

DISTRICT COURT, GARFIELD (GLENWOOD SPRINGS) COUNTY, COLORADO	
Court Address: 109 8th Street, Ste. 104, Glenwood Springs, CO, 81601	DATE FILED: November 29, 2019 1:37 PM CASE NUMBER: 2018CW3027
In the Interest of: DOUGLAS ZOOK	<p style="text-align: center;">△ COURT USE ONLY △</p>
	Case Number: 2018CW3027 Division: E Courtroom:
Decree: Decree of the Water Court	

The motion/proposed order attached hereto: GRANTED.

Any request for a future finding of reasonable diligence shall be filed in November 2025.

Issue Date: 11/29/2019



JAMES BERKLEY BOYD
District Court Judge

<p>DISTRICT COURT, WATER DIVISION NO. 5, COLORADO</p> <p>109 Eighth Street, Suite 104 Glenwood Springs, Colorado 81601</p> <hr/> <p>CONCERNING THE APPLICATION FOR WATER RIGHTS OF DOUGLAS L. ZOOK</p> <p>In the Colorado River and its tributaries</p> <p>IN GRAND COUNTY</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> <hr/> <p style="text-align: center;">Case No.: 18CW3027</p>
<p>FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE, AND DECREE OF THE WATER COURT</p>	

This matter comes before the Water Referee on the application of Douglas L. Zook for a decree confirming conditional water rights and approval of a plan for augmentation including water exchange project. Having considered the pleadings, the stipulation of the parties, the evidence, and the comments of the Division Engineer, the Referee hereby enters the following Findings of Fact, Conclusions of Law, and Ruling of the Referee:

FINDINGS OF FACT

1. Applicant: Douglas L. Zook, P.O. Box 1750, Granby, CO 80446, (970) 531-8563, doug@zookmanagement.com.
2. Application: Mr. Zook filed the original application in this matter on March 2, 2018, and the amended application on August 29, 2018. As used in this Decree, the term “Application” refers to the amended application.
3. Notice and jurisdiction: Timely and adequate notice of the both the original application and the amended application was given in the manner required by law. The Court has jurisdiction over the subject matter of this proceeding and over all persons and property affected hereby, regardless of whether those persons have appeared. The land and water rights involved herein are not included within the boundaries of a designated ground water basin. Mr. Zook has complied with the requirements of C.R.S. § 37-92-302.
4. Referral to Referee: This matter was referred to the Water Referee by Order dated March 5, 2018, pursuant to § 37-92-203(7), C.R.S.

5. Statement of opposition: A timely statement of opposition was filed by Grand County Mutual Ditch and Reservoir Company. The time for filing statements of opposition has expired, and no party has moved to intervene.
6. Stipulations: Mr. Zook entered into a stipulation with Grand County Mutual Ditch and Reservoir Company on October 8, 2019. That stipulation has been approved by the Court and is incorporated into this Decree by this reference.
7. Summary of Consultation: The Referee consulted with the Division Engineer as required by law. The Division Engineer filed a Summary of Consultation with respect to the original application on July 3, 2018, and a Summary of Consultation with respect to the amended application on December 3, 2018. Mr. Zook filed his Response to the latter Summary of Consultation on February 15, 2019.
8. Recharge pond analysis: The Division Engineer's Summary of Consultation filed on December 3, 2018, included a finding under § 37-92-305(18), C.R.S., that operation of Mr. Zook's proposed recharge structure will not significantly change ground water levels downgradient of the structure.
9. Description of Application: Mr. Zook is the owner of Crestview Ranch, a short-term rental and event property located in Granby, Colorado. In the Application, Mr. Zook sought the following: (1) confirmation of conditional ground water rights for two wells located on Crestview Ranch; (2) confirmation of a conditional recharge water right for use as an augmentation supply to replace out-of-priority depletions from the wells; (3) approval of a plan for augmentation including water exchange project to allow the wells to continue to operate when the ground water rights are out of priority; and (4) confirmation of a conditional storage water right for an existing pond on Crestview Ranch.

CONDITIONAL GROUND WATER RIGHTS

10. Crestview Ranch Well No. 1:
 - 10.1 Location: SE1/4 NW1/4 Section 34, Township 2 North, Range 76 West of the 6th P.M., 2,840 feet from the south section line and 1,520 feet from the west section line of said Section 34, in Grand County, Colorado, as shown on **Exhibit A**. Approximate UTM coordinates of the well are 423595 Easting, 4438268 Northing, NAD 83, Zone 13. The street address of Crestview Ranch is 1463 County Road 608, Granby, CO 80446 (Great Divide Head Lettuce Colony Subdivision, Lot 27).
 - 10.2 Depth: 127 feet.

- 10.3 Existing permit: 195865-A. Mr. Zook will re-permit Crestview Ranch Well No. 1 following entry of this Decree.
- 10.4 Source: Ground water tributary to Smith Creek, tributary to the Colorado River.
- 10.5 Rate claimed: 15 gallons per minute (“gpm”), CONDITIONAL.
- 10.6 Volume claimed: 4.6 acre-feet per year, CONDITIONAL, cumulative with the volume decreed to Crestview Ranch Well No. 2, as described in paragraph 11.6 below.
- 10.7 Appropriation date: March 2, 2018.
- 10.8 How appropriation initiated: By the filing of the original application.
- 10.9 Use: Those beneficial uses associated with current and future operation of Crestview Ranch, including without limitation commercial use; domestic indoor use; landscape irrigation of approximately 10,000 square feet of bluegrass lawn and 1,000 square feet of trees, shrubs, flowers, and gardens; livestock watering; wash-down of equipment and outdoor facilities; hot tub use; and maintenance of water levels in Crestview Ranch Pond by replacement of evaporation and seepage losses. The location of all uses will be Crestview Ranch, as described in paragraph 10.1 above and as shown on **Exhibit A**; the location of landscape irrigation use will be as more particularly shown on **Exhibit B**. Use for maintenance of water levels will be within the high-water line of Crestview Ranch Pond, as described in paragraph 17 below.
- 10.10 Plan for augmentation: Crestview Ranch Well No. 1 will operate under the plan for augmentation described in paragraphs 13 through 16 below.
11. Crestview Ranch Well No. 2:
- 11.1 Location: SE1/4 NW1/4 Section 34, Township 2 North, Range 76 West of the 6th P.M., 2,500 feet from the north section line and 1,940 feet from the west section line of said Section 34, in Grand County, Colorado, as shown on **Exhibit A**. Approximate UTM coordinates of the well are 423724 Easting, 4438231 Northing, NAD 83, Zone 13. The street address of Crestview Ranch is as provided in paragraph 10.1 above.
- 11.2 Depth: N/A (not yet completed).
- 11.3 Existing permit: None.

- 11.4 Source: Ground water tributary to Smith Creek, tributary to the Colorado River.
- 11.5 Rate claimed: 15 gpm, CONDITIONAL.
- 11.6 Volume claimed: 4.6 acre-feet per year, CONDITIONAL, cumulative with the volume decreed to Crestview Ranch Well No. 1, as described in paragraph 10.6 above.
- 11.7 Appropriation date: March 2, 2018.
- 11.8 How appropriation initiated: By the filing of the original application.
- 11.9 Use: All beneficial uses also claimed for Crestview Ranch Well No. 1, as described in paragraph 10.9 above.
- 11.10 Plan for augmentation: Crestview Ranch Well No. 2 will operate under the plan for augmentation described in paragraphs 13 through 16 below.

