COLORADO
Colorado Water Conservation Board
Department of Natural Resources

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John Hickenlooper, Governor

Robert Randall, DNR Executive Director

James Eklund, CWCB Director

TO: Colorado Water Conservation Board Members

FROM: Linda Bassi, Section Chief
Kaylea White, Senior Water Resource Specialist
Stream and Lake Protection Section

DATE: January 23-24, 2017 Board Meeting

AGENDA ITEM: Agenda # 10. Request to Inundate; Case No. 15CW3183, Division 1; Application of Rainbow Falls Mountain Trout Inc.

Introduction

This agenda item addresses a proposed pretrial resolution of a portion of a case that is a request to inundate under ISF Rule 7. *Inundation of ISF Rights*. This proposal is to inundate a small portion of the 11-mile long, 2 cfs instream flow water right on Trout Creek, decreed in Case No. W-8731 in 1977, ("ISF") by two small lakes on the property of Rainbow Falls Mountain Trout Inc, ("Applicant"). The ISF reach extends from the outlet of Manitou Park Lake, approximately five miles upstream of the subject lakes on the Rainbow Falls property, through the property, and down to the confluence of Trout Creek and Horse Creek, approximately five miles downstream of the subject lakes. The property and fish culture facilities were originally developed in the late 1800's as part of Manitou Park south of Woodland Park, Colorado. See map attached as **Appendix A**. Although other lakes are included in the water court application, as shown on the map, only two of the six lakes on Trout Creek are at issue for inundation. The others were constructed prior to July 10, 1990 and are therefore not to be considered under ISF Rule 7.

This memo addresses only the inundation issue for the two lakes built in 2004 as described in Applicant's water court Case No. 15CW3183. Applicant's *Request to Inundate*, dated December 12, 2016 is attached as **Appendix B**. Staff and the AGO will continue to negotiation proper terms and conditions to protect other aspects of the potentially affected instream flows. Currently, the water court case remains before the water referee. There is no trial set in this matter.

Staff Recommendation

Staff recommends that the Board:

1. Determine that the small inundations do not significantly interfere with the instream flow water right on Trout Creek, and therefore the natural environment of Trout Creek can continue to be preserved to a reasonable degree;
2. Approve the inundation request; and

3. Direct staff to negotiate proper terms and conditions for the final decree regarding maintenance of the sediment control structures that have already been installed.

Case Background

Applicant's property is on 100 acres adjacent to and on both sides of Trout Creek. Applicant's primary use of the Rainbow Falls Lakes is fish rearing for a private fishing club along Trout Creek, a tributary of Horse Creek, tributary to the South Platte River, upstream of Deckers, CO. Applicant maintains two raceways where young trout are matured before stocking the nine lakes. There are currently one private residence and an RV camper also using water. Water is supplied to the raceways and the lakes from a perennial spring known as Big Spring and from Trout Creek. Big Spring flows through the race ways and three of the lakes before joining Trout Creek. Domestic water for the private residence and RV is piped from the Big Spring Pipeline.

Although originally developed in the late 1800's as part of Manitou Park, no water rights have been awarded for the existing structures. Applicant is currently claiming absolute water storage rights for on channel structures including Ute Lake, Palmer Lake, Trout Creek Lake, Watson Lake, Bear Lake and Cougar Lake on the mainstem of Trout Creek, and Elk Lake, Eagle Lake, and Spring Lake on the Big Spring tributary channel ("Rainbow Falls Lakes") for irrigation, recreation, piscatorial, fish culture, domestic, augmentation, and commercial purposes. Applicant also seeks direct flow water rights for the Big Spring Pipeline for hatchery and raceways, residences, irrigation, domestic, and commercial uses. The Applicant seeks approval of a plan for augmentation to replace out-of-priority depletions from the Rainbow Falls Lakes and to replace evaporation. Applicant proposes to supply water to two additional residences, a 25-room lodge and irrigation of up to five acres. Applicant holds several water rights that can be used for some, but not all, of its current and proposed uses. Applicant has operated under a substitute water supply plan approved by the State Engineer's Office since 2011.

In March 2016, the Board ratified the Statement of Opposition to this application because it could injure the Board's ISF water rights set forth below. CWCB became a party in this case with the intent of negotiating terms and conditions to fully protect the Board's ISF water rights. The Board holds the following ISF water rights that could be injured by this application.

CWCB Case No.	Stream	Upper Terminus	Lower Terminus	Rate (cfs)	Timing	Approp. Date
77W8731 (Div 1)	Trout Creek	Manitou Park Reservoir	confl. Horse Creek	2	1/1 - 12/31	11/15/1977
80CW210 (Div. 1)	Horse Creek	confl. West and Trout Creeks	confl. South Platte River	5	1/1- 12/31	5/7/1980

Extent of potential impact of the inundation

At the Board meeting, Applicant's representatives will present its request to inundate.

The two post-ISF Rule 7 lakes that are considered under ISF Rule 7 that will inundate the ISF are Bear Lake and Cougar Lake. Bear Lake covers 1.35 acres, contains 3.92 AF of water and inundates approximately 600 feet of Trout Creek, while Cougar Lake covers 1.21 acres, contains 5.17 AF of water and inundates approximately 700 feet of Trout Creek. Both have dam heights under 10 feet. Under ISF Rule 7a., "[s]mall inundations are those in which the impoundment is 100 acre-feet or less, or the surface acreage of the impoundment is 20 acres or less, or the dam height of the structure is 10 feet or less." ISF Rule 7a.(1) states that "[a]ll structures proposed by any applicant on a stream reach shall be accumulated for the purpose of determining whether the inundations proposed by the applicant are small inundations," Therefore, even when combined, these two inundations are considered a "small inundation."

While the inundations here are small, the effects of inundation can be negative. CPW and CWCB consider the following types of effects when evaluating inundations to an instream flow. The greater surface area of an inundation versus a stream can result in more exposure to the sun and result in higher temperatures both in the impoundment and downstream. The loss of turbulent flow from changing the habitat from a free-flowing instream flow to an impoundment may result in reduced dissolved oxygen concentrations that can be reduced even further if the impoundment stratifies or is covered by ice or snow for periods of time. Some species are better suited for the slower velocity of lakes and ponds rather than the natural flow dynamics. Dams structures themselves create barrier for fish migration within the stream channel. Finally, impoundments tend to trap sediments, nutrients, metals and inorganic matter, critical habitat can be inundated by water and trapped by sediment and downstream erosion can result from the stream's sediment load trapped in the impoundment. See **Appendix C** for a summary of the types of effects an inundation can have on a stream. This summary was created by CPW and presented to this Board in 2007 as part of the reasoning for CWCB's ISF Rule 7.

Under ISF Rule 7g., the Board must consider any mitigation or compensation offered to offset adverse impacts on the ISF right. There is no expert report on the issues, but according to the Applicant, the inundations result in a net gain of healthy habitat for fish and other aquatic organisms. The inundations result in improved water temperatures in the lakes. The Applicant reports that the water flowing in the unimproved section of Trout Creek upstream of Bear Lake is typically only 4 inches to 12 inches deep, and will run 76-78 degrees in August and September. Both Bear and Cougar Lakes, on the other hand, provide safe haven for trout with lake temperatures up to 8 degrees cooler just 24 inches below the surface. The inundation also results in improved water temperatures downstream of the lakes. The outlet from Bear Lake is a bottom discharge tube that discharges cooler water from the bottom of the lake to Trout Creek, which also helps improve fish habitat in Trout Creek downstream of Bear Lake. The cooler water in the lakes and downstream of the lakes improves the dissolved oxygen content of the water for the benefit of fish. Additionally, both lakes serve as "settling basins" that reduce sediment transport in Trout Creek downstream of the lakes. Further, both lakes provide enhanced habitat and concentration of midges, caddis flies, and tricos, as well as scuds and crawfish to benefit both the environment and the fish. Finally, the Applicant performed erosion control measures on the property to reduce sediment flow into Trout Creek by constructing terracing around the west banks of Spring Lake, Eagle Lake, and Elk Lake to redirect runoff around the lake shores, and repaired two washed-out areas on the east bank of the access road to the northern parcel in order to reduce sedimentation from entering the Trout Creek system. The Applicant completed a high-flow run-around at the outlet of Bear Lake to protect a vulnerable section of Trout Creek.

Finally, although not for the purpose of directly mitigating specific impacts to the Trout Creek ISF water right, the Applicant asks the Board to consider that there are approximately 5,000 trout fingerlings reared each year that are purchased from State-licensed hatcheries that are released into the Rainbow Falls Lakes and Trout Creek as part of monthly stocking program from March through September. All fishing on the property is catch-and-release and the Applicant provides supplemental feeding during times of low flows and during the winter. Although the mitigation described above occurred well before the Applicant sought to obtain water rights for the Rainbow Lakes and the ISF has been affected by the inundation since approximately 2004, the Applicant requests in his *Request to Inundate* that no additional compensation or mitigation be required because all of these actions result in improved water quality and increased fish population. However, the Applicant has subsequently agreed to perform additional environmental improvements, such as sediment control and retro-fitting dams to release cool water from the bottom of the lake rather than hot water over the top of the spillway.

Pursuant to ISF Rule 7e., Applicant is required to provide information on the following factors:

> [T]he location of the inundation, the size of the inundation, impact of the inundation on the natural environment, any unique or rare characteristics of the ISF water right to be inundated, any regulatory requirements or conditions imposed upon the applicant by federal, state and/or local governments, all terms and conditions included in applicant's water court decree, and any compensation or mitigation offered by the Person proposing the inundation.

The required information was provided in Applicant's proposal to inundate, attached as **Appendix B**, and as discussed in this memo. In addition to the information provided above, there are no other specific unique or rare characteristics of the ISF water right to be inundated, the Applicant has agreed to abide by any regulatory requirements or conditions imposed upon the applicant by federal, state and/or local governments, and has verbally agreed to maintain the existing sediment control structures.

