4 S34, T6S, R94W, 6th P.M. 2220 ft from South section line; 2310 ft from East section line
940510CT(b)	Toler Well	SE1/4NW1/4 S4, T6S, R91W 6th P.M. 3960 ft from South section line; 3360 ft from East section line.
940512GP(a)	Pearson Well #1	SW1/4NW1/4 S26, T6S, R94W, 6th P.M.
940715SBM(a)	McElroy Well	NE1/4SW1/4 S35, T5S, R92W, 6th P.M. 2400 ft from South section line; 2900 ft from East section line.
940809GV(a)	Verkerk Well	SW1/4NE1/4 S27, T7S, R96W, 6th P.M. 3600 ft from South section line; 1632 ft from East section line.
940928JS(b)	Red Apple Well #1	SE1/4NE1/4 S34, T6S, R94W, 6th P.M. 1980 ft from North section line; 660 ft from East section line.
941121FBR(b)	Redmond Well	NE1/4SE1/4 S36, T6S, R95W, 6th P.M. 1800 ft from South section line; 750 ft from East section line.
941228JM(c)	Mazuchi Well	NW1/4NE1/4 S11, T6S, R92W, 6th P.M. 260 ft from North section line; 1525 ft from East section line.
950217WNS(a)	Sabel Well	SE1/4SE1/4 S10, T6S, R92W, 6th P.M. 1000 ft from South section line; 800 ft from East section line.
950320JS(b)	Sonnier Well	A portion of the SE1/4 NW1/4, S1, T6S, R92 W, 6th P.M.
950323ADD#2(b)	ADD Well #2	SE1/4NW1/4 S5, T6S, R91W, 6th P.M. 2580 ft from North section line; 2660 ft from East section line.
950323ADD#3(b)	ADD Well #3	SE1/4NW1/4 S5, T6S, R91W, 6th P.M. 2220 ft from North section line; 1500 ft from West section line.
950323ADD#4(a)	ADD Well #4	SE1/4NW1/4 S5, T6S, R91W, 6th P.M. 2630 ft from North section line; 2750 ft from East section line.
950323ADD#5(b)	ADD Well #5	SE1/4NW1/4 S5, T6S, R91W, 6th P.M. 2635 ft from North section line; 2650 ft from East section line.
950410JM(b)	Judy A. Mazuchi Well	NE1/4NE1/4 S11, T6S, R92W, 6th P.M. 800 ft from North section line; 825 ft from East section line.
950419WKG(a)	Goad Well #1	NE1/4SW1/4 S34, T6S, R94W, 6th P.M. 1708 ft from South section line; 3295 ft from East section line.
950626ESA(d)	Allen Well #1	NE1/4SW1/4 S19, T6S, R93W, 6th P.M. 2500 ft from South section line; 2900 ft from East section line.
950717AF(a)	Bell Well #1	SW1/4NE1/4 S27, T7S, R96W, 6th P.M. 1500 ft from North section line; 1500 ft from East section line.
950725ESA(c)	Allen Well #2	NE1/4SW1/4 S19, T6S, R93W, 6th P.M. 1350 ft from South section line; 1920 ft from West section line.

950726NC(b)	Cedar Hills Well #1	SE1/4NE1/4 S1, T6S, R92W 6th P.M. 2310 ft from North section line; 1264 ft from East section line.
950726NC(b)	Cedar Hills Well #2	SE1/4NE1/4 S1, T6S, R92W 6th P.M. 2161 ft from North section line; 363 ft from East section line.
950726NC(b)	Cedar Hills Well #3	SE1/4NE1/4 S1, T6S, R92W 6th P.M. 2283 ft from North section line; 951 ft from East section line.
950726NC(b)	Cedar Hills Well #4	SE1/4NE1/4 S1, T6S, R92W 6th P.M. 2381 ft from North section line; 942 ft from East section line.
950731KM(a)	Monteleone Well	NE1/4SE1/4 S32, T5S, R92W, 6th P.M. 2592 ft from South section line; 50 ft from East section line.
950815EMS(a)	Schopp Well	NW1/4SW1/4 S4, T6S, R92W, 6th P.M. 1365 ft from South section line; 1100 ft from West section line.
950822FCF(a)	Louthan #1 Well	SW1/4NE1/4 S34, T6S, R94W, 6th P.M. 3051 ft from South section line; 2434 ft from East section line.
950905TC(a)	Cray Well	SW1/4NW1/4, S4, T7S, R95W, 6th P.M. 2440 ft from north section line; 928 ft from west section line.
950911GB2(c)	Bates Well #2	NE1/4SE1/4 S36, T5S, R92W, 6th P.M. 1490 ft from South section line; 480 ft from East section line.
950911GB3(c)	Bates Well #3	NE1/4SE1/4 S36, T5S, R92W, 6th P.M. 1480 ft from South section line; 170 ft from East section line.
950912MS(c)	S&M #1	NE1/4SW1/4 S20, T6S, R93W, 6th P.M. 2561 ft from South section line; 1596 ft from West section line.
951016EMS(b)	Schopp Springs 1-13	Schopp Spring #1: Situate at a point 996.78 ft East and 665.65 ft North of the southwest corner of S4, T6S, R92W, 6th P.M. Schopp Spring #2: Situate at a point 765.37 ft East and 655.06 ft North of the southwest corner of S4, T6S, R92W, 6th P.M. Schopp Spring #3: Situate at a point 697.86 ft East and 640.13 ft North of the southwest corner of S4, T6S, R92W, 6th P.M. Schopp Spring #4: Situate at a point 638.15 ft East and 617.72 ft North of the southwest corner of S4, T6S, R92W, 6th P.M. Schopp Spring #5: Situate at a point 601.51 ft East and 601.99 ft North of the southwest corner of S4, T6S, R92W, 6th P.M. Schopp Spring #6: Situate at a point 577.91 ft East and 606.95 ft North of the southwest corner of S4, T6S, R92W, 6th P.M. Schopp Spring #7: Situate at a point 564.79 ft East and 605.36 ft North of the southwest corner of S4, T6S, R92W, 6th P.M. Schopp Spring #8: Situate at a point 544.05 ft East and 600.95 ft North of the southwest corner of S4, T6S, R92W, 6th P.M. Schopp Spring #9: Situate at a point 518.41 ft East and 597.63 ft North of the southwest corner of S4.

951120LJB#2(b)	Burris Well #2	NE1/4NW1/4 S17, T6S, R92W, 6th P.M. 1200 ft from North section line; 1475 ft from West section line.
951120LJB#3(b)	Burris Well #3	NE1/4NW1/4 S17, T6S, R92W, 6th P.M. 1200 ft from North section line; 1700 ft from West section line.
951120LJB#4(a)	Burris Well #4	NE1/4 NW1/4 S17, T6S, R92W, 6th P.M. 1200 ft from North section line; 2150 ft from West section line.
960313JS(b)	RAS #2	NE1/4SW1/4 S34, T6S, R94W, 6th P.M. 2640 ft from South section line; 2180 ft from West section line.
960322PLC(a)	Clark Well	SW1/4SW1/4 S5, T6S, R92W 6th P.M. 140 ft from South section line; 500 ft from West section line
960502JA#1(b)	Parcel #1 Well	SW1/4NW1/4 S4, T6S, R92W, 6th P.M. 3563 ft from South section line; 4840 ft from East section line.
960502JA#2(b)	Antonelli Parcel #2	SW1/4NW1/4 S4, T6S, R92W, 6th P.M. 3613 ft from South section line; 5000 ft from East section line.
960522RG(b)	Gilbert Well	SE1/4SE1/4 S5, T6S, R92W, 6th P.M. 1275 ft from South section line; 250 ft from East section line.
960531NVH#2(c)	Hunt Well #2	NW1/4SW1/4 S34, T5S, R92W, 6th P.M. 2200 ft from South section line; 600 ft from West section line.
960531NVH#3(b)	Hunt Well #3	NW1/4SW1/4 S34, T5S, R92W, 6th P.M. 1700 ft from South section line; 660 ft from West section line.
960701PDS#1(b)	Simmons Parcel 1 Well	SE1/4NW1/4 S24, T5S, R90W, 6th P.M. 2731 ft from South section line; 2031 ft from West section line.
960812TD(a)	Dick Well	SE1/4SE1/4 S23, T6S, R94W, 6th P.M. 1125 ft from South section line; 850 ft from East section line.
960818RRT#3(b)	Talbott Rulison East Well	NW1/4SW1/4 S30, T6S, R94W, 6th P.M. 2200 ft from South section line; 900 ft from West section line.
960905RR(a)	Reynolds Well	NW1/4SW1/4 S33, T5S, R92W, 6th P.M. 2208 ft from South section line; 159 ft from West section line.
960912PM(a)	McCune Well	SE1/4SE1/4 S4, T6S, R92W, 6th P.M. 850 ft from South section line; 150 ft from East section line.
961206GH(a)	Harms Well	NE1/4SE1/4 S32, T5S, R92W, 6th P.M. 1370 ft from South section line; 350 ft from East section line.
961217EM(b)	Melton Well #3	SW1/4NW1/4 S4, T6S, R91W, 6th P.M. 3900 ft from South section line; 390 ft from West section line.
970714FBY(a)	Youland Well #2	SE1/4NE1/4 S31, T6S, R94W, 6th P.M. 3050 ft from South section line; 1200 ft from East section line.
970714MDH(b)	Hayes Well	SW1/4NW1/4 S33, T5S, R92W, 6th P.M.
970718BC(a)	Colonna Well	NW1/4SW1/4 S4, T6S, R92W, 6th P.M.
970815PCB(a)	Paul Bernklau Well	SW1/4 NE1/4 S4, T7S, R94W, 6th P.M. 1290 ft from North section line; 2330 ft from East section line

970911TW(a)	Witte Well	NW1/4SW1/4 S33, T5S, R92W, 6th P.M. 1900 ft from South section line; 50 ft from West section line.
970912SJ(a)	Sandra Jewell Well	SE1/4NE1/4 S33, T5S, R92W, 6th P.M. 3250 ft from South section line; 300 ft from East section line.
971017AMD(a)	Dauenhauer Well	NW1/4SW1/4 S4, T6S, R92W, 6th P.M. 2190 ft from South section line; 340 ft from West section line
971110MKA(a)	Aaberg Well	SE1/4NW1/4 S6, T6S, R92W, 6th P.M. 3760 ft from South section line; 3200 ft from East section line
971215JS(b)	RAS #3	SW1/4NE1/4 S34, T6S, R94W, 6th P.M. 3226 ft from South section line; 1541 ft from East section line.
980109SM(a)	Martin Well	SE1/4NW1/4 S31, T6S, R94W, 6th P.M. 1500 ft from North section line; 2050 ft from West section line.
980115BW(b)	Whittington Well	NE1/4NW1/4 S6, T6S, R91W, 6th P.M. 1050 ft from North section line; 2750 ft from East section line.
980115DS(c)	Sander Well	SW1/4NE1/4 S35, T5S, R90W, 6th P.M. 1324 ft from North section line; 1325 ft from East section line.
980213DKG(b)	Germano Well	SW1/4NW1/4 S26, T6S, R94W, 6th P.M. 3120 Ft from South section line; 1300 ft from West section line.
980225SSH(a)	Hoffmeister Well	NE1/4NE1/4 S6, T6S, R92W, 6th P.M. 5440 ft from South section line; 150 ft from East section line.
980420WR(a)	Richards Well	SE1/4NW1/4 S4, T6S, R91W, 6th P.M. 3200 ft from South section line; 2800 ft from East section line.
980618TKJ(a)	Janssen Well	SW1/4NE1/4 S31, T6S, R94W, 6th P.M. 1900 ft from North section line; 1400 ft from East section line.
980619ABY(a)	Yater Well	NW1/4SW1/4 S17, T7S, R95W, 6th P.M. 1540 ft from South section line; 500 ft from West section line.
970122FMRJV(c)	Fourmile Ranch Well #1	NE1/4NW1/4 S34, T6S, R89W, 6th P.M. 2029 ft from the West section line; 433 ft from the North section line.
970122FMRJV(c)	Fourmile Ranch Well #2	NE1/4NW1/4 S34, T6S, R89W, 6th P.M. 380 ft from North section line; 2100 ft from West section line.

TABLE 1B  
LEGAL DESCRIPTIONS  
COMMERCIAL CONTRACTS  
CASE NO. 99CW320

CONTRACT #	STRUCTURES	LEGAL DESCRIPTIONS
851001GFJ(b)	Terrell Well	NW1/4NE1/4 S9, T6S, R92W, 6th P.M. 5100 ft from South section line; 2200 ft from East section line.
890809SLB(a)	Grynildson Well	NW1/4 SE1/4 S11, T6S, R93W, 6th P.M. 2500 ft from South section line; 2250 ft from East section line.
900521CAI(a)	West Rifle Pit	NW1/4SE1/4 S 17, T6S, R93W 6th P.M. 1790 ft North of the south section line and 2440 ft West of the east section line.
900810PCC(BMA)(b)	Burning Mountain Well D	SW1/4SE1/4 S32, T5S, R90W, 6th P.M. 855 ft from South section line; 2585 ft from East section line.
920916KAW(a)	Kim Antonelli Well	SW1/4NW1/4, S4, T6S, R92W, 6th P.M. 3500 ft from South section line; 5075 ft from East section line.
921208TLP(a)	Aqua Tech Well #1	NE1/4SE1/4 S31, T5S, R90W, 6th P.M. 1500 ft from South section line; 300 ft from East section line.
9511168CH(a)	Bell Country Well	NW1/4 SE1/4 S31, T5S, R90W 6th P.M. 1830 ft from South section line; 1700 ft from East Section line.
960719UMC(a)	Macauley Gravel Pit	SW1/4 S18, T6S, R93 W, 6th P.M.
970314CVC(a)	Edward Walters Well	NE1/4SW1/4 S32, T5S, R90W 6th P.M. 1475 ft from South section line; 2600 ft from West section line.
970516CN(a)	Cromwell/Newton Well	NE1/4NE1/4 S10, T6S, R92W, 6th P.M. 945 ft from North section line; 960 ft from East section line.
971112RRVA(b)	Betty Jane Well	NW1/4NW1/4 S1, T6S, R91W, 6th P.M. 100 ft from the North section line; 800 ft from the West section line.
971112RRVA(b)	Phil Well	NW1/4NW1/4 S1, T6S, R91W, 6th P.M. 250 ft from the North section line; 700 ft from the West section line.
971112RRVA(b)	Bill Well	NW1/4NW1/4 S1, T6S, R91W, 6th P.M. 250 ft from the North section line; 1200 ft from the West section line.
940706HSLP(a)	Mammoth Yampa Hot Spring	A point on the Northerly bank of the Colorado River whence the Witness Corner to the Southwest Corner of S10, T6S, R89 W, 6th P.M. bears S 06°01' E a distance of 3,543.6 ft.
940706HSLP(a)	Samill Yampa Spring	A point which bears N 08°00' W a distance of 3,546.2 ft from the corner common to S9, 10, 15, 16, T6S, R89 W, 6th P.M.
961204FF(a)	Fraser Well	SE1/4NW1/4 S6, T6S, R92W, 6th P.M. 2700 ft from South section line; 3150 ft from East section line.
960311TD(d)	Duplica Well A	NW1/4NW1/4 S12, T6S, R92W, 6th P.M. 650 ft from North section line; 600 ft from West section line.
930409WM(a)	Batch Well	NE1/4NE1/4 S13, T7S, R89W, 6th P.M. 1100 ft from North section line; 700 ft from East section line.
930409WM(a)	Shop Well	
930409WM(a)	Office Well	

TABLE 1C  
LEGAL DESCRIPTION  
INDUSTRIAL CONTRACT  
CASE NO. 99CW320

CONTRACT #	STRUCTURES	LEGAL DESCRIPTION
980115FF(a)	Frei Well	NW1/4SE1/4 S11, T6S, R92W, 6th P.M. 1680 ft from South section line; 3020 ft from West section line.

TABLE 2A  
SUMMARY OF WATER USE - DOMESTIC  
CASE NO. 99CW320

CONTRACT #	STRUCTURES	AUGMENTED USES		DELETED DEPLETION ZONE	CONTRACTED DIVERSIONS (ACRE FEET)												CONTRACTED DEPLETIONS - LAGGED (ACRE FEET)												SOURCE OF WATER USE DATA	COMMENTS						
		NO. OF DWELLING UNITS	IRRIGATED AREA (A)		NO. OF LIVESTOCK	ELEV.	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP			OCT	NOV	DEC	TOTAL		
830627C(HB)	Carl Bernhart Well	1	6000	0	5800	A3	0.028	0.028	0.029	0.041	0.089	0.114	0.121	0.102	0.080	0.044	0.028	0.029	0.730	0.022	0.022	0.021	0.021	0.023	0.026	0.030	0.034	0.036	0.035	0.031	0.026	0.326	A			
860120B(DI) east	Hillside East Well	1	6000	5	5720	B3	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	0.792	0.033	0.033	0.033	0.033	0.033	0.032	0.032	0.032	0.032	0.032	0.032	0.032	0.389	A			
860120B(DI) west	Hillside West Well	1	6000	5	5720	B3	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	0.792	0.033	0.033	0.033	0.033	0.033	0.032	0.032	0.032	0.032	0.032	0.032	0.032	0.389	A			
860325R(DP)	West Roadside Well	1	8000	5	6080	B2	0.034	0.031	0.034	0.046	0.091	0.116	0.126	0.104	0.083	0.046	0.033	0.034	0.768	0.032	0.031	0.030	0.029	0.028	0.028	0.029	0.031	0.033	0.034	0.034	0.032	0.372	A			
890809WNC(2D)	Colman Well B	1	8000	5	5720	A3	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	0.792	0.027	0.025	0.025	0.025	0.027	0.031	0.036	0.040	0.043	0.042	0.037	0.031	0.389	A			
890814C(HB)	Grand View School Site	1	8000	5	5720	A3	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	0.792	0.033	0.033	0.033	0.033	0.033	0.032	0.032	0.032	0.032	0.032	0.032	0.032	0.389	A			
890715C(HB)	Highland Well #2	1	6000	5	5680	B3	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	0.792	0.033	0.033	0.033	0.033	0.033	0.032	0.032	0.032	0.032	0.032	0.032	0.032	0.389	A			
891115A(WB)	Lloyd A. Wilson Well #1	1	6000	5	5420	A1	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	0.830	0.012	0.012	0.019	0.027	0.037	0.049	0.062	0.060	0.051	0.040	0.029	0.017	0.415	A			
900117A(WB)	Spychaia Well #2	1	6000	5	5420	A1	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	0.830	0.012	0.012	0.019	0.027	0.037	0.049	0.062	0.060	0.051	0.040	0.029	0.017	0.415	A			
900416E(FB)	Henny Well	1	30492	5	5420	B1	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	2.399	0.060	0.067	0.063	0.067	0.090	0.125	0.174	0.212	0.208	0.184	0.140	0.102	1.513	A			
900524S(MA)	Isam Springs 1-9	1	12000	5	5420	B1	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	1.262	0.010	0.009	0.010	0.041	0.103	0.139	0.146	0.120	0.088	0.034	0.009	0.010	0.717	A			
900702R(B)	Habitat Well	1	17424	5	5400	A1	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	1.652	0.028	0.028	0.028	0.046	0.064	0.068	0.091	0.115	0.111	0.095	0.074	0.054	0.031	0.768	A		
900807A(WB)	Rimra Well	2	12000	5	5460	A1	0.062	0.057	0.062	0.093	0.295	0.246	0.257	0.263	0.192	0.155	0.097	0.060	0.062	1.588	0.022	0.022	0.022	0.036	0.050	0.063	0.081	0.115	0.111	0.095	0.074	0.054	0.031	0.768	A	
900907B(G)	Goss Well	1	12000	5	5640	B3	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	1.186	0.056	0.056	0.056	0.056	0.056	0.055	0.055	0.054	0.054	0.054	0.055	0.055	0.684	A			
901106S(E)	Smack Well	3	54000	15	5580	A3	0.101	0.093	0.101	0.221	0.644	0.977	0.935	0.765	0.566	0.238	0.099	0.101	4.738	0.193	0.184	0.178	0.181	0.197	0.227	0.263	0.234	0.210	0.203	0.268	0.222	2.810	A			
910407D(WB)	Ericksen Well #1	1	14000	5	5620	B3	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	3.117	0.064	0.064	0.064	0.064	0.064	0.063	0.062	0.062	0.062	0.062	0.063	0.063	0.756	A			
910813B(RP)	Beland Ranch Well #4	3	43560	15	5700	A1	0.101	0.093	0.101	0.197	0.539	0.727	0.773	0.634	0.476	0.212	0.099	0.101	4.054	0.067	0.066	0.109	0.151	0.207	0.276	0.351	0.338	0.289	0.225	0.165	0.095	2.340	A			
910829D(WB)	Unsworth Well	1	12000	5	5640	B3	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	1.186	0.056	0.056	0.056	0.056	0.056	0.055	0.055	0.054	0.054	0.054	0.055	0.055	0.684	A			
MJW-1 Well	MJW-1 Well	1	43560	5	5760	A3	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	3.256	0.144	0.138	0.134	0.136	0.147	0.170	0.197	0.220	0.232	0.227	0.201	0.166	2.113	A	Total water use for 2 structures.		
910829K(WB)	Owens Domestic Well No. 1	2	0	0	5920	A1	0.057	0.052	0.057	0.055	0.057	0.055	0.057	0.055	0.057	0.055	0.057	0.055	0.672	0.003	0.003	0.003	0.005	0.007	0.009	0.012	0.015	0.015	0.012	0.010	0.007	0.004	0.101	A		
920622D(JN)	Nesbit Well	1	12000	0	5520	A1	0.029	0.026	0.029	0.055	0.149	0.201	0.214	0.175	0.132	0.059	0.028	0.029	1.123	0.017	0.017	0.017	0.028	0.039	0.053	0.071	0.090	0.087	0.074	0.058	0.042	0.024	0.601	A	Total water use for 3 structures.	
930410L(G)	Gravett Well-Dard	3	43560	15	5740	B3	0.101	0.093	0.101	0.197	0.539	0.727	0.773	0.634	0.476	0.212	0.099	0.101	4.054	0.197	0.197	0.198	0.199	0.198	0.197	0.195	0.193	0.192	0.191	0.181	0.193	0.195	2.340	A		
930518L(MD)	Gravett Well-Schall	1	14520	5	5520	B3	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	1.351	0.066	0.066	0.066	0.066	0.066	0.065	0.064	0.064	0.064	0.064	0.064	0.065	0.065	0.780	A		
931012H(B)	Harper Well B	1	12000	5	5960	B3	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	1.186	0.056	0.056	0.056	0.056	0.056	0.055	0.055	0.054	0.054	0.054	0.055	0.055	0.684	A			
931012H(B)	Harper Well C	1	12000	5	5960	B3	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	1.186	0.056	0.056	0.056	0.056	0.056	0.055	0.055	0.054	0.054	0.054	0.055	0.055	0.684	A			
931012K(A)	Kennedy Well	2	43560	15	6040	B1	0.073	0.067	0.073	0.126	0.488	0.673	0.721	0.582	0.432	0.165	0.071	0.073	3.444	0.114	0.096	0.090	0.096	0.128	0.180	0.200	0.304	0.300	0.284	0.200	0.146	2.188	A			
931014K(FB)	Kent Jolley Well #1	1	12000	5	5440	A3	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	1.262	0.049	0.049	0.049	0.049	0.049	0.050	0.058	0.067	0.075	0.079	0.077	0.068	0.058	0.717	A		
931014K(FB)	Kent Jolley Well #2	1	12000	5	5460	A3	0.034	0.031	0.034	0.046	0.094	0.119	0.126	0.107	0.085	0.049	0.033	0.034	1.262	0.049	0.049	0.049	0.049	0.049	0.050	0.058	0.067	0.075	0.079	0.077						





TABLE 2C  
SUMMARY OF WATER USE - INDUSTRIAL  
CASE NO. 99CW320

[illegible]

Table 3. Lagged Depletion Factors

		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Alluvium, 0-1000 ft	A1	2.9%	2.8%	4.6%	6.5%	8.8%	11.8%	15.0%	14.4%	12.3%	9.6%	7.1%	4.0%
Alluvium, 1000-2000 ft	A2	5.0%	4.3%	4.5%	5.3%	6.9%	9.5%	12.3%	13.4%	12.8%	10.9%	8.6%	6.6%
Alluvium, >2000 ft	A3	6.8%	6.5%	6.3%	6.4%	7.0%	8.1%	9.3%	10.4%	11.0%	10.7%	9.5%	7.9%
Bedrock, 0-1000 ft	B1	5.3%	4.4%	4.1%	4.4%	5.9%	8.3%	11.5%	14.0%	13.8%	12.2%	9.2%	6.7%
Bedrock, 1000-2000 ft	B2	8.6%	8.3%	8.0%	7.7%	7.6%	7.6%	7.8%	8.3%	8.8%	9.1%	9.1%	8.9%
Bedrock, >2000 ft	B3	8.4%	8.5%	8.5%	8.5%	8.4%	8.3%	8.3%	8.2%	8.2%	8.2%	8.3%	8.4%

## DIVISION OF WATER RESOURCES

## WATER DIVISION 5

Office of the State Engineer

Department of Natural Resources

P O Box 396 (50633 U S Highway 6 &amp; 24)

Glenwood Springs CO 81602

Phone (970) 945-5665

FAX (970) 945-8741 (call first)

<http://water.state.co.us/default.htm>

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JUL 03 2000

Bill Owens  
GovernorGreg E. Walcher  
Executive DirectorHal D. Simpson, P.E.  
State EngineerOrlyn J. Bell  
Division EngineerWATER RESOURCES  
STATE ENGINEER  
COLO.**REPORT OF THE DIVISION ENGINEER**  
**SUMMARY OF CONSULTATION**Copy of the foregoing mailed to all  
Counsel of record--Water  
Referee,--Div. Engineer--and  
State Engineer--Date 6/29/00

Deputy Clerk, Water Div. No. 8

CASE NO.: 99CW320

APPLICANT: West Divide Water Conservancy District

APPLICATION FOR: Approval of Plan for Augmentation

STRUCTURES: Augmented Wells and Surface Diversions, Ruedi Reservoir, Green Mountain Reservoir, Avalanche Canal &amp; Siphon

**FINDINGS OF FACT**

1. The proposed wells are tributary to the Colorado River drainage basin. Diversion of ground water from the proposed wells will influence the rate or direction of movement of water in those natural streams and their alluvium. The Colorado River is overappropriated. At some or all times of the year, the water supply for said stream system is insufficient to satisfy all of the decreed water rights senior to an appropriation by the applicant. Diversions from the subject wells will cause depletions to this over appropriated system.
2. As proposed, the subject wells are to be operated in accordance with an augmentation plan pending before this court in this case. Additional information needs to be provided in accordance with the consultation recommendations made by the Division Engineer, to ensure this plan will replace all out of priority depletions in time, place, and amount.
3. The plan fails to account for delayed impacts from the operation of the wells.
4. Water rights are not claimed for the subject wells.

Based on the above findings, I find that the construction and use of the subject wells will injuriously affect the owner of, or persons entitled to use, water under a vested water right, or a decreed conditional water right, unless the wells are included in, and operated in accordance with, a plan for augmentation that adequately replaces out of priority depletions in time, place, and amount.

Per CRS 37-90-137(2), no permit shall be issued unless the location of the proposed wells will be at a distance of more than 600 feet from an existing well unless the State Engineer has found after a hearing that the circumstances in a particular instance so warrant, or if a court decree is entered for the proposed wells location after notice has been given as provided in CRS 37-90-137(2)(b)(I)(B).

**CONCERNS**

**I cannot recommend approval of this application until the following concerns are addressed:**

1. Well permits issued pursuant to C.R.S. 37-90-137(2) and this plan for augmentation must be obtained prior to the construction and/or operation of the subject well(s) pursuant to this plan. Many of the permits for the wells included in this plan for augmentation may be expired due to lack of filing of Statements of Beneficial Use, Well Construction and Test Reports, and Pump Installation and Test Reports. These well permits must be reinstated, or new permits must be obtained to operate pursuant to this plan for augmentation. Several of the well permits do not allow any or all of the augmented uses, therefore new permits must be issued for these wells prior to operation pursuant to the proposed plan for augmentation uses. Please see ATTACHED TABLES for details regarding these issues.