CONDITIONAL RECHARGE WATER RIGHT

12. Crestview Ranch Recharge Right:

- 12.1 Location: The Crestview Ranch Recharge Site (“Recharge Site”) will be located in the SE1/4 NW1/4 and the SW1/4 NW1/4 Section 34, Township 2 North, Range 76 West of the 6th P.M., 2,058 feet from the North section line and 1,227 feet from the West section line of said Section 34, in Grand County, Colorado, as shown on **Exhibit A**. Approximate UTM coordinates of the Recharge Site are 423535 Easting, 4438386 Northing, NAD 83, Zone 13.
- 12.2 Source: Strawberry Creek, tributary to the Fraser River, tributary to the Colorado River. Mr. Zook will divert water at the Vail Irrigation System Headgate No. 2 for delivery to the Recharge Site via the Vail Ditch.
- 12.3 Rate: 1.0 cfs, CONDITIONAL.
- 12.4 Volume: 4.0 acre-feet per year, CONDITIONAL.
- 12.5 Appropriation date: August 29, 2018.
- 12.6 How appropriation initiated: By the filing of the amended application.

- 12.7 Use: Recharged water will be used for fully consumptive augmentation and replacement purposes within the plan for augmentation described in paragraphs 13 through 16 below.

PLAN FOR AUGMENTATION

13. Structures to be augmented: Crestview Ranch Well No. 1 and Crestview Ranch Well No. 2, as described in paragraphs 10 and 11 above (“Augmented Structures”). The locations of the Augmented Structures are described in paragraphs 10.1 and 11.1 above and shown on **Exhibit A**.
14. Location of depletions: Depletions attributable to pumping of the Augmented Structures will impact Smith Creek, tributary to the Colorado River, at a point approximately in the center of Section 28, Township 2 North, Range 76 West of the 6th P.M., as shown on **Exhibit A** (“Depletion Location”).
15. Water rights to be used for augmentation:
- 15.1 Crestview Ranch Recharge Right: The Crestview Ranch Recharge Right, as described in paragraph 12 above. Recharge credits will accrue to Smith Creek, tributary to the Colorado River, at a point approximately in the center of Section 28, Township 2 North, Range 76 West of the 6th P.M., as shown on **Exhibit A** (“Accretion Location”). The Crestview Ranch Recharge Right is the primary augmentation supply under this Decree.
- 15.2 Crestview Ranch Pond: The Crestview Ranch Pond storage water right, as described in paragraph 17 below. Mr. Zook will use the Crestview Ranch Pond storage water right as an augmentation supply only to the extent that the Crestview Ranch Recharge Right does not yield sufficient recharge credits to augment all out-of-priority depletions under this Decree. Mr. Zook will either (1) consistent with the terms of paragraph 16.2.2 below, deliver water from Crestview Ranch Pond to the Recharge Site; or (2) consistent with the terms of paragraph 16.2.3 below, notify the Water Commissioner of his intent to make releases from Crestview Ranch Pond for augmentation purposes, and coordinate with the Water Commissioner to ensure that the water is delivered to the Depletion Location, as shown on **Exhibit A**.
- 15.3 Middle Park Contract: Mr. Zook holds an approved Water Allotment Contract with the Middle Park Water Conservancy District (“Middle Park District”) for up to 0.8 acre-feet per year of fully consumable Windy Gap Project water available to the Middle Park District under the Windy Gap Agreement dated April 30,

1980, as amended. Mr. Zook will use the Water Allotment Contract (“Middle Park Contract”) as an augmentation supply only to the extent that the Crestview Ranch Recharge Right and the Crestview Ranch Pond storage water right do not yield sufficient augmentation credits to augment all out-of-priority depletions under this Decree.

15.3.1 Source of Windy Gap Project water: The Windy Gap Project water rights were decreed in Civil Action 1768, District Court, Grand County; and in Case Nos. W-4001, 80CW108, 85CW135, 88CW169, 88CW170, 88CW171, and 89CW298, District Court, Water Division No. 5. Mr. Zook will use Windy Gap Project water through releases from Granby Reservoir, which is located on the Colorado River upstream of its confluence with Smith Creek and with the Fraser River. The outlet structure for Granby Reservoir is located in the NE1/4 SE1/4 of Section 11, Township 2 North, Range 76 West of the 6th P.M., in Grand County, Colorado, as shown on the map attached as **Exhibit C**.

15.3.2 Wolford Mountain Reservoir water as alternative source under Middle Park Contract: From time to time, the Middle Park District may substitute Wolford Mountain Reservoir water for Windy Gap Project water to supply the Middle Park Contract. By virtue of an agreement dated December 17, 1992, between the Colorado River Water Conservation District, the Board of County Commissioners of Grand County, and the Middle Park District, the Middle Park District is entitled to use 3,000 acre-feet of water stored in Wolford Mountain Reservoir under the storage water right decreed in Case No. 87CW283. The outlet structure for Wolford Mountain Reservoir is located in the SW1/4 of the NE1/4 of Section 25, Township 2 North, Range 81 West of the 6th P.M., on Muddy Creek, tributary to the Colorado River, as shown on **Exhibit C**.

15.3.3 Potential release of Middle Park Contract: During the period of the Court’s retained jurisdiction as described in paragraph 39 below, Mr. Zook may file an engineering report in this case, with service on the objector and the Division Engineer, documenting that the Crestview Ranch Recharge Right and the Crestview Ranch Pond storage water right have yielded and can be expected to continue to yield sufficient augmentation credits for the augmentation plan to operate without injury in the absence of the Middle Park Contract, and requesting leave to release the Middle Park Contract on that basis (“Release Request”). The objector will have a period of 42 days in which to file comments on any Release Request, after which period the Division Engineer shall promptly file in this case, with

service on all the parties, either an approval or a denial of the Release Request. If the Division Engineer approves the Release Request, Mr. Zook may release the Middle Park Contract and from that point forward operate the plan for augmentation with the Crestview Ranch Recharge Right and the Crestview Ranch Pond storage water right as the sole sources of augmentation supply; provided, however, that nothing in this paragraph 15.3.3 prevents Mr. Zook from seeking to add new sources of augmentation water to the plan consistent with paragraph 15.4 below. In any denial of a Release Request, the Division Engineer shall specify the reasons for such denial. Within 28 days of the Division Engineer's filing of a denial of a Release Request, Mr. Zook may file a request for the Court to reconsider that denial. Mr. Zook also may submit a subsequent Release Request following any denial.

15.4 Additional and alternative sources of augmentation water: In accordance with § 37-92-305(8)(c), C.R.S., Mr. Zook may use water from additional or alternative sources for replacement purposes in this plan for augmentation following entry of this Decree, including water leased on a yearly or less frequent basis, provided that the use of such additional or alternative sources is part of a substitute water supply plan approved by the State Engineer under § 37-92-308, C.R.S., or that such sources are decreed for such use. As contemplated by C.R.S. § 37-92-305(8)(c), this paragraph sets forth the procedures under which these sources may be used in this plan for augmentation. These procedures are adequate to prevent injury that otherwise might result from the addition of these sources to this plan for augmentation.

15.4.1 Additional water rights separately decreed or lawfully available for augmentation use: If a water right is decreed or lawfully available for augmentation use and not already approved for such use under this Decree, Mr. Zook shall file a Notice of Use of Water Right for Augmentation ("Notice") in this case, with service on the Division Engineer and the objector. Any such Notice must describe (a) the water right(s) by name and decree, if any; (b) the annual and monthly amount of water available to Mr. Zook from the water right(s); (c) the location(s) at which the water will be delivered to the stream; (d) evidence that Mr. Zook owns or controls the water right(s) to be added, and that the claimed amount of water will not be used by another person or entity; and (e) the manner in which Mr. Zook will account for use of the augmentation credits. If the Division Engineer or the objector wishes to object to the addition of the noticed water right(s) to this plan, the Division Engineer or the objector shall file a written objection with the Court within twenty-

eight days after the date Mr. Zook filed the Notice. If no objection is filed, Mr. Zook may use the noticed water right(s) in this plan, in the manner stated in the Notice, without further action by the Court. If an objection is filed, Mr. Zook may not use the noticed water right(s) in this plan until the Court determines whether, and under what terms and conditions necessary to prevent injury to vested water rights and decreed conditional rights, the noticed water rights may be used in this plan.