Discussion

Under Rule 7g., when considering a request to inundate an ISF, the Board may: approve, approve with conditions, defer, or deny the request to inundate. Rule 7g. requires the Board to consider all relevant factors, including:

> (1) the extent of inundation proposed; (2) the impact of the proposed inundation on the natural environment existing prior to the inundation; (3) the degree to which the beds and banks adjacent to the ISF right subject to the inundation are publicly or privately owned; (4) the economic benefits arising from the inundation; (5) the benefits to recreation and downstream ISF segments arising from the inundation; (6) the degree to which the proposed inundation will allow development of Colorado's allotment of interstate waters as determined by compact or adjudication; and, (7) any mitigation or compensation offered to offset adverse impacts on the ISF right.

The requested inundations from Bear and Cougar Lakes cover 1.35 and 1.21 acres, contain 3.92 AF and 5.17 AF of water, and inundate approximately 600 and 700 feet of Trout Creek, respectively, and both are under 10 feet in height. Any negative impacts, in effect have been mitigated already by the sediment control structures and other work done for the purpose of protecting and enhancing the fishery. The Applicant states that there are economic benefits because there are currently 130 memberships, representing over 300 active members that utilize the facility. There is likely an insignificant positive effect on Colorado's compact entitlement developments because water is being put to consumptive beneficial use. Finally, the existing and proposed improvements to the stream system outweigh any negative effects from the small inundation.

Colorado Parks and Wildlife Evaluation of Proposal

Colorado Parks and Wildlife ("CPW") staff members have visited the site visit as part of the Applicant's stocking with CPW-hatchery fish, and annual Commercial Lake License from CPW. Based on discussions, site visits and review of documents, CPW has concluded that, on balance, the improvements that are in place enhance the natural environment and offset any negative effect resulting from the inundation. See CPW's recommendation letter, attached as **Appendix D**.

Conclusion

Based upon: (1) a site visit and on-site discussion with Applicant's representatives; (2) review of the request for inundation report prepared by Richard Johnson (owner and manager of Rainbow Falls); (3) review of Applicant's engineering report prepared by Gregory Sullivan of Spronk Water Engineers; (4) and upon staff's and CPW's subsequent discussions with the Applicant's representatives, it appears that the Applicant's request to inundate Trout Creek supports the conclusion that the inundation does not significantly interfere with the natural environment of Trout Creek. Trout Creek can continue to be preserved to a reasonable degree, despite these small inundations.

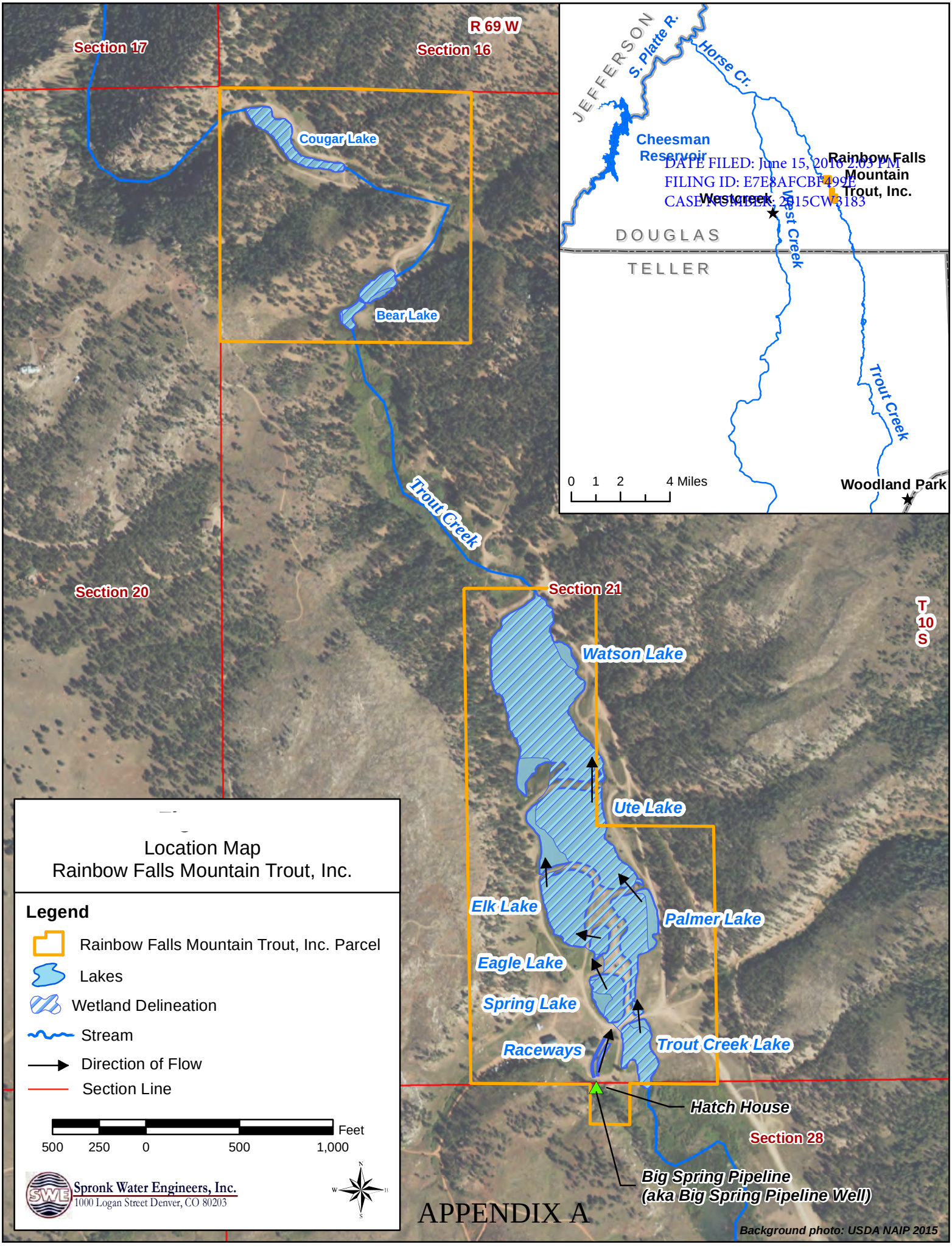
Staff Recommendation

Staff recommends that the Board:

1. Determine that the small inundations do not significantly interfere with the instream flow water right on Trout Creek, and therefore the natural environment of Trout Creek can continue to be preserved to a reasonable degree;
2. Approve the inundation request; and
3. Direct staff to negotiate proper terms and conditions for the final decree regarding maintenance of the sediment control structures that have already been installed.

Attachments

Appendix A: Map
Appendix B: Applicant's Request to Inundate
Appendix C: 2007 Board Memo – CPW summary of inundation impact on a stream
Appendix D: CPW Recommendation Letter


R 69 W
Section 17
Section 16
Cougar Lake
Bear Lake
Trout Creek
Section 20
Section 21
Watson Lake
Ute Lake
Elk Lake
Palmer Lake
Eagle Lake
Spring Lake
Raceways
Trout Creek Lake
Hatch House
Section 28
Big Spring Pipeline
(aka Big Spring Pipeline Well)
T 10 S
JEFFERSON
S. Platte R.
Horse Cr.
Cheesman Reservoir
Rainbow Falls Mountain Trout, Inc.
Westcreek
West Creek
DOUGLAS
TELLER
Trout Creek
0 1 2 4 Miles
Woodland Park
DATE FILED: June 15, 2016 2:03 PM
FILING ID: E7E8AFCBF499E
CASE NUMBER: 2015CW3183
Location Map
Rainbow Falls Mountain Trout, Inc.
Legend
Rainbow Falls Mountain Trout, Inc. Parcel
Lakes
Wetland Delineation
Stream
Direction of Flow
Section Line
500 250 0 500 1,000 Feet
Spronk Water Engineers, Inc.
1000 Logan Street Denver, CO 80203
APPENDIX A
Background photo: USDA NAIP 2015

Rainbow Falls Mountain Trout Inc.

December 12, 2016

Colorado Water Conservation Board
1313 Sherman Street, Room 721
Denver, CO 80203

RE: Request to Inundate Instream Flow Water Right on Trout Creek, Douglas County, Colorado.

Dear CWCB Staff:

On behalf of Rainbow Falls Mountain Trout, Inc. (Rainbow Falls), I am submitting this letter as a Request to Inundate a small section of Trout Creek in Douglas County, Colorado. The CWCB has an instream flow water right on Trout Creek that was decreed in Case No. W-8731-77 with a priority date of November 15, 1977. This request was prepared in conformance with Rule 7c of the CWCB Rules Concerning Instream Flow and Natural Lake Level Program (Rules).

Background

I am the owner and manager of Rainbow Falls, which operates on private fishing club on 105 acres on two parcels of land adjacent to Trout Creek. A map of the Rainbow Falls property is included as **Attachment 1**. As part of our operation, we raise and stock trout in nine on-channel lakes that are located on Trout Creek or on Big Spring Creek, a tributary to Trout Creek.

We recently filed an application for water rights and a plan for augmentation in Case No. 15CW3183 to augment out-of-priority depletions to Trout Creek resulting from diversions to storage to replace evaporation from our lakes, and from domestic, irrigation and other water uses on the property. A copy of the application is included as **Attachment 2**. The CWCB filed a Statement of Opposition to the application in February 2016.

A preliminary engineering report in support of the application was prepared in July 2016 by Greg Sullivan of Spronk Water Engineers, Inc. A copy of the preliminary engineering report is provided as **Attachment 3**. We hosted a site visit to the Rainbow Falls property with the opposers to the water court application on October 17, 2016, and representatives from the CWCB were in attendance. On December 5, 2016, our legal counsel, Alan Hill, received an email from Ema Schultz of the Colorado Department of Law requesting that we file an inundation request.