2. Many of the well permits listed in the plan for augmentation are cancelled, expired or incorrect. Please see the "New Permit No." columns in the attached tables for the current permit numbers, and change the references to the permit numbers in the plan accordingly.
3. Permit No. 191946-A was issued as a late registration for the McCune Well. The uses currently permitted for this well include those proposed to be augmented. Therefore, this well does not require augmentation and may be removed from the plan.
4. Several of the wells listed in Group B either have decreed augmentation plans or were issued pursuant to decree and may not require augmentation. Please explain why these wells are included in this application (see attached Group B table for details). These include the Simmons Well, the Burning Mountain Wells, the Central Aggregates Pond, the Rippy RV Associates Ltd. Wells, and the Riverbend Water and Sewer Company Water Rights.
5. Many of the well locations stated in the plan for augmentation are either incomplete or do not coincide with the locations in the permit files. These locations must be verified and corrected prior to this decree being granted to assure that the subject wells can operate pursuant to this augmentation plan. Please see the "Comments" columns in attached tables for details.
6. The plan for augmentation is insufficient in that the majority of the wells included in this plan for augmentation are for irrigation of lawn and garden amounts greater than those proposed to be augmented. This use must be included in the plan for augmentation or the new permits with the reduced uses must be obtained for these wells (see attached tables for details).
7. The application for a plan for augmentation and alternate points of diversion is incomplete in the points of diversion, the structures and/or the water rights for the Town of Carbondale Municipal Water Rights, the Busha River Diversions, the Garfield County River Diversions, and Toby's Pumping and Drilling River Diversions are not identified. The applicant must identify all structures, diversion points, and water rights to be augmented in the proposed plan.
8. Several of the wells are permitted for annual acre-foot appropriations and/or depletions greater than those augmented, including the ADD Well No. 5, the McCune Well, the Rose Well, the Trueblood Well, and the Wells Well in Group A, and the Office/Shop Well, the Simmons Well, the Antonelli Well, the Boland Ranch Water Rights, the Brynildson Well, Burning Mountain Well D, the Central Aggregated Pond, the Cromwell Well, the Duplice Well A, the Fraser Well, the Johnson Well, the Melton Well, the Rippy RV Associates Ltd. Wells, the IMD Well No. 1, and the Riverbend Water and Sewer Company Water Rights in Group B. The full amounts must be augmented or new permits may be necessary to comply with the augmentation plan (see attached table for details).
9. The applicant must submit engineering report with a table of monthly water diversion and use estimates, and estimates of the amount of water required and available for augmentation. A complete listing of the permitted and augmented uses for each well, and the basis for the estimated diversions and consumptive use for each well (including those in Group B), must be included with this report. Several of the diversion and depletion estimates in Table 3 of the application are incomplete (see attached Group B table for details). Delayed impacts must be considered and accounted for in the augmentation plan.
10. The Group C structures should be deleted from the application, since these entities have their own decreed plans for augmentation.
11. Additional structures and use not specifically identified in the proposed plan must be decreed in future court actions.
12. The applicant must prove that the augmentation source is sufficient to prevent injury to intervening water rights.
13. The applicant must submit a copy of approved water allotment contracts from the Bureau of Reclamation for Green Mountain Reservoir and Ruedi Reservoir water for an amount sufficient to replace out-of-priority depletions.
14. Total diversions from all points of diversion must be limited to that available and within the decreed amount at the original point of diversion.
15. Adequate accounting language must be included as follows: "The applicant shall install measuring devices, provide accounting, and supply calculations regarding the timing of depletions as required by the Division Engineer for the operation of this plan. The applicant shall also file an annual report with the Division Engineer by November 15th of each year summarizing diversions and replacements made under this plan."
16. The applicant does not state to whom the report of paragraph 4(j) will be submitted. I suggest it be submitted to the Division Engineer by November 15th of each year with the diversion record report.
17. The plan must include 305(8) language as follows: "Pursuant to C.R.S. 37-92-305(8), the state engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights. Further, the

applicant and its assigns understand that the lease supply is only for a period of 25 years and if such lease should expire, fail to be renewed, is terminated, or an alternative source of replacement water is not included in this decree by proper amendment prior to such expiration, curtailment of all out-of-priority diversions will occur."

18. To assure that adequate protection is provided to other vested water rights or other conditional water rights, the court should retain jurisdiction for a period of five years after the augmentation plan becomes operational.

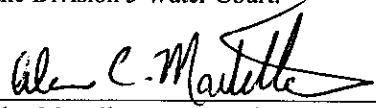
#### RECOMMENDATIONS

Based on the above concerns, the State and Division Engineers ask that the issues discussed in this consultation be addressed prior to granting any water rights or plan for augmentation.

Information requested in this consultation should be submitted to the Division 5 Water Court.

DATE: June 23, 2000

SIGNED: \_\_\_\_\_

  
Alan Martellaro, P.E., Assistant Division Engineer

*CRS 1973, 37-92-302(4), signed into law May 17, 1988, provides that the applicant or the applicant's attorney shall mail or deliver a copy of this consultation to all parties of record who filed a statement of opposition to this application. The statute also requires that the applicant or his/her attorney shall file a certificate of mailing with the water clerk for Water Division 5, confirming that this consultation (and attachment) is mailed to any and all opposing parties.*

#### CERTIFICATE OF MAILING

I hereby certify that on this 28th day of June, 2000, a true and correct copy of this REPORT OF THE DIVISION ENGINEER - SUMMARY OF CONSULTATION was mailed to:

MELODY D MASSIH ESQ  
STUVER & GEORGE PC  
ATTORNEYS FOR APPLICANT  
P O BOX 907  
RIFLE CO 81650

  
\_\_\_\_\_

# Group A

Structure Name	Well Permit No.	SBU accepted	Lawn garden (SF)	Permitted and Approp. (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	New Permit Required	New Location Correct	Need Location Correction	Comments		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
Caldwell No. 1	44038 F	<input type="checkbox"/>	12000	1	09/18/1995	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Colohan Well	210775	<input type="checkbox"/>	0			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	Monitoring Well. Permitted Location 3040 NSL, 2660 ESL.
Jarrett Well	43952 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Knaak Well	44112 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SBU location 1770 NSL.
Sommers Cluster Spring		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Stratton Well	157949	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	41692 F	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Permitted Location 2950 NSL, 1085 ESL.
Aaberg Well	201118 F	<input checked="" type="checkbox"/>	6000	2		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	49730 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
ADD Well No. 3	195920	<input type="checkbox"/>	0			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Monitoring Well.
ADD Well No. 4	46674 F	<input checked="" type="checkbox"/>	3000	2		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
ADD Well No. 5	46675 F	<input type="checkbox"/>	3000	2		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	SBU returned to owner 7/18/97.
Antonelli Well No. 1	46803 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Armijo Well		<input type="checkbox"/>	12000	1	08/30/1996	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	45420 F	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL. If this permit # is correct, the permitted location is 3660 SSL, 3120 ESL.
Bates Well No. 1	45723 F	<input type="checkbox"/>	12000	1	12/29/1999	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	49379 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Structure Name	Well Permit No.	SBU accepted	Lawn garden (SF)	Permitted (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Location Correct	Need Location Correction	Comments	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
Bates Well No. 2	45724 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bell Well No. 1	46022 F	<input type="checkbox"/>	12000	1	01/22/1997	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bertolini Well No. 1	44060 F	<input type="checkbox"/>	12000	1	09/21/1995	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Clark Well	46567 F	<input type="checkbox"/>	12000	1	05/16/1997	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Colonna Well	201144	<input type="checkbox"/>	12000	2	10/29/2000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	52710 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Davis Well No. 1	42711 F	<input type="checkbox"/>	14520	1	09/03/1994	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Dauenhauer Well	201145	<input type="checkbox"/>	0			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Permitted only for Household Use.
Dick Well	47472 F	<input type="checkbox"/>	12000	1	08/28/1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Eichler Well	47525 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Permitted Location 660 WSL.
Erickson Well	39336 F	<input checked="" type="checkbox"/>	14000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Domestic Livestock watering not permitted.
Field Well	40173 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Domestic Livestock watering not permitted.
Germono Well	49891 F	<input type="checkbox"/>	6000	1	05/19/2000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL. Permitted as 3120 SSL, 1300 WSL.
Gilbert Well	47545 F	<input type="checkbox"/>	12000	1	11/07/1999	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL. Permitted as 1275 SSL, 250 ESL.
Glas Well	46117 F	<input type="checkbox"/>	3000	1	09/12/1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	48826 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Goss Well	37810 F	<input checked="" type="checkbox"/>	43560	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Domestic Animal watering not permitted.

Structure Name	Well Permit No.	SBU accepted	Lawn garden (SF)	Permitted (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New		Location Correction	Comments	
										Permit Required	Permit No.			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
Grove Well	46673 F	<input checked="" type="checkbox"/>	3000	2		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	51052 F	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL. Permitted as 2580 NSL, 2660 ESL.
Hablurzel Well	43593 F	<input type="checkbox"/>	17424	1	05/27/1995	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Permit limited to lawn and garden watering.
Henry Well	37322 F	<input type="checkbox"/>	30492	1	07/25/1991	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Domestic Animal watering not permitted.
Hunt Well No. 1	49659 F	<input type="checkbox"/>	12000	1	04/07/1999	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Hunt Well No. 2	51070 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	Permitted Location 1000 WSL.
Harms Well	47904 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Harper Well B	43642 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Harper Well C	47094 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Hayes Well		<input type="checkbox"/>	6000	1	09/12/1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	48824 F	<input type="checkbox"/>	<input type="checkbox"/>	Permitted Location 3190 SSL, 450 WSL.
Helgeland Well No. 2	38481 F	<input type="checkbox"/>	0	1	03/20/1992	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Permitted only for Household Use.
Helgeland Well No. 1	35901 F	<input type="checkbox"/>	0	1	11/07/1991	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lawn and garden watering not permitted.
Hillside Center Well	42723 F	<input type="checkbox"/>	6000	1	09/09/1994	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Hillside East Well	42986 F	<input type="checkbox"/>	6000	1	11/19/1994	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Hillside West Well	42722 F	<input checked="" type="checkbox"/>	6000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Structure Name	Well Permit No.	SBU accepted	Lawn garden (SF)	Permitted and Approp. (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Location Correct	Need Location Correction	Comments	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
Hoffmeister Well	49861 F	<input checked="" type="checkbox"/>	6000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL. Permitted Location is 5440 SSL, 150 ESL.
Isham Springs		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Jewell Well	49512 F	<input type="checkbox"/>	6000	1		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SBU returned to owner 4/7/99. (Twp. Wrong on SBU.)
Kent Jolley Well No. 2A	44969 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SBU Location 2400 SSL, 800 WSL.
Kent Jolley Well No. 1	46042 F	<input type="checkbox"/>	0	1	01/25/1997	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Permitted only for Household Use.
Kent Jolley Well No. 2B	47095 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Kent Jolley Well No. 3A	43499 F	<input type="checkbox"/>	12000	1	05/24/1996	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	44968 F	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Need DSL. Permitted Location is 1870 SSL, 100 WSL.
Kent Jolley Well 3B	44967 F	<input type="checkbox"/>	12000	1	05/24/1996	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Kozera Well	47797 F	<input type="checkbox"/>	12000	1	01/14/1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lampris Well No. 2	43451 F	<input type="checkbox"/>	12000	1	04/29/1995	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Domestic Livestock watering not permitted.
Lampris Well No. 3	43452 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Domestic Livestock watering not permitted.
Mazuchi Well	4989 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	49849 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Judy A. Mazuchi Well	45542 F	<input type="checkbox"/>	12000	1	10/05/1996	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Structure Name	Well Permit accepted and No.	SBU (3)	Lawn garden (4)	Permitted and Approp. (AF) (5)	Permit Expiration Date (6)	Need SBU (7)	Need WCR (8)	Need PIR (9)	Need PFR (10)	New Permit Required (11)	New Location Permit No. (12)	Location Correct (13)	Need Location Correction (14)	Comments (15)
McCune Well	191946 F	<input type="checkbox"/>	43560	1.5		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	191946 A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Late Registration. Augmentation not required for permitted uses.
McElroy Well	43986 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Domestic Livestock watering not permitted.
Monteleone Well	45748 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Nesbit Well	41511 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Domestic Livestock watering not permitted.
O'Brien Well	42758 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Parcel No. 2 Well	46084 F	<input type="checkbox"/>	12000	1	07/10/1997	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Pretti Well	34870 F	<input checked="" type="checkbox"/>	6000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Domestic Livestock watering not permitted.
Reynolds Well	47544 F	<input checked="" type="checkbox"/>	6000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	Permitted location is for Twp. 5 South.
Richards Well		<input type="checkbox"/>	6000	1	06/18/2000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	49865 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Rose Well	46729 F	<input checked="" type="checkbox"/>	24000	2		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Sahula Well		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	Pending.
Sander Well	167567	<input type="checkbox"/>	43561			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Only two dwellings permitted.
Schopp Well No. 1	45538 F	<input type="checkbox"/>	12000	1	10/05/1996	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Stalling Well	36287 F	<input type="checkbox"/>	6000	1		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Domestic Livestock watering not permitted.
Simmons Well No. 1	47613 F	<input type="checkbox"/>	12000	1	11/22/1997	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Structure Name	Well Permit No.	SBU Permit accepted	Lawn and garden (SF)	Permitted (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Location Correct	Need Location Correction	Comments	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
Simmons Well No. 2	47614 F	<input type="checkbox"/>	12000	1	06/04/2000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	51929 F	<input type="checkbox"/>	<input type="checkbox"/>	Permitted Location SE¼NW¼, 2731 SSL, 2031 WSL.
Smith Well	46427 F	<input type="checkbox"/>	24000	2	04/18/1997	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	Need permit for replacement well completed on 10/8/98. WCR Location NW¼NW¼ Sec. 9.
Spychala Well	38417 F	<input checked="" type="checkbox"/>	6000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	Permitted Location NE¼NW¼. Domestic Livestock watering not permitted.
Toler Well	45586 F	<input type="checkbox"/>	12000	1	10/19/1996	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Trueblood Well	50291 F	<input type="checkbox"/>	12000	2	08/25/1999	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Verkerk Well	44152 F	<input type="checkbox"/>	12000	1	10/07/1995	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Wills Well No. 2		<input type="checkbox"/>	10000	4	04/30/2000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	49796 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Witte Well	49658 F	<input checked="" type="checkbox"/>	6000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Wittington Well		<input checked="" type="checkbox"/>	6000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	50290 F	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Permitted Location 1050 NSL, 2750 ESL.
Wilson Well	36072 F	<input type="checkbox"/>	6000	1		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Domestic Animal watering not permitted. Returned SBU to owner 4/9/96.
Allen Well No. 1	45745 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Allen Well No. 2	49477 F	<input type="checkbox"/>	18000	3	02/12/1999	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Structure Name	Well Permit No.	SBU accepted	Lawn and garden (SF)	Permitted (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Location Correct	Need Location Correction	Comments	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
Berklaui Well No. 1	39547 F	<input checked="" type="checkbox"/>	6000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	Domestic Animal watering not permitted.	
Berklaui Well No. 2	36169 F	<input checked="" type="checkbox"/>	6000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	Domestic Animal watering not permitted.	
Paul Berklaui Well	49368 F	<input type="checkbox"/>	6000	1		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	Returned SBU to owner 11/13/98.	
Binger Well No. 1	43920 F	<input type="checkbox"/>	12000	1	08/19/1995	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		
Binczik Well	43919 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		
Burris Well No. 4	46976 F	<input type="checkbox"/>	12000	1		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	50520 F	<input checked="" type="checkbox"/>	Returned SBU to owner 11/29/99.	
Burris Well No. 3	46975 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>		
Burris Well No. 2	46977 F	<input type="checkbox"/>	12000	1	08/01/1997	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>		
Cray Well	187226	<input type="checkbox"/>	12000	1	11/06/1996	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	45665 F	<input type="checkbox"/>	Need DSL. Permitted Location is 2440 NSL, 928 WSL.	
Dillon Spring		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		
Goad Well No. 1	49367 F	<input type="checkbox"/>	12000	1	03/18/2000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	Need DSL. Permitted Location is 1708 SSL, 3295 ESL. SBU returned to owner 3/4/99.	
Janssen Well		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	Pending.	
Louthan Well No. 1	45799 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>		
Martin Well	49657 F	<input checked="" type="checkbox"/>	12000	2		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>		

Structure Name	Well Permit No.	SBU accepted	Lawn and garden (SF)	Permitted (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Location Permit No.	Location Correct	Need Location Correction	Comments
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
Pearson Well	128722 F	<input type="checkbox"/>	0			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	128722	<input type="checkbox"/>	<input type="checkbox"/>	Limited to Household use. Permitted Location Sec. 26, 1500 NSL, 130 WSL.
Redmond Well	44482 F	<input type="checkbox"/>	12000	1	01/17/1997	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Rinna Well	105704	<input type="checkbox"/>	21780	1	09/21/1991	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	37672 F	<input type="checkbox"/>	<input type="checkbox"/>	Permitted Location NE 1/4 SW 1/4 Sec. 12, T6S, R92W, 2400 SSL, 4200 ESL.
Rothgery's Well A		<input type="checkbox"/>	6000	1	07/20/2000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	50287 F	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL. Permitted Location 710 SSL, 1120 ESL.
Rothgery's Well B		<input type="checkbox"/>	6000	1	07/20/2000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	50288 F	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL. Permitted Location 1040 SSL, 1120 ESL.
Rothgery's Well C		<input type="checkbox"/>	6000	1	07/20/2000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	50289 F	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL. Permitted Location 1150 SSL, 650 ESL.
Sabel Well	162419	<input type="checkbox"/>	0			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Limited to Household use and domestic animals.
Savage Well No. 1	44489 F	<input checked="" type="checkbox"/>	10000	4		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Savage Well No. 2	46513 F	<input checked="" type="checkbox"/>	14000	3		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Savage Well No. 3	49595 F	<input checked="" type="checkbox"/>	12000	2		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Spinden Well	36004 F	<input type="checkbox"/>	6000	1	12/18/1990	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Domestic Livestock watering not permitted.
Stoneking Well		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	Pending. Need DSL.

Structure Name	Well Permit No.	SBU Permit accepted	Lawn and garden (SF)	Permitted (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Location Correct	Need Location Correction	Comments	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
Swallow Well	45735 F	<input checked="" type="checkbox"/>	24000	2		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Talbott Well	47186 F	<input checked="" type="checkbox"/>	12000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Van Every Well	29674 F	<input type="checkbox"/>			01/30/1987	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	Expired. Permitted Location 1550 SSL, 400 ESL.
Wells Well	40559 F	<input checked="" type="checkbox"/>	43560	2		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Domestic Livestock watering not permitted.
Yater Well	206247	<input type="checkbox"/>	0			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Limited to Household use for 1 single family dwelling.
Youland Well	49257 F	<input checked="" type="checkbox"/>	6000	1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Structure Name	Well Permit No.	SBU Permit accepted and garden (SF)	Lawn and garden (AF)	Permitted Approp.	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Permit No.	Location Correct	Location Need Correction	Comments
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)

- (1) Structure Name per the court application.
- (2) Well Permit No. per the court application.
- (3) Check mark indicates that a Statement of Beneficial Use was accepted.
- (4) Square feet of lawn and garden permitted to be irrigated.
- (5) Permitted Appropriation in acre-feet.
- (6) Permit expiration date.
- (7) Check mark indicates that a Statement of Beneficial Use must be filed by the well owner.
- (8) Check mark indicates that a Well Construction and Test Report must be filed.
- (9) Check mark indicates that a Pump Installation and Test Report must be filed.
- (10) Check mark indicates that a Petition for Permit Reinstatement must be filed by the well owner.
- (11) Check mark indicates that a new well permit is required to operate this well per the requested augmentation plan.
- (12) The current well permit numbers listed here should replace those contained in the court application.
- (13) Check mark indicates that per our records the permitted location is within 200 feet of that listed in the court application.
- (14) Check mark indicates that per our records the permitted location is more than 200 feet from that listed in the court application, and that a Well Location Amendment form must be filed with the Office of the State Engineer.
- (15) Comments, including but not limited to, location, use, and diversion information in our files that is different from that in the court application.

Abbreviations: Approp. - Appropriation; No. - Number; Sec. - Section; Twp. - Township

Acronyms: SF - Square Feet; AF - Acre-Feet; SBU-Statement of Beneficial Use; WCR-Well Construction and Test Report; PIR - Pump Installation and Test Report; PFR - Petition for Reinstatement; DSL - Distances from Section Lines; NSL - feet from North Section Line; SSL - feet from South Section Line; ESL - feet from East Section Line; WSL - feet from West Section Line.

# Group B

Structure Name	Well Permit No.	SBU accepted	Lawn and Garden (SF)	Other Permitted Uses	Permitted Approp. (AF)	Amount Augmented (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Permit No. or Denial No.	Location Correct	Need Location Correction	Comments
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
Aspen Glen Water and Sanitation District																
Aspen Glen Well No. 1		<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	13200 AD	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL.
Aspen Glen Well No. 2		<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	13201 AD	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL.
Aspen Glen Well No. 3		<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	13202 AD	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL.
Aspen Glen Well No. 4		<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	13203 AD	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL.
Aspen Glen Well No. 5		<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	13204 AD	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL.
Aspen Glen Well No. 6		<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	13205 AD	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL.
Aspen Glen Well No. 7		<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	13206 AD	<input type="checkbox"/>	<input type="checkbox"/>	Need DSL.

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Structure Name	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
		Well Permit No.	SBU accepted	Lawn and Garden (SF)	Other Permitted Uses	Permitted Approp. (AF)	Amount Augmented (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Permit No. or Denial No.	Location Correct	Need Location Correction	Comments
Dorman Water Rights							3.714										
Dorman Ditch			<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Dorman Pump & Pipeline			<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Dorman Pond			<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Four Mile Ranch Development Company Wells					143748	58 SFD	32.58	33.136									
Four Mile Ranch Well No. 1			<input type="checkbox"/>					10/23/2000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	50790 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Four Mile Ranch Well No.2			<input type="checkbox"/>					12/07/2000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	51103 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Structure Name	Well Permit No.	SBU accepted	Lawn and Garden (SF)	Other Permitted Uses	Permitted Approp. (AF)	Amount Augmented (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Permit No. or Denial No.	Location Correct	Need Location Correction	Comments
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
Kaiser & Sievers Ditch		<input type="checkbox"/>				14.275		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Kennedy Well	44351 F	<input checked="" type="checkbox"/>	43560	2 SFD	3.1	3.11		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	SBU Location 2380 NSL, 20 WSL.
Office/Shop Well	43047 F	<input type="checkbox"/>		0 shop & office	3.66	3.544		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Owens Domestic Well No. 1	34292	<input type="checkbox"/>				1.274		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	Permitted Location NW 1/4 SE 1/4. May be wrong permit.
Simmons Well	37094 F	<input type="checkbox"/>		14 Acres Irrigation & Livestock watering.	40	3		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	SBU Location 858 NSL, 1831 ESL. Permit issued per 83CW281.
Town of Carbondale Municipal Water Rights		<input type="checkbox"/>				3.803		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	Table 3 shows depletions w/o diversions. The subject water rights must be listed in the decree.
Antonelli Well	41789 F	<input checked="" type="checkbox"/>	1000	1 SFD, A, Meat Processing Facility	1	0.481		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	SBU Location 3500 SSL, 5075 ESL.
Mings, Chenoweth & Wolverton Ditch		<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	

Structure Name	Well Permit No.	SBU accepted and Garden (SF)	Lawn and Permitted Uses	Other Permitted Uses	Permitted Approp. (AF)	Amount Augmented (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Permit No. or Denial No.	Location Correct	Need Location Correction	Comments
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
<b>Boland Ranch Water Rights</b>																
			43560	3 SFD, A	8.48	7.94										
Boland Ranch Well No. 2	45455 F	<input type="checkbox"/>			1.41		09/11/1986	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Boland Ranch Well No. 3	41103 F	<input type="checkbox"/>	5000		2.5			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SBU returned to owner 8/25/93.
Boland Ranch Well No. 4	40283 F	<input checked="" type="checkbox"/>	5000		2.5			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Bryndldson Well</b>																
	39168 F	<input type="checkbox"/>	10890	1 SFD, welding & autorepair shop	1	0.624		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Need at least 0.615 AF additional augmentation water for landscape.

Structure Name	Well Permit No.	SBU accepted	Lawn and Garden (SF)	Other Permitted Uses	Permitted Approp. (AF)	Amount Augmented (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Permit No. or Denial No.	Location Correct	Need Location Correction	Comments
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
<b>Burning Mountain Wells</b>																
Burning Mountain Well A	42065 F	<input type="checkbox"/>	4350	D	1			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has own augmentation plan per 90CW048.
Burning Mountain Well B	42064 F	<input type="checkbox"/>	4350	CDS, D	0.5		02/09/1994	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has own augmentation plan per 90CW048.
Burning Mountain Well C-1	44623 F	<input type="checkbox"/>	4350	CDS, D	1		03/10/1996	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has own augmentation plan per 90CW048.
Burning Mountain Well C-2	44622 F	<input type="checkbox"/>	4350	CDS, D	1		03/10/1996	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has own augmentation plan per 90CW048.
Burning Mountain Well C-3	42061 F	<input type="checkbox"/>	4350	CDS, D	1		02/09/1994	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	Has own augmentation plan per 90CW048. Permitted - Loc. NW 1/4 SW 1/4, 0.111 cfs.
<b>Burning Mountain Well D</b>																
Burning Mountain Well D	37091 F	<input checked="" type="checkbox"/>	4000	C, Industrial, D	1	0.995		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Busha River Diversions</b>																
Busha River Diversions		<input type="checkbox"/>				6		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	

Structure Name	Well Permit No.	SBU accepted	Lawn and Garden (SF)	Other Permitted Uses	Permitted Approp. (AF)	Amount Augmented (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Permit No. or Denial No.	Location Correct	Need Location Correction	Comments
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
Cedar Hills Ranch Wells																
Cedar Hills Ranch Well No. 1	46653 F	<input checked="" type="checkbox"/>			43560	20 SFD, A						<input type="checkbox"/>	48773 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Permitted for 0.033 cfs.
Cedar Hills Ranch Wells No. 2	46654 F	<input checked="" type="checkbox"/>										<input type="checkbox"/>	48774 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Permitted for 0.033 cfs.
Cedar Hills Ranch Well No. 3	46655 F	<input type="checkbox"/>										<input type="checkbox"/>	48775 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Permitted for 0.056 cfs.
Cedar Hills Ranch Backup Well	46656 F	<input type="checkbox"/>					10/04/2000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	52572 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Permitted for 0.056 cfs.

Structure Name	Well Permit No.	SBU accepted	Lawn and Garden (SF)	Other Permitted Uses	Permitted Approp. (AF)	Amount Augmented (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Permit No. or Denial No.	Location Correct	Need Location Correction	Comments
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
Central Aggregates Pond		<input type="checkbox"/>		Gravel Pit Evaporation	11.405	11.357	02/02/1994	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	42041 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has own augmentation plan per 90CWI 50.
Clasen Well		<input type="checkbox"/>				1.393		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	25884 MH	<input type="checkbox"/>	<input type="checkbox"/>	Dry hole.
Cromwell Well	49301 F	<input type="checkbox"/>		CDS	0.3	0.072	12/04/1999	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Duplice Well A	46710 F	<input type="checkbox"/>	21780	2 SFD, A, 5000 SF Greenhouse & Nursey	5	3.974	06/17/1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Permitted for 0.111 cfs.
Edward Walters Well	43552 F	<input checked="" type="checkbox"/>	4792	Convenience Store/Service Station, carwash & mini-storage facility	0.31	0.996		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Fraser Well	47976 F	<input type="checkbox"/>	4000	1 SFD, Horseboarding	2	1.634	03/12/1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Garfield County River Diversions		<input type="checkbox"/>				4		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Graviett Well	42426 F	<input type="checkbox"/>	43560	3 SFD, A	3.5	4		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Johnson Well	50032 F	<input type="checkbox"/>	5250	Construction yard shop	5.6	5.58		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Mammoth Hot Springs & Small Yampa Spring		<input type="checkbox"/>				2.42		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	

Structure Name	Well Permit No.	SBU accepted	Lawn and Garden (SF)	Other Permitted Uses	Permitted Approp. (AF)	Amount Augmented (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Permit No. or Denial No.	Location Correct	Need Location Correction	Comments
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
McCauley Pit		<input type="checkbox"/>		Gravel Pit Evaporation	3.1	27		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	49435 F	<input type="checkbox"/>	<input type="checkbox"/>	Permitted Location NE/SW 1/4, SBU Location SE/SW 1/4. May have been backfilled.
Melton Well	47909 F	<input type="checkbox"/>	24000	1 SFD, A	2	1.676		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Rippy RV Associates Ltd. Wells																
				60 units & Convenience Store @ RV Park	15.5	12.52										
Betty Jane Well	42144 FR	<input type="checkbox"/>					03/11/1994	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Expired. Augmentation not required per W-1242. Permitted for 0.033 cfs.
Phil Well	42146 F	<input type="checkbox"/>					03/11/1994	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	42146 FR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Expired. Augmentation not required per W-1242. Permitted for 0.033 cfs.
Bill Well	42145 FR	<input type="checkbox"/>					03/11/1994	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Expired. Augmentation not required per W-1242. Permitted for 0.033 cfs.
Rumery Well																
	112000 A	<input type="checkbox"/>		1 SFD		0.11		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Diversion should be 0.033 cfs.
Schopp Springs 1-13		<input type="checkbox"/>				0.64		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	

Structure Name	Well Permit No.	SBU accepted	Lawn and Garden (SF)	Other Permitted Uses	Permitted Approp. (AF)	Amount Augmented (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Permit No. or Denial No.	Location Correct	Need Location Correction	Comments
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
Smilack Wells																
Smilack Well No. 1	45747 F	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lot B well. No valid permit. Permit Cancelled.
Smilack Well No. 2	46609 F	<input type="checkbox"/>	54000	3 SFD, A	4			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	49860 F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lot C well.

