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PUEBLO, COLORADO

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WATER RESOURCES
STATE ENGINEER
COLO.

DISTRICT COURT, WATER DIVISION 2, COLORADO

Case No. 98CW58

FINDINGS OF FACT, CONCLUSIONS OF LAW, JUDGMENT AND DECREE

CONCERNING THE APPLICATION FOR WATER RIGHTS OF
FRANK A. LEE and NEW BREED RANCH, INC.

FILED IN THE OFFICE OF THE CLERK,
DISTRICT COURT WATER DIV. NO. 2
STATE OF COLORADO

In El Paso County.

DEC 01 1998

MARDELL TRIVISONNO
CLERK

The Court, having considered all matters contained in the application, documents, stipulations, and other filed pleadings, and having taken testimony and evidence as necessary and appropriate, makes the following Findings of Fact, Conclusions of Law, and Decree:

FINDINGS OF FACT

I. JURISDICTIONAL FACTS.

1. The application in this case was filed on February 27, 1998 in Water Division 2.
2. The application was published in the resume for Water Division 2 and in a newspaper of general circulation in El Paso County, as required by law.
3. The City of Colorado filed a timely statement of opposition. No other statements of opposition were filed, and the time for filing statements of opposition has expired. No motions to intervene have been filed.
4. Pursuant to Applicant's Motion, the case was re-referred to the Water Judge, Water Division 2 by order dated May 12, 1998.
5. The land and water involved herein are not within the boundaries of a designated ground water basin.
6. The court has jurisdiction over the subject matter of this proceeding and over all persons who might be affected by the granting of this decree, whether or not they have appeared herein.

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JUL 12 2002

Case No. 98CW58
Water Division 2
Page 2

WATER RESOURCES
STATE ENGINEER
COLO.

II. UNDERGROUND WATER RIGHTS.

7. The applicants for adjudication of the water in the Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers underlying certain land in El Paso County are: New Breed Ranch, Inc. and Frank A. Lee, whose addresses are 3250 Shoup Road, Colorado Springs, CO 80908. Their shared phone number is 719 495-3183.

8. The property beneath which the water is sought to be adjudicated ("Property") consists of 460.3 acres owned by the Applicants. However, Applicants are adjudicating water in the Dawson aquifer underlying only 450.3 acres of land; the remaining 10 acres are omitted from this application to allow for the appropriation of 1.8 acre feet by well permit no. 116736. A general location map and legal description of the Property are attached to this decree as Exhibits A and B, respectively.

9. Notice of the filing of the application was given to Bank of New York in Garden City, New York, pursuant to C.R.S. § 37-90-137(4)(b.5)(I). There are no other owners of liens or encumbrances to whom such notice is required to be given.

10. The amount of water underlying the Property and which is available for appropriation is set forth on Table A. The figures on Table A are based on the State Engineer's Determination of Facts dated June 11, 1998. Pursuant to § 37-92-305(11), the Court will retain jurisdiction to finally determine the amount of water available for appropriation, based on site-specific data when it becomes available, and to adjust upward or downward as appropriate the amount available for withdrawal from each aquifer. The Applicants need not refile, republish, or otherwise amend this decree to request or obtain such adjustments.

TABLE A

Aquifer:	Acreage	Specific Yield	Saturated Thickness (feet)	Total Storage (AF)	Annual Diversion (AF)
Dawson	450.3	.20	125	11,078	111.0
Denver	460.3	.17	500	39,100	391.0
Arapahoe	460.3	.17	240	18,780	188.0
Laramie-Fox Hills	460.3	.15	190	13,118	131.0

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JUL 12 2002

WATER RESOURCES
STATE ENGINEER
COLO.

Case No. 98CW58
Water Division 2
Page 3

11. The above water will be withdrawn through the following structures:

- A. Well DA-1.
 - i. Source: Not nontributary Dawson aquifer.
 - ii. Use: Domestic, irrigation, commercial and live-stock watering, decorative ponds and swimming pools, dust suppression, central water supply and fire fighting purposes.
 - iii. Amount: 50 g.p.m., 111 acre feet annually.
 - iv. Locations: at any location on the Property, provided that it shall not be within 100 feet of the Property boundary, and that it will be located within 600 feet of another well in the same aquifer only if permission is granted for such a location pursuant to C.R.S. 37-90-137(2)(b).
 - v. Estimated depth to base of aquifer: 350 feet.¹
- E. Well D-1 through D-83.
 - i. Source: Not nontributary Denver aquifer.
 - ii. Use: Domestic, irrigation, commercial and live-stock watering, decorative ponds and swimming pools, dust suppression, central water supply and fire fighting purposes, including augmentation of such purposes.
 - iii. Amount: 15 g.p.m. and 0.48 acre feet each; 40 acre feet annually, total.
 - iv. Location: The owner of each lot may construct one Denver aquifer well at any location on that lot, so long as each such well is constructed at least 200 feet from every other well on the Property. Applicant expressly waives the 600 foot spacing requirement as to Wells D-1 through D-83.