15.4.2 Additional water rights administratively approved for temporary use: If a water right is not decreed or otherwise lawfully available for augmentation use, and Colorado statutes or other governing authority provide a mechanism for using such water right without the need of a decree, Mr. Zook shall serve written notice on the objector and the Division Engineer of a request for approval of the State Engineer under C.R.S. § 37-92-308 or other applicable statute. Mr. Zook may use such water right in this plan upon the State Engineer's approval of the underlying administrative application for the term of such approval, unless the approval is reversed or modified on appeal.

15.4.3 The Court retains jurisdiction to resolve disputes and objections, including but not limited to claims of injury, that relate to Mr. Zook's use of additional augmentation sources in this plan in accordance with C.R.S. § 37-92-305(8) and the procedure described above. In any proceeding to resolve such disputes or objections, Mr. Zook will bear the burden of demonstrating non-injury from his proposed use of any additional augmentation supply.

16. Statement of plan for augmentation: Under the plan for augmentation, and in a manner to prevent injury to vested and decreed conditional water rights with priority dates senior to the priorities decreed herein to the Augmented Structures, Mr. Zook will replace all out-of-priority depletions attributable to pumping of the Augmented Structures as follows:

16.1 Calculation of depletions: Mr. Zook's engineering consultant has determined the amount and timing of depletions attributable to pumping of the Augmented Structures. Because of the distance between the Augmented Structures and the location at which Smith Creek is assumed to be perennial, the amount and timing of depletions to be replaced under the plan for augmentation will be calculated using the running 5-year average of the total annual depletions. Mr. Zook will determine total annual depletions as described in paragraphs 16.1.4 and 16.1.5 below, and will account for such depletions using the accounting forms described in paragraph 38 below.

- 16.1.1 Indoor use: Indoor wastewater will be treated with an onsite septic system. Depletions attributable to water pumped for indoor use will be calculated as 10% of pumping for such use.
- 16.1.2 Landscape irrigation use: Depletions attributable to water pumped for irrigation of bluegrass will be calculated as 80% of pumping for such use. Depletions attributable to water pumped for irrigation of trees, shrubs, flowers, and gardens will be calculated as 95% of pumping for such use.
- 16.1.3 All other uses except for water level maintenance: Depletions attributable to water pumped for livestock watering, wash-down, and hot tub use will be calculated as 100% of pumping for such uses.
- 16.1.4 Monthly depletion factors for uses described in paragraphs 16.1.1 through 16.1.3: Total annual depletions attributable to the uses described in paragraphs 16.1.1 through 16.1.3 above will be calculated by multiplying monthly metered well pumping, less any pumping for the use described in paragraph 16.1.5 below, by the blended monthly depletion factors shown on Table 4, Column 9 of **Exhibit D**; and then summing the monthly products of those equations.
- 16.1.5 Water level maintenance use (replacement of evaporation and seepage losses): Total annual depletions attributable to well pumping for maintenance of water levels in Crestview Ranch Pond will be calculated as shown on Table 3 within attached **Exhibit D**. Because seepage losses will accrue to the stream system, there will be no depletions attributable to replacement of those losses.

16.2 Replacement of out-of-priority depletions:

- 16.2.1 Out-of-priority depletions will be replaced with fully consumable recharge credit accruing to the stream at a constant rate under the Crestview Ranch Recharge Right. Because of the proximity of the Recharge Site to the Augmented Structures, the Depletion Location is identical to the Accretion Location, and the lagged timing of depletions is identical to the lagged timing of recharge accretions. As long as the 5-year running average of recharge credit attributable to the Crestview Ranch Recharge Right equals at least 110% of the running 5-year average of total annual depletions (“Recharge Condition”), the recharge credit will be sufficient to replace Mr. Zook’s maximum annual depletions of 1.984 acre-feet under this plan for augmentation.

16.2.2 At any time the Recharge Condition is not met (“Recharge Condition Deficit”), Mr. Zook shall deliver sufficient water from the Crestview Ranch Pond into the Recharge Site to eliminate the Recharge Condition Deficit.

16.2.3 At any time Mr. Zook’s deliveries of water from the Crestview Ranch Pond to the Recharge Site in accordance with paragraph 16.2.2 above are not sufficient to eliminate the Recharge Condition Deficit, historical well depletions and recharge deliveries will be lagged using the Glover Alluvial Aquifer methodology in the IDS-AWAS program (or equivalent) and the aquifer parameters shown in Note 10 to Table 4 in **Exhibit D** to determine the timing and amount of any unreplaced out-of-priority depletions. In that event, Mr. Zook shall coordinate with the Water Commissioner to ensure that fully consumable water from one or more of the following sources is delivered to Smith Creek or the Colorado River upstream of the calling water right located downstream of the Depletion Location: (1) Crestview Ranch Pond; (2) the Middle Park Contract; or (3) any additional or alternative augmentation supply added to this plan for augmentation in accordance with the terms and conditions of paragraph 15.4 above.

16.3 Augmentation by water exchange project: If and when the source of augmentation supply is water available under the Middle Park Contract, as described in paragraphs 15.3.1 and 15.3.2 above, the plan for augmentation will operate by means of a water exchange project as described in C.R.S. §§ 37-92-103(9) and 37-92-305(3)(a). In that circumstance, the following additional terms and conditions will apply:

16.3.1 Based on the filing of the original application, the water exchange project (“Zook Exchange”) will operate under the same 2018 priority decreed to the Augmented Structures. From time to time, the Zook Exchange may be prevented from operating because of a call within the exchange reach, including a call from instream flow water rights. In that circumstance, if no other augmentation supply is available for use under this Decree, Mr. Zook shall cease all pumping of the Augmented Structures until an approved augmentation supply is again legally and physically available for replacement of out-of-priority depletions under this Decree.

16.3.2 When the augmentation supply is Windy Gap Project water, as described in paragraph 15.3.1 above, the exchange reach will run from the exchange-from point at the confluence of Smith Creek and the Colorado River, located in the SW1/4 SW1/4, Section 25, Township 2 North, Range 77

West of the 6th P.M.; upstream to the exchange-to point at the Depletion Location on Smith Creek. Approximate UTM coordinates of the exchange-from point are 417124.4 Easting, 4439349.7 Northing, NAD 83, Zone 13. The exchange-from point and the exchange reach are shown on attached **Exhibit C**.

16.3.3 When the augmentation supply is Wolford Mountain Reservoir water, as described in paragraph 15.3.2 above, the exchange reach will run from the exchange-from point at the confluence of the Muddy Creek and the Colorado River, located in the NW1/4 NE1/4, Section 19, Township 1 North, Range 80 West of the 6th P.M.; upstream to the confluence of Smith Creek and the Colorado River, as described in paragraph 16.3.2 above; and then up Smith Creek to the exchange-to point at the Depletion Location. Approximate UTM coordinates of the exchange-from point are 380769.0 Easting, 4433488.6 Northing, NAD 83, Zone 13. Wolford Mountain Reservoir, the exchange-from point, and the exchange reach are shown on attached **Exhibit C**.

16.3.4 The maximum instantaneous rate of exchange is 0.003 cfs; the maximum volume of exchange is 0.8 acre-feet per year.

16.3.4 The Zook Exchange may operate only and to the extent that there is a live stream throughout the exchange reach.

16.3.5 Mr. Zook shall give the Division Engineer or Water Commissioner twenty-four hours' advance notice before operating the Zook Exchange.