2.668

Structure Name	Well Permit No.	SBU accepted	Lawn and Garden (SF)	Other Permitted Uses	Permitted Approp. (AF)	Amount Augmented (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Permit No. or Denial No.	Location Correct	Need Location Correction	Comments
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
Terrel Well	133069	<input checked="" type="checkbox"/>	6000	CDS in Equipment Sales Office, Restaurant & Livestock Sales Barn	1	3.314		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	39738 F	<input type="checkbox"/>	<input type="checkbox"/>	Permitted location 5100 SSL, 2200 ESL.
Toby's Pumping and Drilling River Diversions		<input type="checkbox"/>				6		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Town of New Castle Well	141621 F	<input type="checkbox"/>		CDS	0.333	0.95	10/10/1987	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	141621	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Permitted location 1760 SSL, 10 ESL. Depletions not listed in Table 3.
Bell Well	46023 F	<input type="checkbox"/>	12000	CDS	1		01/22/1997	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Omitted from Table 3.
Flag Well	49611 F	<input type="checkbox"/>		Industrial use in Concrete Batch Plant	2	2.004		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Permitted for 0.111 cfs.
IMD Well No. 1	49610 F	<input type="checkbox"/>	2000	Wharehouse, Offices, Truckwash	5.3	2.692	03/27/1999	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	Permitted Location Sec. 31.
Platzer Well	41988 F	<input checked="" type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Structure Name	Well Permit No.	SBU Permit accepted	Lawn and Garden (SF)	Other Permitted Uses	Permitted Approp. (AF)	Amount Augmented (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Permit No. or Denial No.	Location Correct	Need Location Correction	Comments
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
Riverbend Water and Sewer Company Water Rights					340	23.66										
				D, 150 Acres Irrigation, Municipal												
Riverbend Well No. 1	18144 F	<input checked="" type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	SBU Location SW 1/4 NW 1/4, 2650 SSL, 490 WSL. Decreed in W-2125.
Riverbend Well No. 2	18145 F	<input checked="" type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	SBU Location SW 1/4 NW 1/4, 2605 SSL, 830 WSL. Decreed in W-2125.
Riverbend Well No. 3	18146 F	<input checked="" type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	SBU Location 2420 SSL, 830 WSL. Decreed in W-2125.
Riverbend Well No. 4	18147 F	<input checked="" type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	SBU Location 2515 SSL, 1000 WSL. Decreed in W-2125.
Riverbend Well No. 5	18148 F	<input checked="" type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	SBU Location 2415 SSL, 1195 WSL. Decreed in W-2125.

Structure Name	Well Permit No.	SBU accepted	Lawn and Garden (SF)	Other Permitted Uses	Permitted Approp. (AF)	Amount Augmented (AF)	Permit Expiration Date	Need SBU	Need WCR	Need PIR	Need PFR	New Permit Required	New Permit No. or Denial No.	Location Correct	Location Need Correction	Comments
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)

- (1) Structure Name per the court application.
- (2) Well Permit No. per the court application.
- (3) Check mark indicates that a Statement of Beneficial Use was accepted.
- (4) Square feet of lawn and garden permitted to be irrigated.
- (5) Other Permitted Uses are allowed by the subject well permit.
- (6) Permitted Appropriation in acre-feet.
- (7) Amount to be augmented by the proposed plan in acre-feet.
- (8) Permit expiration date.
- (9) Check mark indicates that a Statement of Beneficial Use must be filed by the well owner.
- (10) Check mark indicates that a Well Construction and Test Report must be filed.
- (11) Check mark indicates that a Pump Installation and Test Report must be filed.
- (12) Check mark indicates that a Petition for Permit Reinstatement must be filed by the well owner.
- (13) Check mark indicates that a new well permit is required to operate this well per the requested augmentation plan.
- (14) The current well permit numbers or denial numbers listed here should replace those contained in the court application.
- (15) Check mark indicates that per our records the permitted location is within 200 feet of that listed in the court application.
- (16) Check mark indicates that per our records the permitted location is more than 200 feet from that listed in the court application, and that a Well Location Amendment form must be filed with the Office of the State Engineer.
- (17) Comments, including but not limited to, location, use, and diversion information in our files that is different from that in the court application.
- Abbreviations: Approp. - Appropriation; No. - Number; Sec. - Section; Twp. - Township

Acronyms: SFD - Single Family Dwelling(s); A - Animal watering; CDS - Commercial Drinking and Sanitary use; D - unspecified Domestic use; C - unspecified Commercial use; RV - Recreational Vehicle; SF - Square Feet; AF - Acre-Feet; SBU - Statement of Beneficial Use; WCR - Well Construction and Test Report; PIR - Pump Installation and Test Report; PFR - Petition for Reinstatement; DSL - Distances from Section Lines; NSL - feet from North Section Line; SSL - feet from South Section Line; ESL - feet from East Section Line; WSL - feet from West Section Line.

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AUG 02 04

DISTRICT COURT, WATER DIVISION NO. 5, COLORADO Court Address: 109 8 <sup>th</sup> Street, Suite 104 Glenwood Springs, CO 81601 (970) 945-5075	COPY Original Filed <u>7/29/04</u> Clerk _____ By <u>[Signature]</u> Deputy
CONCERNING THE APPLICATION FOR WATER RIGHTS OF:  WEST DIVIDE WATER CONSERVANCY DISTRICT, in Garfield, Mesa and Pitkin Counties, Colorado	▲ COURT USE ONLY ▲
<i>Attorneys for Applicant:</i> Edward B. Olszewski, #24723 Leavenworth & Karp, P.C. P.O. Drawer 2030 1011 Grand Ave. Glenwood Springs, Colorado 81601 Telephone: (970) 945-2261 Facsimile: (970) 945-7336 E-mail: <a href="mailto:ebo@lklawfirm.com">ebo@lklawfirm.com</a>	Case No. 02CW123 (1 of 2)  Div.:                      Ctrm.:
<b>MOTION TO AMEND APPLICATION</b>	

West Divide Water Conservancy District ("West Divide") by and through its attorneys, hereby submits its Motion to Amend Application, and as grounds therefor states as follows:

1. Pursuant to C.R.C.P. Rule 121 §1-15(8), counsel for the Applicant has conferred with counsel for the objectors and objectors' respective attorneys consent to the within Motion to Amend.
2. The original application in this matter was filed on May 30, 2002, for the purpose of adjudicating a change of water rights and umbrella plan for augmentation to augment current and future structures within West Divide's "Area A" service area.
3. Since the date the original application was filed, Applicant has been advised to better define its Area A service area. Applicant's First Amendment provides a detailed legal description of its Area A and divides Applicant's Area A into ten Regions.

4. The original application in this matter also claimed a publication process by which Applicant would notify the public of new contracts augmented pursuant to Applicant's umbrella augmentation plan serving Applicant's Area A Service Area. After several conversations and meetings with the Division Engineer's Office for Water Division No. 5, Applicant and the Division Engineer's Office have determined the notification process outlined in Applicant's original Application would be unduly cumbersome for both Applicant and the Division Engineer's Office.


5. This First Amendment to Augmentation Plan removes the notification process claimed in the original Application. Immediate notice of structures to be covered by Applicant's umbrella augmentation plan shall only be provided to those parties who have filed statements of opposition in the case and request such notice. Notice of structures shall be provided to the Division Engineer's Office at least annually. Further notice of the structures covered by Applicant's umbrella augmentation plan shall be made in subsequent diligence cases related to Applicant's conditional appropriative right of exchange claimed below.

6. Applicant's First Amendment also adds conditional appropriative rights of exchange within each of Applicant's defined Regions between the Roaring Fork and Colorado Rivers and the points of diversion for wells, surface water rights, and reservoirs to be covered by Applicant's umbrella plan for augmentation.

7. All existing statements of opposition and stipulations filed by the objectors shall apply to the Applicant's First Amendment.

WHEREFORE, West Divide respectfully requests the Application in this matter be amended as claimed in the First Amendment to Application filed simultaneously herewith.

Respectfully submitted this 21<sup>st</sup> day of July, 2004.

  
Edward B. Olszewski, Esq.

RECEIVED

AUG 05 '04

WATER RESOURCES  
STATE ENGINEER  
GLENWOOD

38 X  
District Court, Water Division No. 5, Colorado  
Case No. 02CW123  
Concerning the Application of West Divide Water Conservancy District  
**Motion to Amend Application**  
Page 3 of 4.

**ORDER**

The Referee having reviewed Applicant's Motion to Amend Application, IT IS HEREBY ORDERED that Applicant's Motion to Amend Application is APPROVED and Applicant's First Amendment to Application is deemed filed as of July 29, 2004.

SO ORDERED this 31st day of July, 2004, *none upro*  
*Amended July 29, 2004*

*Daniel B. Petre*  
Referee Petre

Copy of the foregoing mailed to all  
Counsel of record--Water  
Referee,--Div. Engineer  
State

*8/3/04*  
*[Signature]*  
Deputy Clerk, Water Div. No. 5

*Olagowski*  
*Fleming*  
*Krupp*  
*Smith*  
*Smilowitz*  
*Golub*

District Court, Water Division No. 5, Colorado  
Case No. 02CW123  
Concerning the Application of West Divide Water Conservancy District  
**Motion to Amend Application**  
Page 4 of 4

### CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing Motion to Amend Application was placed in the United States Mail at Glenwood Springs, Colorado, first class, postage prepaid on the 29 day of July, 2004, addressed as follows:

Paul Noto, Esq.  
Patrick, Miller & Kropf, P.C.  
730 E. Durant, Suite 200  
Aspen, CO 81611

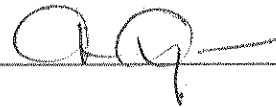
William Kelly Dude, Esq.  
Anderson, Dude & Lebel, P.C.  
111 S. Tejon, Suite 400  
Colorado Springs, CO 80903

Peter C. Fleming, Esq.  
Jill H. McConoughy, Esq.  
Colorado River Water Conservation District  
P. O. Box 1120  
Glenwood Springs, CO 81602

Shana Smilovits, Esq.  
Natural Resources Section  
1525 Sherman Street, 5<sup>th</sup> Floor  
Denver, CO 80203

Neil W. Goluba, Esq.  
Nicholas W. Goluba, Esq.  
Goluba & Goluba, P.C.  
P. O. Box 931  
Glenwood Springs, CO 81602

Stephen H. Leonhardt, Esq.  
Bernard F. Gehris, Esq.  
Burns, Figa & Will, P.C.  
6400 S. Fiddlers Green Circle  
Suite 1030  
Englewood, CO 80111



DISTRICT COURT, WATER DIVISION NO. 5, COLORADO Court Address: 109 8 <sup>th</sup> Street, Suite 104 Glenwood Springs, CO 81601 (970) 945-5075	<div style="text-align: right;">RECEIVED JUL 29 2004</div> <div style="text-align: center;">           COPY            Original Filed <u>7/29/04</u>            Clerk By <u>[Signature]</u>            Deputy         </div>
CONCERNING THE APPLICATION FOR WATER RIGHTS OF:  WEST DIVIDE WATER CONSERVANCY DISTRICT, in Garfield, Mesa and Pitkin Counties, Colorado	<div style="text-align: center;">▲ COURT USE ONLY ▲</div>
<i>Attorneys for Applicant:</i> Edward B. Olszewski, #24723 Leavenworth & Karp, P.C. P.O. Drawer 2030 1011 Grand Ave. Glenwood Springs, Colorado 81601 Telephone: (970) 945-2261 Facsimile: (970) 945-7336 E-mail: <a href="mailto:ebo@lklawfirm.com">ebo@lklawfirm.com</a>	Case No. 02CW123 (1 of 2)  Div.:                      Ctrm.:
<p style="text-align: center;"><b>FIRST AMENDMENT TO APPLICATION &amp; CLAIM FOR CONDITIONAL APPROPRIATIVE RIGHTS OF EXCHANGE</b></p>	

West Divide Water Conservancy District ("West Divide") by and through its attorneys, hereby submits its First Amendment to Application and Claim for Conditional Appropriative Rights of Exchange:

- Name, address, and telephone number of Applicant:  
 West Divide Water Conservancy District  
 c/o Janet Maddock, Secretary  
 P.O. Box 1478  
 Rifle, CO 81650  
  
 c/o Edward B. Olszewski, Esq.  
 Leavenworth & Karp, P.C.  
 P.O. Drawer 2030  
 Glenwood Springs, CO 81602

2. The original application in this case was filed on May 30, 2002, for the purpose of adjudicating a change of water rights and umbrella plan for augmentation to augment existing and future structures within West Divide's "Area A" service area.
3. Since the date the original application was filed, Applicant has been advised to better define its Area A service area. Applicant's First Amendment provides a detailed legal description of its Area A and divides Applicant's Area A into ten Regions. A map depicting Applicant's Area A is attached as Exhibit A. Maps depicting the ten Regions within Applicant's Area A are attached as Exhibits B-1 through B-10.
4. Applicant's Area A can generally be described as an area along the mainstem of the Roaring Fork River from above Carbondale to Glenwood Springs, Colorado and along the mainstem of the Colorado River from Glenwood Springs to Debeque, Colorado, where no intervening calling water rights are present between the points of diversion and the mainstem. Applicant's Area A was developed by Applicant and the Division Engineer's Office.

The within Application seeks to augment current and future structures located within Applicant's Area A. Structures located within Area A will operate as alternate points of diversion for Applicant's Avalanche Canal and Siphon water right when said right is in priority. When the Avalanche Canal and Siphon is out of priority, Applicant will provide augmentation water by exchange to structures within Area A via releases from Ruedi, Wolford Mountain and/or Green Mountain Reservoirs.

Strict accounting and reporting requirements will be implemented to ensure proper administration by the State Engineers. Points of diversion lying within Area A can be augmented using Applicant's augmentation rights without causing injury to other water rights. Maps depicting Area A are attached to the Application and can be obtained by contacting Applicant's counsel.

5. The original application in this matter also claimed a publication process by which Applicant would notify the public of new contracts augmented pursuant to Applicant's umbrella augmentation plan serving Applicant's Area A Service Area. After several conversations and meetings with the Division Engineer's Office for Water Division No. 5, Applicant and the Division Engineer's Office have determined the notification process outlined in Applicant's original Application would be unduly cumbersome for both Applicant and the Division Engineer's Office and is legally unnecessary.

6. This First Amendment to Augmentation Plan removes the notification process claimed in the original Application. Notice of structures to be covered by Applicant's umbrella augmentation plan shall only be provided to those parties who have filed statements of opposition in the case if they so request. Notice shall also be provided at least annually to the Division Engineer's Office for Water Division No. 5. Further notice of the structures covered by Applicant's umbrella augmentation plan shall be made in subsequent diligence cases related to Applicant's conditional appropriative right of exchange claimed below.
7. This First Amendment also adds conditional appropriative rights of exchange within each of Applicant's defined Regions between the Roaring Fork and Colorado Rivers and the points of diversion for wells, surface water rights, and reservoirs to be covered by Applicant's plan for augmentation.

#### **FIRST AMENDMENT TO APPLICATION**

8. Amendment to Claim for Alternate Points of Diversion.
  - A. Decreed name of structure for which change is sought: Avalanche Canal and Siphon.  
  
From previous decree:
    - I. Date entered: June 20, 1958.  
Case No.: C.A. 4613.  
Court: Garfield County District Court.
    - II. Headgate No. 1, being the initial point of diversion for the Avalance Canal and Siphon, is located on the right bank of the Crystal River at a point whence the witness corner at the Southwest Corner of Section 9, Township 10 South, Range 88 West, 6<sup>th</sup> P.M. bears North 03deg9' West 546 feet, said point being at the outlet of the Osgood Reservoir.
    - III. Headgate No. 2, being the second point of diversion for the Avalance Canal and Siphon, is located on the right bank of Avalanche Creek at a point whence the West Quarter Corner Section 28, Township 9 South, Range 88 West, 6<sup>th</sup> P.M. bears North 67deg15' West 4,538.1 feet
  - B. Source: Crystal River or Avalanche Creek or both sources.

- C. Appropriation Date: April 22, 1957.
- D. Amount: 830 cfs, conditional.
- E. Use: Generation of electric energy, domestic and municipal, industrial, irrigation and stockwatering.
- F. Proposed change: Applicant seeks alternate points of diversion for the Avalanche Canal and Siphon to various points of diversions located within Applicant's Area A. A description of the alternate points of diversion shall be provided to objectors, if requested, to the Division Engineer's Office at least annually, and to the public in subsequent diligence cases related to Applicant's claim for conditional appropriative rights of exchange described below.
- G. Remarks: All alternate points of diversion shall be located in Area A. When water is not legally and physically available at the points of diversion for the Avalanche Canal and Siphon, depletions at the alternate points of diversion will be augmented via releases from Ruedi, Woford Mountain and/or Green Mountain Reservoirs pursuant to the augmentation plan described below.

9. Amendment to Plan for Augmentation.

- A. Structures to be augmented: Wells, surface water rights, and reservoirs located in Applicant's Area A.
- B. Water rights to be used for augmentation: Ruedi Reservoir, Green Mountain Reservoir and Woford Mountain Reservoir, as described in the original Application.

Ruedi Reservoir.

- I. Source: Frying Pan River, tributary to Colorado River.
- II. Legal Description: On-channel reservoir located in Sections 7, 8, 9, 11, and 14 through 18, Township 8 South, Range 84 West, 6<sup>th</sup> P.M.
- III. Adjudication date: July 20, 1958.
- IV. Appropriation date: July 29, 1957.
- V. Case No.: C.A. 4613.
- VI. Court: Garfield County District Court.
- VII. Decreed Amount: 102,369 acre feet.

- VIII. Uses: Generation of electric energy, domestic, municipal, piscatorial, industrial, irrigation and stock watering.
- IX. Remarks: Applicant has an interest in 600 acre feet of water from Ruedi Reservoir pursuant to Contracts between Applicant and the Bureau of Reclamation. Applicant may increase the amount of Ruedi Reservoir water under contract with the Bureau of Reclamation and may add any additional Ruedi water to this augmentation plan.

Green Mountain Reservoir.

- I. Source: Blue River, tributary to Colorado River.
- II. Legal Description: Located approximately 16 miles Southeast of the Town of Kremmling, Colorado in all or parts of Sections 11 through 15 and 24 of Township 2 South, Range 80 West, and in Sections 17 through 21, 28, 29 and 34, Township 2 South, Range 79 West, 6<sup>th</sup> P.M.
- III. Adjudication date: October 12, 1955
- IV. Appropriation date: August 1, 1935.
- V. Case Nos.: 2782, 5016 and 5017.
- VI. Court: U.S. District Court, District of Colorado.
- VII. Decreed Amount: 154,645 acre feet.
- VIII. Uses: in accordance with paragraph 5(a), (b), and (c) of the section entitled "Manner of Operation of Project Facilities and Auxiliary Facilities" in Senate Document 80.
- IX. Remarks: Applicant has an interest in 200 acre feet of water from Green Mountain Reservoir pursuant to Contract Number 8-07-60-W0726, dated October 21, 1998, between Applicant and the Bureau of Reclamation. Applicant may increase the amount of Green Mountain Reservoir water under contract with the Bureau of Reclamation and may add any additional Green Mountain water to this augmentation plan.

Wolford Mountain Reservoir. The Colorado River Water Conservation District owns and operates Wolford Mountain Reservoir (f/k/a Gunsight Pass Reservoir) which has the following water rights:

- I. Case No. 87CW283:  
Decree Date: November 20, 1989  
Legal description of place of storage: The dam is located in the SW1/4 of the NE1/4 of Section 25, T. 2 N., R. 81 W., 6th P.M. The intersection of the dam

axis with the right abutment will occur at a point which bears W. 54°54'20" E. a distance of 3,716.46 feet from the NW Corner of said Section 25.

Source: Muddy Creek and its tributaries

Amount: 59,993 acre feet conditional; of this amount, 32,986 acre feet were made absolute for piscatorial and recreational uses by decree entered in Water Court Case No. 95CW251.

Appropriation Date: December 14, 1987

Use: All beneficial uses, including but not limited to domestic, municipal, agricultural and recreational uses, which uses satisfy the requirements of the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District; use to meet the water requirements of the inhabitants of the River District for all uses, including uses in the Middle Park area; and use to meet the terms of a lease agreement executed March 3, 1987 between the River District and the City and County of Denver.

II. Case No. 95CW281:

Decree Date: August 26, 1997

Legal description of place of storage: The dam is located in the SW1/4 of the NE1/4 of Section 25, T. 2 N., R. 81 W., 6th P.M. The as-built intersection of the dam axis (Sta. D19+35.61) with the West Access Road (Sta. WR50+55.05), as shown on the Colorado River Water Conservation District, Wolford Mountain Project, Ritschard Dam construction drawing "Dimensional Dam Layout" sheet 8 of 94, occurs at a point which bears S. 53°24'56" E. a distance of 3,395.51 feet from the NW Corner of said Section 25; the bearing of said dam axis from Sta. 19+35.61 to Sta. 0+00 being S. 75° 28' 29" E.

Source: Muddy Creek and its tributaries

Amount: 6,000 acre feet conditional

Appropriation Date: January 16, 1995

Use: All beneficial uses by and for the benefit of the inhabitants of the Colorado River Water Conservation District, including but not limited to domestic, municipal, industrial, irrigation, agricultural, piscatorial and recreational; such uses will include environmental mitigation, including environmental mitigation requirements associated with the Wolford Mountain Project; such uses will be made directly or by substitution, augmentation, or exchange. None of the water stored in the exercise of the right will be delivered directly or by exchange, substitution, or otherwise for use outside of Colorado Water Division No. 5.

III. Case No. 98CW237:

Decree Date: July 6, 2000.

Legal Description of place of storage: Same as for 95CW281.

Source: Muddy Creek and its tributaries

Amount: 30,000 acre feet conditional with 15,895 AF being absolute for recreational and piscatorial and flood control.

Appropriation Date: November 17, 1998

Use: Certain of the beneficial uses previously adjudicated for Wolford Mountain Reservoir in Case No. 87CW283, District Court for Colorado Water Division No. 5 (November 20, 1989 Judgment and Decree), and Case No. 95CW281, District Court for Colorado Water Division No. 5 (August 26, 1997 Judgment and Decree).

87CW283: The reservoir will be used to satisfy the requirements of the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District. This will involve all uses, including but not limited to domestic, municipal, agricultural, and recreational uses. The reservoir will also be used to meet the water requirements of the inhabitants of the River District for all uses, including uses in the Middle Park area.

95CW281: All beneficial uses by and for the benefit of the inhabitants of the Colorado River Water Conservation District, including but not limited to domestic, municipal, industrial, irrigation, agricultural, piscatorial and recreational; such uses will include environmental mitigation, including environmental mitigation requirements associated with the Wolford Mountain Reservoir Project; such uses will be made directly or by substitution, augmentation, or exchange.

Remarks: The Refill Right described herein will be exercised to provide supply for the Western Slope uses of water from Wolford Mountain Reservoir described above, including flood control, other operational purposes, and environmental mitigation and enhancement for the benefit of uses within the District. The Refill Right will not be used in conjunction with the Reservoir capacity (24,000 a.f.) which is allocated for the supply of water to the Denver Board of Water Commissioners under Applicant's contractual relationship with Denver, or the Reservoir capacity (6,000 AF) which is allocated for Colorado River endangered fish releases.

IV. Remarks: Any use of Wolford Mountain Reservoir shall be pursuant to Applicant having in force a water allotment contract from the Colorado River Water Conservation District.

C. Statement of Plan for Augmentation.

This umbrella plan for augmentation, including exchange, augments the out-of-priority depletions associated with various existing and future structures located in Applicant's Area A. Applicant's Area A has been grouped into 10 Regions, including:

- Region 1: Water District 38;
- Region 2: Water District 52 and Water District 53;
- Region 3: Glenwood Springs to Elk Creek in Water District 39;
- Region 4: Elk Creek to Rifle Creek Watershed in Water District 39;
- Region 5: Rifle Creek Watershed in Water District 39;
- Region 6: West of the Rifle Creek Watershed in Water District 39;
- Region 7: Portions of Water Districts 39, 70, and 72;
- Region 8: East of Alkali Creek in Water District;
- Region 9: Alkali Creek to Beaver Creek in Water District 45; and
- Region 10: West of Beaver Creek in Water District 45 and Portions of Water District 72.

Applicant's Regions are specifically described below:

1. **Region 1** This Region is the area west of the Roaring Fork River, and all tributaries thereto in Water District 38, from the confluence of the Roaring Fork River with the Colorado River to the confluence of the Crystal River and the Roaring Fork River and areas west of the Crystal River up to the Carbondale Ditch, and all tributaries thereto, including areas upstream of the Sweet Jessup Canal to a downstream point on this canal, excluding areas upstream of the following structures:

- A. Eby Sullivan and Laws Ex Ditch on Threemile Creek;
- B. Smart and Green Ditch on Fourmile Creek;
- C. Walkers Gulch Spring Ditch on Edgerton Creek;
- D. Barbers Gulch Ditches on Barbers Gulch; and
- E. Carbondale Ditch on the Crystal River.

The confluence of the Roaring Fork River and the Colorado River is located within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  in Section 9, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 2400

ft east of the west section line and 2300 ft south of the north section line. The confluence of the Crystal River and the Roaring Fork River is located within the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  in Section 28, Township 7 South, Range 88 West of the 6<sup>th</sup> P.M., at a point 300 ft east of the west section line and 2500 ft south of the north section line. The point on the Sweet Jessup Canal to which upstream of this point on the ditch is included in Region 1 is located within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  in Section 5, Township 8 South, Range 88 West of the 6<sup>th</sup> P.M., at a point 2600 ft west of the east section line and 2650 ft north of the south section line. The headgate of the Eby Sullivan and Laws Ex Ditch is located at a point on Threemile Creek, within the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 27, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 270 ft east of the west section line and 650 ft south of the north section line. The headgate of the Smart and Green Ditch is located at a point on Fourmile Creek, within the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 34, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 1650 ft east of the west section line and 3100 ft north of the south section line. The headgate of the Walkers Gulch Spring Ditch is located at a point on Edgerton Creek, within the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 32, Township 7 South, Range 88 West of the 6<sup>th</sup> P.M., at a point 1450 ft east of the west section line and 650 ft north of the south section line. The headgate of the Barbers Gulch Ditches is located at a point on Barbers Gulch, within the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 33, Township 7 South, Range 88 West of the 6<sup>th</sup> P.M., at a point 2500 ft west of the east section line and 600 ft north of the south section line. The headgate of the Carbondale Ditch is located at a point on Crystal River, within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 10, Township 8 South, Range 88 West of the 6<sup>th</sup> P.M., at a point 1100 ft west of the east section line and 2000 ft south of the north section line. The Region 1 Service Area includes: 1) portions of Sections 8, 9, 16, 17, 18, 19, 20, 21, 22, 27, 28, 34, 35, and 36, T. 6 S., R. 89 W., 6<sup>th</sup> P.M.; 2) all of Section 30, and portions of Sections 18, 19, 20, 28, 29, 31, 32, and 33, T. 7 S., R. 88 W., 6<sup>th</sup> P.M.; 3) all of Section 2, and portions of Sections 1, 3, 10, 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36, T. 7 S., R. 89 W., 6<sup>th</sup> P.M.; 4) all of Sections 17, and 18, and portions of Sections 3, 4, 5, 7, 8, 9, 10, 16, 19 and 20, T. 8 S., R. 88 W., 6<sup>th</sup> P.M.; and 5) portions of Sections 12, 13, and 24, T. 8 S., R. 89 W., 6<sup>th</sup> P.M.

**2. Region 2** This region is the area in Water District 52 south of the Colorado River and the area in Water District 53 north of the Colorado River and all tributaries thereto, from the confluence of the Colorado River to the Roaring Fork River upstream to a point on the Colorado River in Section 3, Township 5 South, Range 88 West.

The confluence of the Colorado River and the Roaring Fork River is located within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  in Section 9, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 2400 ft east of the west section line and 2300 ft south of the north section line. The upper point on the Colorado River to which Region 2 extends is located within the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  in Section 3, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 1750 ft east of the west section line and

800 ft north of the south section line. The Region 2 Service Area includes: 1) portions of Section 31, T. 5 S., R. 88 W., 6<sup>th</sup> P.M.; 2) portions of Section 36, T. 5 S., R. 89 W., 6<sup>th</sup> P.M.; and 3) portions of Sections 3, 4, 9, 10, and 11, T. 6 S., R. 89 W., 6<sup>th</sup> P.M.

**3. Region 3** This Region is the area north of the Colorado River, and all tributaries thereto, between the confluence of the Colorado River with the Roaring Fork River and the confluence of the Colorado River with Elk Creek, excluding areas upstream of the following structures:

- A. Mitchell and Cooper Ditch on Oasis Creek;
- B. Reynolds and Cain Ditch on Mitchell Creek; and
- C. Ware and Hinds Ditch on Elk Creek.

