



**ORIGINAL PERMIT APPLICANT(S)**

CACTUS CREEK RANCH LLC

**APPROVED WELL LOCATION**

Water Division: 2      Water District: 10  
Designated Basin: N/A  
Management District: N/A  
County: EL PASO  
Parcel Name: N/A  
Physical Address: N/A

SE 1/4 SW 1/4 Section 15 Township 17.0 S Range 65.0 W Sixth P.M.

**UTM COORDINATES (Meters, Zone: 13, NAD83)**

Easting: 530078.0      Northing: 4268602.0

**PERMIT TO USE AN EXISTING WELL**

**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 37-90-137(2), to change/expand the use on an existing well with permit no. 53192-F, on the condition that this well is operated in accordance with the Middle Arkansas Groundwater User's Association (MAGUA) Augmentation Plan approved by the Division 2 Water Court in case no. 07CW0129. If this well is not operated in accordance with the terms of said decree, it will be subject to administration including orders to cease diverting water. The well structure I.D.# is 1006207.
- 4) The issuance of this permit hereby cancels permit no. 53192-F.
- 5) The use of ground water from this well is limited to those uses as described in case no. 07CW0129 (Exhibit C), which may include ordinary household purposes, livestock, poultry, horse arenas, greenhouse, nursery, dust suppression, aggregate, drip irrigation and pond evaporation.
- 6) The pumping rate of this well shall not exceed 15 GPM, as requested.
- 7) The annual withdrawal of ground water from this well, in combination with the other wells operating pursuant to case no. 07CW0129, may vary from year to year up to a maximum of 110 acre-feet, and is subject to limitations due to the availability of augmentation water to replace projected lagged depletions as described in the decree.
- 8) The return flow from the use of this well must be through a non-evaporative septic system or municipal waste water treatment plant (Harding), per decree.
- 9) The owner shall mark the well in a conspicuous place with well permit number(s), name of the aquifer, and court case number (s) as appropriate. The owner shall take necessary means and precautions to preserve these markings.
- 10) All wells covered by this plan for augmentation shall be metered. Meters shall be installed, operated, tested and verified in accordance with Amended Rules Governing the Measurement of Ground Water Diversions Located in the Arkansas River Basin, Case No. 05CW88, and other applicable rules adopted in the future by the State Engineer. Meter readings shall be read and recorded monthly.
- 11) This well must be located not more than 200 feet from the location specified on this permit and more than 600 feet from any existing well, completed in the same aquifer, that is not owned by the applicant.

NOTICE: This permit has been approved for an existing well located Easting 530078 and Northing 4268602, modifying Item 4 on the well permit application form. You are hereby notified that you have the right to appeal the issuance of this permit, by filing a written request with this office within sixty (60) days of the date of issuance, pursuant to the State Administrative Procedures Act. (See Section 24-4-104 through 106, C.R.S.)

WELL PERMIT NUMBER 83533-F

RECEIPT NUMBER 3674952A



Date Issued: 8/26/2019

Expiration Date: N/A

Issued By JOHN GABERT

**PERMIT HISTORY**

09-10-2020 CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO FIVE STAR HOLDINGS LLP