¹ The elevation of the Property varies from about 6,940 feet to about 7,120 feet; hence, the depth to the base of each aquifer varies depending upon the location on the Property.

v. Estimated depth to base of aquifer: 1,190 feet.

C. Well A-1.

- i. Source: Not nontributary Arapahoe aquifer.
- ii. Use: Domestic, irrigation, commercial and live-stock watering, decorative ponds and swimming pools, dust suppression, central water supply and fire fighting purposes, including augmentation of such purposes.
- iii. Amount: 200 g.p.m., 188 acre feet annually.
- iv. Location: at any location on the Property, provided that it shall not be within 100 feet of the Property boundary, and that it will be located within 600 feet of another well in the same aquifer only if permission is granted for such a location pursuant to C.R.S. 37-90-137(2)(b).

v. Estimated depth to base of aquifer: 1,750 feet.

D. Well LFH1.

- i. Source: Nontributary Laramie Fox Hills aquifer.
- ii. Amount: 150 g.p.m., 131 acre feet annually.
- iii. Use: Domestic, irrigation, commercial and live-stock watering, decorative ponds and swimming pools, dust suppression, central water supply and fire fighting purposes, including augmentation of such purposes.
- iv. Location: at any location on the Property, provided that it shall not be within 100 feet of the Property boundary, and that it will be located within 600 feet of another well in the same aquifer only if permission is granted for such a location pursuant to C.R.S. 37-90-137(2)(b).

v. Estimated depth to base of aquifer: 2,520 feet.

III. PLAN FOR AUGMENTATION

12. The applicants for approval of a plan for augmentation are:

New Breed Ranch, Inc. and Frank A. Lee, whose addresses are 3250 Shoup Road, Colorado Springs, CO 80908. Their shared phone number is 719 495-3183.

13. Water Use by Individual Lots. Applicants propose to subdivide the Property into 83 residential lots. The water needs of each lot shall be provided from Wells D-1 through D-83 in the not nontributary Denver aquifer. A breakdown of water demand and consumption by the allowed uses is as follows:

A. Pond or pool evaporation. Net evaporation from decorative ponds or swimming pools will equal 28.2 inches annually, or 0.054 acre feet per 1,000 square feet. This use is totally consumptive.

B. Livestock watering. Each horse or horse equivalent will consume 10 gallons per day, or 0.011 acre feet annually. Such use is totally consumptive.

C. Landscape irrigation. Landscape irrigation will require annual applications of 2.0 acre feet per acre, or 0.046 acre feet per 1,000 square feet. Return flows will equal 15% of diversions.

D. Indoor uses. Diversions for indoor uses will average 0.27 acre feet per house. Wastewater disposal will be through use of non-evaporative septic systems. Return flows will equal 90% of diversions.

14. No lot will contain more than one house. Annual water usage per lot shall be limited to 0.27 acre feet for indoor uses plus the sum of $(A \times 0.054) + (B \times 0.011) + (C \times 0.046) \leq 0.21$, where A equals the number of 1,000 square feet of pond or swimming pool surface area, B equals the number of horses and C equals the number of 1,000 square feet of irrigated landscape. Each lot shall be limited to pumping of 0.48 acre feet (156,400 gallons) annually.

15. Replacement of depletions during pumping. The Denver aquifer underlying the Property is more than one mile from a point of contact with any natural stream; hence, during pumping Applicants are required to replace 4% of annual pumping. Based on an assumed annual pumping rate of 40.0 acre feet, required annual replacements to Monument Creek are 1.6 acre feet. Applicants' septic and irrigation return flows will be used to replace such depletions. Assuming a "worst case" scenario in which water use from all 83 lots is totally consumptive, except for indoor uses, annual septic return flows will equal 20.2 acre feet annually, greatly exceeding the replacement requirement. Applicants hereby dedicate any and

all septic system and landscape irrigation return flows to this plan for augmentation.