The confluence of the Colorado River with the Roaring Fork River is located within the SE ¼ of the NW ¼ in Section 9, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 2400 ft east of the west section line and 2300 ft south of the north section line. The confluence of Elk Creek and the Colorado River is located within the NE ¼ of the SW ¼ in Section 31, Township 5 South, Range 90 West of the 6<sup>th</sup> P.M., at a point 1400 ft east of the west section line and 1600 ft north of the south section line. The headgate of the Mitchell and Cooper Ditch is located at a point on Oasis Creek, within the SE ¼ of the SE ¼ Section 35, Township 5 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 350 ft west of the east section line and 20 ft north of the south section line. The headgate of the Reynolds and Cain Ditch is located at a point on Mitchell Creek, within the SW ¼ of the SW ¼ Section 34, Township 5 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 740 ft east of the west section line and 340 ft north of the south section line. The headgate of the Ware and Hinds Ditch is located at a point on Elk Creek, within the NE ¼ of the NE ¼ Section 36, Township 5 South, Range 91 West of the 6<sup>th</sup> P.M., at a point 580 ft west of the east section line and 160 ft south of the north section line. The Region 3 Service Area includes: 1) portions of Sections 27, 28, 31, 32, 33, 34, and 35, T. 3 S., R. 89 W., 6<sup>th</sup> P.M.; 2) all of Sections 3, 4, 9, 10, 15, 16, 21, 22, 28, 29, 30, 31, and 32, and portions of Sections 2, 5, 6, 7, 8, 11, 14, 17, 18, 19, 20, 23, 24, 25, 26, 27, 33 and 34, T. 4 S., R. 89 W., 6<sup>th</sup> P.M.; 3) all of Section 36, and portions of Sections 24, 25, 26, 34, and 35, T. 4 S., R. 90 W., 6<sup>th</sup> P.M.; 4) portions of Sections 30, and 31, T. 5 S., R. 88 W., 6<sup>th</sup> P.M.; 5) all of Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30, and 32, and portions of Sections 2, 3, 10, 11, 12, 15, 16, 20, 21, 23, 24, 25, 26, 27, 28, 29, 31, 33, 34, 35, and 36, T. 5 S., R. 89 W., 6<sup>th</sup> P.M.; 6) all of Sections 13, 24, and 25, and portions of Section 36, T. 5 S., R. 89 1/2 W., 6<sup>th</sup> P.M.; 7) all of Sections 1, 2, 10, 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 33, and portions of Sections 3, 4, 8, 9, 17, 18, 19, 30, 31, 32, 34, 35, and 36, T. 5 S., R. 90 W., 6<sup>th</sup> P.M.; 8) portions of Sections 25, and 36, T. 5 S., R. 91 W., 6<sup>th</sup> P.M.; 9)

portions of Sections 4, 5, 6, and 9, T. 6 S., R. 89 W., 6<sup>th</sup> P.M.; 10) portions of Sections 1, 2, and 6, T. 6 S., R. 90 W., 6<sup>th</sup> P.M.; and 11) portions of Section 1, T. 6 S., R. 91 W., 6<sup>th</sup> P.M.

**4. Region 4** This Region is the area north of the Colorado River, and all tributaries thereto, between the confluence of the Colorado River with Elk Creek and the confluence of the Colorado River with Rifle Creek, excluding the Rifle Creek Watershed and areas upstream of the following structures:

- A. Ware and Hinds Ditch on Elk Creek;
- B. Giacinta Ditch on Pretti Gulch;
- C. Coleman Ditch on Cozza Gulch; and
- D. C E Lewis Ditch on Harvey Gap.

The confluence of the Colorado River and Elk Creek is located within the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  in Section 31, Township 5 South, Range 90 West of the 6<sup>th</sup> P.M., at a point 1400 ft east of the west section line and 1600 ft north of the south section line. The confluence of the Colorado River and Rifle Creek is located within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  in Section 17, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 150 ft west of the east section line and 2050 ft south of the north section line. The headgate of the Ware and Hinds Ditch is located at a point on Elk Creek, within the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 36, Township 5 South, Range 91 West of the 6<sup>th</sup> P.M., at a point 580 ft west of the east section line and 160 ft south of the north section line. The headgate of the Giacinta Ditch is located at a point on Pretti Gulch, within the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 2, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 300 ft east of the west section line and 340 ft south of the north section line. The headgate of the Coleman Ditch is located at a point on Cozza Gulch, within the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 31, Township 5 South, Range 91 West of the 6<sup>th</sup> P.M., at a point 130 ft east of the west section line and 20 ft north of the south section line. The headgate of the C E Lewis Ditch is located at a point on Harvey Gap, within the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 4, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 1440 ft west of the east section line and 20 ft south of the north section line. The Region 4 Service Area includes: 1) portions of Section 31, T. 5 S., R. 90 W., 6<sup>th</sup> P.M.; 2) all of Sections 28, 33, and 34, and portions of Sections 20, 21, 22, 26, 27, 29, 31, 32, 35, and 36, T. 5 S., R. 91 W., 6<sup>th</sup> P.M.; 3) all of Sections 22, 27, 28, 33, and 34, and portions of Sections 14, 15, 16, 20, 21, 23, 26, 29, 32, 35, and 36, T. 5 S., R. 92 W., 6<sup>th</sup> P.M.; 4) portions of Sections 3, 4, 5, 6, 7, and 8, T. 6 S., R. 91 W., 6<sup>th</sup> P.M.; 5) all of Sections 1, 5, and 6, and portions of Sections 2, 3, 4, 7, 8, 9, 10, 11, and 12, T. 6 S., R. 92 W., 6<sup>th</sup> P.M.; and 6) all of Section 1, and portions of Sections 2, 3, 9, 10, 11, 12, 14, 15, 16, and 17, T. 6 S., R. 93 W., 6<sup>th</sup> P.M.

**5. Region 5** This Region is the area north of the Colorado River, and all tributaries thereto, of the Rifle Creek watershed, excluding areas upstream of the following structures:

- A. Wisdom Ditch on Rifle Creek;
- B. Rees Ditch on Government Creek;
- C. Piggott Ditch and Res; and
- D. Hubbard Ditch on Thirty Two Mile Gulch.

The confluence of Rifle Creek and the Colorado River is located within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  in Section 17, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 130 ft west of the east section line and 2050 ft south of the north section line. The headgate of the Wisdom Ditch is located at a point on Rifle Creek, within the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 31, Township 5 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 1930 ft west of the east section line and 2300 ft north of the south section line. The headgate of the Rees Ditch is located at a point on Government Creek, within the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 6, Township 5 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 300 ft east of the west section line and 350 ft south of the north section line. The headgate of the Piggott Ditch and Res is located at a point within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 7, Township 5 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 1300 ft west of the east section line and 1400 ft north of the south section line. The headgate of the Hubbard Ditch is located at a point on Thirty Two Mile Gulch, within the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 28, Township 5 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 1100 ft east of the west section line and 2050 ft north of the south section line. The Region 5 Service Area includes: 1) portions of Sections 31, and 32, T. 4 S., R. 93 W., 6<sup>th</sup> P.M.; 2) portions of Sections 34, 35, and 36, T. 4 S., R. 94 W., 6<sup>th</sup> P.M.; 3) portions of Sections 29, 30, 31, and 32, T. 5 S., R. 92 W., 6<sup>th</sup> P.M.; 4) all of Sections 8, 9, 10, 14, 15, 16, 17, 21, 22, 26, 27, 33, 34, 35, and 36, and portions of Sections 2, 3, 4, 5, 6, 7, 11, 12, 13, 18, 19, 20, 23, 24, 25, 28, 29, 30, 31 and 32, T. 5 S., R. 93 W., 6<sup>th</sup> P.M.; 5) portions of Sections 1, 2, 3, 11, 12, 14, 25, and 36, T. 5 S., R. 94 W., 6<sup>th</sup> P.M.; 6) all of Section 4, and portions of Sections 2, 3, 5, 6, 8, 9, 10, 16, and 17, T. 6 S., R. 93 W., 6<sup>th</sup> P.M. and 7) portions of Sections 1, 2, and 3, T. 6 S., R. 94 W., 6<sup>th</sup> P.M.

**6. Region 6** This Region is the area north of the Colorado River, and all tributaries thereto, between the confluence of the Colorado River with Rifle Creek and a point between Smith Gulch and Kelly Gulch in Water District 39 that intersects with the Colorado River, excluding areas upstream of the following structures:

- A. Langstaff Ditch;
- B. Jensen Ditch on Cottonwood Gulch; and
- C. Daisy Ditch on Parachute Creek.

The confluence of Rifle Creek and the Colorado River is located within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  in Section 17, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 130 ft west of the east section line and 2050 ft south of the north section line. A point between Smith Gulch and Kelly Gulch in Water District 39 that intersects with the Colorado is located within the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  in Section 33, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 1300 ft west of the east section line and 1800 ft south of the north section line. The headgate of the Langstaff Ditch is located at a point within the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 16, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 100 ft west of the east section line and 1250 ft north of the south section line. The headgate of the Jensen Ditch is located at a point on Cottonwood Gulch, within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 28, Township 6 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1800 ft east of the west section line and 2500 ft south of the north section line. The headgate of the Daisy Ditch is located at a point on Parachute Creek, within the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 2, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 1200 ft west of the east section line and 1200 ft north of the south section line. The Region 6 Service Area includes: 1) portions of Section 31, T. 5 S., R. 93 W., 6<sup>th</sup> P.M.; 2) portions of Sections 35, and 36, T. 5 S., R. 94 W., 6<sup>th</sup> P.M.; 3) all of Section 7, and portions of Sections 5, 6, 8, 9, 16, 17, and 18, T. 6 S., R. 93 W., 6<sup>th</sup> P.M.; 4) all of Sections 10, 11, 12, 14, 15, 16, 18, 19, 20, and 21, and portions of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 17, 22, 23, 24, 27, 28, 29, 30, 33, and 34, T. 6 S., R. 94 W., 6<sup>th</sup> P.M.; 5) all of Sections 13, 23, 24, 26, 27, 30, 31, 32, 33, and 34, and portions of Sections 7, 11, 12, 14, 15, 18, 19, 20, 21, 22, 25, 28, 29, 35, and 36, T. 6 S., R. 95 W., 6<sup>th</sup> P.M.; 6) all of Section 25, and portions of Sections 13, 23, 24, 26, 35, and 36, T. 6 S., R. 96 W., 6<sup>th</sup> P.M.; 7) portions of Sections 3, 4, 5, 6, 7, and 18, T. 7 S., R. 95 W., 6<sup>th</sup> P.M.; and 8) all of Sections 12, 14, 21, and 22, and portions of Sections 1, 2, 10, 11, 13, 15, 16, 17, 19, 20, 23, 24, 26, 27, 28, 29, 33, and 34, T. 7 S., R. 96 W., 6<sup>th</sup> P.M.

**7. Region 7** This Region is the area north of the Colorado River, and all tributaries thereto, at a point between Smith Gulch and Kelly Gulch in Water District 39 that intersects with the Colorado River and a point on the Colorado River in Section 18, Township 9 South, Range 97 West including only areas east of the Range 97 West and north of Section 18 in Township 9 South, Range 97 West, excluding areas upstream of the Reservoir Ditch on Roan Creek.

A point between Smith Gulch and Kelly Gulch in Water District 39 that intersects the Colorado River is located within the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  in Section 33, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 1300 ft west of the east section line and 1800 ft south of the north section line. The downstream extent of the Region 7 boundary is a point on the Colorado River located within the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  in Section 18, Township 9 South, Range 97 West, of the 6<sup>th</sup> P.M., at a point 1060 ft west of the east section line and 0 ft north of the south section line. The headgate of the Reservoir Ditch is located at a point on Roan Creek, within the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$

Section 7, Township 8 South, Range 97 West of the 6<sup>th</sup> P.M., at a point 1050 ft west of the east section line and 200 ft north of the south section line. The Region 7 Service Area includes: 1) all of Sections 30, 31, and 32, and portions of Sections 19, 20, 28, 29, and 33, T. 7 S., R. 96 W., 6<sup>th</sup> P.M.; 2) portions of Sections 24, 25, 34, 35, and 36, T. 7 S., R. 97 W., 6<sup>th</sup> P.M.; 3) portions of Sections 4, 5, 6, and 7, T. 8 S., R. 96 W., 6<sup>th</sup> P.M.; 4) all of Sections 1, 2, 10, 11, 12, 14, 15, 16, 17, 19, 20, 21, 29, 30, and 31, and portions of Sections 3, 4, 7, 8, 9, 13, 18, 22, 23, 24, 27, 28, 32, and 33, T. 8 S., R. 97 W., 6<sup>th</sup> P.M.; and 5) all of Sections 6, and 7, and portions of Sections 5, 8, 17, and 18, T. 9 S., R. 97 W., 6<sup>th</sup> P.M.

**8. Region 8** This Region is the area south of the Colorado River, and all tributaries thereto, between the intersection of Water District 38 and 45 to Alkali Creek, excluding areas upstream of the following structures:

- A. Micklish No. 2 Ditch on South Canyon Creek; and
- B. Talbott Ditch No. 2 on Alkali Creek.

The intersection of Water Districts 38 and 45 on the Colorado River is located within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  in Section 9, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 2400 ft east of the west section line and 2300 ft south of the north section line. The confluence of Alkali Creek and the Colorado River is located within the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  in Section 36, Township 5 South, Range 91 West of the 6<sup>th</sup> P.M., at a point 1200 ft west of the west section line and 300 ft north of the south section line. The headgate of the Micklish No. 2 Ditch is located at a point on South Canyon Creek, within the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 26, Township 6 South, Range 90 West of the 6<sup>th</sup> P.M., at a point 2400 ft east of the west section line and 2320 ft north of the south section line. The headgate of the Talbott Ditch No. 2 is located at a point on Alkali Creek, within the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 3, Township 6 South, Range 91 West of the 6<sup>th</sup> P.M., at a point 2000 ft west of the east section line and 1400 ft south of the north section line. The Region 8 Service Area includes: 1) portions of Section 31, T. 5 S., R. 89 W., 6<sup>th</sup> P.M.; 2) portions of Section 36, T. 5 S., R. 89  $\frac{1}{2}$  W., 6<sup>th</sup> P.M.; 3) portions of Sections 31, 32, 34, 35, and 36, T. 5 S., R. 90 W., 6<sup>th</sup> P.M.; 4) portions of Section 36, T. 5 S., R. 91 W., 6<sup>th</sup> P.M.; 5) all of Section 7, and portions of Sections 4, 5, 6, 8, 9, 17, 18, 19, and 30, T. 6 S., R. 89 W., 6<sup>th</sup> P.M.; 6) all of Sections 3, 4, 11, 12, 13, 14, 23, and 24, and portions of Sections 1, 2, 5, 6, 8, 9, 10, 15, 22, 25, 26, 27, 34, and 35, T. 6 S., R. 90 W., 6<sup>th</sup> P.M.; and 7) portions of Sections 1, 2, and 3, T. 6 S., R. 91 W., 6<sup>th</sup> P.M.

**9. Region 9** This Region is the area south of the Colorado River, and all tributaries thereto, between Alkali Creek and Beaver Creek, excluding the following structures:

- A. Talbott Ditch No. 2 on Alkali Creek;
- B. Moore Ditch on Garfield Creek;
- C. Ward and Reynolds Ditch on Divide Creek;
- D. Ed Conner Ditch on Dry Hollow Creek;
- E. Rainbow Ditch on Mamm Creek;
- F. Cedar Spring and Ditch;
- G. Side Hill Ditch;
- H. Anderson Interception Ditch;
- I. McCarnes Spring No. 1;
- J. McCarnes Spring No. 2;
- K. McCarnes Spring No. 3;
- L. McCarnes Spring No. 4; and
- M. Buffalo Ditch on Beaver Creek.

The confluence of Alkali Creek and the Colorado River is located within the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  in Section 36, Township 5 South, Range 91 West of the 6<sup>th</sup> P.M., at a point 1200 ft west of the east section line and 300 ft north of the south section line. The confluence of Beaver Creek and the Colorado River is located within the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  in Section 22, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 600 ft west of the east section line and 150 ft north of the south section line. The headgate of the Talbott Ditch No. 2 is located at a point on Alkali Creek, within the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 3, Township 6 South, Range 91 West of the 6<sup>th</sup> P.M., at a point 2000 ft west of the east section line and 1400 ft south of the north section line. The headgate of the Moore Ditch is located at a point on Garfield Creek, within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 4, Township 6 South, Range 91 West of the 6<sup>th</sup> P.M., at a point 2700 ft west of the east section line and 1500 ft north of the south section line. The headgate of the Ward and Reynolds Ditch is located at a point on Divide Creek, within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 13, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 1750 ft east of the west section line and 2050 ft north of the south section line. The headgate of the Ed Conner Ditch is located at a point on an Dry Hollow Creek, within the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 15, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 20 ft east of the west section line and 2600 ft south of the north section line. The headgate of the Rainbow Ditch is located at a point on an Mamm Creek, within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 29, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 2600 ft east of the west section line and 2550 ft south of the north section line. The headgate of the Cedar Spring and Ditch is located at a point within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 11, Township 7 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 1800 ft east of the west section line and 2500 ft south of the north section line. The headgate of the Side Hill Ditch is located at a point within the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 19, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 1000 ft west of the east section line and 900 ft south of the north section line. The headgate of the Anderson Interception Ditch is located at a point

within the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 19, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 1450 ft west of the east section line and 600 ft south of the north section line. The headgate of the McCarnes Spring No. 1 is located at a point within the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 19, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 2400 ft west of the east section line and 250 ft south of the north section line. The headgate of the McCarnes Spring No. 2 is located at a point within the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 19, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 1950 ft east of the west section line and 600 ft south of the north section line. The headgate of the McCarnes Spring No. 3 is located at a point within the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 19, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 1700 ft east of the west section line and 500 ft south of the north section line. The headgate of the McCarnes Spring No. 4 is located at a point within the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 19, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 1350 ft east of the west section line and 740 ft south of the north section line. The headgate of the Buffalo Ditch is located at a point on Beaver Creek, within the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 26, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 2000 ft east of the west section line and 700 ft south of the north section line. The Region 9 Service Area includes: 1) portions of Section 36, T. 5 S., R. 91 W., 6<sup>th</sup> P.M.; 2) portions of Sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, and 28, T. 6 S., R. 91 W., 6<sup>th</sup> P.M.; 3) all of Sections 17, 18, 19, and 20, and portions of Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 21, 28, 29, 30, and 31, T. 6 S., R. 92 W., 6<sup>th</sup> P.M.; 4) all of Sections 13, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, and 36, and portions of Sections 11, 12, 14, 15, 16, 17, 18, 19, 20, and 30, T. 6 S., R. 93 W., 6<sup>th</sup> P.M.; 5) portions of Sections 22, 23, 24, 25, 26, 27, and 36, T. 6 S., R. 94 W., 6<sup>th</sup> P.M.; and 6) all of Sections 2, 3, 4, 5, and 9, and portions of Sections 1, 6, 8, 10, 11, 12, 14, 15, 16, 17, 20, 21, and 22, T. 7 S., R. 93 W., 6<sup>th</sup> P.M.

**10. Region 10** This Region is the area south of the Colorado River, and all tributaries thereto, between Beaver Creek and a point on the Colorado River in Section 18, Township 9 South, Range 97 West including only areas north of Section 14-18 and 1-2, Township 9 South, Range 97 West, Sections 31-34, Township 9 South, Range 97 West, excluding areas upstream of the following structures:

- A. Buffalo Ditch on Beaver Creek;
- B. Luxon Spring and Ditch;
- C. Rancho Tres Well No. 2 on Porcupine Creek;
- D. Anderson Ditch on Spruce Creek;
- E. Reeves Spring on Spring Run-Gulch;
- F. Mocking Bird Ditch on Cache Creek;
- G. Potter Springs No 1 2 3 Ditch;
- H. Graves Springs;

- I. Mahaffey Gathering D No 1;
- J. Mahaffey Gathering D No 2;
- K. Spring Creek Ditch on Cottonwood Creek;
- L. Forshee Gathering D No 2;
- M. Slide Creek Ditch No 2;
- N. Slide Creek Ditch No 1;
- O. Rivers Ditch;
- P. Knight Ditch;
- Q. Wayne Ditch on Battlement Creek;
- R. Grand Valley Water Supply Pl;
- S. Spring Gulch D No 1;
- T. Spring Gulch D No 2;
- U. Spring Gulch D No 3;
- V. Revell Spring and WW;
- W. Dry Creek Ditch on Dry Creek;
- X. Pete and Bill Ditch on Pete and Bill Creek;
- Y. James Leonard Spring;
- Z. Baker Springs;
- AA. Tanney No 2 Ditch on Spring Creek;
- BB. Baker Ditch on Wallace Creek;
- CC. Eaken Ditch No 1 on Little Alkali Creek; and
- DD. Sawyer Ditch on Alkali Creek.

The confluence of Beaver Creek and the Colorado River is located within the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  in Section 22, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 600 ft west of the east section line and 150 ft north of the south section line. The downstream extent of the Region 10 boundary is a point on the Colorado River located within the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  in Section 18, Township 9 South, Range 97 West, of the 6<sup>th</sup> P.M., at a point 1060 ft west of the east section line and 0 ft north of the south section line. The headgate of the Buffalo Ditch is located at a point on Beaver Creek, within the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 26, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 2000 ft east of the west section line and 700 ft south of the north section line. The headgate of the Luxon Spring and is located at a point within the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 26, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 1600 ft west of the east section line and 2000 ft south of the north section line. The headgate of the Rancho Tres Well No. 2 is located at a point on Porcupine Creek, within the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 26, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 1000 ft east of the west section line and 900 ft north of the south section line. The headgate of the Anderson Ditch is located at a point on Spruce Creek, within the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 4, Township 7 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 400 ft

west of the east section line and 800 ft south of the north section line. The headgate of the Reeves Spring is located at a point on Spring Run-Gulch, within the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 4, Township 7 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 800 ft east of the west section line and 2450 ft south of the north section line. The headgate of the Mocking Bird Ditch is located at a point on an Cache Creek, within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 32, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 600 ft east of the west section line and 2500 ft north of the south section line. The headgate of the Potter Springs No 1 2 3 Ditch is located at a point within the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 30, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 20 ft east of the west section line and 30 ft north of the south section line. The headgate of the Graves Springs is located at a point within the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 36, Township 6 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1300 ft west of the east section line and 500 ft south of the north section line. The headgate of the Mahaffey Gathering D No 1 is located at a point within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 36, Township 6 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 2100 ft east of the west section line and 1850 ft south of the north section line. The headgate of the Mahaffey Gathering D No 2 is located at a point within the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 35, Township 6 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 500 ft west of the east section line and 1550 ft north of the south section line. The headgate of the Spring Creek Ditch is located at a point on Cottonwood Creek, within the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 2, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1500 ft west of the east section line and 2150 ft south of the north section line. The headgate of the Forshee Gathering D No 2 is located at a point within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 2, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1100 ft east of the west section line and 1500 ft south of the north section line. The headgate of the Slide Creek Ditch No 2 is located at a point within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 3, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 2400 ft west of the east section line and 2100 ft south of the north section line. The headgate of the Slide Creek Ditch No 1 is located at a point within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 3, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 2300 ft east of the west section line and 2000 ft south of the north section line. The headgate of the Rivers Ditch is located at a point within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 4, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 700 ft west of the east section line and 2100 ft south of the north section line. The headgate of the Knight Ditch is located at a point within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 4, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 750 ft east of the west section line and 1600 ft south of the north section line. The headgate of the Wayne Ditch is located at a point on Battlement Creek, within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 4, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 2550 ft east of the west section line and 1850 ft south of the north section line. The headgate of the Grand Valley Water Supply Pl is located at a point within the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 5, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1000 ft west of the east section line and 1800 ft north of the south section line. The headgate of the Spring Gulch D No 1 is located at a point within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 5, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1700

ft west of the east section line and 1450 ft north of the south section line. The headgate of the Spring Gulch D No 2 is located at a point within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 5, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1650 ft west of the east section line and 1550 ft north of the south section line. The headgate of the Spring Gulch D No 3 is located at a point within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 5, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1500 ft west of the east section line and 1700 ft north of the south section line. The headgate of the Revell Spring and WW is located at a point within the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 5, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1900 ft west of the east section line and 1250 ft north of the south section line. The headgate of the Dry Creek Ditch is located at a point on Dry Creek, within the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 24, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 650 ft east of the west section line and 900 ft north of the south section line. The headgate of the Pete and Bill Ditch is located at a point on Pete and Bill Creek, within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 35, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 300 ft west of the east section line and 2100 ft south of the north section line. The headgate of the James Leonard Spring is located within the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 1, Township 8 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 150 ft east of the west section line and 400 ft south of the north section line. The headgate of the Baker Springs is located at a point on Spring Creek, within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 34, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 1500 ft west of the east section line and 2550 ft north of the south section line. The headgate of the Tanney No 2 Ditch is located at a point within the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 34, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 2400 ft east of the west section line and 1750 ft north of the south section line. The headgate of the Baker Ditch is located at a point on Wallace Creek, within the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 3, Township 8 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 2000 ft east of the west section line and 1450 ft south of the north section line. The headgate of the Eaken Ditch No 1 is located at a point on Little Alkali Creek, within the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 4, Township 8 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 2600 ft east of the west section line and 500 ft south of the north section line. The headgate of the Sawyer Ditch is located at a point on Alkali Creek, within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 8, Township 8 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 70 ft west of the east section line and 2500 ft south of the north section line. The Region 10 Service Area includes: 1) portions of Sections 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, T. 6 S., R. 94 W., 6<sup>th</sup> P.M.; 2) portions of Sections 25, 35, and 36, T. 6 S., R. 95 W., 6<sup>th</sup> P.M.; 3) portions of Sections 2, 3, 4, 5, 8, 9, 10, and 15, T. 7 S., R. 94 W., 6<sup>th</sup> P.M.; 4) all of Sections 16, 17, 19, 20, and 21, and portions of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 18, 22, 23, 26, 27, 28, 29, and 30, T. 7 S., R. 95 W., 6<sup>th</sup> P.M.; 5) portions of Sections 13, 23, 24, 25, 26, 27, 33, 34, and 36, T. 7 S., R. 96 W., 6<sup>th</sup> P.M.; 6) all of Sections 18, 19, 20, 29, 30, 31, and 32, and portions of Sections 1, 2, 3, 4, 5, 7, 8, 9, 10, 16, 17, 21, 28, 33, and 34, T. 8 S., R. 96 W., 6<sup>th</sup> P.M.; 7) all of Sections 25, , 35, and 36, and portions of Sections 13, 23, 24, 26, 27, 32, 33, and 34, T. 8 S., R. 97 W., 6<sup>th</sup> P.M.; and 8) all of Sections 1, 2,

3, 4, 9, 10, 14, 15, and 16, and portions of Sections 5, 8, 11, 12, 13, 17, and 18, T. 9 S., R. 97 W., 6<sup>th</sup> P.M.

Augmentation will only be required during such times as the Avalanche Canal and Siphon water right is out of priority. Augmentation will come via releases from Ruedi, Wolford Mountain and/or Green Mountain Reservoirs. The depletions associated with the diversions at the alternate points of diversion within Area A will be based upon the assumptions contained in the original Application. Transit losses of 5% will be applied to all releases from Ruedi, Wolford Mountain and/or Green Mountain Reservoirs.

Applicant will provide detailed accounting of diversions and depletions to the State and Division Engineers as required by the State and Division Engineers to administer the within augmentation plan. Measuring devices will be required for all surface and groundwater diversions

D. Names and addresses of owners or reputed owners of land upon which augmentation structures are located: Ruedi Reservoir and Green Mountain Reservoir: United States Department of Interior, Bureau of Reclamation, Eastern Colorado Area Office, 11056 West County Road 18E, Loveland, CO 80537-9711; Wolford Mountain Reservoir, Colorado River Water Conservation District, 201 Centennial St., Suite 204, Glenwood Springs, CO 81601.

### **CLAIM FOR CONDITIONAL APPROPRIATIVE RIGHTS OF EXCHANGE**

10. Applicant claims conditional appropriative rights of exchange for each region within its Area A Service Area. Applicant shall exchange water released from Ruedi, Wolford Mountain and Ruedi Reservoirs to various points of diversion for wells, surface water rights and reservoirs. The reach for each exchange shall be between the Roaring Fork and Colorado Rivers and the upper boundary of the Regions described above. The specific points of diversion for wells, surface water rights and reservoirs shall be identified in subsequent applications to make the exchanges absolute and for finding of reasonable diligence on the remaining conditional exchanges.

11. The date of appropriation for Applicant's exchanges shall be January 1, 2004. The appropriation was initiated by formation of intent to adjudicate the exchanges as claimed herein. The rate of exchange shall be up to 10 cfs for each of the 10 regions.

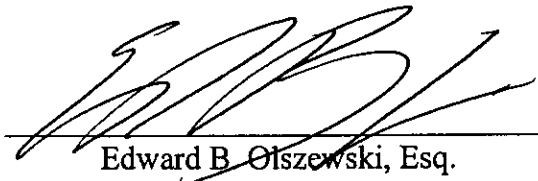
12. At timely intervals as required by statute, Applicant shall file an application for finding of reasonable diligence for the conditional appropriative rights of exchange claimed herein.