As described in the preliminary engineering report, seven of the nine lakes were constructed many years prior to the 1977 appropriation of the CWCB's ISF water right. However, two of the lakes, Bear Lake and Cougar Lake were reportedly constructed in approximately 2004 by the prior owner of the Rainbow Falls property, and therefore these lakes post-date the CWCB ISF water right. We understand that an inundation request is required for Bear Lake and Cougar Lake because they are junior to the 1977 CWCB instream flow water right on Trout Creek. Photographs of Bear Lake and Cougar Lake are included as **Attachment 4** and **Attachment 5**, respectively.

Information Provided Pursuant to Rule 7e

Rule 7e requests that seven types of information be provided as part of an inundation request. The following is our response to the required information.

1. **Locations of Bear and Cougar Lakes**

   a. Bear Lake: NW1/4, NW1/4 Sec 21, T 10 S, R 69 W (Douglas County).

   b. Cougar Lake: NW1/4, NW1/4 Sec 21, T 10 S R 69 W (Douglas County).

   c. A map showing the location of the two lakes is included as **Attachment 1**.

2. **Size of Lakes**

   a. Bear Lake - 1.36 acres, 3.92 AF, dam height < 10 ft.

   b. Cougar Lake 1.21 acres, 5.17 AF, dam height < 10 ft.

3. **Impact of the Inundation on the Natural Environment**

   a. Bear Lake – inundates approximately 600 feet of Trout Creek.

   b. Cougar Lake – inundates approximately 700 feet of Trout Creek.

   c. Positive Effects of the Inundations

   The inundations result in a net gain of healthy habitat for fish and other aquatic organisms. The following are among the positive effects of the inundations:

   i. **Improved water temperatures in the lakes:**

   As fishery manager, I monitor stream temperatures during low flows. I have measured temperatures as high as 78 degrees F in the unimproved portions of Trout Creek areas due to very shallow flow depth. Such temperatures can be deadly for trout. Both Bear and Cougar Lakes provide safe haven for trout to survive during these times. Water temperatures in the lakes decline dramatically with depth. I have measured up to 8 degrees cooler water just 24 inches below the surface. The water flowing in the unimproved section of Trout Creek upstream of Bear Lake is typically only 4 inches to 12 inches deep, and will run 76-78 degrees in August and September.

ii. **Improved water temperatures downstream of the lakes:**

The outlet from Bear Lake is a bottom discharge tube that discharges cooler water from the bottom of the lake to Trout Creek. This results in greatly improved trout habitat in Trout Creek downstream of Bear Lake.

iii. **Improved oxygen levels.**

The cooler water in the lakes and downstream of the lakes significantly improves the dissolved oxygen content of the water for the benefit of trout and other aquatic species.

iv. **Reduced sediment transport.**

Both lakes serve as "settling basins" the reduce sediment transport in Trout Creek downstream of the lakes.

v. **Benefits to aquatic invertebrates**

Both lakes provide enhanced habitat and concentration of midges, caddis flies, and tricos, as well as scuds and crawfish. These are a benefit to both the environment and the fish.

4. Unique or Rare Characteristics of the ISF Water Right to be Inundated

We are not aware of any unique or rare characteristics for the area of Trout Creek inundated by Bear Lake and Cougar Lake.

5. Regulatory Requirements or Conditions Imposed Upon the Applicant by Federal, State and/or Local Governments

a. We will comply with the terms and conditions of any decree that may be entered in the pending application for water rights and a plan for augmentation in Case No. 15CW3183 and any related stipulations that may be reached with opposers in the case.

b. We will continue to comply with the terms and conditions included in the substitute water supply plan (SWSP) that has been approved by the State Engineer since 2011. The most recent SWSP was approved by letter dated August 23, 2016, and a copy approval letter is included as **Attachment 6**.

c. We will continue to comply with terms and conditions of the Commercial Lakes License issued by the Colorado Department of Parks and Wildlife. A copy of the license is provided as **Attachment 7**.

6. All Terms and Conditions Included in Applicant's Water Court Decree

The proposed decree contains terms and conditions regarding the in-priority operation of each lake, the augmentation of out-of-priority depletions, and the associated accounting requirements. A copy of the current draft proposed decree, dated November 30, 2016, is included as **Attachment 8**.

7. Any Compensation or Mitigation Offered by the Person Proposing the Inundation

As described above, the presence of the lakes has resulted in substantial improvements to the environment for the benefit of trout and other aquatic species. In addition, the management and stewardship of the property through the operation of the Rainbow Falls Mountain Trout Fishing Club has resulted in other benefits as described below. Given the small size of the inundations, we don't believe that any additional compensation or mitigation is necessary.

a. **Erosion control measures**

The following are among the erosion control measures that I have performed on the property to reduce sediment flow into Trout Creek:

i. Constructed terracing around the west banks of Spring Lake, Eagle Lake, and Elk Lake, to redirect runoff around the lake shores. These off-channel improvements reduced or eliminated sedimentation from the US Forest Service (USFS) property to the west from entering the Trout Creek system.

ii. Repaired two wash-out areas on the east bank of the access road to the northern parcel to reduce sedimentation of Trout Creek. These are both off-channel improvements. The first area required significant rocking with a retaining wall anchored into the roadbed, with a thick-mill plastic underlayment and additional rock. This effectively traps the run-off water from the eastern slope in to a pooled area from which it slowly overflows the plastic and rocked edge. The second area was simply using compacted brush fill in a ravine to slow water runoff and trap sediment.

iii. Completed a high-flow run-around at the outlet of Bear Lake. This off-channel improvement directs excess high flow around a vulnerable section of Trout Creek. The redirected water is discharged back to Trout Creek through a rip-rapped area that slows the discharge

iv. Performed other minor terracing and enhancements on my property to slow runoff and reduce sediment from running into Trout Creek.

v. As described above the presence of the lakes themselves helps in trapping and reducing sediment in Trout Creek.

b. **Maintenance of a world class trout fishery**

We raise approximately 5,000 trout fingerlings each year. These fingerlings are purchased from State-licensed hatcheries, and are reared to larger size in fish races on our property. The reared fish are released into our lakes and Trout Creek as part of monthly stocking program from March through September. The size of the fish released typically range from 15 inches to 28 inches. All fishing on our property is catch-and-release.

We also manage fish populations in our lakes and in Trout Creek through our property. This includes providing supplemental feeding during times of low flows and during the winter.

The adjoining sections of Trout Creek upstream and downstream of our property benefit greatly, with both improved water quality and fish population as a result of our efforts.

c. Economic benefits from the Club to the area

We currently have 130 memberships, representing over 300 active members that utilize the facility. The members are predominantly Front Range residents from the Denver areas south to Pueblo. They drive in for daily fishing activities, increasing revenues to the local economy. Approximately 15% of our Members are from out-of-state, who travel here and add to our local economy. Our facility itself contributes to our state and local economy via purchases of fish, feed, all manner of ranch supplies for maintenance etc.

We appreciate your consideration of this inundation request. We believe that our operation and stewardship of Trout Creek through our property provides significant enhancement to the fishery and aquatic environment. We make every effort to comply with all state and local regulations, and it is our utmost desire to be a positive impact on our environment.

If you have any questions, feel free to contact me (Richard Johnson) by telephone at (719) 687-8690, or by email at rainbowfallsmt@yahoo.com. You may also contact Greg Sullivan of Spronk Water Engineers by telephone at (303) 861-9700 or by email at greg@spronkwater.com.

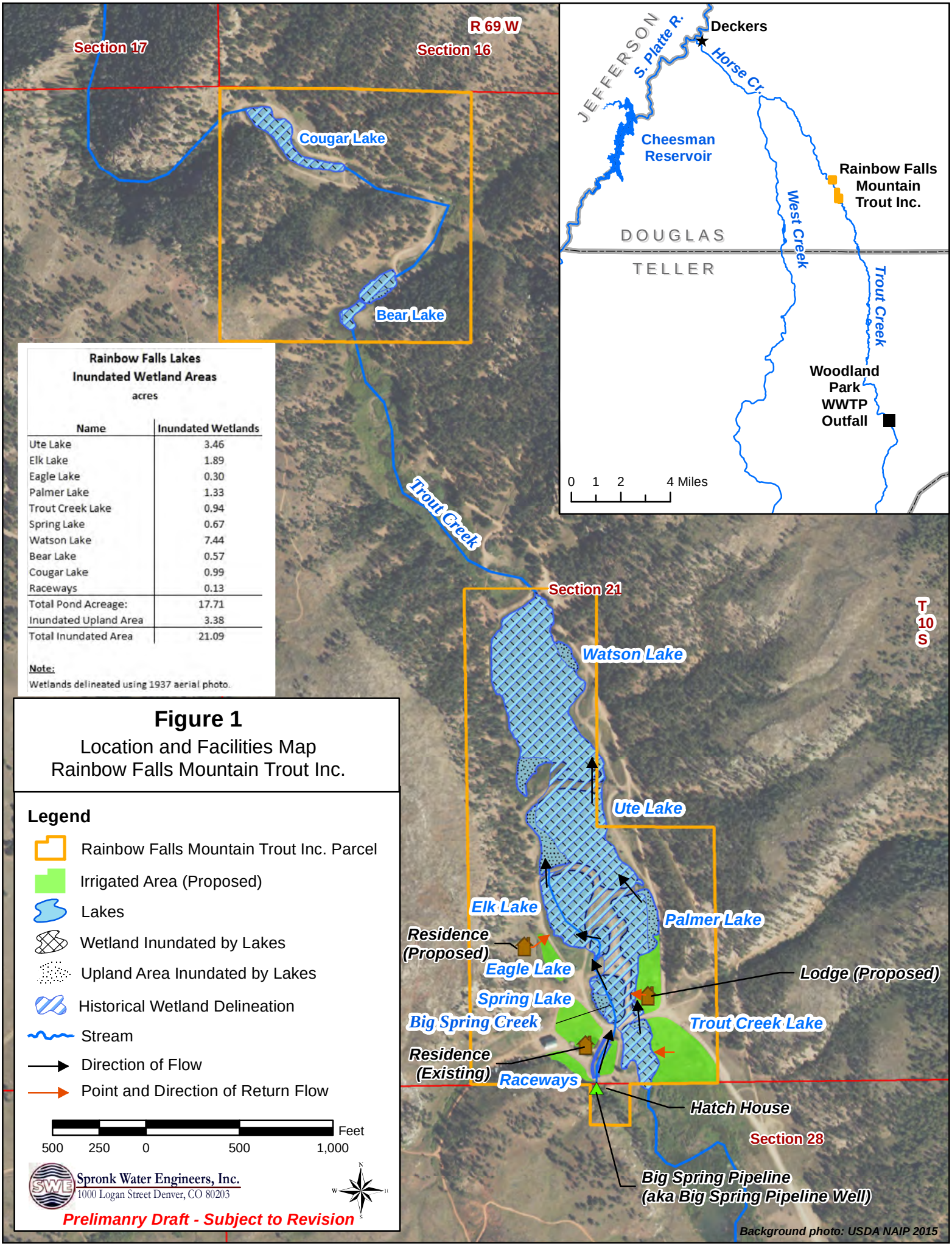
Thank You,

Richard Johnson
Rainbow Falls Mountain Trout Inc.

cc: Alan Hill, Esq.
Gregory K. Sullivan, P.E.