16. Replacement of post-pumping depletions.

A. Applicants agree to replace depletions for the shortest of the following periods: the period provided by the Colorado Legislature, should it eventually specify one and if the Applicants obtain water court approval for such modification; the period determined by the State Engineer, should the State Engineer lawfully establish such a period; the period established through rulings of the Colorado Supreme Court on relevant cases; or until Applicants petition the water court and after notice to parties in the case proves that it has complied with all statutory requirements. The court finds that the provisions of this paragraph are adequate to comply with existing law and to prevent injury to others.

B. Post-pumping depletions, as a percentage of average annual pumping, have been computed based on assumed annual pumping of 40.0 acre feet over a 300 year pumping period, using the State Engineer's "DE10" computer model. Applicant's annual replacement obligation will be determined by multiplying average annual Denver aquifer pumping through the end of pumping, whenever that occurs, by the appropriate stream depletions factor for Monument Creek shown on Table I attached hereto. That amount of water shall then be pumped from the Laramie-Fox Hills aquifer decreed herein or such other source of water as receives judicial approval after notice, into the Monument Creek system. Applicant's successors in interest shall be required to construct a Laramie-Fox Hills aquifer well pursuant to this plan for augmentation unless a different source of water is approved by the court for replacement of post-pumping depletions, or unless the obligation is terminated pursuant to ¶16.A. above. If at some time replacement of post-pumping depletions is no longer required pursuant to ¶16.A. above, at that time the reservation and dedication of the Laramie-Fox Hills water for replacement of post-pumping depletions will terminate.

17. In order to ensure that septic return flows return to the Monument Creek drainage, at the time the first house is constructed on the Property Applicants shall, in consultation with the State or Division Engineer's staff, install a piezometer drilled through the overburden soils at some point reasonably near the septic system of such house for the purpose of measuring water levels. Once each quarter the piezometer will be monitored for the presence of overburden deposit ground water. If within five years from

installation of the piezometer these observations demonstrate that the soil is continuously saturated over four consecutive quarters, it shall be taken as conclusively proved that septic system return flows accrue to the Monument Creek drainage. If during the five year period the monitoring does not demonstrate the existence of saturated soil over four consecutive quarters, then any person may invoke the court's retained jurisdiction for reconsideration of the issue of injury, based on the issue whether septic return flows are replacing stream depletions to the Monument Creek drainage.

18. Prior to or upon subdivision of the Property, Applicants shall create a property owner's association, which all owners of lots in the Property shall be required to join. The by-laws of the property owner's association shall provide that the association will own and/or operate, as applicable, this plan for augmentation and the Laramie-Fox Hills water for the benefit of the lots on the Property. Applicants shall create restrictive covenants upon and running with the Property, which shall obligate the individual purchasers and the property owner's association to carry out all requirements of this decree, including the possible replacement of post-pumping depletions. Said covenants shall indicate clearly that failure of either the property owners or the property owners association to comply with the terms of this decree, including the possible obligation to construct a Laramie-Fox Hills aquifer well in the future to replace post-pumping stream depletions, may result in an order of the Division Engineer's office to curtail or eliminate pumping of Wells D-1 through DA-83. This decree and the restrictive covenants shall be recorded in the El Paso County records, so that a title examination of the Property, or any part thereof, shall reveal to all future purchasers the existence of the decree and restrictive covenants.

19. Applicants shall convey to the property owner's association the plan for augmentation decreed herein for the replacement of depletions associated with pumping of 12,000 acre feet of Denver aquifer water. Applicants shall also convey to the property owner's association no less than 12,000 acre feet of the Laramie-Fox Hills water decreed herein. When Applicants convey individual lots on the Property, the deed shall also convey the right to pump 150 acre feet of Denver aquifer water underlying the lot to the purchaser. Presentation to the State Engineer of a deed to a lot in the Property, accompanied by a properly completed well permit application and the applicable fee, shall entitle the lot owner to a Denver aquifer well permit for such lot, to be operated consistent with the terms of this decree and applicable statutes.

20. Any use of Denver aquifer water decreed herein on land other than the Property described herein is not covered by this plan for

augmentation, and shall require either a decreed amendment to this plan for augmentation, or a separately decreed plan for augmentation, as a prerequisite to pumping of that water.