District Court, Water Division No. 5, Colorado  
Case No. 02CW123  
Concerning the Application of West Divide  
First Amendment to Application & Claim for Exchange  
Page 21 of 22

13. All remaining claims contained in the original application remain the same.
14. Approval of the subject Application will not result in injury to any vested or decreed conditional water rights.

Wherefore, Applicant requests the Court approve its First Amendment to Application and Claims for Exchange upon such terms and conditions as are just and proper.

Respectfully submitted this 29<sup>th</sup> day of July, 2004.

  
Edward B. Olszewski, Esq.

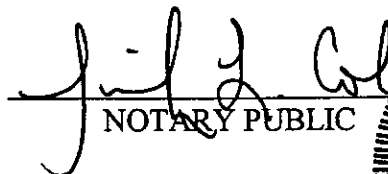
**VERIFICATION**

STATE OF COLORADO                     )  
   ) ss.  
COUNTY OF GARFIELD                 )

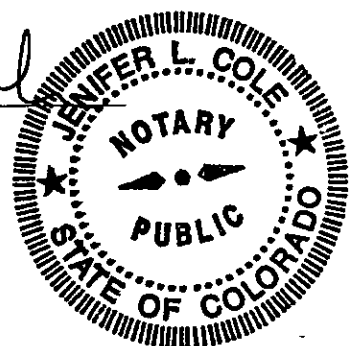
Meaghan Castor, EIT, upon oath, deposes and says that dhe has read the foregoing **FIRST AMENDMENT TO APPLICATION AND CLAIM FOR EXCHANGE**, knows the contents thereof, and that the same are true to the best of her information, knowledge and belief.

  
Meaghan Castor, EIT

The above and foregoing was acknowledged before me by Meaghan Castor, this 29<sup>th</sup> day of July, 2004.

  
NOTARY PUBLIC

My commission expires: 12/24/04



District Court, Water Division No. 5, Colorado  
Case No. 02CW123  
Concerning the Application of West Divide  
**First Amendment to Application & Claim for Exchange**  
Page 22 of 22

### CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing First Amendment to Application and Claim for Exchange was placed in the United States Mail at Glenwood Springs, Colorado, first class, postage prepaid on the 29 day of July, 2004, addressed as follows:

Paul Noto, Esq.  
Patrick, Miller & Kropf, P.C.  
730 E. Durant, Suite 200  
Aspen, CO 81611

William Kelly Dude, Esq.  
Anderson, Dude & Lebel, P.C.  
111 S. Tejon, Suite 400  
Colorado Springs, CO 80903

Peter C. Fleming, Esq.  
Jill H. McConoughy, Esq.  
Colorado River Water Conservation District  
P. O. Box 1120  
Glenwood Springs, CO 81602

Shana Smilovits, Esq.  
Natural Resources Section  
1525 Sherman Street, 5<sup>th</sup> Floor  
Denver, CO 80203

Neil W. Goluba, Esq.  
Nicholas W. Goluba, Esq.  
Goluba & Goluba, P.C.  
P. O. Box 931  
Glenwood Springs, CO 81602

Stephen H. Leonhardt, Esq.  
Bernard F. Gehris, Esq.  
Burns, Figa & Will, P.C.  
6400 S. Fiddlers Green Circle  
Suite 1030  
Englewood, CO 80111