Enclosures:

Rainbow Falls Attachment 1 - Location Map.pdf
Rainbow Falls Attachment 2 - 15CW3183 Application.pdf
Rainbow Falls Attachment 3 - 15CW3183 Preliminary Engineering Report.pdf
Rainbow Falls Attachment 4 - Bear Lake Photograph.pdf
Rainbow Falls Attachment 5 - Cougar Lake Photograph.pdf
Rainbow Falls Attachment 6 - 2016-08-23 SWSP Approval Letter.pdf
Rainbow Falls Attachment 7 - Commercial Lake License.pdf
Rainbow Falls Attachment 8 - 2016-11-30 Draft Proposed Decree 15CW3183.pdf



Rainbow Falls Lakes
Inundated Wetland Areas
acres

Name	Inundated Wetlands
Ute Lake	3.46
Elk Lake	1.89
Eagle Lake	0.30
Palmer Lake	1.33
Trout Creek Lake	0.94
Spring Lake	0.67
Watson Lake	7.44
Bear Lake	0.57
Cougar Lake	0.99
Raceways	0.13
Total Pond Acreage:	17.71
Inundated Upland Area	3.38
Total Inundated Area	21.09

Note:
Wetlands delineated using 1937 aerial photo.

Figure 1

Location and Facilities Map
Rainbow Falls Mountain Trout Inc.

Legend

- Rainbow Falls Mountain Trout Inc. Parcel
- Irrigated Area (Proposed)
- Lakes
- Wetland Inundated by Lakes
- Upland Area Inundated by Lakes
- Historical Wetland Delineation
- Stream
- Direction of Flow
- Point and Direction of Return Flow

500 250 0 500 1,000 Feet

Spronk Water Engineers, Inc.
1000 Logan Street Denver, CO 80203

Prelimanry Draft - Subject to Revision

Background photo: USDA NAIP 2015

DATE FILED: January 7, 2016 2:31 PM

DISTRICT COURT, WATER DIVISION 1, STATE OF COLORADO Weld County Courthouse 901 9th Avenue P.O. Box 2038 Greeley, Colorado 80632 (970) 475-2510	
Concerning the Application for Water Rights of: **RAINBOW FALLS MOUNTAIN TROUT INC.,** a foreign corporation, in Douglas County.	▲ COURT USE ONLY ▲
YATES LAW FIRM, LLC Alan G. Hill, # 11343 303 East 17th Avenue, Suite 940 Denver, Colorado 80203 Telephone: (303) 722-2810 Facsimile: (303) 722-2890 Email: ahill@yateslawfirmllc.com	Case Number: **15 CW 3183**
CORRECTED APPLICATION FOR WATER STORAGE RIGHTS, SURFACE WATER RIGHTS AND APPROVAL OF PLAN FOR AUGMENTATION	

Applicant, Rainbow Falls Mountain Trout Inc., an Iowa corporation in good standing in Colorado, by and through its attorneys, Yates Law Firm, LLC, for its Application for Water Storage Rights, Surface Water Rights, and Approval of Plan for Augmentation, states as follows:

1. The name and address of the Applicant is:

   Rainbow Falls Mountain Trout Inc.
   P.O. Box 279
   Woodland Park, CO 80866

The purpose of this application is to adjudicate water storage rights, surface water rights, and a plan for augmentation for Rainbow Falls Mountain Trout, Inc., which operates a commercial fish culture facility and fishing club on 101 acres adjacent to Trout Creek in Douglas County, Colorado. The property and fish culture facilities were originally developed in the late 1800s as a part of the Manitou Park south of Woodland Park, Colorado. A map showing the locations of the water rights and structures in this application is attached as Exhibit A.

Please forward all correspondence or inquiries regarding this matter to: Alan G. Hill, Yates Law Firm, LLC, 303 East 17th Avenue, Suite 940, Denver, Colorado 80203

FIRST CLAIM FOR RELIEF
Ajudication of Water Storage Rights

Applicant claims the following water storage rights, collectively referred to herein as "Reservoirs."

2. Name of Reservoir: Ute Lake

   A. Legal Description: Located in the NE ¼ of the SW ¼ and the SE ¼ of the SW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Trout Creek in the NE ¼ of the SW ¼ of said Section 21, at a point 1570 feet from the South line and 1990 feet from the West line of said Section 21 (NAD 83 UTM 13N 489722.7E 4334935.0N)

   B. Source: Trout Creek and Big Spring Creek
      1) Date of appropriation: 09/04/1956
      2) How appropriation was initiated: Construction and filling of lake
      3) Date water applied to beneficial use: 09/04/1956

   C. Amount Claimed: 17.57 acre-feet, absolute, with the right of continuous refills totaling 17.57 acre-feet in a given year.

   D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation.

   E. Surface area of high water line: 4.51 acres.

   F. Total capacity of reservoir: 17.57 acre-feet

   G. Name and address of owner of land on which structure for water right is located:

      Midwest Off Road Enthusiasts Inc.
      P.O. Box 279
      Woodland Park, CO 80866

3. Name of Reservoir: Elk Lake

   A. Legal Description: Located in the SE ¼ of the SW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Big Spring Creek in the SE ¼ of the SW ¼ of said Section 21, at a point 1150 feet from the South line and 1690 feet from the West line of said Section 21 (NAD 83 UTM 13N 489631.3E 4334787.3N)

B. Source: Trout Creek and Big Spring Creek
   1) Date of appropriation: 07/07/1953
   2) How appropriation was initiated: Construction and filling of lake
   3) Date water applied to beneficial use: 07/07/1953

C. Amount Claimed: 8.82 acre-feet, absolute, with the right of continuous refills totaling 8.82 acre-feet in a given year.

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation.

E. Surface area of high water line: 2.12 acres.

F. Total capacity of reservoir in acre-feet: 8.82 acre-feet

G. Name and address of owner of land on which structure for water right is located:

   Midwest Off Road Enthusiasts Inc.
   P.O. Box 279
   Woodland Park, CO 80866

4. Name of Reservoir: Eagle Lake

A. Legal Description: Located in the SE ¼ of the SW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Big Spring Creek in the SE ¼ of the SW ¼ of said Section 21, at a point 750 feet from the South line and 1920 feet from the West line of said Section 21 (NAD 83 UTM 13N 489703.9E 4334683.8N)

B. Source: Trout Creek and Big Spring Creek
   1) Date of appropriation: 07/07/1953
   2) How appropriation was initiated: Construction and filling of lake
   3) Date water applied to beneficial use: 07/07/1953

C. Amount Claimed: 1.19 acre-feet, absolute, with the right of continuous refills totaling 1.19 acre-feet in a given year.

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation.

E. Surface area of high water line: 0.38 acres.

F. Total capacity of reservoir in acre-feet: 1.19 acre-feet

G. Name and address of owner of land on which structure for water right is located:

Midwest Off Road Enthusiasts Inc.
P.O. Box 279
Woodland Park, CO 80866

5. Name of Reservoir: Palmer Lake

A. Legal Description: Located in the SE ¼ of the SW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Trout Creek in the SE ¼ of the SW ¼ of said Section 21, at a point 1030 feet from the South line and 2220 feet from the West line of said Section 21 (NAD 83 UTM 13N 489794.9E 4334769.9N*)*

B. Source: Trout Creek and Big Spring Creek
   1) Date of appropriation: 10/03/1975
   2) How appropriation was initiated: Construction and filling of lake
   3) Date water applied to beneficial use: 10/03/1975

C. Amount Claimed: 10.17 acre-feet, absolute, with the right of continuous refills totaling 10.17 acre-feet in a given year.

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation.

E. Surface area of high water line: 2.23 acres.

F. Total capacity of reservoir in acre-feet: 10.17 acre-feet

G. Name and address of owner of land on which structure for water right is located:

Midwest Off Road Enthusiasts Inc.
P.O. Box 279
Woodland Park, CO 80866

6. Name of Reservoir: Trout Creek Lake

A. Legal Description: Located in the SE ¼ of the SW ¼ of Section 21 and the NE ¼ of the NW ¼ of Section 28, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Trout Creek in the SE ¼ of the SW ¼ of said Section 21, at a point 320 feet from the South line and 2160 feet from the West line of said Section 21 (NAD 83 UTM 13N 489787.3E 4334555.5N)

B. Source: Trout Creek and Big Spring Creek
   1) Date of appropriation: 07/07/1953
   2) How appropriation was initiated: Construction and filling of lake
   3) Date water applied to beneficial use 07/07/1953

C. Amount Claimed: 4.52 acre-feet, absolute, with the right of continuous refills totaling 4.52 acre-feet in a given year.

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation.