21. Applicants will record against the Property restrictive covenants running with the land adequate to insure that use of the wells on the Property is limited to the uses decreed herein, and that wastewater disposal shall be through the use of nonevaporative septic systems, absent an amendment to this plan for augmentation. The restrictive covenants shall be amended as necessary to conform to the provisions of any amendment to this augmentation plan, or any subsequent or replacement augmentation plan which governs use of all or any portion of the 12,000 acre feet of Denver aquifer water covered by this plan for augmentation.

22. The Court finds that under the terms and conditions herein the requirements of C.R.S. §37-90-137(9)(c) have been met, and that no injury will be caused to the owner of or anyone entitled to use water under a vested or decreed conditional water right.

CONCLUSIONS OF LAW

23. The Court has jurisdiction over the subject matter of this action and over all persons who could have appeared herein, whether or not they did so appear.

24. All conditions precedent to the granting of this decree have been complied with, including but not limited to the notice requirement of C.R.S. § 37-90-137(4)(b.5)(I).

25. The plan for augmenting depletions caused by pumping the nontributary Denver aquifer is required by C.R.S. § 37-90-137(9), and is subject to the requirement of C.R.S. §37-92-305(3) and 305(8) that no injury will occur to the owners of or persons entitled to use water under an absolute water right or decreed conditional water right as a result of implementing such plan for augmentation. Applicant has proved that no such injury will occur.

26. Applicant has maintained dominion and control over its septic system return flows by determining the quantity of such return flows, as set forth in part III above, and thus has the legal ability to use said return flows in this plan for augmentation. See, Public Service Co. v. Willows Water District, 856 P.2d 829 (Colo. 1993).

JUDGMENT AND DECREE

27. The foregoing findings of fact and conclusions of law are hereby incorporated into this judgment and decree.
28. The application for adjudication of water rights from the Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers underlying the Property is approved as set forth above. The court retains jurisdiction over this decree to finally adjudicate the amount of water available for withdrawal from each aquifer, based on site specific information from well logs when it becomes available.
29. In any year, Applicants may withdraw the subject water in any given aquifer from any combination of the wells applied for in the same aquifer as long as the total amount of water withdrawn in that year does not exceed the product of the total number of years after the date of determination of the right to ground water by the court, multiplied by the allowed average annual amount of withdrawals for that aquifer.
30. Pursuant to C.R.S. 37-90-137(10), Applicants may construct such additional wells as are reasonably required to withdraw the average annual appropriation from each aquifer.
31. Prior to constructing any well decreed herein, Applicants or their successors shall file a well permit application and, if a successor, a copy of the deed to their lot with the State Engineer. The State Engineer shall issue well permits in accord with the decree entered herein and applicable statutes. Should Applicants fail to construct any well prior to the expiration of the well permit Applicants may reapply to the State Engineer for a new well permit and the State Engineer shall issue a new well permit with terms and conditions no more burdensome than those contained herein.
32. All wells constructed within the Dawson, Arapahoe and Laramie-Fox Hills aquifers, respectively, shall constitute a well field pursuant to 2 CCR 402-7, Rules 8, 11 and 14.
33. The water rights so decreed are absolute water rights, and no applications for findings of diligence are required.
34. The wells must be installed and metered as required by the State Engineer. Each well must be equipped with a totalizing flow meter and Applicant must submit diversion records to the Division Engineer or his representative on an annual basis or as otherwise requested by the Division Engineer. All wells shall be cased so as

to prevent withdrawal of water from more than one aquifer. In addition, at least one well constructed into each aquifer must be geophysically logged, and a copy of such log shall be submitted to the State Engineer pursuant to 2 CCR 402-7, Rule 9.

35. No water may be pumped from the not nontributary Dawson or Arapahoe aquifers except pursuant to a court-approved plan for augmentation. Applicant shall not consume more than 98% of the water diverted from the nontributary Laramie-Fox Hills aquifer.

36. The application for approval of a plan for augmentation to replace depletions caused by pumping the not nontributary Denver aquifer is approved as set forth above in the findings of fact in this decree. No more than 40 acre feet of water may be pumped each year from the Denver aquifer absent approval of an amendment to this plan for augmentation or approval of a new plan for augmentation replacing injurious depletions resulting from such pumping. The State Engineer shall curtail the pumping of more than 40.0 acre feet annually from the Denver aquifer absent compliance with the foregoing sentence. The State Engineer shall also curtail diversions from the Denver aquifer pursuant to this plan for augmentation, the depletions from which are not so replaced as to prevent injury to vested water rights or decreed conditional water rights.