16.3.6 The Division Engineer shall assess stream transit losses when Mr. Zook is using the natural stream channel to transport the augmentation supply to the exchange-from point. The Division Engineer shall assess transit losses in the same manner as for other water users using the Colorado River and its tributaries for carriage.

CONDITIONAL STORAGE WATER RIGHT

17. Crestview Ranch Pond storage water right:

17.1 Location: The Crestview Ranch Pond is located in the SE1/4 NW1/4 Section 34, Township 2 North, Range 76 West of the 6th P.M., 2,175 feet from the North section line and 1,458 feet from the West section line of said Section 34, in Grand County, Colorado, as shown on **Exhibit A**. Approximate UTM coordinates of the Crestview Ranch Pond are 423594 Easting, 4438347 Northing, NAD 83, Zone 13.

- 17.2 Maximum surface area: 0.929 acres.
- 17.3 Maximum storage volume: 2.112 acre-feet, as shown on Table 5 of **Exhibit D**.
- 17.4 Source: Strawberry Creek, tributary to the Fraser River, tributary to the Colorado River. Mr. Zook will divert water at the Vail Irrigation System Headgate No. 2 for delivery to the Crestview Ranch Pond via the Vail Ditch.
- 17.5 Rate: 1.0 cfs, CONDITIONAL.
- 17.6 Volume: 4.224 acre-feet per year, CONDITIONAL, which is the volume of water needed to fill and refill the pond.
- 17.7 Appropriation date: August 29, 2018.
- 17.8 How appropriation initiated: By the filing of the amended application.
- 17.9 Use: Stored water will be used within the high-water mark of Crestview Ranch Pond for recreational, piscatorial, and wildlife purposes. Water will be used after storage for irrigation and livestock-watering purposes on Crestview Ranch; and for augmentation and replacement purposes within the plan for augmentation described in paragraphs 13 through 16 above.
18. Approval of conditional ground water rights: The conditional ground water rights described in paragraphs 10 and 11 above are in accordance with law and should be confirmed subject to the terms of this Decree.
19. Approval of conditional recharge water right: The conditional recharge water right described in paragraph 12 above is in accordance with law and should be confirmed subject to the terms of this Decree.
20. Approval of plan for augmentation including water exchange project: The plan for augmentation including water exchange project described in paragraphs 13 through 16 above is in accordance with law and should be approved subject to the terms of this Decree.
21. Approval of conditional storage water right: The conditional storage water right described in paragraph 17 above is in accordance with law and should be confirmed subject to the terms of this Decree.

CONCLUSIONS OF LAW

22. Incorporation: To the extent they constitute legal conclusions, the foregoing Findings of Fact are incorporated herein.
23. Consistent with law: The Application is contemplated and authorized by law and covers all applicable matters required by the Water Right Determination and Administration Act of 1969. C.R.S. §§ 37-92-101 through -602.
24. Notice and jurisdiction: The Court has jurisdiction over the subject matter of this proceeding and over all persons, property, and water rights that may be affected thereby, regardless of whether those persons have appeared. § 37-92-203, C.R.S. The Application and the resume publication of the Application placed such persons on notice of the relief requested by the Application and granted by this Decree.
25. Conditional water rights: With respect to the conditional water rights confirmed for Crestview Well No. 1 and Crestview Well No. 2, as described in paragraphs 10 and 11 above; the Crestview Ranch Recharge Right, as described in paragraph 12 above; and the Crestview Ranch Pond, as described in paragraph 17 above, Mr. Zook has demonstrated that there is water available for appropriation, and that he has a non-speculative need for such water; that on the appropriation date for each water right, Mr. Zook took the first step toward appropriating that conditional water right by engaging in overt acts sufficient to put third parties on notice of the nature and extent of the appropriation; and that Mr. Zook can and will complete the appropriations of the conditional water rights with diligence and within a reasonable time.
26. Plan for augmentation including water exchange project: The proposed plan for augmentation including water exchange project is permissible and contemplated by law and satisfies the requirements of §§ 37-92-101 through -602, C.R.S. If implemented subject to the terms and conditions of this Decree, the plan for augmentation including water exchange project will not injure the owner or user of any vested water right or decreed conditional water right.
27. Administrability: The conditional water rights and plan for augmentation decreed herein are administrable by the officials of the State of Colorado, so long as operated in accordance with the terms of this Decree.
28. Burden of proof: Mr. Zook has complied with all requirements and met all standards and burdens of proof, including but not limited to those imposed by §§ 37-92-101 through -602, C.R.S., and therefore is entitled to a decree confirming and approving the claims in the Application.

RULING OF THE REFEREE

29. Incorporation: The foregoing Findings of Fact and Conclusions of Law, together with all exhibits, are fully incorporated into this Ruling of the Referee.
30. Conditional ground water rights: Conditional ground water rights for Crestview Ranch Well No. 1 and Crestview Ranch Well No. 2 are hereby confirmed, adjudicated, and decreed.
31. Conditional recharge water right: A conditional recharge water right for the Crestview Ranch Recharge Right is hereby confirmed, adjudicated, and decreed.
32. Conditional storage water right: A conditional storage water right for the Crestview Ranch Pond is hereby confirmed, adjudicated, and decreed.
33. Plan for augmentation including water exchange project: The application for approval of the plan for augmentation including water exchange project is hereby approved, adjudicated, and decreed.
34. No injury: The terms and conditions included in this Decree are adequate to ensure that operation of Crestview Ranch Well No. 1, Crestview Ranch Well No. 2, the Crestview Ranch Recharge Right, the Crestview Ranch Pond, and the plan for augmentation including water exchange project will cause no injury to any owner or user of a vested water right or decreed conditional water right.
35. Priority: The conditional water rights and the water exchange project decreed herein will be administered with a 2018 priority based on the dates of filing of the original application and the amended application, and will be junior to all water rights for which applications for adjudication were filed in previous years.
36. Curtailment: In accordance with § 37-92-305(8), C.R.S., 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.
37. Measuring devices: In accordance with § 37-92-502(5)(a), C.R.S., Mr. Zook shall install and maintain such measuring devices as the Division Engineer reasonably requires for administration of the conditional water rights and plan for augmentation including water exchange project decreed herein.
38. Accounting: In a manner acceptable to the Division Engineer, and by the 10th day of each month, Mr. Zook shall submit monthly accounting summarizing all diversions, depletions, and deliveries of augmentation supplies under this Decree. The initial

accounting forms are attached as **Exhibit E**; however, those accounting forms are not decreed herein and may be changed from time to time with the Division Engineer's approval.

39. Retained jurisdiction: In accordance with § 37-92-304(6), C.R.S., the plan for augmentation described in paragraphs 13 to 16 above will be subject to reconsideration by the Court for a period beginning upon entry of this Decree and extending until five years after the date on which Mr. Zook files notice in this case that the plan for augmentation has become operational and that the decreed uses of water pumped by the Augmented Structures have been initiated. Such notice additionally must confirm that the decreed augmentation supplies are in place and that Mr. Zook has met the terms and conditions that this Decree imposes on operation of the plan; and must include, for the Crestview Ranch Pond, a profile of the pond showing the elevation of inlet and outlet structures, and confirmation that an operable and lockable outlet structure has been installed.
40. Well permits: Mr. Zook shall apply for new permits, consistent with the terms and conditions of this Decree, for Crestview Ranch Wells Nos. 1 and 2.
41. Use of structures: Nothing in this Decree creates or enlarges, or is to be construed as creating or enlarging, any right of Mr. Zook to utilize land or structures owned by others. Mr. Zook may utilize water diversion, carriage, and storage structures owned by others only to the extent he has acquired the right to use such structures by purchase or other means.
42. Application for a finding of reasonable diligence: If Mr. Zook wishes to maintain the conditional water rights decreed to Crestview Ranch Wells Nos. 1 and 2, the Crestview Ranch Recharge Right, and the Crestview Ranch Pond, he shall file an application for a finding of reasonable diligence on or before six years from the last day of the month listed in the decree, or shall make a showing on or before that date that all or a portion of the conditional water rights have become absolute by reason of completion of the appropriation(s).
43. No precedent: There was no trial in this matter and no issues were litigated. The findings of fact, conclusions of law, ruling, and decree were completed as the result of substantial discussions, negotiations and compromises by, between, and among Mr. Zook and the objector pertaining to all parts of the findings, conclusions, ruling, and decree. The parties stipulate and agree that they do not intend the findings, conclusions, ruling, and decree to have the effect of precedent or preclusion with respect to any factual or legal issue in any other matter, case, or dispute. The parties further stipulate and agree that they each reserve the right to propose or to challenge any legal or factual position in

any other matter filed in this or any other court without limitation by these findings, conclusions, ruling, and judgment and decree.