E. Surface area of high water line: 1.08 acres.

F. Total capacity of reservoir in acre-feet: 1.08 acre-feet

G. Name and address of owner of land on which structure for water right is located:

   Midwest Off Road Enthusiasts Inc.
   P.O. Box 279
   Woodland Park, CO 80866

7. Name of Reservoir: Spring Lake

A. Legal Description: Located in the SE ¼ of the SW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Big Spring Creek in the SE ¼ of the SW ¼ of said Section 21, at a point 560 feet from the South line and 1960 feet from the West line of said Section 21 (NAD 83 UTM 13N 489715.3E 4334627.9N)

B. Source: Trout Creek and Big Spring Creek
   1) Date of appropriation: 07/07/1953
   2) How appropriation was initiated: Construction and filling of lake
   3) Date water applied to beneficial use 07/07/1953

C. Amount Claimed: 4.52 acre-feet, absolute, with the right of continuous refills totaling 4.52 acre-feet in a given year.

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation..

E. Surface area of high water line: 1.00 acre.

F. Total capacity of reservoir in acre-feet: 4.52 acre-feet

G. Name and address of owner of land on which structure for water right is located:

Midwest Off Road Enthusiasts Inc.
P.O. Box 279
Woodland Park, CO 80866

8. Name of Reservoir: Watson Lake

A. Legal Description: Located in the NE ¼ of the SW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Trout Creek in the NE ¼ of the SW ¼ of said Section 21, at a point 2600 feet from the North line and 1650 feet from the West line of said Section 21 (NAD 83 UTM 13N 489617.8E 4335249.8N)

B. Source: Trout Creek and Big Spring Creek
   1) Date of appropriation: 09/04/1956
   2) How appropriation was initiated: Construction and filling of lake
   3) Date water applied to beneficial use: 09/04/1956

C. Amount Claimed: 28.16 acre-feet, absolute, with the right of continuous refills totaling 28.16 acre-feet in a given year.

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation..

E. Surface area of high water line: 8.34 acres.

F. Total capacity of reservoir in acre-feet: 28.16 acre-feet

G. Name and address of owner of land on which structure for water right is located:

Midwest Off Road Enthusiasts Inc.
P.O. Box 279
Woodland Park, CO 80866

9. Name of Reservoir: Bear Lake

A. Legal Description: Located in the NW ¼ of the NW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Trout Creek in the NW ¼ of the NW ¼ of said Section 21, at a point 990 feet from the North line and 925 feet from the West line of said Section 21 (NAD 83 UTM 13N 489393.0E 4335768.3N)

B. Source: Trout Creek and Big Spring Creek
   1) Date of appropriation: 08/16/2004
   2) How appropriation was initiated: Construction and filling of lake
   3) Date water applied to beneficial use: 08/16/2004

C. Amount Claimed: 3.92 acre-feet, absolute, with the right of continuous refills totaling 3.92 acre-feet in a given year.

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation.

E. Surface area of high water line: 1.36 acres.

F. Total capacity of reservoir in acre-feet: 3.92 acre-feet

G. Name and address of owner of land on which structure for water right is located:

   Midwest Off Road Enthusiasts Inc.
   P.O. Box 279
   Woodland Park, CO 80866

10. Name of Reservoir: Cougar Lake

A. Legal Description: Located in the NW ¼ of the NW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Trout Creek in the NW ¼ of the NW ¼ of said Section 21, at a point 150 feet from the North line and 125 feet from the West line of said Section 21 (NAD 83 UTM 13N 489143.7E 4336026.9N)

B. Source: Trout Creek and Big Spring Creek
   1) Date of appropriation: 08/16/2004
   2) How appropriation was initiated: Construction and filling of lake
   3) Date water applied to beneficial use: 08/16/2004

C. Amount Claimed: 5.17acre-feet, absolute, with the right of continuous refills totaling 5.17 acre-feet in a given year.

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation..

E. Surface area of high water line: 1.21acres.

F. Total capacity of reservoir in acre-feet: 5.17 acre-feet

G. Name and address of owner of land on which structure for water right is located:

Midwest Off Road Enthusiasts Inc.
P.O. Box 279
Woodland Park, CO 80866

SECOND CLAIM FOR RELIEF
Adjudication of Surface Water Rights

11. Applicant seeks surface water rights for diversions from Big Spring via the Big Spring Pipeline for Applicant's fish hatchery, residences, lodge and irrigation of a portion of Applicant's land. A combined total of 1.0 cfs is claimed for the following four uses described in this Second Claim for Relief.

A. Hatchery and Raceways
   1) Name of structure: Big Spring Pipeline/Hatchery
   2) Legal description of point of diversion: Located is in the NE ¼ of the NW ¼ of Section 28, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado, 10 feet south from the North line and 1985 feet east from the West line of said Section 28 (NAD 83 UTM 13N 489717E 4334442N)
   3) Source: Big Spring, source of Big Spring Creek and tributary to Trout Creek
   4) Date of appropriation: 12/31/1914
      i) How appropriation was initiated: Diversion of water for fish culture, stocking and commercial sale
      ii) Date water applied to beneficial use: 12/31/1914
   5) Amount claimed: 1.0 cfs, absolute
   6) All uses or proposed uses: fish culture, stocking and commercial sale
   7) Non-irrigation purpose description: Applicant operates a private commercial fishing club and operates a hatchery and raceways to raise fish for sport fishing, stocking and commercial sale. Water is diverted into holding areas, raceways and a hatchery building to culture mature fish.
   8) Name and address of owner of land on which structure for water right is located:
      Midwest Off Road Enthusiasts Inc.
      P.O. Box 279
      Woodland Park, CO 80866

B. Residences
   1) Name of structure: Big Spring Pipeline/Residences
   2) Legal description of point of diversion: Located is in the NE ¼ of the NW ¼ of Section 28, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado, 10 feet south from the North line and 1985 feet east from the West line of said Section 28 (NAD 83 UTM 13N 489717E 4334442N)

3) Source: Big Spring, tributary to Trout Creek
4) Date of appropriation: 12/31/1914
   i) How appropriation was initiated: Diversion of water for domestic use
   ii) Date water applied to beneficial use: 12/31/1914
5) Amount claimed: 1.0 cfs, absolute
6) All uses or proposed uses: Domestic use
7) Non-irrigation purpose description: Domestic use for three single-family residences
8) Name and address of owner of land on which structure for water right is located:
   Midwest Off Road Enthusiasts Inc.
   P.O. Box 279
   Woodland Park, CO 80866

C. Lodge
1) Name of structure: Big Spring Pipeline/Lodge
2) Legal description of point of diversion: Located is in the NE ¼ of the NW ¼ of Section 28, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado, 10 feet south from the North line and 1985 feet east from the West line of said Section 28 (NAD 83 UTM 13N 489717E 4334442N)
3) Source: Big Spring, tributary to Trout Creek
4) Date of appropriation: 12/30/2015, conditional
   i) How appropriation was initiated: Field investigation, engineering investigation and forming the intent to appropriate.
   ii) Date water applied to beneficial use: Conditional
5) Amount claimed: absolute 1.0 cfs, conditional
6) All uses or proposed uses: Domestic, commercial, and other water uses for a proposed overnight lodge
7) Non-irrigation purpose description: Water for a proposed overnight lodge
8) Name and address of owner of land on which structure for water right is located:
   Midwest Off Road Enthusiasts Inc.
   P.O. Box 279
   Woodland Park, CO 80866

D. Irrigation
1) Name of structure: Big Spring Pipeline/Irrigation
2) Legal description of point of diversion: Located is in the NE ¼ of the NW ¼ of Section 28, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado, 10 feet south from the North line and 1985 feet east from the West line of said Section 28 (NAD 83 UTM 13N 489717E 4334442N)
3) Source: Big Spring, tributary to Trout Creek
4) Date of appropriation: 12/31/1914
   i) How appropriation was initiated: Diversion of water for irrigation
   ii) Date water applied to beneficial use: 12/31/1914
5) Amount claimed: absolute 1.0 cfs, absolute
6) All uses or proposed uses: Irrigation of 5 acres

7) Name and address of owner of land on which structure for water right is located:
Midwest Off Road Enthusiasts Inc.
P.O. Box 279
Woodland Park, CO 80866

THIRD CLAIM FOR RELIEF
Approval of Plan for Augmentation

12. Applicant seeks a decree approving a plan for augmentation to augment or replace out-of-priority diversions to the Reservoirs, out-of-priority diversions for the uses described in the Second Claim for Relief described herein, and out-of-priority diversions associated with the Big Spring Pipeline Well, decreed in Case No. W-6138 (Div. 1). Approval of the plan for augmentation would allow Applicant to maintain water levels in the Reservoirs for the claimed uses and to supply water for the hatchery, residences, lodge and irrigation at times when curtailment of diversions or release would otherwise be required.

13. STRUCTURES TO BE AUGMENTED: The water storage rights claimed for the Reservoirs, the direct flow surface water rights claimed for the uses described in the Second Claim for Relief described herein (hatchery, residences, lodge and irrigation), and the Big Springs Pipeline Well.

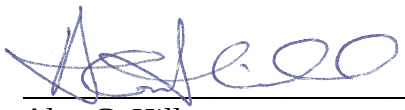
14. WATER RIGHTS TO BE USED FOR AUGMENTATION: Water stored under the storage rights claimed in this case will be released from one or more of the Reservoirs to augment out-of-priority diversions to storage in other of the Reservoirs; out-of-priority diversions for the hatchery, residences, lodge; and irrigation; and the Big Spring Pipeline Well water right. In addition, augmentation water will be obtained from the City of Woodland Park pursuant to a lease for delivery of fully consumable water delivered to Trout Creek by the City of Woodland Park from the sources and facilities described in the City's decrees in Consolidated Cases Nos. 86CW376 (Div.1) and 86CW123 (Div. 2), and Case No. 2002CW254 (Div. 1), including, but not limited to, reusable return flows from transmountain water rights, other fully consumable water rights, and fully augmented water rights.