37. As reasonably required by the Division Engineer, but no less than annually, Applicants shall complete and submit an accounting form which shows groundwater withdrawals, stream depletions, return flows and net stream depletions. The accounting form must be acceptable to the Division Engineer, and may be changed from time to time if necessary. An accounting form which is acceptable to the Division Engineer at the present time is attached to this Ruling as Exhibit C.

38. Pursuant to C.R.S. § 37-92-304 (6), the Court retains continuing jurisdiction over the plans for augmentation decreed herein for reconsideration of the question whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also has continuing jurisdiction for the purposes of determining compliance with the terms of the augmentation plans.

39. Any person seeking to invoke the retained jurisdiction of the Court shall file a verified petition with the Court. The petition to invoke retained jurisdiction or to modify the decree shall set forth with particularity the factual basis upon which the requested reconsideration is premised, together with proposed decretal language to effect the petition. The person lodging the petition shall have the burden of going forward to establish prima facie

facts alleged in the petition. If the Court finds those facts to be established, Applicants shall thereupon have the burden of proof to show: (1) that any modification sought by Applicants will avoid injury to other appropriators, or (2) that any modification sought by the person filing the petition is not required to avoid injury to other appropriators, or (3) that any term or condition proposed by Applicants in response to the petition does avoid injury to other appropriators.

Dated this 1st day of December, 1998.



John E. Anderson III
District Court Judge
Water Division 2

TABLE I
DENVER AQUIFER AUGMENTATION ANALYSIS
LEE PROPERTY

Years	Withdrawal (af/yr)	Monument Creek				
		Stream Depletion Factors	Depletion (af/yr)	Return Flows (af/yr)	NT Pumping (af/yr)	Net Depletion (af/yr)
10	40	4.00	1.6	21.8		0.0
20	40	4.00	1.6	21.8		0.0
30	40	4.00	1.6	21.8		0.0
40	40	4.00	1.6	21.8		0.0
50	40	4.00	1.6	21.8		0.0
60	40	4.00	1.6	21.8		0.0
70	40	4.00	1.6	21.8		0.0
80	40	4.00	1.6	21.8		0.0
90	40	4.00	1.6	21.8		0.0
100	40	4.00	1.6	21.8		0.0
110	40	4.00	1.6	21.8		0.0
120	40	4.00	1.6	21.8		0.0
130	40	4.00	1.6	21.8		0.0
140	40	4.00	1.6	21.8		0.0
150	40	4.00	1.6	21.8		0.0
160	40	4.00	1.6	21.8		0.0
170	40	4.00	1.6	21.8		0.0
180	40	4.00	1.6	21.8		0.0
190	40	4.00	1.6	21.8		0.0
200	40	4.00	1.6	21.8		0.0
210	40	4.00	1.6	21.8		0.0
220	40	4.00	1.6	21.8		0.0
230	40	4.00	1.6	21.8		0.0
240	40	4.00	1.6	21.8		0.0
250	40	4.00	1.6	21.8		0.0
260	40	4.00	1.6	21.8		0.0
270	40	4.00	1.6	21.8		0.0
280	40	4.00	1.6	21.8		0.0
290	40	4.00	1.6	21.8		0.0
300	40	4.00	1.6	21.8		0.0
310		13.19	5.3		5.3	0.0
320		13.51	5.4		5.4	0.0
330		13.77	5.5		5.5	0.0
340		13.94	5.6		5.6	0.0
350		14.06	5.6		5.6	0.0
360		14.10	5.6		5.6	0.0
370		14.10	5.6		5.6	0.0
380		14.07	5.6		5.6	0.0
390		13.99	5.6		5.6	0.0
400		13.89	5.6		5.6	0.0
410		13.77	5.5		5.5	0.0
420		13.63	5.5		5.5	0.0
430		13.47	5.4		5.4	0.0
440		13.31	5.3		5.3	0.0
450		13.13	5.3		5.3	0.0
460		12.95	5.2		5.2	0.0
470		12.76	5.1		5.1	0.0
480		12.56	5.0		5.0	0.0
490		12.37	4.9		4.9	0.0
500		12.17	4.9		4.9	0.0
510		11.97	4.8		4.8	0.0
520		11.77	4.7		4.7	0.0
530		11.58	4.6		4.6	0.0
540		11.39	4.6		4.6	0.0
550		11.19	4.5		4.5	0.0
560		11.00	4.4		4.4	0.0
570		10.81	4.3		4.3	0.0
580		10.62	4.2		4.2	0.0
590		10.43	4.2		4.2	0.0
600		10.25	4.1		4.1	0.0