44. Notice of transfer: In accordance with Rule 9 of the Uniform Local Rules for All State Water Court Divisions, upon the sale or transfer of the conditional water rights described herein, the transferee(s) shall file with the Division 5 Water Court a notice of transfer stating or attaching, as applicable, the following:
 - 44.1 The title and case number of this case, Case No. 18CW3027;
 - 44.2 The description of the conditional water right(s) transferred;
 - 44.3 The name of the transferor;
 - 44.4 The name and mailing address of the transferee; and
 - 44.5 A copy of the recorded deed.
45. Change in mailing address: The owner of the conditional water rights confirmed herein also shall notify the Clerk of the Division 5 Water Court of any change in mailing address. The Clerk shall place any notice of transfer or change of address in the case file for this case.
46. Filing with State and Division Engineers: It is ordered that a copy of this Decree be filed with the Division Engineer for Water Division No. 5 and with the State Engineer.
47. Filing with Water Clerk: It is further ordered that this Decree be filed with the Water Clerk, and that the Decree become effective upon such filing.

DATED this 8th day of November, 2019.



Susan M. Ryan
Water Referee
Water Division No. 5
State of Colorado

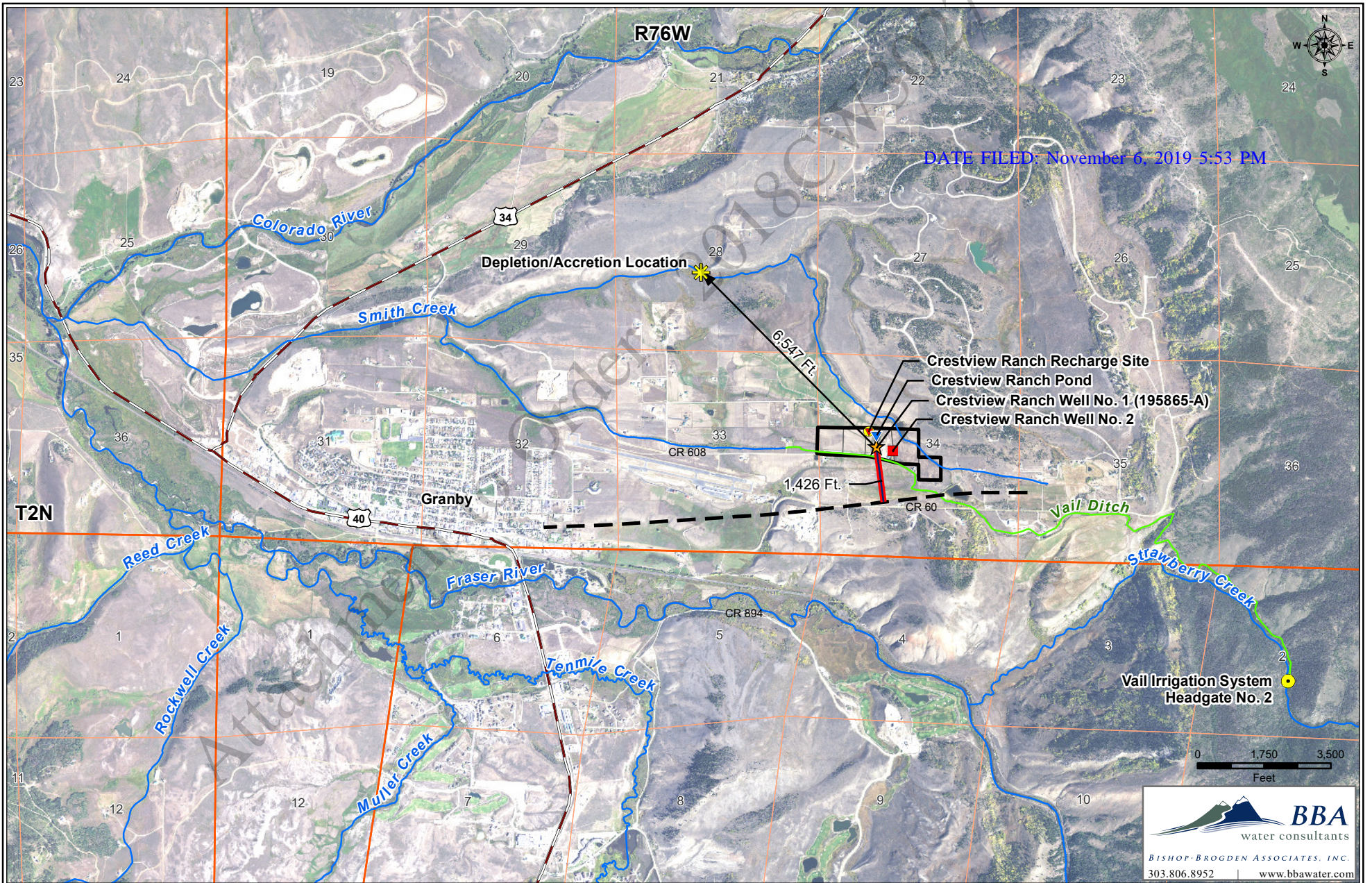
DECREE OF THE WATER COURT

The Court finds that no protest has been filed in this matter. The Court hereby confirms the foregoing Ruling of the Referee, and enters the same as the Judgment and Decree of this Court.

DATED this _____ day of _____, 2019.

BY THE COURT:

James B. Boyd
Water Judge
Water Division No. 5
State of Colorado



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water consultants
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Exhibit A Crestview Ranch General Location Map

Date: 2/14/2019 | Job No. 1734.00

Legend

- ★ Crestview Ranch Well No. 1 (195865-A)
- Crestview Ranch Well No. 2
- ⬇ Crestview Ranch Recharge Site
- ⬇ Crestview Ranch Pond
- Heagate
- ⚡ Depletion/Accretion Location
- Distance to Aquifer Boundary
- ➔ Distance to Stream Flow
- Geologic Fault
- Stream
- Canal/Ditch
- ▭ Crestview Ranch

Aerial Photo Date: 9/21/2017, USDA-NAIP
Data Source: Grand County, CDSS, CDOT, USGS, BLM

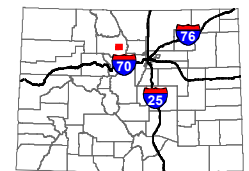


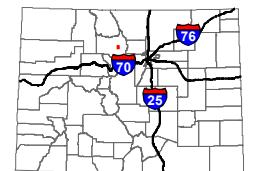
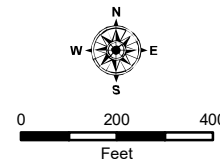