15. DESCRIPTION OF PLAN: Applicant will use the Reservoirs for the purposes described in the First Claim for Relief herein. In addition, Applicant will divert water at the Big Springs Pipeline point of diversion for use in the hatchery, raceways, residences, lodge, for irrigation and for the Big Spring Pipeline Well for its decreed purposes. Any out-of-priority diversions will be augmented from the sources described herein. Credit will be taken by Applicant for water released from the Reservoirs to Trout Creek and for fully consumable water leased from the City of Woodland Park that is released to Trout Creek and reduced by appropriate transit losses. Applicant's plan provides a method for replacing water necessary to meet the lawful requirements of senior diverters at the time and location and to the extent that seniors would be deprived of their lawful entitlement. The operation of Applicant's plan for augmentation will not injuriously affect the owners of or persons entitled to use water rights under vested water rights or decreed conditional water rights.

WHEREFORE, Applicant prays for a decree approving the adjudicating the water storage rights and surface water rights described herein, and approving the plan for augmentation described herein, and for such further relief as the court deems proper.

Submitted this 31st day of December, 2015.

YATES LAW FIRM, LLC



Alan G. Hill
Attorneys for Rainbow Falls Mountain Trout Inc.

VERIFICATION

STATE OF COLORADO

CITY AND COUNTY OF DENVER

I, Gregory K. Sullivan, as consulting water engineer for the Applicant, state under oath that I have read this application and verify its content.

Gregory K. Sullivan, P.E.

Subscribed and affirmed before me in the City and County of Denver, State of Colorado, this 30th day of December 2015, by Gregory K. Sullivan.

SANDY ROBERTS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20034008248
MY COMMISSION EXPIRES MARCH 10, 2019

Sandy Roberts
Notary Public
My commission expires: 3/10/2019

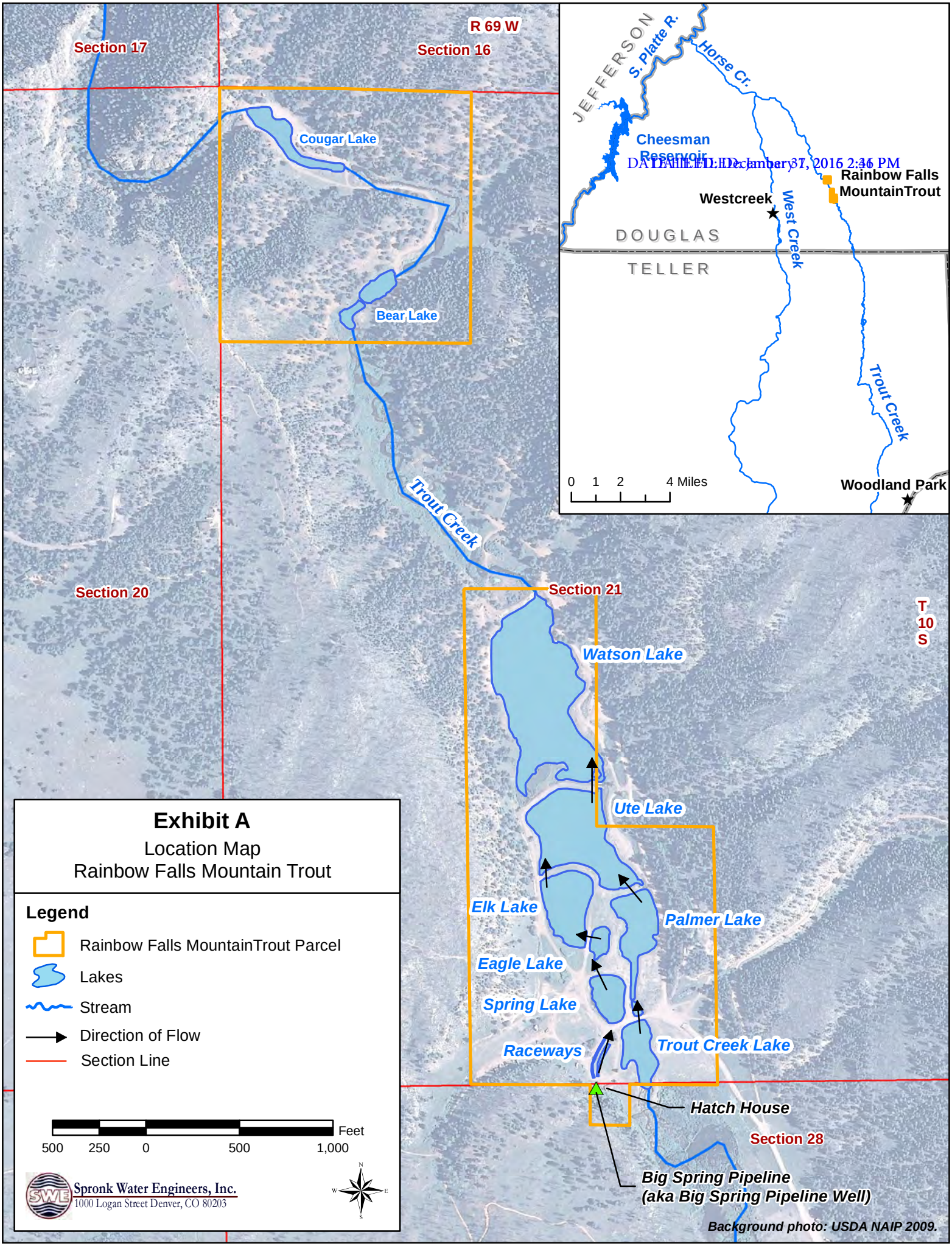


Exhibit A

Location Map
Rainbow Falls Mountain Trout

Legend

- Rainbow Falls MountainTrout Parcel
- Lakes
- Stream
- Direction of Flow
- Section Line

500 250 0 500 1,000 Feet

Spronk Water Engineers, Inc.
1000 Logan Street Denver, CO 80203

Rainbow Falls Request to Inundate Attachment 3

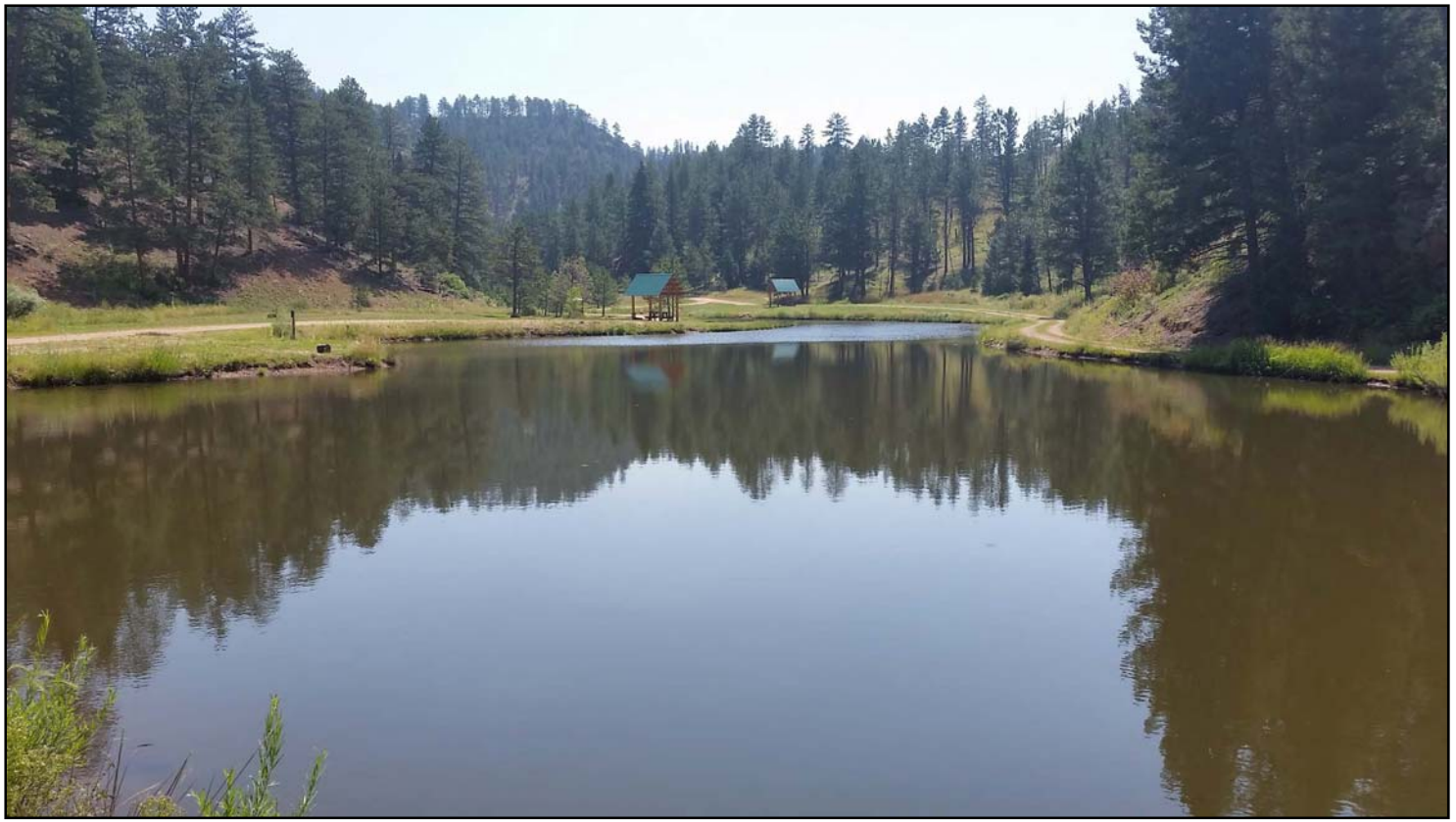
15CW3183 Preliminary Engineering Report

(84 page report)

Provided electronically only,

hard copy available upon request.

Cougar Lake, Rainbow Falls Mountain Trout Inc.



Bear Lake, Rainbow Falls Mountain Trout Inc.

Rainbow Falls Request to Inundate Attachment 6

SWSP Approval

(36 page report)

Provided electronically only,

hard copy available upon request.