EXHIBIT B

Real Property situated in the County of El Paso and State of Colorado, to wit:

That portion of Section 10 and of the Northwest quarter of Section 15 in Township 12 South, Range 66 West of the 6th P.M., described as follows: Beginning at the Northeast corner of the West half of the Southeast quarter of said Section 10; thence Southerly on the Easterly line thereof to its intersection with the Northerly line of Shoup Road as described in deed recorded in Book 602 Page 283 of the records of El Paso County, Colorado; thence Westerly on the Northerly line of Shoup Road to its intersection with the West line of the Northwest quarter of said Section 15; thence North on said West line to the Northwest corner of said Section 15; thence North $1^{\circ}10'40''$ West 1924.90 feet, more or less, on the West line of said Section 10 to a point thereon South $1^{\circ}10'40''$ East 723 feet from the Northwest corner of the Southwest quarter of said Section 10; thence North $39^{\circ}50'$ East 270.56 feet; thence North $23^{\circ}19'$ West 189.70 feet; thence North $12^{\circ}38'$ East 583.11 feet; thence North $47^{\circ}02'$ East 226.04 feet; thence North $35^{\circ}40'$ East 208.67 feet; thence North $42^{\circ}00'$ East 243.40 feet; thence North $51^{\circ}47'$ East 231.32 feet; thence North $7^{\circ}24'$ East 439.18 feet; thence North $75^{\circ}32'$ East 455.49 feet; thence North $66^{\circ}00'$ East 230.54 feet; thence North $76^{\circ}30'$ East 344.84 feet; thence North $31^{\circ}33'$ East 228.28 feet; thence North $71^{\circ}48'$ East 370.24 feet; thence North $55^{\circ}47'$ East 858.58 feet; thence North $77^{\circ}02'$ East 230.75 feet; thence North $40^{\circ}28'$ East 248.57 feet to intersect the North line of said Section 10; thence South $89^{\circ}56'$ East 1720.42 feet on said North line to the Northeast corner of said Section 10; thence South $00^{\circ}50'$ East 726.30 feet on the East line of said Section 10; thence North $68^{\circ}30'$ West 696.70 feet; thence South $6^{\circ}08'$ West 463.48 feet; thence South $16^{\circ}32'$ East 1054.34 feet to intersect the Northwesterly line of the tract described in deed recorded in Book 847 at Page 440 of the records of El Paso County, Colorado; thence Southwesterly on said Northwesterly line 145.57 feet to an angle point thereon; thence Southwesterly on the Westerly line of said tract 524 feet to the South line of the Northeast quarter of said Section 10; thence West on said South line 646.15 feet; more or less, to the point of beginning, El Paso County, Colorado, also known as 3250 Shoup Road.

EXHIBIT B

Case No. 98CW58

Lee Property
Case 98-CW-59
Augmentation Plan Accounting
Through Cessation of Pumping

A. Total Withdrawal [last year line C.]

Year	

B. Total Denver Withdrawal [Table I B(col. 7)]

--

C. Total Withdrawal Since Pumping Began [A+B]

--

D. Years Since Pumping Began [Current Year - 1999]

--

Monument Creek

E. Stream Depletion [B.*0.4]

F. Return Flows [Table I C.]

G. Net Depletion [F-E]

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Table I
Case 98-CW-59
Well Meter and Water Use

Well Name	Permit No.	col. 1 No. House	col. 2 Pool Area (sq. ft.)	Well Meter Readings (gal.)						Return Flows			
				col. 3 Last Year Oct. 31	col. 4 Last Year Nov. 1	col. 5 This Year Oct. 31	col. 6 This Year Oct. 31	col. 7 Total	col. 8 Base Use	col. 9 Irrigation Use	Residential	Irrigation	
Lot 1												(1)	(2)
Lot 2													
Lot 3													
Lot 80													

A. Total (gal.)
B. Total (af)
C. Returns (af)

Explanation

- Col. 7 = Col. 6 - Col. 3
- Col. 8 = (Col. 5 - Col. 4) * 12
- Col. 9 = Col. 7 - Col. 8 - (Col. 1 * 0.011) - (Col. 2 * (0.054/1000))
- (1) = [(Col. 8 - (Col. 1 * 0.011) - (Col. 2 * (0.054/1000))] * 0.9
- (2) = Col. 9 * 0.15
- B. = Line A/326000
- C. = B(1) + B(2)

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