Exhibit B Crestview Ranch Irrigated Area and 600-Ft. Spacing Map

Date: 11/4/2019 | Job No. 1734.00

Legend

- ★ Crestview Ranch Well No. 1 (195865-A)
 - Crestview Ranch Well No. 2
 - ▲ Well Permit Location
 - ▭ Crestview Ranch Pond
 - ▭ Crestview Ranch Recharge Site
 - ▭ Crestview Ranch
 - ▭ 600-Ft. Well Buffer
 - ▭ Irrigated Area
 - ▭ Grass - Approx. 10,000 Sq. Ft.
 - ▭ Shrubs - Approx. 1,000 Sq. Ft.
- Aerial Photo Date: 9/7/2016, Google Earth
Data Source: Grand County, CDSS, CDOT, USGS, BLM



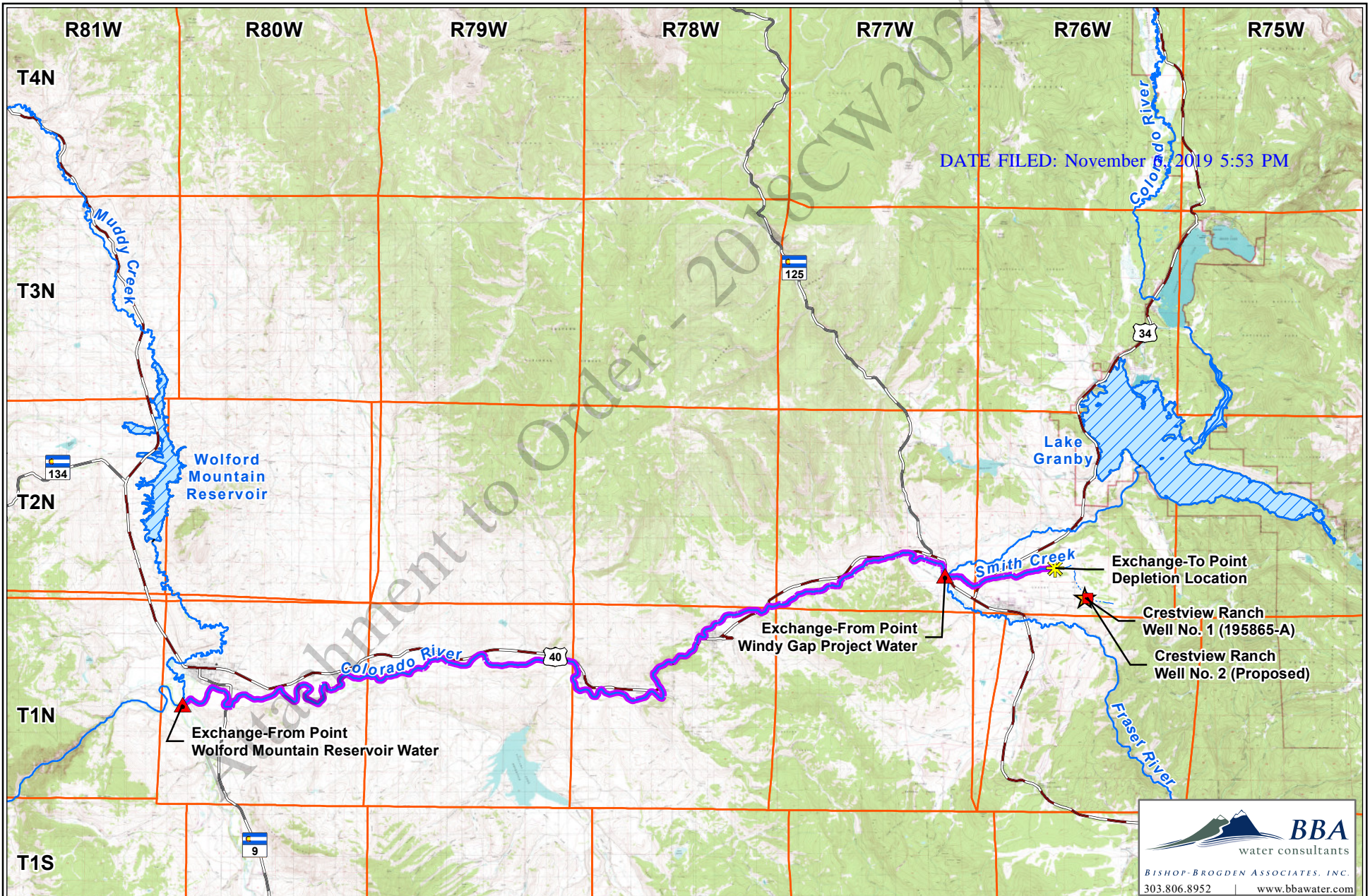


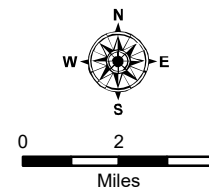
Exhibit C Crestview Ranch Middle Park Contract Augmentation Supplies

Date: 11/4/2019 | Job No. 1734.00

Legend

- Crestview Ranch Well No. 2 (Proposed)
- ★ Crestview Ranch Well No. 1 (195865-A)
- ▲ Exchange-From Point
- ★ Exchange-To Point
- Exchange Reach
- Augmentation Supply

Data Source: CDSS, CDOT, USGS, BLM





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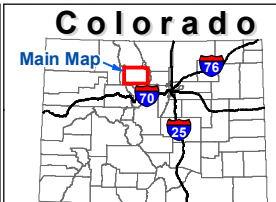


Table 1
Crestview Ranch
Indoor Water Usage Analysis

Overnight Rentals	Day Use	Staff
200 nights per year	125 days per year	3 Staff
35 guests/night	150 guests/day	365 8-hour shifts/yr
60 gpd/person	25 gpd/person	15 gpd/person/shift

DATE FILED: November 6, 2019 5:53 PM

Month	Distribution	Demand (ac-ft)	Distribution	Demand (ac-ft)	Distribution	Demand (ac-ft)	Total Demand (ac-ft)	Total Consumptive Use (ac-ft)
	[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]
Jan	5%	0.064	1%	0.014	8.5%	0.004	0.083	0.008
Feb	5%	0.064	1%	0.014	7.7%	0.004	0.083	0.008
Mar	5%	0.064	1%	0.014	8.5%	0.004	0.083	0.008
Apr	5%	0.064	2%	0.029	8.2%	0.004	0.097	0.010
May	9%	0.116	12%	0.173	8.5%	0.004	0.293	0.029
Jun	13%	0.168	17%	0.245	8.2%	0.004	0.416	0.042
Jul	13%	0.168	17%	0.245	8.5%	0.004	0.416	0.042
Aug	13%	0.168	17%	0.245	8.5%	0.004	0.416	0.042
Sep	13%	0.168	17%	0.245	8.2%	0.004	0.416	0.042
Oct	9%	0.116	12%	0.173	8.5%	0.004	0.293	0.029
Nov	5%	0.064	1%	0.014	8.2%	0.004	0.083	0.008
Dec	5%	0.064	2%	0.029	8.5%	0.004	0.097	0.010
Total	100%	1.289	100%	1.439	100%	0.050	2.778	0.278

Notes:

- [1] Overnight rental distribution based on owner's estimated occupancy each month.
- [2] Overnight rental demand equal to 200 nights per year * 35 guests/night * 60 gallons per day/person * [1].
- [3] Day use distribution based on owner's estimated number of events each month.
- [4] Day use demand equal to 125 events per year * 150 guests/event * 25 gallons per day/person * [3].
- [5] Staff distribution based on three full time staff.
- [6] Staff demand equal to 3 staff members * 365 8-hour shifts/year/staff * 15 gallons per day/staff * [5].
- [7] Equal to [2] + [4] + [6].
- [8] Crestview Ranch uses an on-site septic system which is assumed to be 10% consumptive (per Paragraph 6 of 2003 General Guidelines for Substitute Water Supply Plans Submitted to the State Engineer pursuant to Section 37-92-308 CRS). Therefore, the total indoor consumptive use is equal to [7] * 10%.