West Divide Water  
Conservancy District

Area A

July 2004

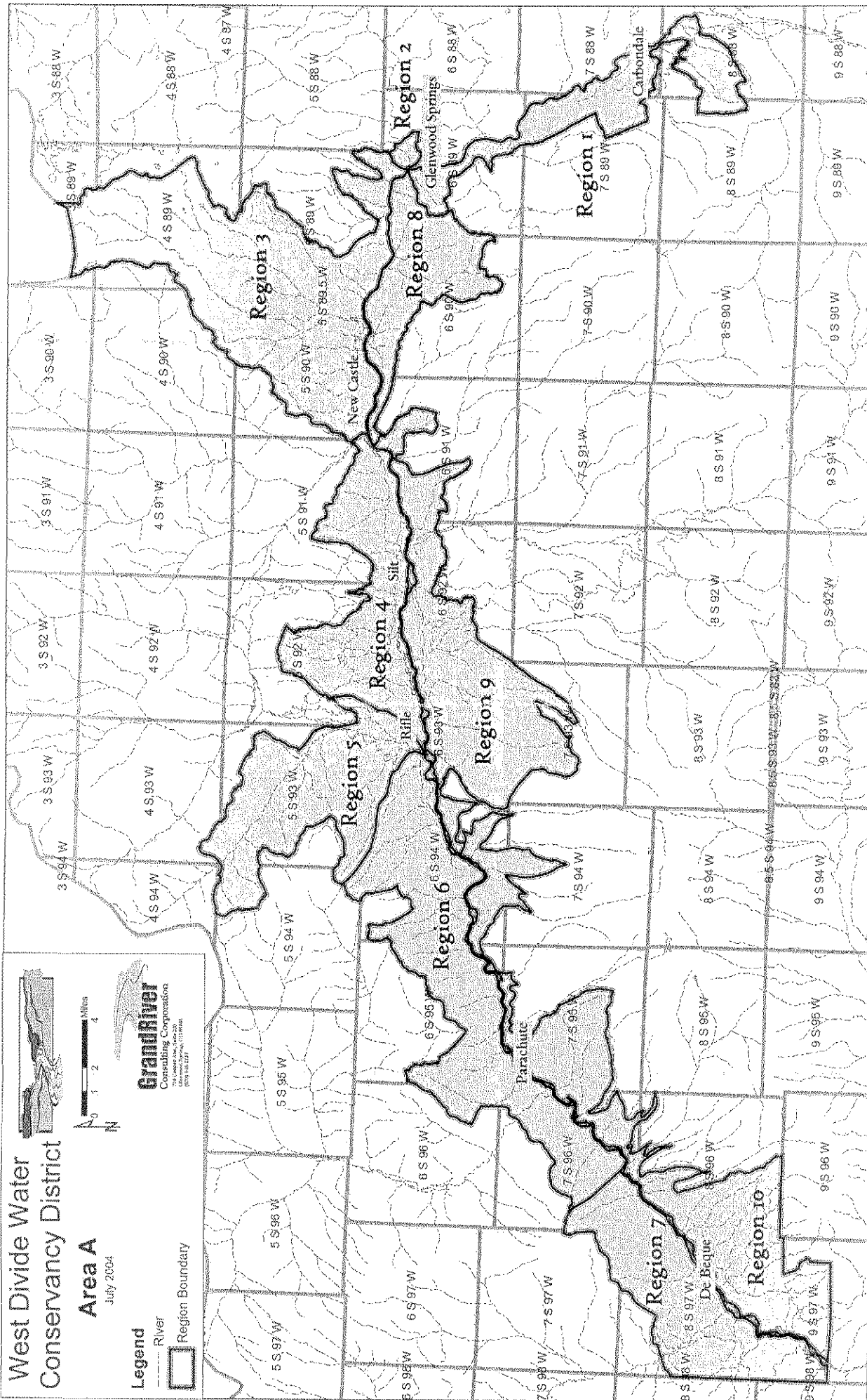


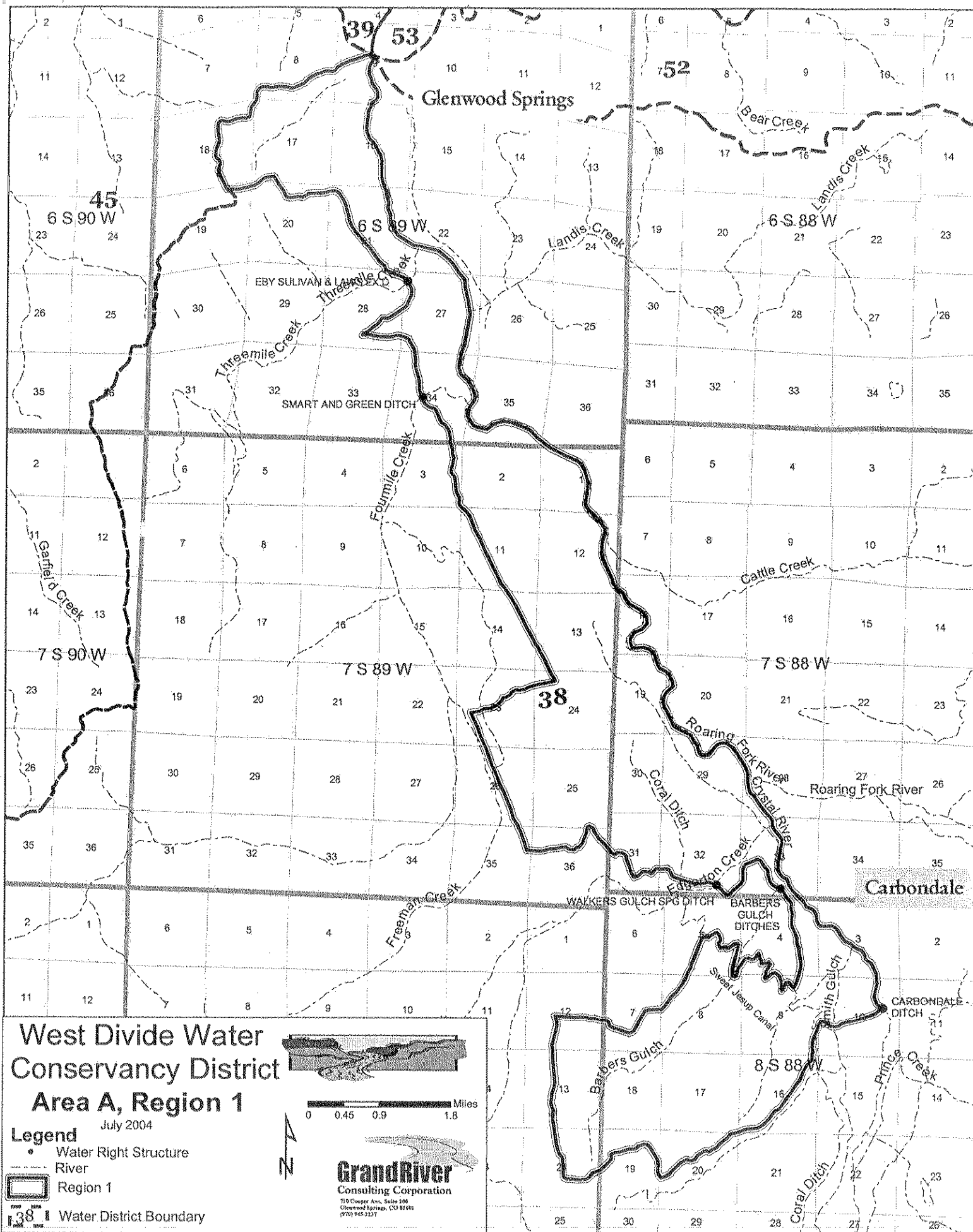
Legend

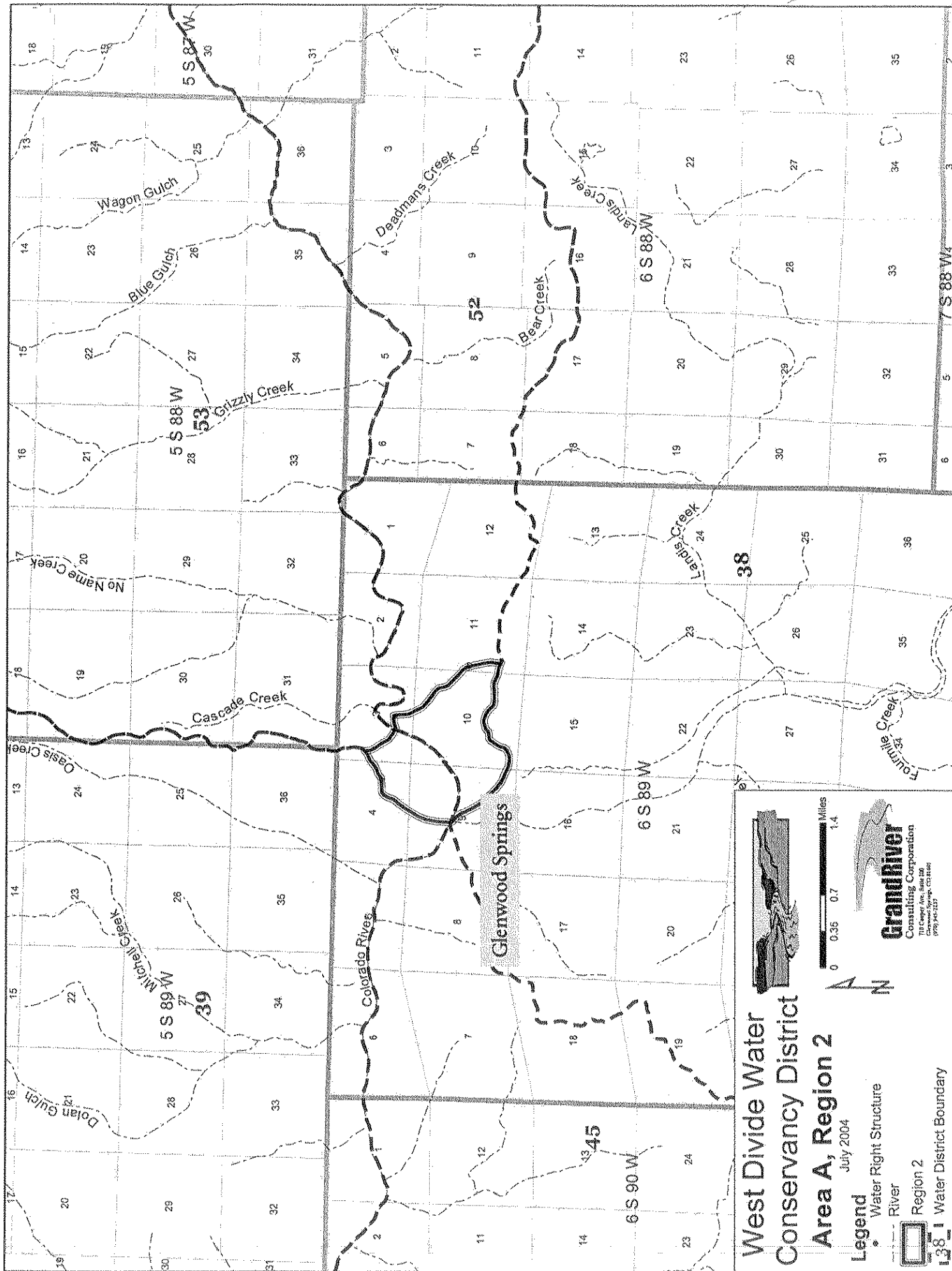
--- River



**GrandRiver**  
Consulting Corporation  
725 Canyon Blvd., Suite 200  
Durango, CO 81301  
(970) 246-2277







# West Divide Water Conservancy District Area A, Region 2

July 2004

## Legend

- Water Right Structure
- River
- Region 2
- Water District Boundary



Miles  
0 0.35 0.7 1.4



**GrandRiver**  
Consulting Corporation  
1111 Capital Ave. Suite 100  
Durham, NC 27701  
(919) 242-2121

# West Divide Water Conservancy District

## Area A, Region 3

Legend July 2004

- Water Right Structure
- River

Region 3

Water District Boundary

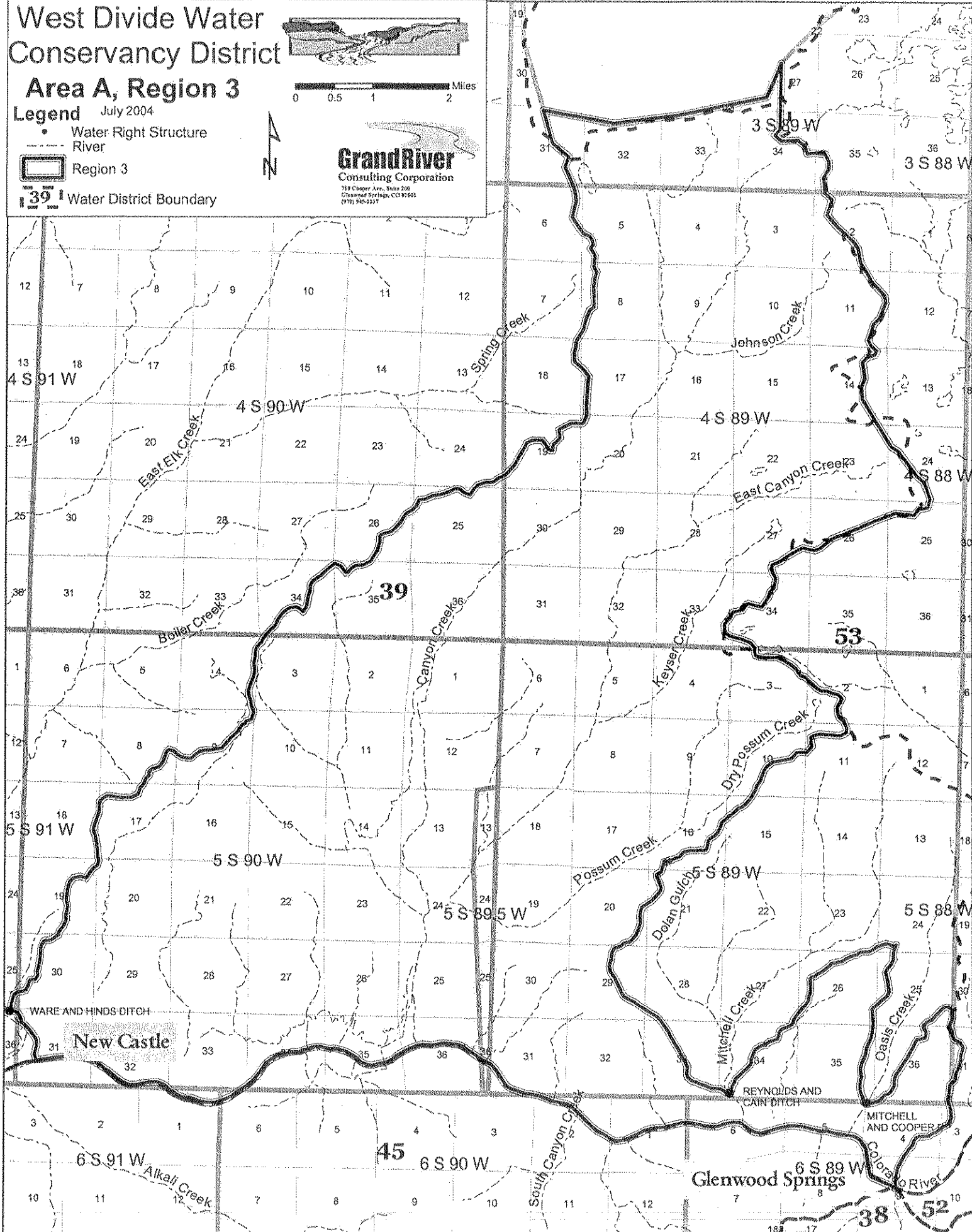


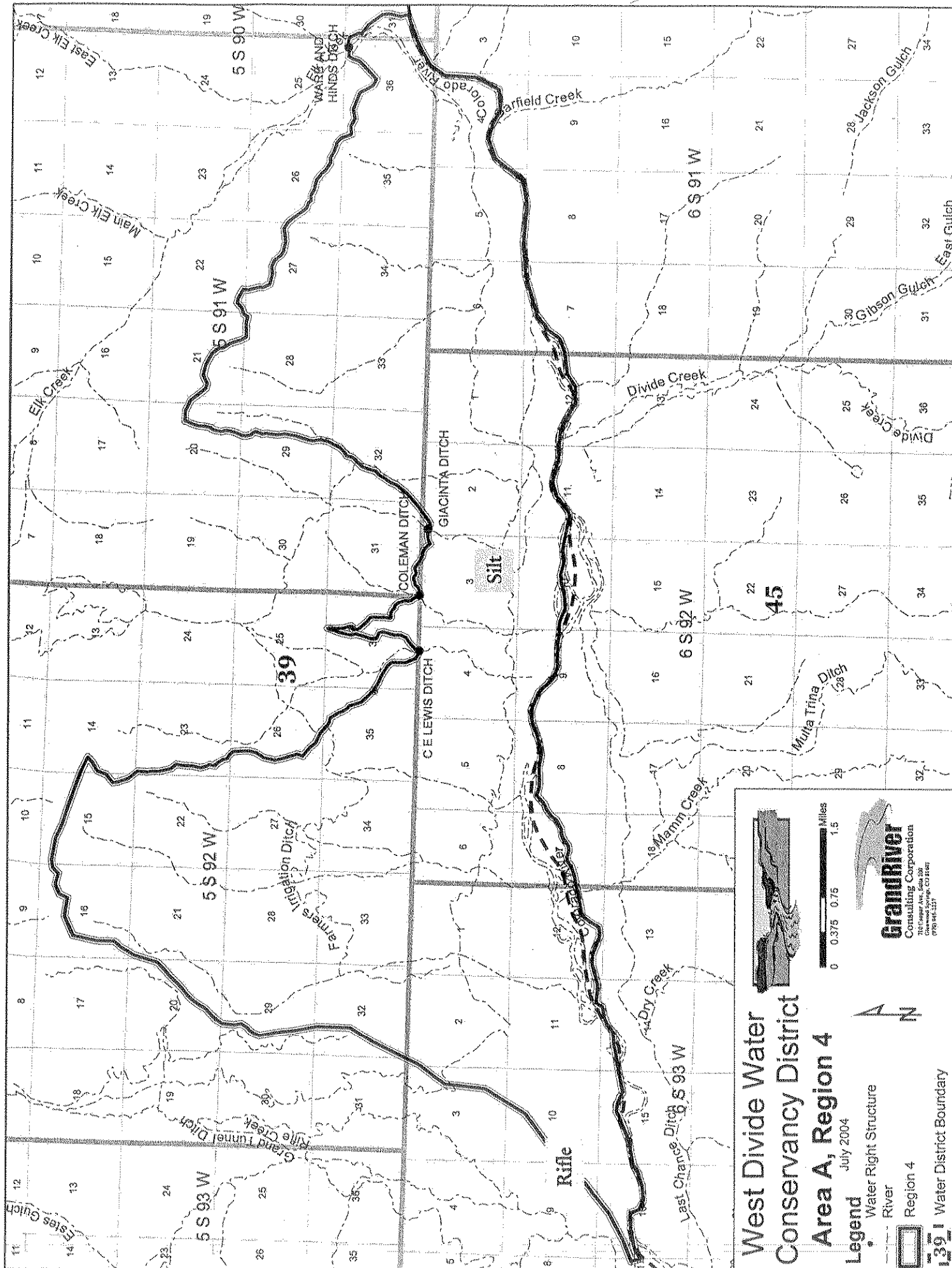
0 0.5 1 2 Miles



**GrandRiver**  
Consulting Corporation

710 Casper Ave., Suite 200  
Glenwood Springs, CO 81601  
(970) 945-2227





# West Divide Water Conservancy District Area A, Region 4

July 2004

## Legend

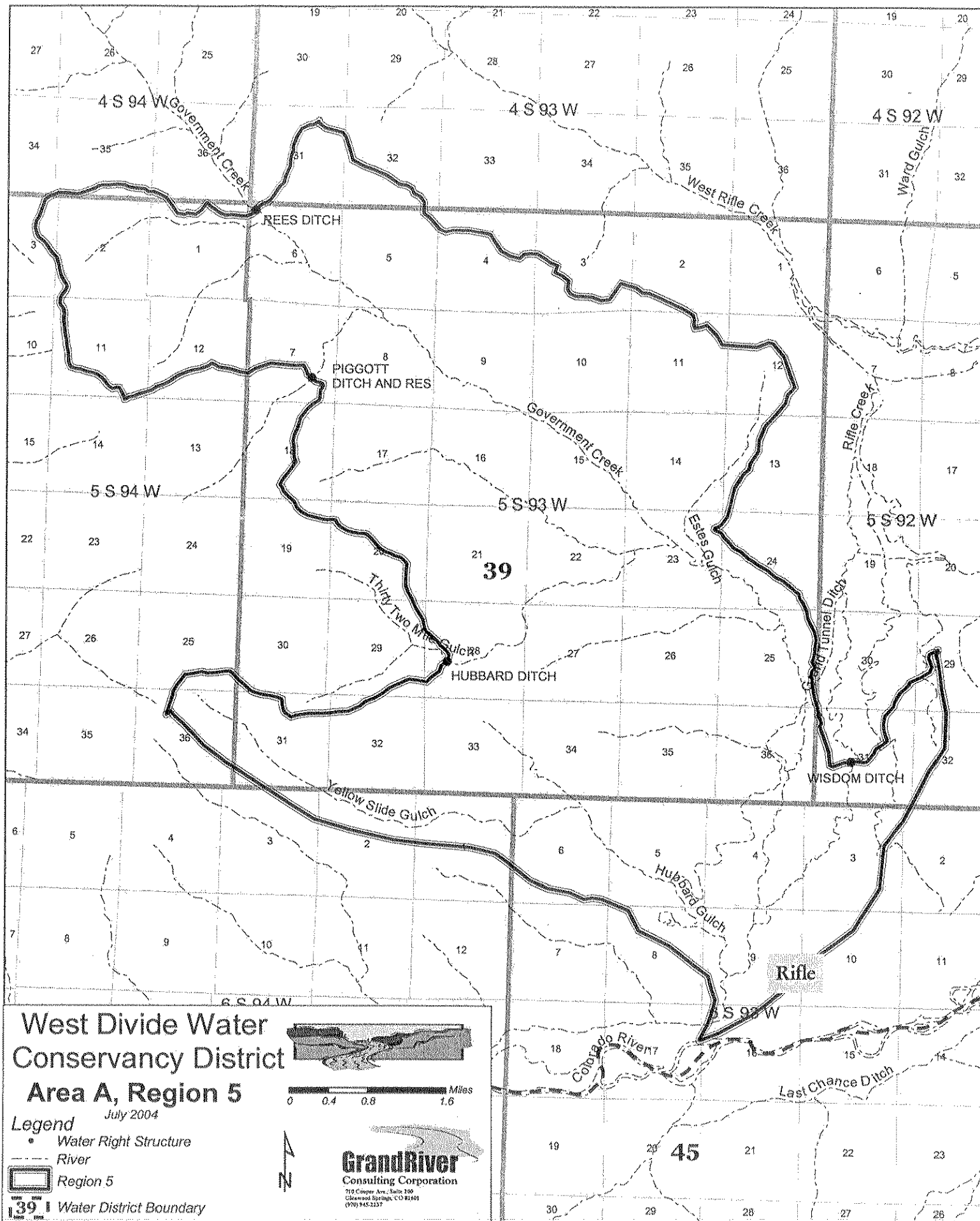
Water Right Structure

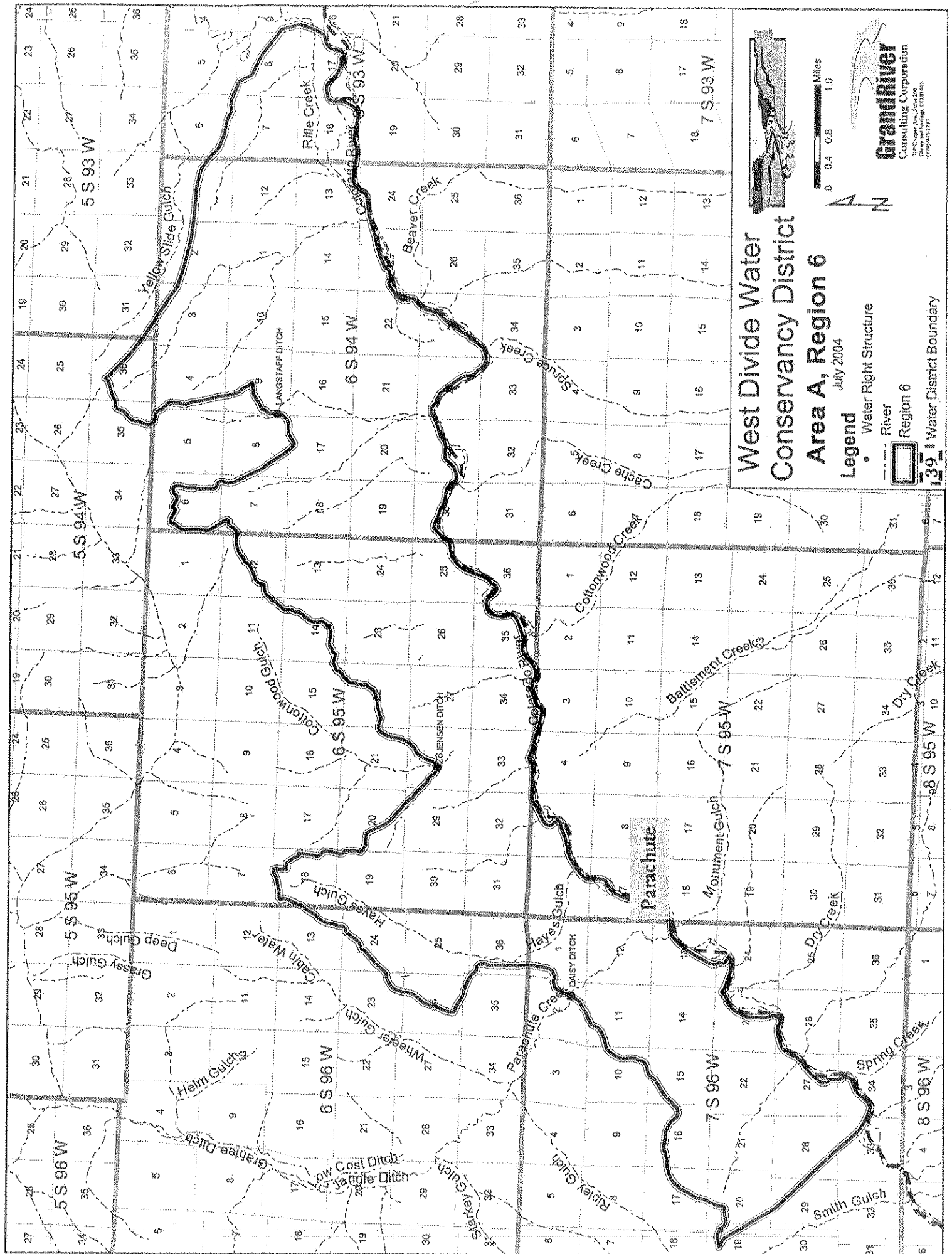
River

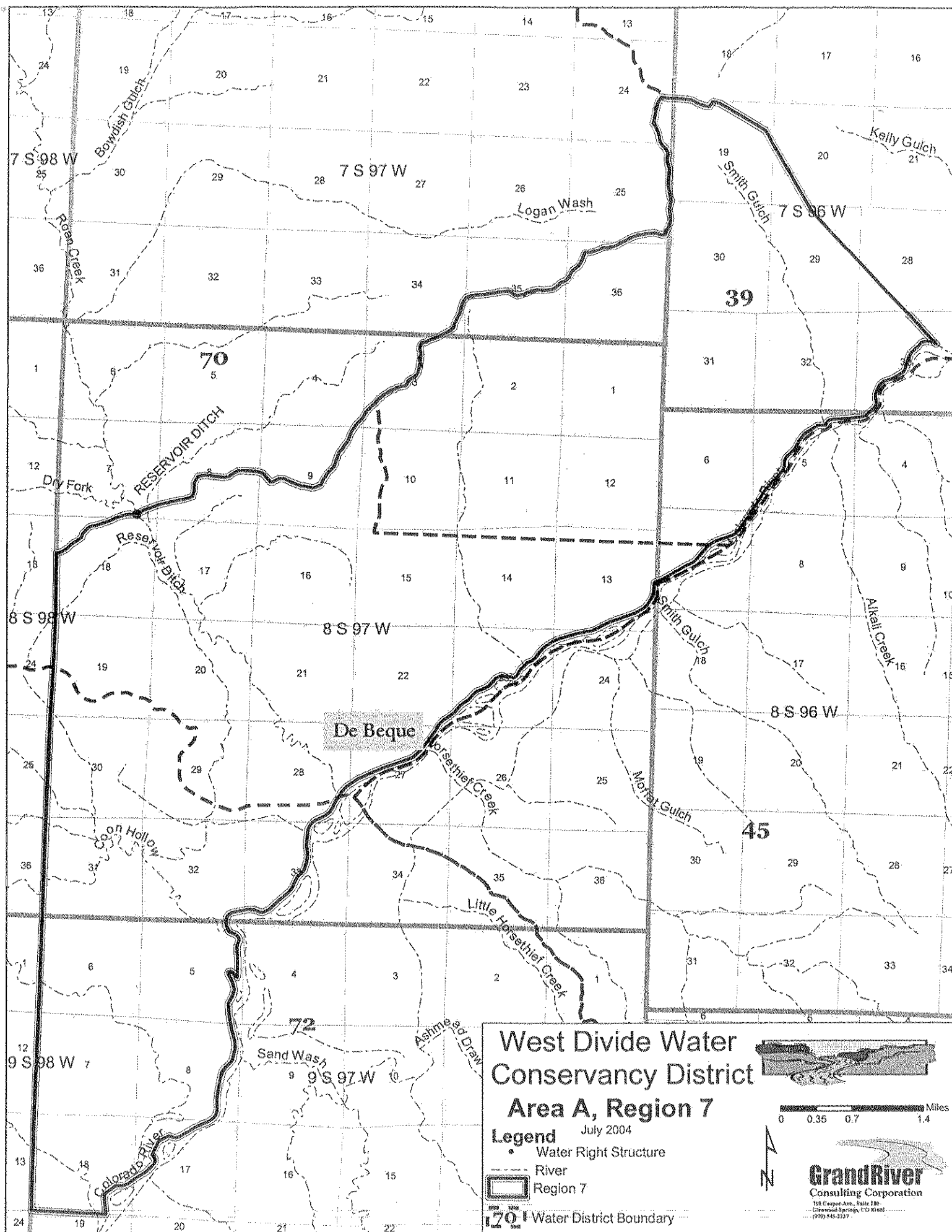
Region 4

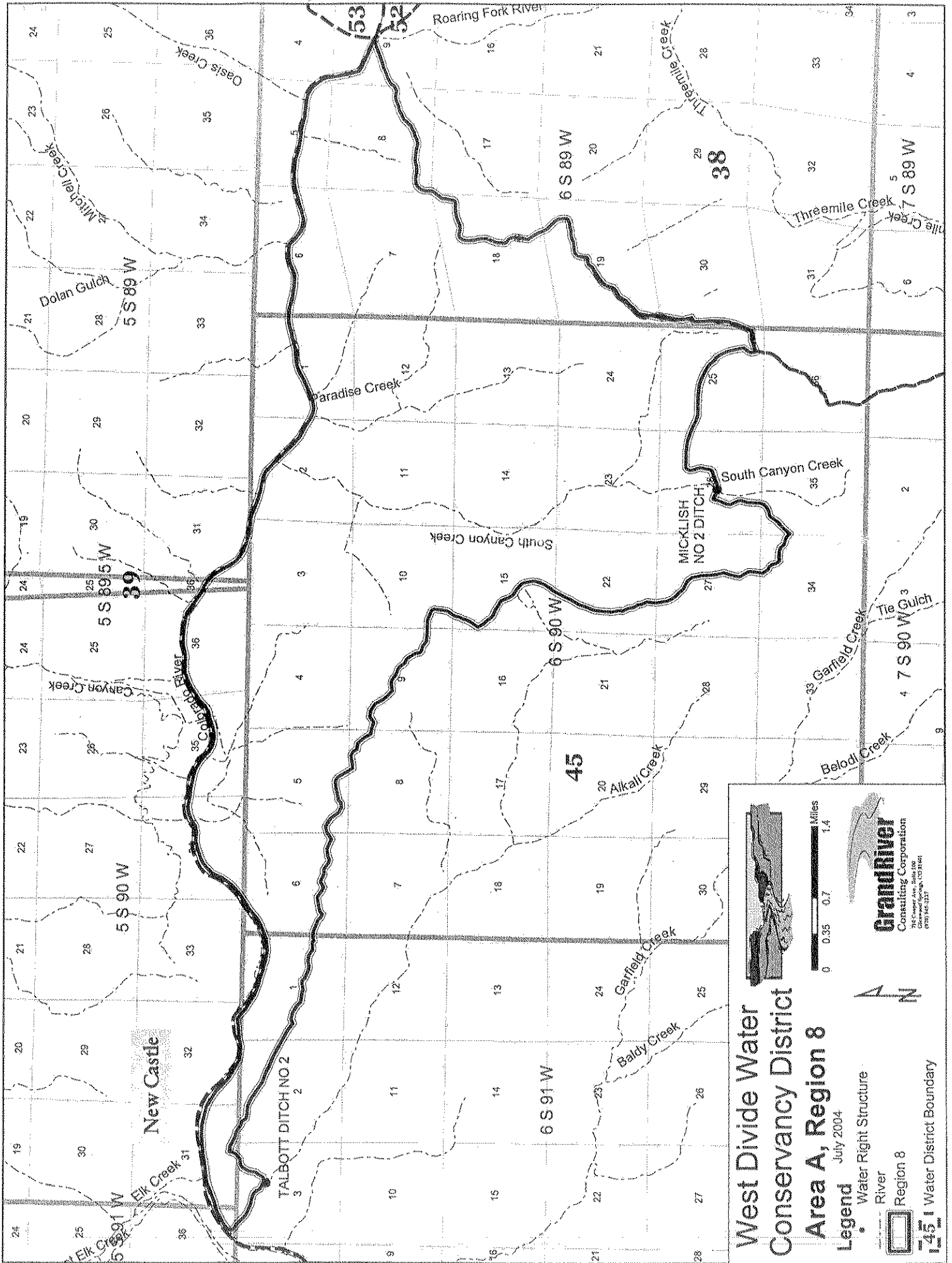
Water District Boundary











# West Divide Water Conservancy District

## Area A, Region 8

July 2004

### Legend

Water Right Structure

River

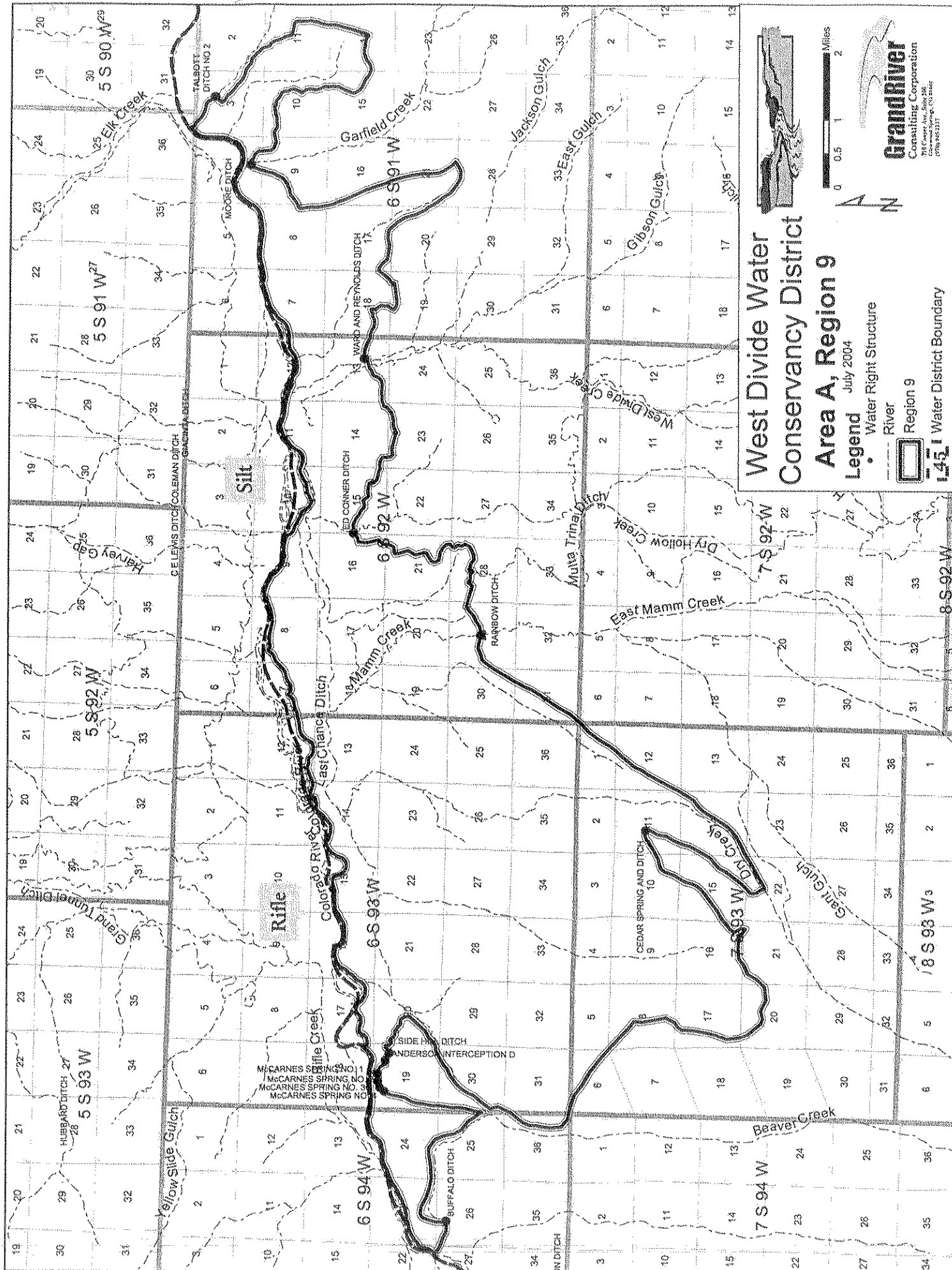
Region 8

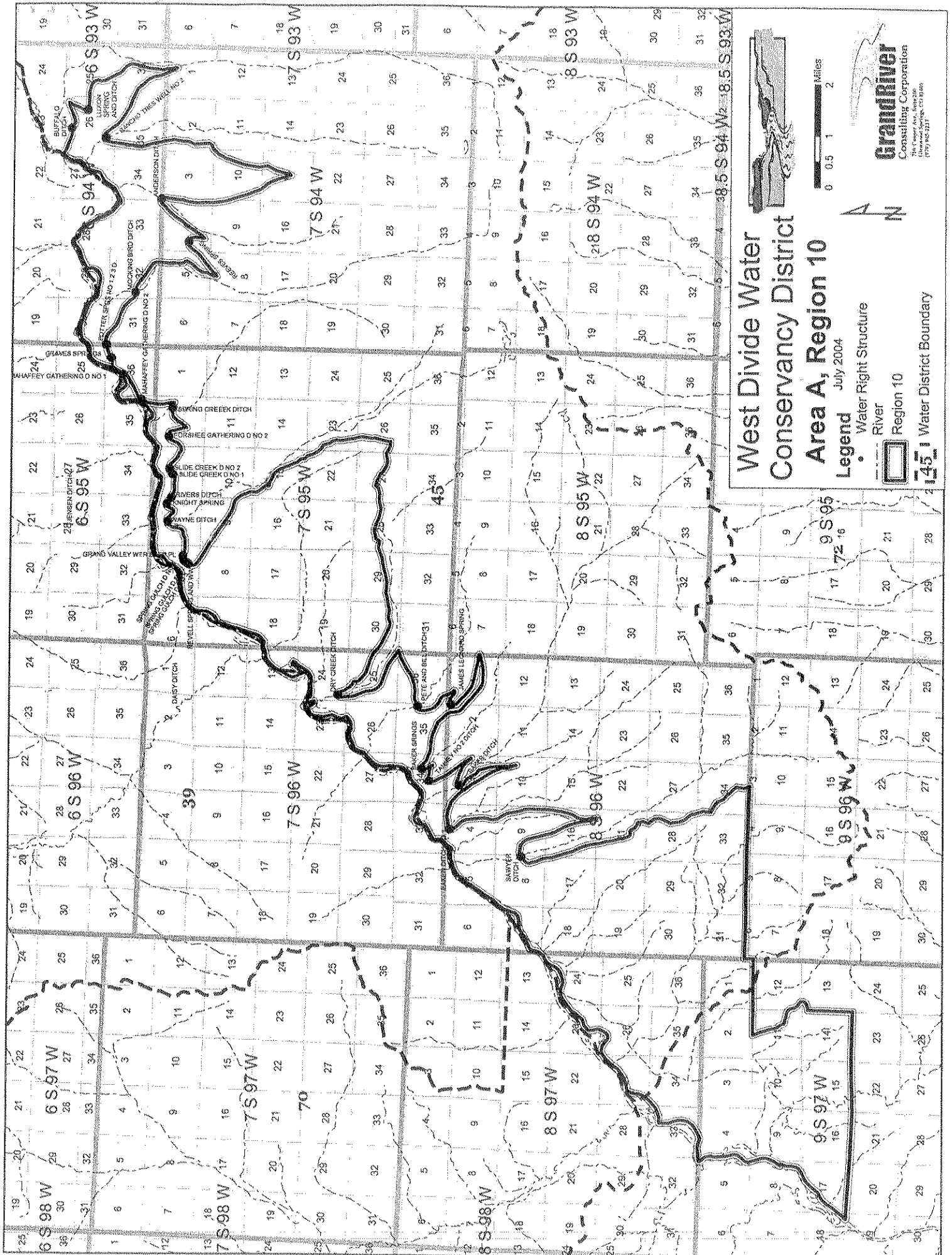
Water District Boundary



Miles  
0 0.35 0.7 1.4

**Grandriver**  
Consulting Corporation  
716 Cooper Ave., Suite 100  
Grandview Springs, MO 64051  
(816) 464-4217





**West Divide Water  
Conservancy District  
Area A, Region 10**

Legend July 2004

- Water Right Structure
- River
- Region 10
- 45th Water District Boundary

Scale: 0 0.5 1 2 Miles

**GrandRiver**  
Consulting Corporation  
The Center Ave., Suite 200  
Grand Rapids, MI 49503  
(616) 221-1111



**Granted**

The moving party is hereby ORDERED to provide a copy of this Order to any pro se parties who have entered an appearance in this action within 10 days from the date of this order.

**James B. Boyd**  
**District Court Judge**

**Date of Order attached**  
**FILED Document**

CO Garfield County District Court 9th JD

Filing Date: Sep 30 2010 1:32PM MDT

Filing ID: 33550212

Review Clerk: Kathy Hall

**DISTRICT COURT, WATER DIVISION NO. 5,  
COLORADO**

**Court Address:** 109 8<sup>th</sup> Street, Suite 104  
Glenwood Springs, CO 81601  
(970) 945-5075

**CONCERNING THE APPLICATION FOR WATER  
RIGHTS OF:**

**WEST DIVIDE WATER CONSERVANCY  
DISTRICT,**

**in Garfield, Mesa and Pitkin Counties, Colorado**

**COURT USE ONLY**

**Case No. 02CW123 (1 of 2)**

**Div.: Ctrm.:**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF REFEREE AND  
DECREE OF COURT**

West Divide Water Conservancy District filed an Application for Alternate Points of Diversion and Approval of Plan for Augmentation on May 30, 2002, and a First Amendment to Application and Claim for Conditional Appropriative Rights of Exchange on July 29, 2004 (hereinafter collectively referred to as the "Application").

The Water Judge referred the Application to the undersigned as Water Referee for Water Division 5, State of Colorado, in accordance with Article 92 of Title 37, Colorado Revised Statutes 1973, known as the Water Right Determination and Administration Act of 1969.

The undersigned Referee has made such investigations as are necessary to determine whether or not the statements in the Application are true, has become fully advised with respect to the subject matter of the Application and has consulted with the Division Engineer for Water Division 5. The Referee hereby makes the following determination and ruling in this matter.

**FINDINGS OF FACT**

1. The statements in the Application are true.
2. West Divide Water Conservancy District (referred to as "Applicant" or "West Divide"), P.O. Box 1478, Rifle, Colorado 81650.

3. None of the subject water rights or their sources are located within a designated ground water basin.
4. Proper notice of the claims made in the Application has been given as required by law. Several statements of opposition were filed, but all have been resolved by stipulation. Applicant entered into a stipulations with: 1) Dixon Water Foundation (formerly SWD, LLC, (formerly CSCCN)) on December 15, 2004; 2) Colorado Water Conservation Board ("CWCB") on February 9, 2009; 3) Colorado River Water Conservation District ("CRWCD") acting by and through its Colorado River Water Projects Enterprise on December 23, 2005; 4) Lands West Ventures, Inc., Williams Canal Company, Eric Williams Trust ("Lands West et al." on January 29, 2007; 5) the City of Colorado Springs on July 8, 2005; and 6) Twin Lakes Reservoir and Canal Company ("Twin Lakes") on July 28, 2009. No other Statements of Opposition were filed and the time for filing Statements of Opposition has expired.
5. On January 7, 2004, the Referee entered an Order bifurcating Case No. 02CW123 into two cases: one case dealing with West Divide's application to serve the West Divide Area A exclusive of Canyon Creek (Case No. 1 of 2) and one case dealing with West Divide's application to serve that portion of West Divide's Area A inside of the Canyon Creek drainage (Case No. 2 of 2). Pursuant to stipulation between Applicant and objector Lands West et al., dated January 29, 2007, Applicant agreed to dismiss the Application in Case No. 02CW123 (Case No. 2 of 2). Case No. 2 of 2 s hereby dismissed.
6. The Division Engineer issues Summaries of Consultation on June 17, 2003 and February 3, 2005. The Referee has considered the concerns contained in the Summaries of Consultation and finds the Applicant has adequately addressed those concerns.
7. Summary of Application.
  - A. Applicant seeks to augment depletions from current and future structures located within Applicant's Area A boundaries, which excludes those portions of the Canyon Creek drainage located upstream from the Johnson-Wolverton Ditch headgate located on the east bank of Canyon Creek, at a point in the NW 1/4 of the SW 1/4, Section 25, Township 5 South, Range 90 West of the 6<sup>th</sup> P.M., whence the Southwest Corner of said Sections bears South 24E20" West 2401.7 feet. Applicant's Area A can generally be described as an area along the mainstem of the Roaring Fork River from above Carbondale to Glenwood Springs, Colorado, and along the mainstem of the Colorado River from Glenwood Springs to Debeque, Colorado, where no intervening calling water rights are

present between the points of diversion and the mainstem. Applicant's Area A was developed by Applicant and the Division Engineer's Office. Maps depicting Applicant's Area A and the 9 Regions therein, are attached hereto as Exhibit A and incorporated herein by this reference.

- B. The Applicant also seeks to adjudicate a change of water right confirming alternate points of diversion for its Avalanche Canal and Siphon water right to be used at structures located within its Area A when said right is in priority. When the Avalanche Canal and Siphon is out of priority, Applicant will provide augmentation water by exchange to structures within Area A via releases from Ruedi, Wolford Mountain and/or Green Mountain Reservoirs.
- C. Strict accounting and reporting requirements will be implemented to ensure proper administration by the State and Division Engineers. Points of diversion lying within Area A can be augmented using Applicant's augmentation rights without causing injury to other water rights.
- D. Notice of individual structures to be augmented shall be provided at least annually to the Division Engineer's Office for Water Division No. 5. West Divide shall provide copies of individual water allotment contracts to the Division Engineer's Office annually or as requested by the Division Engineer. Further notice of the structures covered by Applicant's umbrella plan for augmentation shall be made in subsequent diligence cases related to Applicant's conditional appropriative rights of exchange claimed below. In all resume notices provided pursuant to this paragraph, Applicant shall identify the individual West Divide contractee by name, state the amount of water contracted for, and provide a legal description of the various points of diversion.
- E. The Application includes conditional appropriative rights of exchange within the Area A Service Area between the Colorado River and the outer boundary of the Service Area and includes specific points of diversion for wells, surface water rights, and reservoirs to be covered by the plan for augmentation described herein.

## **CLAIM FOR CHANGE OF WATER RIGHTS**

**8. Claim for Alternate Points of Diversion.**

- A. Decreed name of structure for which change is sought: Avalanche Canal and Siphon.

From previous decree:

- (1) Date entered: June 20, 1958.  
Case No.: C.A. 4613.  
Court: Garfield County District Court.
- (2) Headgate No. 1, being the initial point of diversion for the Avalanche Canal and Siphon, is located on the right bank of the Crystal River at a point whence the witness corner at the Southwest Corner of Section 9, Township 10 South, Range 88 West, 6<sup>th</sup> P.M. bears North 03deg9' West 546 feet, said point being at the outlet of the Osgood Reservoir.
- (3) Headgate No. 2, being the second point of diversion for the Avalanche Canal and Siphon, is located on the right bank of Avalanche Creek at a point whence the West Quarter Corner Section 28, Township 9 South, Range 88 West, 6<sup>th</sup> P.M. bears North 67deg15' West 4,538.1 feet.
- (4) Source: Crystal River or Avalanche Creek or both sources.
- (5) Appropriation Date: April 22, 1957.  
Amount: 830 cfs, conditional.
- (6) Use: Generation of electric energy, domestic and municipal, industrial, irrigation and stockwatering.

- B. Proposed change: Applicant seeks alternate points of diversion for the Avalanche Canal and Siphon to various points of diversions located within Applicant's Area A. A description of the alternate points of diversion shall be provided to objectors, if requested, to the Division Engineer's Office at least annually, and to the public in subsequent diligence cases related to Applicant's claim for conditional appropriative rights of exchange described below. The initial alternate points of diversion are referenced in Tables 1 & 2, attached hereto and

incorporated herein by this reference. These structures may be changed from time to time as contracts are cancelled or granted by Applicant.

- C. Remarks: All alternate points of diversion shall be located in Area A. When water is not legally and physically available at the points of diversion for the Avalanche Canal and Siphon, depletions at the alternate points of diversion will be augmented via releases from Ruedi, Wolford Mountain and/or Green Mountain Reservoirs pursuant to the plan for augmentation described below.

### **CLAIM FOR APPROVAL OF PLAN FOR AUGMENTATION**

9. Claim for Plan for Augmentation.

- A. Structures to be augmented: Wells, surface water rights, and reservoirs located in Applicant's Area A. The initial structures augmented by this umbrella plan for augmentation are referenced in Tables 1 & 2.

10. Water rights to be used for augmentation: Ruedi Reservoir, Green Mountain Reservoir and Wolford Mountain Reservoir.

A. Ruedi Reservoir.

- (1) Source: Frying Pan River, tributary to Colorado River.
- (2) Legal Description: On-channel reservoir located in Sections 7, 8, 9, 11, and 14 through 18, Township 8 South, Range 84 West, 6<sup>th</sup> P.M.
- (3) Adjudication date: July 20, 1958.
- (4) Appropriation date: July 29, 1957.
- (5) Case No.: C.A. 4613.
- (6) Court: Garfield County District Court.
- (7) Decreed Amount: 102,369 acre feet.
- (8) Uses: Generation of electric energy, domestic, municipal, piscatorial, industrial, irrigation and stock watering.
- (9) Remarks: Applicant has an interest in 600 acre feet of water from Ruedi Reservoir pursuant to Contracts between Applicant and the Bureau of Reclamation. By Water Service Agreement between Applicant and the Colorado River Water Conservation District, Applicant has contracted for 100 acre feet of additional Ruedi Reservoir water and further has obtained an option on another 900 acre feet of Ruedi Reservoir water. Applicant may increase the amount of Ruedi Reservoir water under contract with the

Bureau of Reclamation or Colorado River Water Conservation District and may add any additional Ruedi water to this plan for augmentation.

B. Green Mountain Reservoir.

- (1) Source: Blue River, tributary to Colorado River.
- (2) Legal Description: Located approximately 16 miles Southeast of the Town of Kremmling, Colorado in all or parts of Sections 11 through 15 and 24 of Township 2 South, Range 80 West, and in Sections 17 through 21, 28, 29 and 34, Township 2 South, Range 79 West, 6<sup>th</sup> P.M.
- (3) Adjudication date: October 12, 1955
- (4) Appropriation date: August 1, 1935.
- (5) Case Nos.: 2782, 5016 and 5017.
- (6) Court: U.S. District Court, District of Colorado.
- (7) Decreed Amount: 154,645 acre feet.
- (8) Uses: in accordance with paragraph 5(a), (b), and (c) of the section entitled "Manner of Operation of Project Facilities and Auxiliary Facilities" in Senate Document 80.
- (9) Remarks: Applicant has an interest in 200 acre feet of water from Green Mountain Reservoir pursuant to Contract Number 8-07-60-W0726, dated October 21, 1998, between Applicant and the Bureau of Reclamation. Applicant may increase the amount of Green Mountain Reservoir water under contract with the Bureau of Reclamation and may add any additional Green Mountain water to this plan for augmentation.

C. Wolford Mountain Reservoir. The Colorado River Water Conservation District owns and operates Wolford Mountain Reservoir (f/k/a Gunsight Pass Reservoir) which has the following water rights:

- (1) Case No. 87CW283  
Decree Date: November 20, 1989  
Legal description of place of storage: The dam is located in the SW1/4 of the NE1/4 of Section 25, T. 2 N., R. 81 W., 6th P.M. The intersection of the dam axis with the right abutment will occur at a point which bears W. 54E54'20" E. a distance of 3,716.46 feet from the NW Corner of said Section 25.  
Source: Muddy Creek and its tributaries

Amount: 59,993 acre feet conditional; of this amount, 32,986 acre feet were made absolute for piscatorial and recreational uses by decree entered in Water Court Case No. 95CW251.

Appropriation Date: December 14, 1987

Use: All beneficial uses, including but not limited to domestic, municipal, agricultural and recreational uses, which uses satisfy the requirements of the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District; use to meet the water requirements of the inhabitants of the River District for all uses, including uses in the Middle Park area; and use to meet the terms of a lease agreement executed March 3, 1987 between the River District and the City and County of Denver.