DISTRICT COURT, WATER DIVISION 1, STATE OF COLORADO Weld County Courthouse 901 9th Avenue P.O. Box 2038 Greeley, Colorado 80632 (970) 475-2510	DRAFT 11-30-2016
Concerning the Application for Water Rights of: **RAINBOW FALLS MOUNTAIN TROUT INC.,** a foreign corporation, in Douglas County.	▲ COURT USE ONLY ▲ Case Number: **15CW3183**

FINDINGS AND RULING OF THE REFEREE AND DECREE OF THE WATER COURT

THIS MATTER comes on for consideration by the Water Referee upon the Application for Water Storage Rights, Surface Water Rights and for Approval of a Plan for Augmentation. The Application was filed on December 31, 2015, and a Corrected Application was filed January 7, 2016 (collectively "Application"), on behalf of Rainbow Falls Mountain Trout Inc. in Douglas County.

All matters contained in the application were reviewed, and testimony was taken where such testimony was necessary and such corrections made as were indicated by the evidence presented. The Referee, being fully advised in the premises, does hereby find:

FINDINGS OF FACT

1. The name and address of the Applicant is:

Rainbow Falls Mountain Trout Inc.
P.O. Box 279
Woodland Park, CO 80866

2. Timely Statements of Opposition to the Application were filed by the City and County of Denver, Colorado Water Conservation Board and Headwater Authority of the South Platte.

3. Timely and adequate notice of the pendency of these proceedings in rem has been given in the manner required by law. This court has exclusive jurisdiction over the subject matter of these proceedings and over all who have standing to appear as parties whether they have appeared or not.

4. The land and water rights involved herein are not included within the boundaries of any designated ground water basin.

5. The Division Engineer provided his Summary of Consultation to the Application on March 31, 2016.

6. The purpose of this application is to adjudicate water storage rights, surface water rights, and a plan for augmentation for Rainbow Falls Mountain Trout Inc., which operates a commercial fish culture facility and fishing club on 101 acres adjacent to Trout Creek in Douglas County, Colorado. The property and fish culture facilities were originally developed in the late 1800s as a part of the Manitou Park south of Woodland Park, Colorado. A map showing the locations of the water rights and structures in this application is attached as Exhibit A. Also depicted on Exhibit A are the anticipated sites for the lodge and residences described herein, the land to be irrigated, locations where return flows accrue to stream from these uses, and the actual location of Big Spring Creek.

7. Applicant owns the land underlying the lakes described herein, and the surface water rights claimed herein, and has entered into a lease with the City of Woodland Park to provide replacement and augmentation water.

8. Applicant requests that this court decree the water storage right and surface water rights, in conjunction with the approval of the claimed plan for augmentation.

9. Applicant has entered into the following Stipulations and Agreements:

ADJUDICATION OF WATER STORAGE RIGHTS

Applicant claims the following water storage rights ("Water Storage Rights"), collectively referred to herein as "Water Storage Rights" or "Reservoirs." Each reservoir is on-channel.

10. Name of Reservoir: Ute Lake

A. Legal Description: Located on both Trout Creek and Big Spring Creek in the NE ¼ of the SW ¼ and the SE ¼ of the SW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Trout Creek in the NE ¼ of the SW ¼ of said Section 21, at a point 1570 feet from the South line and 1990 feet from the West line of said Section 21 (NAD 83 UTM 13N 489722.7E 4334935.0N)

B. Source: Trout Creek and Big Spring Creek
   1) Date of appropriation: 09/04/1956
   2) How appropriation was initiated: Construction and filling of lake
   3) Date water applied to beneficial use: 09/04/1956

C. Amount Claimed: 17.57 acre-feet, absolute, with the right of continuous refills totaling 17.57 acre-feet in a given year

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation

E. Surface area of high water line: 4.51 acres

F. Total capacity of reservoir: 17.57 acre-feet

11. Name of Reservoir: Elk Lake

A. Legal Description: Located on Big Spring Creek in the SE ¼ of the SW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Big Spring Creek in the SE ¼ of the SW ¼ of said Section 21, at a point 1150 feet from the South line and 1690 feet from the West line of said Section 21 (NAD 83 UTM 13N 489631.3E 4334787.3N)

B. Source: Trout Creek and Big Spring Creek
   1) Date of appropriation: 07/07/1953
   2) How appropriation was initiated: Construction and filling of lake
   3) Date water applied to beneficial use: 07/07/1953

C. Amount Claimed: 8.82 acre-feet, absolute, with the right of continuous refills totaling 8.82 acre-feet in a given year.

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation

E. Surface area of high water line: 2.12 acres

F. Total capacity of reservoir in acre-feet: 8.82 acre-feet

12. Name of Reservoir: Eagle Lake

A. Legal Description: Located on Big Spring Creek in the SE ¼ of the SW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Big Spring Creek in the SE ¼ of the SW ¼ of said Section 21, at a point 750 feet from the South line and 1920 feet from the West line of said Section 21 (NAD 83 UTM 13N 489703.9E 4334683.8N)

B. Source: Trout Creek and Big Spring Creek

1) Date of appropriation: 07/07/1953
2) How appropriation was initiated: Construction and filling of lake
3) Date water applied to beneficial use: 07/07/1953

C. Amount Claimed: 1.21 acre-feet, absolute, with the right of continuous refills totaling 1.21 acre-feet in a given year

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation

E. Surface area of high water line: 0.38 acres

F. Total capacity of reservoir in acre-feet: 1.19 acre-feet

13. Name of Reservoir: Palmer Lake

A. Legal Description: Located on Trout Creek in the SE ¼ of the SW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Trout Creek in the SE ¼ of the SW ¼ of said Section 21, at a point 1030 feet from the South line and 2220 feet from the West line of said Section 21 (NAD 83 UTM 13N 489794.9E 4334769.9N)

B. Source: Trout Creek and Big Spring Creek
1) Date of appropriation: 10/03/1975
2) How appropriation was initiated: Construction and filling of lake
3) Date water applied to beneficial use: 10/03/1975

C. Amount Claimed: 10.17 acre-feet, absolute, with the right of continuous refills totaling 10.17 acre-feet in a given year

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation

E. Surface area of high water line: 2.23 acres

F. Total capacity of reservoir in acre-feet: 10.17 acre-feet

14. Name of Reservoir: Trout Creek Lake

A. Legal Description: Located on Trout Creek in the SE ¼ of the SW ¼ of Section 21 and the NE ¼ of the NW ¼ of Section 28, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Trout Creek in

the SE ¼ of the SW ¼ of said Section 21, at a point 320 feet from the South line and 2160 feet from the West line of said Section 21 (NAD 83 UTM 13N 489787.3E 4334555.5N)

B. Source: Trout Creek and Big Spring Creek
1) Date of appropriation: 07/07/1953
2) How appropriation was initiated: Construction and filling of lake
3) Date water applied to beneficial use 07/07/1953

C. Amount Claimed: 4.52 acre-feet, absolute, with the right of continuous refills totaling

D. 4.52 acre-feet in a given year

E. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation

F. Surface area of high water line: 1.08 acres

G. Total capacity of reservoir in acre-feet:4.52 acre -feet

15. Name of Reservoir: Spring Lake

A. Legal Description: Located on Big Spring Creek in the SE ¼ of the SW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Big Spring Creek in the SE ¼ of the SW ¼ of said Section 21, at a point 560 feet from the South line and 1960 feet from the West line of said Section 21 (NAD 83 UTM 13N 489715.3E 4334627.9N)

B. Source: Trout Creek and Big Spring Creek
1) Date of appropriation: 07/07/1953
2) How appropriation was initiated: Construction and filling of lake
3) Date water applied to beneficial use 07/07/1953

C. Amount Claimed: 4.52 acre-feet, absolute, with the right of continuous refills totaling 4.52 acre-feet in a given year

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation

E. Surface area of high water line: 1.00 acre

F. Total capacity of reservoir in acre-feet: 4.52 acre-feet

16. Name of Reservoir: Watson Lake

A. Legal Description: Located on Trout Creek in the NE ¼ of the SW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Trout Creek in the NE ¼ of the SW ¼ of said Section 21, at a point 2600 feet from the North line and 1650 feet from the West line of said Section 21 (NAD 83 UTM 13N 489617.8E 4335249.8N)

B. Source: Trout Creek and Big Spring Creek
   1) Date of appropriation: 09/04/1956
   2) How appropriation was initiated: Construction and filling of lake
   3) Date water applied to beneficial use: 09/04/1956

C. Amount Claimed: 28.16 acre-feet, absolute, with the right of continuous refills totaling 28.16 acre-feet in a given year

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation

E. Surface area of high water line: 8.34 acres

F. Total capacity of reservoir in acre-feet: 28.16 acre-feet

17. Name of Reservoir: Bear Lake

A. Legal Description: Located on Trout Creek in the NW ¼ of the NW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Trout Creek in the NW ¼ of the NW ¼ of said Section 21, at a point 990 feet from the North line and 925 feet from the West line of said Section 21 (NAD 83 UTM 13N 489393.0E 4335768.3N)

B. Source: Trout Creek and Big Spring Creek
   1) Date of appropriation: 08/16/2004
   2) How appropriation was initiated: Construction and filling of lake
   3) Date water applied to beneficial use: 08/16/2004

C. Amount Claimed: 3.92 acre-feet, absolute, with the right of continuous refills totaling 3.92 acre-feet in a given year

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation

E. Surface area of high water line: 1.36 acres

F. Total capacity of reservoir in acre-feet: 3.92 acre-feet

18. Name of Reservoir: Cougar Lake

A. Legal Description: Located on Trout Creek in the NW ¼ of the NW ¼ of Section 21, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado. The centerline of the dam crosses Trout Creek in the NW ¼ of the NW ¼ of said Section 21, at a point 150 feet from the North line and 125 feet from the West line of said Section 21 (NAD 83 UTM 13N 489143.7E 4336026.9N)

B. Source: Trout Creek and Big Spring Creek
1) Date of appropriation: 08/16/2004
2) How appropriation was initiated: Construction and filling of lake
3) Date water applied to beneficial use: 08/16/2004

C. Amount Claimed: 5.17acre-feet, absolute, with the right of continuous refills totaling 5.17 acre-feet in a given year

D. Use: Irrigation, recreational, piscatorial, fish culture, domestic, commercial and augmentation

E. Surface area of high water line: 1.21acres

F. Total capacity of reservoir in acre-feet: 5.17 acre-feet

19. Each reservoir must be equipped with outlet works capable of passing all out-of-priority inflows to the nearest natural water source. All out-of-priority inflows to each reservoir from any source, including precipitation, must be released without use. To the extent the water level in a reservoir is below the respective outlet works, Applicant shall utilize pumps to pass out-of-priority inflows.