**Table 2
Crestview Ranch
Outdoor Water Usage Analysis**

Lawn Irrigation (bluegrass) 10,000 sq-ft	Tree, Shrub, Flower, Garden Irrigation 1,000 sq-ft	Stock 365 days 3 head 12 gpd/head	Wash Down 5,000 gal/year	Hot Tub 2 hot tub 365 days 3 gal/day
--	--	--	-----------------------------	---

Month	CIR (feet)	Demand (ac-ft)	Consumptive Use (ac-ft)	CIR (feet)	Demand (ac-ft)	Consumptive Use (ac-ft)	Distribution	Demand/ Consumptive Use (ac-ft)	Distribution	Demand/ Consumptive Use (ac-ft)	Distribution	Demand/ Consumptive Use (ac-ft)	Total Demand (ac-ft)	Total Consumptive Use (ac-ft)
	[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]	[10]	[11]	[12]	[13]	[14]
Jan	0.000	0.000	0.000	0.000	0.000	0.000	8.5%	0.003	0%	0.000	8.5%	0.0006	0.004	0.004
Feb	0.000	0.000	0.000	0.000	0.000	0.000	7.7%	0.003	0%	0.000	7.7%	0.0005	0.004	0.004
Mar	0.000	0.000	0.000	0.000	0.000	0.000	8.5%	0.003	0%	0.000	8.5%	0.0006	0.004	0.004
Apr	0.000	0.000	0.000	0.000	0.000	0.000	8.2%	0.003	14%	0.002	8.2%	0.0006	0.006	0.006
May	0.133	0.038	0.031	0.035	0.001	0.001	8.5%	0.003	14%	0.002	8.5%	0.0006	0.045	0.038
Jun	0.389	0.112	0.089	0.103	0.002	0.002	8.2%	0.003	14%	0.002	8.2%	0.0006	0.120	0.098
Jul	0.403	0.116	0.093	0.107	0.003	0.002	8.5%	0.003	15%	0.002	8.5%	0.0006	0.125	0.101
Aug	0.327	0.094	0.075	0.086	0.002	0.002	8.5%	0.003	15%	0.002	8.5%	0.0006	0.102	0.083
Sep	0.246	0.071	0.057	0.065	0.002	0.001	8.2%	0.003	14%	0.002	8.2%	0.0006	0.078	0.064
Oct	0.014	0.004	0.003	0.004	0.000	0.000	8.5%	0.003	14%	0.002	8.5%	0.0006	0.010	0.010
Nov	0.000	0.000	0.000	0.000	0.000	0.000	8.2%	0.003	0%	0.000	8.2%	0.0006	0.004	0.004
Dec	0.000	0.000	0.000	0.000	0.000	0.000	8.5%	0.003	0%	0.000	8.5%	0.0006	0.004	0.004
Total	1.513	0.434	0.347	0.400	0.010	0.009	100%	0.040	100%	0.015	100%	0.0067	0.506	0.419

Notes:

- [1] Bluegrass consumptive irrigation requirement (CIR) determined using the modified Blaney-Criddle formula in the IDSCU program and climate data from the NOAA Grand Lake 6 SSW weather station for 1975-2016 and effective precipitation calculated using SCS TR-21 methodology.
- [2] Approximately 10000 sq-ft (0.229 acres) of bluegrass irrigated at the Crestview Ranch based on owner estimate. Equal to [1] * 0.229 acres / 80% irrigation efficiency.
- [3] Equal to [2] * 80%.
- [4] CIR for trees, shrubs, flowers, and garden is based upon Denver Water's "Plant Supplemental Irrigation Needs - Colorado Front Range," 1995, distributed monthly based upon the CIR for bluegrass in [1].
- [5] Approximately 500 sq-ft (0.0115 acres) of trees, shrubs, flowers, and garden are irrigated at the Crestview Ranch based on owner estimate. Equal to [4] * 0.0115 acres / 95% irrigation efficiency.
- [6] Equal to [5] * 95%.
- [7] Stock use distribution based on owner's estimated number of events each month.
- [8] Stock demand based on 3 head on the property for 30 days per year * 12 gallons per day/head * [7] and is assumed to be 100% consumptive.
- [9] Wash down use distribution based on owner's estimate.
- [10] Wash down demand equal to 5,000 gallons per year and is assumed to be 100% consumptive.
- [11] Hot Tub use distribution based on year round use.
- [12] Hot Tub demand based on a loss of 3 gallons per day and is assumed to be 100% consumptive.
- [13] Equal to [2] + [5] + [8] + [10] + [12].
- [14] Equal to [3] + [6] + [8] + [10] + [12].

Table 3
Crestview Ranch
Pond Evaporation and Aesthetic Use

Pond Surface Area [1]:	0.929	acres
Gross Evaporation [2]	35	in/yr

Month	Monthly Evaporation Distribution	Pond Evaporation (ac-ft)	Evaporation Loss met by Well Pumping (ac-ft)
	[3]	[4]	[5]
Jan	1.0%	0.027	0.000
Feb	3.0%	0.081	0.000
Mar	6.0%	0.163	0.000
Apr	9.0%	0.244	0.000
May	12.5%	0.339	0.000
Jun	15.5%	0.420	0.000
Jul	16.0%	0.434	0.434
Aug	13.0%	0.352	0.352
Sep	11.0%	0.298	0.298
Oct	7.5%	0.203	0.203
Nov	4.0%	0.108	0.000
Dec	1.5%	0.041	0.000
Total	100%	2.710	1.287

Notes:

[1] The Crestview Ranch Pond surface area based on August 20, 2018 pond survey.

[2] Gross evaporation from NOAA Technical Report NWS 33.

[3] Evaporation distribution from SB-120 Guidelines' monthly distribution for elevations above 6500 feet msl.

[4] equal to [1] * [2] * [3].

[5] The Crestview Ranch Well Nos. 1 and 2 are anticipated to provide water for aesthetic use (evaporation loss replacement) in the months of July through October.

Table 4
Crestview Ranch
Total Water Demands and Consumptive Use
 All values in acre-feet.

Month	Water Demand				Consumptive Use				Non-Aesthetic Consumptive Use Percentage	Lagged Depletions	Net Recharge Delivery	Lagged Recharge
	Indoor	Outdoor	Aesthetic	Total	Indoor	Outdoor	Aesthetic	Total				
	[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]				
Jan	0.083	0.004	0.000	0.087	0.008	0.004	0.000	0.012	14%	0.165	0.000	0.166
Feb	0.083	0.004	0.000	0.086	0.008	0.004	0.000	0.012	14%	0.165	0.000	0.167
Mar	0.083	0.004	0.000	0.087	0.008	0.004	0.000	0.012	14%	0.165	0.000	0.167
Apr	0.097	0.006	0.000	0.103	0.010	0.006	0.000	0.016	15%	0.165	0.000	0.167
May	0.293	0.045	0.000	0.338	0.029	0.038	0.000	0.067	20%	0.165	2.000	0.167
Jun	0.416	0.120	0.000	0.536	0.042	0.098	0.000	0.139	26%	0.165	0.000	0.167
Jul	0.416	0.125	0.434	0.975	0.042	0.101	0.434	0.577	26%	0.165	0.000	0.167
Aug	0.416	0.102	0.352	0.871	0.042	0.083	0.352	0.477	24%	0.165	0.000	0.167
Sep	0.416	0.078	0.298	0.793	0.042	0.064	0.298	0.404	21%	0.166	0.000	0.167
Oct	0.293	0.010	0.203	0.507	0.029	0.010	0.203	0.242	13%	0.165	0.000	0.167
Nov	0.083	0.004	0.000	0.087	0.008	0.004	0.000	0.012	14%	0.165	0.000	0.167
Dec	0.097	0.004	0.000	0.101	0.010	0.004	0.000	0.014	14%	0.165	0.000	0.166
Total	2.778	0.506	1.287	4.571	0.278	0.419	1.287	1.984	-	1.984	2.000	2.000