(2) Case No. 95CW281:

Decree Date: August 26, 1997

Legal description of place of storage: The dam is located in the SW1/4 of the NE1/4 of Section 25, T. 2 N., R. 81 W., 6th P.M. The as-built intersection of the dam axis (Sta. D19+35.61) with the West Access Road (Sta. WR50+55.05), as shown on the Colorado River Water Conservation District, Woford Mountain Project, Ritschard Dam construction drawing "Dimensional Dam Layout" sheet 8 of 94, occurs at a point which bears S. 53E24'56" E. a distance of 3,395.51 feet from the NW Corner of said Section 25; the bearing of said dam axis from Sta. 19+35.61 to Sta. 0+00 being S. 75E 28' 29" E.

Source: Muddy Creek and its tributaries

Amount: 6,000 acre feet conditional

Appropriation Date: January 16, 1995

Use: All beneficial uses by and for the benefit of the inhabitants of the Colorado River Water Conservation District, including but not limited to domestic, municipal, industrial, irrigation, agricultural, piscatorial and recreational; such uses will include environmental mitigation, including environmental mitigation requirements associated with the Woford Mountain Project; such uses will be made directly or by substitution, augmentation, or exchange. None of the water stored in the exercise of the right will be delivered directly or by exchange, substitution, or otherwise for use outside of Colorado Water Division No. 5.

(3) Case No. 98CW237:

Decree Date: July 6, 2000.

Legal Description of place of storage: Same as for 95CW281.

Source: Muddy Creek and its tributaries

Amount: 30,000 acre feet conditional with 15,895 AF being absolute for recreational and piscatorial and flood control.

Appropriation Date: November 17, 1998

Use: Certain of the beneficial uses previously adjudicated for Wolford Mountain Reservoir in Case No. 87CW283, District Court for Colorado Water Division No. 5 (November 20, 1989 Judgment and Decree), and Case No. 95CW281, District Court for Colorado Water Division No. 5 (August 26, 1997 Judgment and Decree).

87CW283: The reservoir will be used to satisfy the requirements of the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District. This will involve all uses, including but not limited to domestic, municipal, agricultural, and recreational uses. The reservoir will also be used to meet the water requirements of the inhabitants of the River District for all uses, including uses in the Middle Park area.

95CW281: All beneficial uses by and for the benefit of the inhabitants of the Colorado River Water Conservation District, including but not limited to domestic, municipal, industrial, irrigation, agricultural, piscatorial and recreational; such uses will include environmental mitigation, including environmental mitigation requirements associated with the Wolford Mountain Reservoir Project; such uses will be made directly or by substitution, augmentation, or exchange.

Remarks: The Refill Right described herein will be exercised to provide supply for the Western Slope uses of water from Wolford Mountain Reservoir described above, including flood control, other operational purposes, and environmental mitigation and enhancement for the benefit of uses within the District. The Refill Right will not be used in conjunction with the Reservoir capacity (24,000 a.f.) which is allocated for the supply of water to the Denver Board of Water Commissioners under Applicant's contractual relationship with Denver, or the Reservoir capacity (6,000 AF) which is allocated for Colorado River endangered fish releases.

- (4) Remarks: The River District owns and operates Wolford Mountain Reservoir (f/k/a Gunsight Pass Reservoir) as described above. Any use of Wolford Mountain Reservoir shall be pursuant to Applicant having in

force a water allotment contract from the Colorado River Water Conservation District. Applicant currently holds Contract No. CW04027 for 10 acre feet of the River District's Colorado River Supplies.

The River District holds Contracts No. 009D6C0111, 009D6C0118, and 039F6C0011 from the United States Bureau of Reclamation for 1,730 acre feet of annual supply from Ruedi Reservoir and may obtain additional contracts in the future. This water will be used in addition to and as substitution for Wolford Mountain Reservoir water in appropriate circumstances where Ruedi water is physically equivalent to Wolford water.

- D. Total out of priority depletions from this and West Divide's other decreed or pending augmentation programs shall not exceed 1,600 acre feet from Ruedi Reservoir, 200 acre feet from Green Mountain Reservoir and 10 acre feet from Wolford Mountain Reservoir, unless additional water supplies are secured by West Divide.

11. Statement of Plan for Augmentation.

This umbrella plan for augmentation, including exchange, augments the out of priority depletions associated with various existing and future structures located in Applicant's Area A. Applicant's Colorado River Service Area has been grouped into 9 Regions, including:

- A. Region 1: Water District 38;
- B. Region 2: Water District 52 and Water District 53;
- C. Region 3: Glenwood Springs to Elk Creek in Water District 39;
- D. Region 4: West of the Elk Creek Watershed to East of the Rifle Creek Watershed in Water District 39;
- E. Region 5: West of the Rifle Creek Watershed in Water District 39;
- F. Region 6: Portions of Water Districts 39, 70, and 72;
- G. Region 7: East of Alkali Creek in Water District;
- H. Region 8: Alkali Creek to Beaver Creek in Water District 45; and
- I. Region 9: West of Beaver Creek in Water District 45 and Portions of Water District 72.

Maps depicting these regions are attached as Exhibit A.

12. Region 1.

- A. This Region is generally the area west of the Roaring Fork River, and all tributaries thereto in Water District 38, from the confluence of the Roaring Fork River with the Colorado River to the confluence of the Crystal River and the Roaring Fork River, excluding areas upstream of the following structures:
- (1) Eby Sullivan and Laws Ex Ditch on Threemile Creek; and
  - (2) Gristy Ditch on Four Mile Creek.
- B. Legal Description: The confluence of the Roaring Fork River and the Colorado River is located within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  in Section 9, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 2400 ft east of the west section line and 2300 ft south of the north section line. The confluence of the Crystal River and the Roaring Fork River is located within the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  in Section 28, Township 7 South, Range 88 West of the 6<sup>th</sup> P.M., at a point 300 ft east of the west section line and 2500 ft south of the north section line. The Eby Sullivan and Laws Ex Ditch is located at a point on Threemile Creek, within the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 27, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 270 ft east of the west section line and 730 ft south of the north section line. The headgate of the Gristy Ditch is located at a point on Fourmile Creek, within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 34, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 650ft west of the east section line and 3000 ft south of the north section line.
- C. The Region 1 Service Area includes:
- (1) portions of Sections 8, 9, 16, 17, 18, 19, 20, 21, 22, 27, 28, 34, 35, and 36, T. 6 S., R. 89 W., 6<sup>th</sup> P.M.;
  - (2) all of Section 30, and portions of Sections 18, 19, 20, 28, 29, 31, 32, T. 7 S., R. 88 W., 6<sup>th</sup> P.M.; and
  - (3) all of Section 2, and portions of Sections 1, 3, 10, 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36, T. 7 S., R. 89 W., 6<sup>th</sup> P.M.

13. Region 2.

- A. This region is generally the area in Water District 52 south of the Colorado River and the area in Water District 53 north of the Colorado River and all tributaries thereto, from the confluence of the Colorado River to the Roaring Fork River

upstream to a point on the Colorado River in Section 3, Township 6 South, Range 89 West.

- B. Legal Description: The confluence of the Colorado River and the Roaring Fork River is located within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  in Section 9, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 2400 ft east of the west section line and 2300 ft south of the north section line. The upper point on the Colorado River to which Region 2 extends is located within the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  in Section 3, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 1750 ft east of the west section line and 800 ft north of the south section line.

- C. The Region 2 Service Area includes:

(1) portions of Sections 3, 4, 9, 10, and 11, T. 6 S., R. 89 W., 6<sup>th</sup> P.M.

14. Region 3.

- A. This Region is generally the area north of the Colorado River, and all tributaries thereto, between the confluence of the Colorado River with the Roaring Fork River and the confluence of the Colorado River with Elk Creek, excluding areas upstream of the following structures:

- (1) Mitchell and Cooper Ditch on Oasis Creek;
- (2) Reynolds and Cain Ditch on Mitchell Creek;
- (3) Johnson Ditch on Canyon Creek; and
- (4) Bowles Spring.

- B. Legal Description: The confluence of the Colorado River with the Roaring Fork River is located within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  in Section 9, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 2400 ft east of the west section line and 2300 ft south of the north section line. The confluence of Elk Creek and the Colorado River is located within the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  in Section 31, Township 5 South, Range 90 West of the 6<sup>th</sup> P.M., at a point 1400 ft east of the west section line and 1600 ft north of the south section line. The headgate of the Mitchell and Cooper Ditch is located at a point on Oasis Creek, within the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 35, Township 5 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 350 ft west of the east section line and 20 ft north of the south section line. The headgate of the Reynolds and Cain Ditch is located at a point on Mitchell Creek, within the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 34, Township 5 South, Range 89 West of

the 6<sup>th</sup> P.M., at a point 740 ft east of the west section line and 340 ft north of the south section line. The headgate of the Johnson Ditch is located at a point on Canyon Creek, within the NW ¼ of the SW ¼ Section 25, Township 5 South, Range 90 West of the 6<sup>th</sup> P.M., at a point 2300 ft east of the west section line and 950 ft north of the south section line. The headgate of the Bowles Spring is located at a point on an unnamed tributary, within the SW ¼ of the NW ¼ Section 35, Township 5 South, Range 90 West of the 6<sup>th</sup> P.M., at a point 1400 ft east of the west section line and 1550 ft south of the north section line.

C. The Region 3 Service Area includes:

- (1) portions of Sections 30, and 31, T. 5 S., R. 88 W., 6<sup>th</sup> P.M.;
- (2) all of Section 32, and portions of Sections 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36, T. 5 S., R. 89 W., 6<sup>th</sup> P.M.;
- (3) portions of Sections 25, and 36, T. 5 S., R. 89 1/2 W., 6<sup>th</sup> P.M.;
- (4) all of Sections 27, 28, and 33, and portions of Sections 16, 17, 20, 21, 22, 23, 25, 26, 29, 30, 31, 32, 34, 35, and 36, T. 5 S., R. 90 W., 6<sup>th</sup> P.M.;
- (5) portions of Sections 25, and 36, T. 5 S., R. 91 W., 6<sup>th</sup> P.M.;
- (6) portions of Sections 4, 5, 6, and 9, T. 6 S., R. 89 W., 6<sup>th</sup> P.M.;
- (7) portions of Sections 1, 2, and 6, T. 6 S., R. 90 W., 6<sup>th</sup> P.M.; and
- (8) portions of Section 1, T. 6 S., R. 91 W., 6<sup>th</sup> P.M.

15. Region 4.

A. This Region is generally the area north of the Colorado River, and all tributaries thereto, between the confluence of the Colorado River with Elk Creek and the confluence of the Colorado River with Rifle Creek, excluding the Elk Creek Watershed, the Rifle Creek Watershed and areas upstream of the following structures:

- (1) Giacinta Ditch on Pretti Gulch;
- (2) Coleman Ditch on Cozza Gulch;
- (3) C E Lewis Ditch on Harvey Gap;
- (4) Thode Waste Water Ditch;
- (5) Haberbeck Waste Water Ditch;
- (6) McBride Waste Water Ditch No. 3;
- (7) McBride Waste Water Ditch No. 2;
- (8) Cameron Ditch; and
- (9) Green Collection Ditch.

- B. Legal Description: The confluence of the Colorado River and Elk Creek is located within the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  in Section 31, Township 5 South, Range 90 West of the 6<sup>th</sup> P.M., at a point 1400 ft east of the west section line and 1600 ft north of the south section line. The confluence of the Colorado River and Rifle Creek is located within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  in Section 17, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 150 ft west of the east section line and 2050 ft south of the north section line. The headgate of the Giacinta Ditch is located at a point on Pretti Gulch, within the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 2, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 300 ft east of the west section line and 340 ft south of the north section line. The headgate of the Coleman Ditch is located at a point on Cozza Gulch, within the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 31, Township 5 South, Range 91 West of the 6<sup>th</sup> P.M., at a point 130 ft east of the west section line and 20 ft north of the south section line. The headgate of the C E Lewis Ditch is located at a point on Harvey Gap, within the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 4, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 1440 ft west of the east section line and 20 ft south of the north section line. The headgate of the Thode Waste Water Ditch is located at a point on an unnamed tributary, within the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 35, Township 5 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 2125 ft east of the west section line and 20ft north of the south section line. The headgate of the Haberbeck Waste Water Ditch is located at a point on an unnamed tributary, within the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 5, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 1375 ft east of the west section line and 2225 ft south of the north section line. The headgate of the McBride Waste Water Ditch No. 3 is located at a point on an unnamed tributary, within the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 12, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 150 ft west of the east section line and 1070 ft south of the north section line. The headgate of the McBride Waste Water Ditch No. 2 is located at a point on an unnamed tributary, within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 12, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 2060 ft east of the west section line and 2040 ft south of the north section line. The headgate of the Cameron Ditch is located at a point on an unnamed tributary, within the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 1, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 630 east of the west section line and 700 ft south of the north section line. The headgate of the Green Collection Ditch is located at point on an unnamed tributary, within the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 1, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 10 ft east of the west section line and 1000 ft south of the north section line.

C. The Region 4 Service Area includes:

- (1) portions of Section 31, T. 5 S., R. 90 W., 6<sup>th</sup> P.M.;
- (2) all of Sections 28, 33, and 34, and portions of Sections 20, 21, 22, 26, 27, 29, 31, 32, 35, and 36, T. 5 S., R. 91 W., 6<sup>th</sup> P.M.;
- (3) portions of Sections 31, 32, 33, 34, 35, 36, T. 5 S., R. 92 W., 6<sup>th</sup> P.M.;
- (4) portions of Sections 3, 4, 5, 6, 7, and 8, T. 6 S., R. 91 W., 6<sup>th</sup> P.M.;
- (5) all of Sections 1, and 4, and portions of Sections 2, 3, 5, 6, 7, 8, 9, 10, 11, and 12, T. 6 S., R. 92 W., 6<sup>th</sup> P.M.; and
- (6) portions of Sections 1, 2, 3, 9, 10, 11, 12, 14, 15, 16, and 17, T. 6 S., R. 93 W., 6<sup>th</sup> P.M.

16. Region 5.

- A. This Region is generally the area north of the Colorado River, and all tributaries thereto, between the confluence of the Colorado River with Rifle Creek and a point between Smith Gulch and Kelly Gulch in Water District 39 that intersects with the Colorado River, excluding areas upstream of the following structures:

- (1) Langstaff Ditch;
- (2) Jensen Ditch on Cottonwood Gulch; and
- (3) Daisy Ditch on Parachute Creek.

- B Legal Description: The confluence of Rifle Creek and the Colorado River is located within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  in Section 17, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 150 ft west of the east section line and 2050 ft south of the north section line. A point between Smith Gulch and Kelly Gulch in Water District 39 that intersects with the Colorado River is located within the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  in Section 33, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 1300 ft west of the east section line and 1800 ft south of the north section line. The headgate of the Langstaff Ditch is located at a point on an unnamed tributary, within the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 16, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 100 ft west of the east section line and 1250 ft north of the south section line. The headgate of the Jensen Ditch is located at a point on Cottonwood Gulch, within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 28, Township 6 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1800 ft east of the west section line and 2500 ft south of the north section line. The headgate of the Daisy Ditch is located at a point on Parachute Creek, within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 2, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 3300 ft west of the east section line and 1890 ft north of the south section line.

C. The Region 5 Service Area includes:

- (1) portions of Section 31, T. 5 S., R. 93 W., 6<sup>th</sup> P.M.;
- (2) portions of Sections 35, and 36, T. 5 S., R. 94 W., 6<sup>th</sup> P.M.;
- (3) all of Section 7, and portions of Sections 5, 6, 8, 9, 16, 17, and 18, T. 6 S., R. 93 W., 6<sup>th</sup> P.M.;
- (4) all of Sections 10, 11, 12, 14, 15, 18, 19, 20, and 21, and portions of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 16, 17, 22, 23, 24, 27, 28, 29, 30, 33, and 34, T. 6 S., R. 94 W., 6<sup>th</sup> P.M.;
- (5) all of Sections 13, 23, 24, 26, 27, 30, 31, 32, 33, and 34, and portions of Sections 7, 11, 12, 14, 15, 18, 19, 20, 21, 22, 25, 28, 29, 35, and 36, T. 6 S., R. 95 W., 6<sup>th</sup> P.M.;
- (6) all of Section 25, and portions of Sections 13, 23, 24, 26, 35, and 36, T. 6 S., R. 96 W., 6<sup>th</sup> P.M.;
- (7) portions of Sections 3, 4, 5, 6, 7, and 18, T. 7 S., R. 95 W., 6<sup>th</sup> P.M.; and
- (8) all of Sections 12, 14, 21, and 22, and portions of Sections 1, 2, 10, 11, 13, 15, 16, 17, 19, 20, 23, 24, 26, 27, 28, 29, 33, and 34, T. 7 S., R. 96 W., 6<sup>th</sup> P.M.

17. Region 6.

- A. This Region is generally the area north of the Colorado River, and all tributaries thereto, extending from a point between Smith Gulch and Kelly Gulch in Water District 39 to the confluence of the Colorado River and a point on Sulphur Gulch in Section 18, Township 9 South, Range 97 West including only areas east of the Range 97 West and north of Section 18 in Township 9 South, Range 97 West, excluding areas upstream of the Reservoir Ditch on Roan Creek.
- B. Legal Description: A point between Smith Gulch and Kelly Gulch in Water District 39 that intersects the Colorado River is located within the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  in Section 33, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 1300 ft west of the east section line and 1800 ft south of the north section line. The downstream extent of the Region 7 boundary is a point on the Colorado River located within the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  in Section 18, Township 9 South, Range 97 West, of the 6<sup>th</sup> P.M., at a point 1060 ft west of the east section line and 0 ft north of the south section line. The headgate of the Reservoir Ditch is located at a point on Roan Creek, within the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 7, Township 8 South, Range 97 West of the 6<sup>th</sup> P.M., at a point 1050 ft west of the east section line and 200 ft north of the south section line.

**This document constitutes a ruling of the court and should be treated as such.**

**Court:** CO Garfield County District Court 9th JD

**Judge:** Holly Kirsner Strablizky

**Current Date:** Sep 30, 2010

**Case Number:** 2002CW123

**/s/ Judge James B Boyd**



**Granted**

The moving party is hereby ORDERED to provide a copy of this Order to any pro se parties who have entered an appearance in this action within 10 days from the date of this order.

**James B. Boyd**  
**District Court Judge**  
Date of Order attached

*Case No. 02CW123(10f 2)*

*Concerning the Application of the West Divide Water Conservancy District  
Findings of Fact, Conclusions of Law, Ruling of Referee & Decree of Court  
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C. The Region 6 Service Area includes:

- (1) all of Sections 30, 31, and 32, and portions of Sections 19, 20, 28, 29, and 33, T. 7 S., R. 96 W., 6<sup>th</sup> P.M.;
- (2) portions of Sections 24, 25, 33, 34, 35, and 36, T. 7 S., R. 97 W., 6<sup>th</sup> P.M.;
- (3) portions of Sections 4, 5, 6, and 7, T. 8 S., R. 96 W., 6<sup>th</sup> P.M.;
- (4) all of Sections 1, 2, 9, 10, 11, 12, 14, 15, 16, 17, 19, 20, 21, 29, 30, and 31, and portions of Sections 3, 4, 5, 7, 8, 13, 18, 22, 23, 24, 27, 28, 32, and 33, T. 8 S., R. 97 W., 6<sup>th</sup> P.M.; and
- (5) all of Sections 6, and 7, and portions of Sections 5, 8, 17, and 18, T. 9 S., R. 97 W., 6<sup>th</sup> P.M.

18. Region 7.

A. This Region is generally the area south of the Colorado River, and all tributaries thereto, between the intersection of Water District 38 and 45 to Alkali Creek, excluding areas upstream of the following structures:

- (1) Richardson Pump No. 1 and Richardson Pump No. 2; and
- (2) Talbott Ditch No. 2 on Alkali Creek.

B. Legal Description: The intersection of Water Districts 38 and 45 on the Colorado River is located within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  in Section 9, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 2400 ft east of the west section line and 2300 ft south of the north section line. The confluence of Alkali Creek and the Colorado River is located within the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  in Section 36, Township 5 South, Range 91 West of the 6<sup>th</sup> P.M., at a point 1200 ft west of the west section line and 300 ft north of the south section line. The headgate of the Richardson Pump No. 1 and Richardson Pump No. 2 is located at a point on South Canyon Creek, within the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 14, Township 6 South, Range 90 West of the 6<sup>th</sup> P.M., at a point 130 ft east of the west section line and 1310 ft north of the south section line. The headgate of the Talbott Ditch No. 2 is located at a point on Alkali Creek, within the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 3, Township 6 South, Range 91 West of the 6<sup>th</sup> P.M., at a point 2000 ft west of the east section line and 1400 ft south of the north section line.

C. The Region 7 Service Area includes:

- (1) portions of Section 31, T. 5 S., R. 89 W., 6<sup>th</sup> P.M.;
- (2) portions of Section 36, T. 5 S., R. 89 1/2 W., 6<sup>th</sup> P.M.;
- (3) portions of Sections 31, 32, 33, 34, 35, and 36, T. 5 S., R. 90 W., 6<sup>th</sup> P.M.;
- (4) portions of Section 36, T. 5 S., R. 91 W., 6<sup>th</sup> P.M.;
- (5) all of Section 7, and portions of Sections 4, 5, 6, 8, 9, 17, 18, 19, T. 6 S., R. 89 W., 6<sup>th</sup> P.M.;
- (6) all of Sections 3, 4, 11, 12, and portions of Sections 1, 2, 5, 6, 8, 9, 10, 13, 14, 15, 22, 23, 24, 27, T. 6 S., R. 90 W., 6<sup>th</sup> P.M.; and
- (7) portions of Sections 1, 2, and 3, T. 6 S., R. 91 W., 6<sup>th</sup> P.M.

19. Region 8.

- A. This Region is the area south of the Colorado River, and all tributaries thereto, between Alkali Creek and Beaver Creek, excluding the following structures:

- (1) Talbott Ditch No. 2 on Alkali Creek;
- (2) Moore Ditch on Garfield Creek;
- (3) Ward and Reynolds Ditch on Divide Creek;
- (4) Ed Conner Ditch on Dry Hollow Creek;
- (5) Rainbow Ditch on Mamm Creek;
- (6) Adolfo Spring No. 5;
- (7) Crann Pipeline Ditch;
- (8) Hunter and Gant Ditch;
- (9) Cedar Spring and Ditch;
- (10) Side Hill Ditch;
- (11) Anderson Interception Ditch;
- (12) McCarnes Spring No. 1;
- (13) McCarnes Spring No. 2;
- (14) McCarnes Spring No. 3;
- (15) McCarnes Spring No. 4; and
- (16) Buffalo Ditch on Beaver Creek.

- B. Legal Description: The confluence of Alkali Creek and the Colorado River is located within the SE ¼ of the SE ¼ in Section 36, Township 5 South, Range 91 West of the 6<sup>th</sup> P.M., at a point 1200 ft west of the east section line and 300 ft north of the south section line. The confluence of Beaver Creek and the Colorado River is located within the SE ¼ of the SE ¼ in Section 22, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 600 ft west of the east section line and 150 ft north of the south section line. The headgate of the Talbott Ditch No. 2 is

located at a point on Alkali Creek, within the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 3, Township 6 South, Range 91 West of the 6<sup>th</sup> P.M., at a point 2000 ft west of the east section line and 1400 ft south of the north section line. The headgate of the Moore Ditch is located at a point on Garfield Creek, within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 4, Township 6 South, Range 91 West of the 6<sup>th</sup> P.M., at a point 2700 ft west of the east section line and 1500 ft north of the south section line. The headgate of the Ward and Reynolds Ditch is located at a point on Divide Creek, within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 13, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 1750 ft east of the west section line and 2050 ft north of the south section line. The headgate of the Ed Conner Ditch is located at a point on an Dry Hollow Creek, within the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 15, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 20 ft east of the west section line and 2600 ft south of the north section line. The headgate of the Rainbow Ditch is located at a point on an Mamm Creek, within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 29, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 2600 ft east of the west section line and 2550 ft south of the north section line. The headgate of the Adolfo Spring No. 5 is located at a point on an unnamed tributary, within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 18, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 1030 ft west of the east section line and 1660 ft south of the north section line. The headgate of the Crann Pipeline Ditch is located at a point on an unnamed tributary, within the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 24, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 60 ft west of the east section line and 60 ft north of the south section. The headgate of the Hunter and Gant Ditch is located at a point on Dry Creek, within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 21, Township 7 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 1820 ft west of the east section line and 70 ft south of the north section. The headgate of the Cedar Spring and Ditch is located at a point on an unnamed tributary, within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 11, Township 7 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 1800 ft east of the west section line and 2500 ft south of the north section line. The headgate of the Side Hill Ditch is located at a point on an unnamed tributary, within the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 19, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 1000 ft west of the east section line and 900 ft south of the north section line. The headgate of the Anderson Interception Ditch is located at a point on an unnamed tributary, within the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 19, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 1450 ft west of the east section line and 600 ft south of the north section line. The headgate of the McCarnes Spring No. 1 is located at a point on an unnamed tributary, within the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 19, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 2400 ft west of the east section line and 250 ft south of the north section line. The

headgate of the McCarnes Spring No. 2 is located at a point on an unnamed tributary, within the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 19, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 1950 ft east of the west section line and 600 ft south of the north section line. The headgate of the McCarnes Spring No. 3 is located at a point on an unnamed tributary, within the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 19, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 1700 ft east of the west section line and 500 ft south of the north section line. The headgate of the McCarnes Spring No. 4 is located at a point on an unnamed tributary, within the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 19, Township 6 South, Range 93 West of the 6<sup>th</sup> P.M., at a point 1350 ft east of the west section line and 740 ft south of the north section line. The headgate of the Buffalo Ditch is located at a point on Beaver Creek, within the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 26, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 2000 ft east of the west section line and 700 ft south of the north section line.

C. The Region 8 Service Area includes:

- (1) portions of Section 36, T. 5 S., R. 91 W., 6<sup>th</sup> P.M.;
- (2) portions of Sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, and 28, T. 6 S., R. 91 W., 6<sup>th</sup> P.M.;
- (3) all of Sections 19, and 20, and portions of Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 28, 29, 30, and 31, T. 6 S., R. 92 W., 6<sup>th</sup> P.M.;
- (4) all of Sections 13, 21, 22, 23, 26, 27, 28, 29, 31, 32, 33, 34, 35, and portions of Sections 11, 12, 14, 15, 16, 17, 18, 19, 20, 24, 25, 30, and 36 T. 6 S., R. 93 W., 6<sup>th</sup> P.M.;
- (5) portions of Sections 13, 22, 23, 24, 25, 26, 27, and 36, T. 6 S., R. 94 W., 6<sup>th</sup> P.M.;
- (6) all of Sections 2, 3, 4, 5, and 9, and portions of Sections 1, 6, 7, 8, 10, 11, 12, 14, 15, 16, 17, 20, 21, 22, and 23, T. 7 S., R. 93 W., 6<sup>th</sup> P.M.; and
- (7) portions of Section 6, T. 7 S., R. 92 W., 6<sup>th</sup> P.M.

20. Region 9.

- A. This Region is generally the area south of the Colorado River, and all tributaries thereto, between Beaver Creek and a point on the Colorado River in Section 18, Township 9 South, Range 97 West including only areas north of Section 14-18 and 1-2, Township 9 South, Range 97 West, Sections 31-34, Township 9 South, Range 97 West, excluding areas upstream of the following structures:

- (1) Luxon Spring and Ditch;
- (2) Buffalo Ditch on Beaver Creek;
- (3) Rancho Tres Well No. 2 on Porcupine Creek;
- (4) Anderson Ditch on Spruce Creek;
- (5) Reeves Spring on Spring Run-Gulch;
- (6) Mocking Bird Ditch on Cache Creek;
- (7) Potter Springs No 1 2 3 Ditch;
- (8) Graves Springs;
- (9) Mahaffey Gathering D No 1;
- (10) Mahaffey Gathering D No 2;
- (11) Spring Creek Ditch on Cottonwood Creek;
- (12) Forshee Gathering D No 2;
- (13) Slide Creek Ditch No 2;
- (14) Slide Creek Ditch No 1;
- (15) Rivers Ditch;
- (16) Knight Ditch;
- (17) Wayne Ditch on Battlement Creek;
- (18) Grand Valley Water Supply Pl;
- (19) Spring Gulch D No 1;
- (20) Spring Gulch D No 2;
- (21) Spring Gulch D No 3;
- (22) Revell Spring and WW;
- (23) Monument Gulch Ditch;
- (24) Dry Creek Ditch on Dry Creek;
- (25) James Leonard Spring;
- (26) Pete and Bill Ditch on Pete and Bill Creek;
- (27) Tanney No 2 Ditch on Spring Creek;
- (28) Baker Springs;
- (29) Baker Ditch on Wallace Creek;
- (30) Eaken Ditch No 1 on Little Alkali Creek; and
- (31) Sawyer Ditch on Alkali Creek.