Notes:

- [1] Equal to Table 1 [7].
- [2] Equal to Table 2 [13].
- [3] Equal to Table 3 [5].
- [4] Equal to [1] + [2] + [3].
- [5] Equal to Table 1 [8].
- [6] Equal to Table 2 [14].
- [7] Equal to Table 3 [5].
- [8] Equal to [5] + [6] + [7].
- [9] Equal to the non-aesthetic monthly consumptive use divided by the non-aesthetic water demands (([5] + [6]) / ([1] + [2])).
 Ground water delivered to the Crestview Ranch Pond will be separately metered.
- [10] Monthly consumptive use [8] from the pumping of the well was lagged to steady state using the Glover methodology in the IDS-AWAS program using the following aquifer parameters:
 x (distance to stream): 6,547 feet
 w (distance to aquifer boundary): 7,973 feet
 S (storage coefficient): 0.05
 T (transmissivity): 2,000 gpd/ft
- [11] Equal to the proposed delivery to the Crestview Ranch Recharge Site.
- [12] Monthly deliveries to the Crestview Ranch Recharge Site lagged to steady state using the same Glover methodology and aquifer parameters in [10].

Table 5
Crestview Ranch Pond
Stage Area Capacity Table

Water Depth (ft)	Surface Area (ac)	Total Storage Volume (ac-ft)
6	0.929	2.112
5.5	0.841	1.674
5	0.730	1.292
4.5	0.625	0.964
4	0.529	0.687
3.5	0.440	0.458
3	0.349	0.273
2.5	0.239	0.138
2	0.090	0.074
1.5	0.057	0.037
1	0.032	0.016
0.5	0.015	0.004
0	0.002	0.000

Notes:

Based on August 20, 2018 pond survey.

Crestview Ranch
 Case No. 18CW3027
 Proposed Accounting Forms
Table 1: Monthly Summary
 (acre-feet)

DATE FILED: November 6, 2019 5:53 PM

Month	Well Water Use				Recharge			Augmentation Balance				
	Total Well Pumping	Well Water Delivered to Pond	Non-Aesthetic Consumptive Use Percentage	Consumptive Use of Well Water	Delivery to Recharge	Recharge Pond Net Evaporation	Inflow to Recharge	Lagged Well Pumping Depletions	Lagged Recharge Accretions	Crestview Ranch Pond Release for Augmentation	Middle Park Contract Release	Balance
	[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]	[10]	[11]	[12]
Nov-18	0.00	0.00	14%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Dec-18		0.00	14%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Jan-19		0.00	14%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Feb-19		0.00	15%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mar-19		0.00	20%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Apr-19		0.00	26%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
May-19		0.00	26%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Jun-19		0.00	24%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Jul-19		0.00	21%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Aug-19		0.00	13%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Sep-19		0.00	14%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Oct-19		0.00	14%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WY Total	0.00	0.00	-	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Notes

- [1] Total well pumping from Crestview Ranch Well No. 1 and Crestview Ranch Well No. 2. Annual volumetric limit is 4.6 AF.
- [2] Water from Crestview Ranch Well No. 1 and Crestview Ranch Well No. 2 that is delivered to the Crestview Ranch Pond.
- [3] The non-aesthetic consumptive use percentage is the percentage of [1] - [2] that is consumptively used. From Table 4 of Exhibit D to the decree in Case No. 18CW3027.
- [4] Equal to ([1] - [2]) * [3] + [2].
- [5] Delivery under the Crestview Ranch Recharge water right decreed in Case No. 18CW3027, summed from daily input values. Annual volumetric limit is 4.0 AF.
- [6] Net evaporation from the Crestview Ranch Recharge Site, summed from daily calculated values.
- [7] Inflow to the Crestview Ranch Recharge Site, summed from daily calculated inflows based on a daily storage balance. This inflow will become recharge credit after lagging.
- [8] Lagged well pumping depletions are equal to the average annual well pumping from the previous 5 year period, divided by 12.
- [9] Lagged recharge accretions are equal to the average annual inflow to recharge from the previous 5 year period, divided by 12.
- [10] Crestview Ranch Pond release for augmentation is made when other augmentation supplies are not available.
- [11] Contract releases from the Middle Park Water Conservancy District are made when required and after notification is provided to the Water Commissioner of an exchange.
- [12] Equal to [9] + [10] + [11] - [8].

Recharge Condition Check (Para. 16.2.1 and 16.2.2 of Decree in Case No. 18CW3027)

[13] Running 5-Year Average of Total Annual Depletions:	0
[14]: Running 5-Year Average of Recharge Credit:	0
[15]: [14] / [13]. If <110%, pond deliveries to recharge required.	0%

Crestview Ranch
Case No. 18CW3027
Proposed Accounting Forms
Table 2: Pond Summary

Month	Total Pond Contents					18CW3027 Water Right			
	End-of- Month Staff Gage	End-of- Month Volume	End-of- Month Surface Area	Change in Volume	Gross Pond Evaporation	Inflow	End-of- Month Volume	Evaporation	Release for Augmentation
	feet	acre-feet	acres	acre-feet	acre-feet	acre-feet	acre-feet	acre-feet	acre-feet
	[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]
Nov-18	0.00	0.00	0.00	-	0.000	0.00	0.00	0.00	0.00
Dec-18	0.00	0.00	0.00	0.00	0.000	0.00	0.00	0.00	0.00
Jan-19	0.00	0.00	0.00	0.00	0.000	0.00	0.00	0.00	0.00
Feb-19	0.00	0.00	0.00	0.00	0.000	0.00	0.00	0.00	0.00
Mar-19	0.00	0.00	0.00	0.00	0.000	0.00	0.00	0.00	0.00
Apr-19	0.00	0.00	0.00	0.00	0.000	0.00	0.00	0.00	0.00
May-19	0.00	0.00	0.00	0.00	0.000	0.00	0.00	0.00	0.00
Jun-19	0.00	0.00	0.00	0.00	0.000	0.00	0.00	0.00	0.00
Jul-19	0.00	0.00	0.00	0.00	0.000	0.00	0.00	0.00	0.00
Aug-19	0.00	0.00	0.00	0.00	0.000	0.00	0.00	0.00	0.00
Sep-19	0.00	0.00	0.00	0.00	0.000	0.00	0.00	0.00	0.00
Oct-19	0.00	0.00	0.00	0.00	0.000	0.00	0.00	0.00	0.00
WY Total	-	-	-	0.00	0.00	0.00	0.00	0.00	0.00

Notes

[1] End-of-month reading from staff gage in Crestview Ranch Pond.

[2] End-of-month volume of water stored in Crestview Ranch Pond. Maximum volume is 2.112 acre-feet.

[2] End-of-month surface area of Crestview Ranch Pond. Maximum surface area is 0.929 acres.

[4] Equal to [2] from current month minus [2] from previous month.

[5] Gross evaporation rate is equal to 35 inches per year, from NOAA Technical Report NWS 33, and distributed monthly per the SB-120 Guidelines' monthly distribution for elevations above 6500 feet msl. This rate is converted to feet and multiplied by [3] to calculate gross pond evaporation in acre-feet.

[6] Delivery under the Crestview Ranch Pond storage right decreed in Case No. 18CW3027. Limited by decree to 4.224 AF/yr.

[7] End-of-month storage in the 18CW3027 storage account in Crestview Ranch Pond.

[8] Evaporation losses assessed on the Crestview Ranch Pond.

[9] Crestview Ranch Pond release for augmentation, which matches Column [10] of Table 1.