B Legal Description: The confluence of Beaver Creek and the Colorado River is located within the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  in Section 22, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 600 ft west of the east section line and 150 ft north of the south section line. The downstream extent of the Region 9 boundary is a point on the Colorado River located within the SE  $\frac{1}{4}$  of the SE in  $\frac{1}{4}$  in Section 18, Township 9 South, Range 97 West, of the 6<sup>th</sup> P.M., at a point 1060 ft west of the east section line and 0 ft north of the south section line. The headgate of the

Luxon Spring and Ditch is located at a point on an unnamed tributary, within the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 26, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 1600 ft west of the east section line and 2000 ft south of the north section line. The headgate of the Buffalo Ditch is located at a point on Beaver Creek, within the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 26, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 2000 ft east of the west section line and 700 ft south of the north section line. The headgate of the Rancho Tres Well No. 2 is located at a point on Porcupine Creek, within the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 26, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 1060 ft east of the west section line and 920 ft north of the south section line. The headgate of the Anderson Ditch is located at a point on Spruce Creek, within the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 4, Township 7 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 215 ft west of the east section line and 950 ft south of the north section line. The headgate of the Reeves Spring is located at a point on Spring Run-Gulch, within the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 4, Township 7 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 860 ft east of the west section line and 2840 ft south of the north section line. The headgate of the Mocking Bird Ditch is located at a point on an Cache Creek, within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 32, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 600 ft east of the west section line and 2500 ft north of the south section line. The headgate of the Potter Springs No 1 2 3 Ditch is located at a point on an unnamed tributary, within the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 30, Township 6 South, Range 94 West of the 6<sup>th</sup> P.M., at a point 80 ft east of the west section line and 100 ft north of the south section line. The headgate of the Graves Springs is located at a point on an unnamed tributary, within the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 36, Township 6 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1300 ft west of the east section line and 500 ft south of the north section line. The headgate of the Mahaffey Gathering D No 1 is located at a point on an unnamed tributary, within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 36, Township 6 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 2100 ft east of the west section line and 1850 ft south of the north section line. The headgate of the Mahaffey Gathering D No 2 is located at a point on an unnamed tributary, within the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 35, Township 6 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 500 ft west of the east section line and 1550 ft north of the south section line. The headgate of the Spring Creek Ditch is located at a point on Cottonwood Creek, within the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 2, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1500 ft west of the east section line and 2150 ft south of the north section line. The headgate of the Forshee Gathering D No 2 is located at a point on an unnamed tributary, within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 2, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1100 ft east of the

west section line and 1500 ft south of the north section line. The headgate of the Slide Creek Ditch No 2 is located at a point on an unnamed tributary, within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 3, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 2240 ft west of the east section line and 1800 ft south of the north section line. The headgate of the Slide Creek Ditch No 1 is located at a point on an unnamed tributary, within the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 3, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 2320 ft east of the west section line and 2000 ft south of the north section line. The headgate of the Rivers Ditch is located at a point on an unnamed tributary, within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 4, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 200 ft west of the east section line and 2150 ft south of the north section line. The headgate of the Wayne Ditch is located at a point on Battlement Creek, within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 4, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 2600 ft east of the west section line and 1800 ft south of the north section line. The headgate of the Grand Valley Water Supply Pl is located at a point on an unnamed tributary, within the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 5, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 960 ft west of the east section line and 350 ft north of the south section line. The headgate of the Spring Gulch D No 1 is located at a point on an unnamed tributary, within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 5, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1700 ft west of the east section line and 1450 ft north of the south section line. The headgate of the Spring Gulch D No 2 is located at a point on an unnamed tributary, within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 5, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1650 ft west of the east section line and 1550 ft north of the south section line. The headgate of the Spring Gulch D No 3 is located at a point on an unnamed tributary, within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 5, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1500 ft west of the east section line and 1700 ft north of the south section line. The headgate of the Revell Spring and WW is located at a point on an unnamed tributary, within the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 5, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 1120 ft west of the east section line and 700 ft north of the south section line. The headgate of the Monument Gulch Ditch is located at a point within the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 18, Township 7 South, Range 95 West of the 6<sup>th</sup> P.M., at a point 2020 ft north of the south section line and 470 ft east of the west section line. The headgate of the Dry Creek Ditch is located at a point on Dry Creek, within the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 24, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 650 ft east of the west section line and 880 ft north of the south section line. The headgate of the James Leonard Spring is located at a point on an unnamed tributary, within the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 1,

Township 8 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 150 ft east of the west section line and 400 ft south of the north section line. The headgate of the Pete and Bill Ditch is located at a point on Pete and Bill Creek, within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 35, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 240 ft west of the east section line and 2330 ft south of the north section line. The headgate of the Tanney No 2 Ditch is located at a point Spring Creek, within the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Section 34, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 1550 west of the east section line and 2550 ft north of the south section line. The headgate of the Baker Springs is located at a point on an unnamed tributary, within the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 34, Township 7 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 1770 ft east of the west section line and 1550 ft north of the south section line. The headgate of the Baker Ditch is located at a point on Wallace Creek, within the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 3, Township 8 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 2020 ft east of the west section line and 1450 ft south of the north section line. The headgate of the Eaken Ditch No 1 is located at a point on Little Alkali Creek, within the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 4, Township 8 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 2600 ft east of the west section line and 500 ft south of the north section line. The headgate of the Sawyer Ditch is located at a point on Alkali Creek, within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 8, Township 8 South, Range 96 West of the 6<sup>th</sup> P.M., at a point 170 ft west of the east section line and 2670 ft north of the section line.

C. The Region 9 Service Area includes:

- (1) portions of Sections 22, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, T. 6 S., R. 94 W., 6<sup>th</sup> P.M.;
- 2) portions of Sections 25, 35, and 36, T. 6 S., R. 95 W., 6<sup>th</sup> P.M.;
- (3) portions of Sections 2, 3, 4, 5, 8, 9, 10, 11, 15, 16, and 17, T. 7 S., R. 94 W., 6<sup>th</sup> P.M.;
- (4) portions of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 28, 29, and 30, T. 7 S., R. 95 W., 6<sup>th</sup> P.M.;
- (5) portions of Sections 13, 23, 24, 25, 26, 27, 33, 34, 35, and 36, T. 7 S., R. 96 W., 6<sup>th</sup> P.M.;
- (6) all of Sections 18, 19, 20, 29, 30, 31, and 32, and portions of Sections 1, 2, 3, 4, 5, 7, 8, 9, 16, 17, 21, 28, 33, and 34, T. 8 S., R. 96 W., 6<sup>th</sup> P.M.;
- (7) all of Sections 25, 34, 35, and 36, and portions of Sections 13, 23, 24, 26, 27, 33, T. 8 S., R. 97 W., 6<sup>th</sup> P.M.; and
- (8) all of Sections 1, 2, 3, 9, 10, 14, 15, and 16, and portions of Sections 4, 5, 8, 11, 12, 13, 17, and 18, T. 9 S., R. 97 W., 6<sup>th</sup> P.M.

21. Augmentation will only be required during such times as the Avalanche Canal and Siphon is out of priority or to the extent depletions from all alternate points of diversion for the Avalanche Canal and Siphon exceed 50% of the amount legally and physically available at the original points of diversion for the Avalanche Canal and Siphon. Augmentation will come via releases from Ruedi, Wolford Mountain and/or Green Mountain Reservoirs. The depletions associated with the diversions at the alternate points of diversion within Area A will be based upon the following assumptions:

A. Irrigation.

Irrigation Consumptive Use (feet)				
Elevation Zone				
	<u>4500' - 4999'</u>	<u>5000' - 5499'</u>	<u>5500' - 5999'</u>	<u>6000' - 6499'</u>
April	0.169	0.118	0.087	0.058
May	0.335	0.318	0.301	0.285
June	0.477	0.461	0.444	0.427
July	0.525	0.508	0.490	0.473
August	0.415	0.400	0.385	0.370
September	0.294	0.283	0.272	0.260
October	<u>0.082</u>	<u>0.075</u>	<u>0.068</u>	<u>0.054</u>
Annual	2.298	2.162	2.047	1.926

B. Domestic In-house Use. In-house diversions for single and multi-family residences will be 350 gallons per day per residence. Consumptive water use will be 15% for non-evaporative individual sewage disposal systems and 5% for central wastewater treatment systems.

C. Livestock. Consumptive use for horses, cows and other types of livestock will be 11 gallons per day per animal.

- D. Evaporation. Replacement water for evaporation from ponds or other water surfaces will vary by elevation zone and will be determined in accordance with the following tables:

Pond Evaporation (acre-ft) On-Channel Structures <b>with</b> Effective Precipitation Included Elevation Zone				
	<u>4500' - 4999'</u>	<u>5000' - 5499'</u>	<u>5500' - 5999'</u>	<u>6000' - 6499'</u>
January	0.00	0.00	0.00	0.00
February	0.06	0.05	0.05	0.00
March	0.16	0.14	0.13	0.11
April	0.29	0.28	0.27	0.26
May	0.38	0.37	0.37	0.36
June	0.50	0.49	0.49	0.48
July	0.51	0.51	0.50	0.50
August	0.44	0.43	0.43	0.42
September	0.31	0.30	0.30	0.29
October	0.18	0.18	0.17	0.18
November	0.12	0.00	0.01	0.02
December	0.07	0.00	0.00	0.00
<b><u>Annual</u></b>	<b><u>3.01</u></b>	<b><u>2.76</u></b>	<b><u>2.71</u></b>	<b><u>2.62</u></b>

Pond Evaporation (acre-ft) On-Channel Structures without Effective Precipitation Included Elevation Zone				
	<u>4500' - 4999'</u>	<u>5000' - 5499'</u>	<u>5500' - 5999'</u>	<u>6000' - 6499'</u>
January	0.00	0.00	0.00	0.00
February	0.00	0.00	0.00	0.00
March	0.21	0.21	0.21	0.21
April	0.34	0.34	0.34	0.34
May	0.45	0.45	0.45	0.45
June	0.54	0.54	0.54	0.54
July	0.56	0.56	0.56	0.56
August	0.51	0.51	0.51	0.51
September	0.38	0.38	0.38	0.38
October	0.26	0.26	0.26	0.26
November	0.03	0.03	0.03	0.03
December	0.00	0.00	0.00	0.00
<b><u>Annual</u></b>	<b><u>3.27</u></b>	<b><u>3.27</u></b>	<b><u>3.27</u></b>	<b><u>3.27</u></b>

- E. Office Buildings. Water use for office buildings will be based on 20 gallons per capita day. Consumptive water use will be 15% for non-evaporative individual sewage disposal systems and 5% for central wastewater treatment systems.
- F. Water Hauling. All water hauled for commercial and industrial purposes is assumed to be 100 % consumptive.
- G. Other Uses. Water requirements for other uses, including commercial and industrial, cannot be predicted with certainty and will be determined on a case-by-case basis. Estimates for consumptive use amounts for commercial and industrial uses are expected to range from 15% to 100% based upon the type of commercial

or industrial use. These case-by-case water use estimates will be prepared by a water engineer or hydrologist and will be subject to review and approval by the Division Engineer using commonly accepted engineering practices.

- H. Delayed Depletions from Ground Water Diversions. The amount of stream depletion will be calculated using delayed depletion factors and delayed return flow factors based on a Glover analysis of well diversions. Wells are grouped in six separate categories based on location and aquifer characteristics as follows:

<u>WELL CATEGORY</u>	<u>DESCRIPTION</u>
A1	Alluvial wells less than 1000 ft. from stream T = 100,000 GPD/FT S = 0.20
A2	Alluvial wells between 1000-2000 ft. from stream T = 100,000 GPD/FT S = 0.20
A3	Alluvial wells greater than 2000 ft from stream T = 100,000 GPD/FT S = 0.20
B1	Bedrock wells less than 1000 ft. from stream T = 5,000 GPD/FT S = 0.15
B2	Bedrock wells between 1000-2000 ft. from stream T = 5,000 GPD/FT S = 0.15
B3	Bedrock wells greater than 2000 ft. from stream T = 5,000 GPD/FT S = 0.15

The delayed depletion factors for each category are presented in Table 3 attached hereto and incorporated by this reference.

- I. Transit Losses. Transit losses of 5% will be applied to all releases from Ruedi, Wolford Mountain and/or Green Mountain Reservoirs. Transit losses may be modified per C.R.S. §§ 37-80-102(7) and 37-83-104, as deemed necessary by the Division Engineer.
- J. Accounting. Applicant will provide detailed accounting of diversions and depletions to the State and Division Engineers as required by the State and Division Engineers to administer the within plan for augmentation. Measuring devices will be required for all surface and groundwater diversions.

## **CLAIM FOR CONDITIONAL APPROPRIATIVE RIGHTS OF EXCHANGE**

- 22. Claim for Conditional Appropriative Rights of Exchange.
  - A. Applicant claims conditional appropriative rights of exchange for each region within its Area A Service Area. Applicant shall exchange water released from Ruedi, Wolford Mountain and/or Green Mountain Reservoirs to various points of diversion for wells, surface water rights and reservoirs. The reach for each exchange shall be between the Roaring Fork and Colorado Rivers and the upper boundary of the Regions described above.
  - B. The specific points of diversion for wells, surface water rights and reservoirs shall be identified in subsequent applications to make the exchanges absolute and for finding of reasonable diligence on the remaining conditional exchanges.
  - C. The date of appropriation for Applicant's exchanges shall be January 1, 2004. The appropriation was initiated by formation of intent to adjudicate the exchanges as claimed herein.
  - D. The rate of exchange shall be up to 10 cfs, conditional, for each of the 9 Regions.
  - E. The appropriation was initiated by formation of intent to appropriate the exchanges as claimed herein.
  - F. On or before January, 1, 2004, Applicant: 1) had discussions with representatives of the Division Engineer's Office for Water Division No. 5 regarding the need for the plan for augmentation and exchanges claimed herein; 2) prepared engineering and legal documents to secure the conditional rights of exchange; and 3) secured

additional water supplies to serve structures covered by the conditional rights of exchange.

- G. At timely intervals as required by statute, Applicant shall file an application for finding of reasonable diligence for the conditional appropriative rights of exchange claimed herein. In all notices related to the diligence applications, Applicant shall identify the individual West Divide contractee by name, state the amount of water contracted for, and provide a legal description of the various points of diversion

23. Conditions and Stipulations

- A. To avoid injury to other water rights, the alternate points of diversion for the Avalanche Canal and Siphon shall not place any upstream call on the Colorado River, Roaring Fork River and their tributaries, except for the Crystal River and Avalanche Creek.
- B. Diversions from all alternate points of diversion for the Avalanche Canal and Siphon, whether decreed in this matter, in previous matters, or in future matters, shall be limited to the amounts legally and physically available at the original points of diversion for the Avalanche Canal and Siphon. When Avalanche Canal and Siphon is not in priority, or to the extent depletions, including lagged depletions, exceed 50% of the amount legally and physically available at the original points of diversion for the Avalanche Canal and Siphon, depletions must be replaced by releases of water stored in Ruedi, Wolford Mountain and/or Green Mountain Reservoirs pursuant to contract.
- C. By Water Service Agreements between Applicant and the United States Bureau of Reclamation, Applicant has the right to call for release of up to 600 acre feet of water per year from Ruedi Reservoir, and up to 200 acre feet per year from Green Mountain Reservoir, for augmentation and other purposes.
- D. By Water Service Agreement between Applicant and the Colorado River Water Conservation District, Applicant has contracted for 100 acre feet of additional Ruedi Reservoir water and further has obtained an option on another 900 acre feet of Ruedi Reservoir water.
- E. Ruedi Reservoir was authorized to provide replacement water for senior downstream water rights in Western Colorado when water is diverted to Eastern

Colorado through the Fryingpan-Arkansas Project. Additional storage is available for beneficial uses in Western Colorado.

- F. Applicant's Area A boundary shall not extend above its current location without formal amendment. A map depicting Applicant's Area A is attached as Exhibit A and incorporated herein by this reference. Water Allotment Contracts issued by Applicant to contractees for structures located outside Applicant's Area A shall not be covered by the plan for augmentation approved and decreed herein.
- G. Pursuant to a Stipulation between Applicant and Dixon Water Foundation (formerly SWD, LLC, (formerly CSCCN)), Applicant's Area A boundary shall not extend above the Mineota Ditch on Divide Creek, or the Ed Connor Ditch on Dry Hollow Creek without proper amendment. The headgate of the Mineota Ditch is located at a point on Divide Creek, within the SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  Section 24, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 600 ft west of the east section line and 1,535 ft north of the south section line. The headgate of the Ed Conner Ditch is located at a point on Dry Hollow Creek, within the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 15, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., at a point 20 ft east of the west section line and 2600 ft south of the north section line.
- H. Pursuant to Stipulation between Applicant and Lands West et al., this case shall not pertain to, provide for alternate points of diversion, or augment structures located in the Canyon Creek drainage above the headgate of the Johnson-Wolverton Ditch, which is located on the east bank of Canyon Creek, at a point in the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 25, Township 5 South, Range 90 West of the 6<sup>th</sup> P.M., whence the Southwest Corner of said Sections bears South 24E20" West 2401.7 feet.
- I. The CWCB has minimum streamflow rights on Elk Creek and Rifle Creek. Pursuant to Stipulation between Applicant and the CWCB, this case shall not pertain to, provide alternate points of diversion, or augment structures located in the Elk Creek drainage or Rifle Creek drainage above the confluence of Elk Creek and the Colorado River or above the confluence of Rifle Creek and the Colorado River. The confluence of the Colorado River and Elk Creek is located within the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  in Section 31, Township 5 South, Range 90 West of the 6<sup>th</sup> P.M., at a point 1400 ft east of the west section line and 1600 ft north of the south section line. The confluence of the Colorado River and Rifle Creek is located within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  in Section 17, Township 6 South, Range 93 West of

the 6<sup>th</sup> P.M., at a point 150 ft west of the east section line and 2050 ft south of the north section line.

- J. Applicant has entered into a Stipulation with Twin Lakes, which Stipulation is incorporated herein by reference.
- K. Applicant acknowledges that diversions by contractees as an alternate point of diversion to the Avalanche Canal and Siphon are not beneficiaries of the Green Mountain Historic Users Pool.

### **CONCLUSIONS OF LAW**

- 24. The findings of fact set out above are incorporated here to the extent that they constitute conclusions of law.
- 25. The Application filed in this case is complete, covering all applicable matters required under C.R.S. § 37-92-302.
- 26. All notice required by law has been given, and no further notice need be given. C.R.S. §§ 37-92-101, *et seq.*
- 27. This Court has jurisdiction of this matter and of all persons, whether they have appeared or not. C.R.S. §§ 37-92-301(2) and -303(1).
- 28. The Application is in accordance with Colorado Law and should be granted.

### **RULING OF REFEREE AND DECREE OF COURT**

- 29. The foregoing Findings of Fact and Conclusions of Law are incorporated herein and made part of the Ruling of the Referee.
- 30. The claim for alternate points of diversion, approval for plan for augmentation and claim for conditional appropriative rights of exchange proposed by Applicant are such as are contemplated by law. If implemented and administered in accordance with this decree, the claim for alternate points of diversion, approval of plan for augmentation and claim for conditional appropriative rights of exchange described herein will provide water to Applicant's contractees without adversely affecting the owners or users of vested water rights or decreed conditional water rights. The claim for alternate points of diversion,

approval of plan for augmentation and claim for conditional appropriative rights of exchange described herein may be lawfully decreed by this Court.

31. The Referee rules that the claim for alternate points of diversion, approval for plan for augmentation and claim for conditional appropriative rights of exchange described herein are approved.
32. Pursuant to C.R.S. § 37-92-305(8), the State Engineer shall curtail all of Applicant's out of priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.
33. Prior to the construction or operation of any well pursuant to this plan, the well user shall obtain a well permit issued pursuant to C.R.S. §37-90-137 and this plan for augmentation.
34. Applicant shall install measuring devices, provide accounting, and supply calculations regarding the timing of depletions as required by the Division Engineer for the operation of this plan. The Applicant shall also file an annual report with the Division Engineer by November 15<sup>th</sup> of each year summarizing diversions and replacements made under this plan. The annual report will include the last known name of the owner, structure name, type and location, use, and lag zone. A copy of the annual report will be provided to the Water Court.
35. In consideration of the specific findings and conclusions made herein and in conformance with C.R.S. §37-92-304(6), the approval of the change of water rights and amendment to plan for augmentation decreed herein shall be subject to reconsideration by the Water Judge on the question of injury to the vested water rights of others for a period of 5 calendar years from the date West Divide's Area A augmentation program becomes 90% subscribed. If no petition for reconsideration is filed within those 5 years, retention of jurisdiction for this purpose shall automatically expire.

IT IS ACCORDINGLY ORDERED that this Ruling shall be filed with the Water Clerk subject to judicial review pursuant to C.R.S. § 37-92-304.

IT IS FURTHER ORDERED that a copy of the Ruling shall be filed with the State Engineer and Division Engineer for Water Division No. 5.

Dated: August 25, 2010

BY THE REFEREE:

WAS Strabinsky  
Water Referee, Water Division No. 5

No protest was filed in this matter. The foregoing Ruling of the Referee is confirmed and approved, and is made the Judgment and Decree of this Court and the month and year for filing an Application for Finding of Reasonable Diligence is \_\_\_\_\_.

Dated: \_\_\_\_\_

BY THE COURT:

\_\_\_\_\_  
Water Judge

**This document constitutes a ruling of the court and should be treated as such.**

**Court:** CO Garfield County District Court 9th JD

**Judge:** Holly Kirsner Strablizky

**Current Date:** Sep 30, 2010

**Case Number:** 2002CW123

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**Court Authorizer**

**Comments:**

Any request for a further finding of diligence shall be filed in September 2016.

**/s/ Judge James B Boyd**

Structure Summary Report										HydroBase
State of Colorado										
Structure Name: FRAC TECH WELL #1							Water District: 39		Structure ID Number: 8146	
Source: COLORADO RIVER										
Location:		Q10	Q40	Q160	Section	Twnshp	Range	PM		
		SW	NE	27	7S	96W	S			
Distance From Section Lines:		From N/S Line:			From E/W Line:					
UTM Coordinates (NAD 83):		Northing (UTM y): 4366927			Easting (UTM x): 233648.8		Spotted from PLSS distances from section lines			
Latitude/Longitude (decimal degrees):				39.410746			-108.093615			
Water Rights Summary:		Total Decreed Rate(s) (CFS):				Absolute:	0.0000	Conditional:	0.0000	AP/EX: 0.0000
		Total Decreed Volume(s) (AF):				Absolute:	0.0000	Conditional:	0.0000	AP/EX: 0.0000

Water Rights -- Transactions									
Case Number	Adjudication Date	Appropriation Date	Administration Number	Order Number	Priority Number	Decreed Amount	Adjudication Type	Uses	Action Comment
02CW0123	1958-06-20	1957-04-22	39193.00000	0	715	0 C	S,AP	8	AUGMENTED BY WEST DIVIDE AP TO AVALANCHE

Water Rights -- Net Amounts										
Adjudication Date	Appropriation Date	Administration Number	Order Number	Priority/Case Number	Rate (CFS)			Volume (Acre-Feet)		
					Absolute	Conditional	AP/EX	Absolute	Conditional	AP/EX
No data available for this report										

Irrigated Acres Summary -- Totals From Various Sources									
GIS Total (Acres):					Reported:				
No data available for this report					Reported:				
Diversion Comments Total (Acres):					Reported:				
Structure Total (Acres):					Reported:				

Irrigated Acres From GIS Data							
Year	Land Use	Acres Flood	Acres Furrow	Acres Sprinkler	Acres Drip	Acres Groundwater	Acres Total
No data available for this report							

Diversion Summary in Acre-Feet - Total Water Through Structure																	
Year	FDU	LDU	DWC	Maxq & Day	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Total
No data available for this report																	
Minimum:																	
Maximum:																	
Average:																	

Notes:

The average considers all years with diversion records, even if no water is diverted.  
The above summary lists total monthly diversions.  
\* = Infrequent Diversion Record. All other values are derived from daily records.  
Average values include infrequent data if infrequent data are the only data for the year.

Diversion Comments			
IYR	NUC Code	Acres Irrigated	Comment
2011	Structure not usable		USER SUPPLIED INFO
2012	Structure not usable		USER SUPPLIED INFO
Note: Diversion comments and reservoir comments may be shown for a structure, if both are available.			

Structure Name: FRAC TECH WELL #3				Water District: 39		Structure ID Number: 8144	
Source:		UNNAMED TRIB(COLO R)					
Location:	Q10	Q40	Q160	Section	Twنشp	Range	PM
		SW	NE	27	7S	96W	S
Distance From Section Lines:		From N/S Line:		From E/W Line:			
UTM Coordinates (NAD 83):		Northing (UTM y):		4367028		Easting (UTM x): 233826.1	
Latitude/Longitude (decimal degrees):				39.411711		-108.091599	
Water Rights Summary:	Total Decreed Rate(s) (CFS):		Absolute:		0.0000		Conditional: 0.0000
	Total Decreed Volume(s) (AF):		Absolute:		0.0000		Conditional: 0.0000
			AP/EX:		0.0000		

Water Rights -- Transactions									
Case Number	Adjudication Date	Appropriation Date	Administration Number	Order Number	Priority Number	Decreed Amount	Adjudication Type	Uses	Action Comment
02CW0123	1958-06-20	1957-04-22	39193.00000	0	715	0 C	S,AP	8	AUGMENTED BY WEST DIVIDE AP TO AVALANCHE

Water Rights -- Net Amounts										
Adjudication Date	Appropriation Date	Administration Number	Order Number	Priority/Case Number	Rate (CFS)			Volume (Acre-Feet)		
					Absolute	Conditional	AP/EX	Absolute	Conditional	AP/EX
No data available for this report										

Irrigated Acres Summary -- Totals From Various Sources	
GIS Total (Acres):	Reported:
No data available for this report	
Diversion Comments Total (Acres):	Reported:
Structure Total (Acres):	Reported:

Irrigated Acres From GIS Data						
Year	Land Use	Acres Flood	Acres Furrow	Acres Sprinkler	Acres Drip	Acres Groundwater
Acres Total						
No data available for this report						

Diversion Summary in Acre-Feet - Total Water Through Structure																	
Year	FDU	LDU	DWC	Maxq & Day	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Total
No data available for this report																	
			Minimum:														
			Maximum:														
			Average:														

Notes: The average considers all years with diversion records, even if no water is diverted.  
The above summary lists total monthly diversions.  
\* = Infrequent Diversion Record. All other values are derived from daily records.  
Average values include infrequent data if infrequent data are the only data for the year.

Diversion Comments			
IYR	NUC Code	Acres Irrigated	Comment
2011	Structure not usable		USER SUPPLIED INFO
2012	Structure not usable		USER SUPPLIED INFO

Note: Diversion comments and reservoir comments may be shown for a structure, if both are available.

Structure Summary Report										HydroBase
State of Colorado										
Structure Name: VERKERK WELL							Water District: 39		Structure ID Number: 8106	
Source: COLORADO RIVER										
Location:		Q10	Q40	Q160	Section	Twtnshp	Range	PM		
		SW	NE	27	7S	96W	S			
Distance From Section Lines:		From N/S Line:			From E/W Line:					
UTM Coordinates (NAD 83):		Northing (UTM y): 4366961			Easting (UTM x): 233730.4		Spotted from PLSS distances from section lines			
Latitude/Longitude (decimal degrees):					39.411079		-108.092682			
Water Rights Summary:		Total Decreed Rate(s) (CFS):				Absolute:	0.0000	Conditional:	0.0000	AP/EX: 0.0000
		Total Decreed Volume(s) (AF):				Absolute:	0.0000	Conditional:	0.0000	AP/EX: 0.0000

Water Rights -- Transactions									
Case Number	Adjudication Date	Appropriation Date	Administration Number	Order Number	Priority Number	Decreed Amount	Adjudication Type	Uses	Action Comment
99CW0320	1958-06-20	1957-04-22	39193.00000	0	715	0 C	S,AP	8	AUGMENTED BY WEST DIVIDE AP TO AVALANCHE

Water Rights -- Net Amounts										
Adjudication Date	Appropriation Date	Administration Number	Order Number	Priority/Case Number	Rate (CFS)			Volume (Acre-Feet)		
					Absolute	Conditional	AP/EX	Absolute	Conditional	AP/EX
No data available for this report										

Irrigated Acres Summary -- Totals From Various Sources									
GIS Total (Acres):					Reported:				
No data available for this report					Reported:				
Diversion Comments Total (Acres):					Reported:				
Structure Total (Acres):					Reported:				

Irrigated Acres From GIS Data									
Year	Land Use	Acres Flood	Acres Furrow	Acres Sprinkler	Acres Drip	Acres	Groundwater	Acres	Total
No data available for this report									

Diversion Summary in Acre-Feet - Total Water Through Structure																
Year	FDU	LDU	DWC	Maxq & Day	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Total
No data available for this report																
Minimum:																
Maximum:																
Average:																

Notes:

The average considers all years with diversion records, even if no water is diverted.  
The above summary lists total monthly diversions.  
\* = Infrequent Diversion Record. All other values are derived from daily records.  
Average values include infrequent data if infrequent data are the only data for the year.

Diversion Comments			
IYR	NUC Code	Acres Irrigated	Comment
2010	Water taken but no data available		USER SUPPLIED INFO
2011	Water available, but not taken		USER SUPPLIED INFO
2012	Water taken but no data available		USER SUPPLIED INFO
Note: Diversion comments and reservoir comments may be shown for a structure, if both are available.			