20. Diversions by Applicant under these water storage rights will be made only in priority, for the uses described herein. Applicant intends to keep each reservoir as full as possible, limited by the availability of in-priority diversions to storage and augmentation supplies. The maximum fill for each reservoir in any one year would occur after an extended drought when all of the reservoirs are near empty. The maximum combined refill in any year for all ponds will be limited to the annual evaporation amount plus the annual volumes of the other beneficial uses.

21. The court finds that Applicant's activities on the date indicated above sufficiently indicate its intent to appropriate each of the Water Storage Rights adjudicated herein. Further, the court

finds that the priorities confirmed herein shall be senior to all priorities awarded based upon applications filed after 2015 and to all applications filed during 2015, but receiving priority dated subsequent to the dates awarded herein.

22. Applicant shall institute an accounting system for its Water Storage Rights, recorded in an appropriate format acceptable to the Water Commissioner and the Division Engineer for Water Division 1. Said record shall be submitted to the Water Commissioner or Division Engineer on an annual basis or at such other reasonable intervals as they may request. The water year for accounting purposes for the Water Storage Rights shall be November 1 through October 31.

ADJUDICATION OF SURFACE WATER RIGHTS

23. Applicant seeks surface water rights ("Surface Water Rights") for diversions from Big Spring via the Big Spring Pipeline for Applicant's fish hatchery, residences, lodge and irrigation of a portion of Applicant's land. A combined total of 1.0 cfs is claimed for the following four uses described herein.

A. Hatchery and Raceways
   1) Name of structure: Big Spring Pipeline/Hatchery
   2) Legal description of point of diversion: Located is in the NE ¼ of the NW ¼ of Section 28, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado, 10 feet south from the North line and 1985 feet east from the West line of said Section 28 (NAD 83 UTM 13N 489717E 4334442N)
   3) Source: Big Spring, source of Big Spring Creek and tributary to Trout Creek
   4) Date of appropriation: 12/31/1914
      i) How appropriation was initiated: Diversion of water for fish culture, stocking and commercial sale
      ii) Date water applied to beneficial use: 12/31/1914
   5) Amount claimed: 1.0 cfs, absolute
   6) All uses or proposed uses: fish culture, stocking and commercial sale
   7) Non-irrigation purpose description: Applicant operates a private commercial fishing club and operates a hatchery and raceways to raise fish for sport fishing, stocking and commercial sale. Water is diverted into holding areas, raceways and a hatchery building to culture mature fish.
   8) Name and address of owner of land on which structure for water right is located:
      Midwest Off Road Enthusiasts Inc.
      P.O. Box 279
      Woodland Park, CO 80866

B. Residences
   1) Name of structure: Big Spring Pipeline/Residences
   2) Legal description of point of diversion: Located is in the NE ¼ of the NW ¼ of Section 28, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado, 10

feet south from the North line and 1985 feet east from the West line of said Section 28 (NAD 83 UTM 13N 489717E 4334442N)

3) Source: Big Spring, tributary to Trout Creek
4) Date of appropriation: 12/31/1914
   i) How appropriation was initiated: Diversion of water for domestic use
   ii) Date water applied to beneficial use: 12/31/1914
5) Amount claimed: 1.0 cfs, absolute
6) All uses or proposed uses: Domestic use
7) Non-irrigation purpose description: Domestic use for three single-family residences
8) Name and address of owner of land on which structure for water right is located:
   Midwest Off Road Enthusiasts Inc.
   P.O. Box 279
   Woodland Park, CO 80866

C. Lodge
1) Name of structure: Big Spring Pipeline/Lodge
2) Legal description of point of diversion: Located is in the NE ¼ of the NW ¼ of Section 28, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado, 10 feet south from the North line and 1985 feet east from the West line of said Section 28 (NAD 83 UTM 13N 489717E 4334442N)
3) Source: Big Spring, tributary to Trout Creek
4) Date of appropriation: 12/30/2015, conditional
   i) How appropriation was initiated: Field investigation, engineering investigation and forming the intent to appropriate.
   ii) Date water applied to beneficial use: Conditional
5) Amount claimed: absolute 1.0 cfs, conditional
6) All uses or proposed uses: Domestic, commercial, and other water uses for a proposed overnight lodge
7) Non-irrigation purpose description: Water for a proposed overnight lodge
8) Name and address of owner of land on which structure for water right is located:
   Midwest Off Road Enthusiasts Inc.
   P.O. Box 279
   Woodland Park, CO 80866

D. Irrigation
1) Name of structure: Big Spring Pipeline/Irrigation
2) Legal description of point of diversion: Located is in the NE ¼ of the NW ¼ of Section 28, Township 10 South, Range 69 West of the 6th P.M., Douglas County, Colorado, 10 feet south from the North line and 1985 feet east from the West line of said Section 28 (NAD 83 UTM 13N 489717E 4334442N)
3) Source: Big Spring, tributary to Trout Creek
4) Date of appropriation: 12/31/1914

i) How appropriation was initiated: Diversion of water for irrigation
ii) Date water applied to beneficial use: 12/31/1914

5) Amount claimed: absolute 1.0 cfs, absolute
6) All uses or proposed uses: Irrigation of 5 acres
7) Name and address of owner of land on which structure for water right is located:
Midwest Off Road Enthusiasts Inc.
P.O. Box 279
Woodland Park, CO 80866

24. Diversions by Applicant under these Surface Water Rights will be made only in priority, for the uses described herein.

25. The court finds that Applicant's activities on the date indicated above sufficiently indicate its intent to appropriate each of the Surface Water Rights adjudicated herein. Further, the court finds that the priorities confirmed herein shall be senior to all priorities awarded based upon applications filed after 2015 and to all applications filed during 2015, but receiving priority dated subsequent to the dates awarded herein.

26. Applicant shall institute an accounting system for its Surface Water Rights, recorded in an appropriate format acceptable to the Water Commissioner and the Division Engineer for Water Division 1. Said record shall be submitted to the Water Commissioner or Division Engineer on an annual basis or at such other reasonable intervals as they may request. The water year for accounting purposes for the Surface Water Rights shall be November 1 through October 31.

APPROVAL OF PLAN FOR AUGMENTATION

27. Applicant seeks a decree approving a plan for augmentation to augment or replace out-of- priority diversions to the Reservoirs for the uses described herein and to replace evaporation, and out-of-priority diversions associated with the Big Spring Pipeline Well, originally decreed in Case No. W-6138 (Div. 1), and decreed for additional uses herein. The plan for augmentation allows Applicant to maintain water levels in the Reservoirs for the claimed uses and to supply water for the hatchery, residences, lodge and irrigation at times when curtailment of diversions would otherwise be required. The estimated monthly volumes of diversions, consumptive use, and evaporation are summarized in Exhibit B.

28. Structures to be Augmented: The water storage rights claimed for the Reservoirs, the direct flow Surface Water Rights claimed for the uses described herein (hatchery, residences, lodge and irrigation), and the Big Springs Pipeline Well.

29. Water Rights to be Used for Augmentation: Water stored under the storage rights claimed in this case will be released from one or more of the Reservoirs to augment out-of-priority diversions to storage in other of the Reservoirs; out-of-priority diversions for the hatchery, residences, lodge; and irrigation; and the Big Spring Pipeline Well water right. In addition,

augmentation water will be obtained from the City of Woodland Park pursuant to a lease for delivery of fully consumable water delivered to Trout Creek by the City of Woodland Park from the sources and facilities described in the City's decrees in Consolidated Cases Nos. 86CW376 (Div.1) and 86CW123 (Div. 2), and Case No. 2002CW254 (Div. 1), including, but not limited to, reusable return flows from transmountain water rights, other fully consumable water rights, and fully augmented water rights. The water rights to be decreed herein for augmentation purposes shall only be used in this plan for augmentation, unless approval of a new plan for augmentation is obtained in a separate application.

30. Description of Plan: Applicant will use the Reservoirs for the purposes described herein. In addition, Applicant will divert water at the Big Springs Pipeline point of diversion for use in the hatchery, raceways, residences, lodge, for irrigation and for the Big Spring Pipeline Well for its decreed purposes. Any out-of-priority diversions will be augmented from the sources described herein. Credit will be taken by Applicant for water released from the Reservoirs to Trout Creek and for fully consumable water leased from the City of Woodland Park that is released to Trout Creek and reduced by appropriate transit losses. Applicant's plan provides a method for replacing water necessary to meet the lawful requirements of senior diverters at the time and location and to the extent that seniors would be deprived of their lawful entitlement.

31. Diversions from the Big Spring Pipeline for the indoor and irrigation uses will be measured separately using totalizing flow meters. The septic system return flow volume will be computed as 90 percent of the measured indoor water use, while the irrigation return flows will be computed as 15 percent of the measured irrigation use. Lagged septic system and irrigation return flows will be computed using unit response functions computed by the Glover Procedure. Applicant has calculated these amounts based upon the current anticipated location of septic systems and irrigated land. Applicant will re-calculate these amounts after the facilities are installed, and provide notice pursuant to the "accounting procedure" in Paragraph 32. When there is a senior priority call in effect, the Applicant will typically continue to divert water for indoor and irrigation uses. Stream depletions for these uses will be computed based on the measured diversions minus the computed septic system and irrigation return flows. The Applicant will also divert water to replace evaporation and keep the most popular fishing lakes full. Water will be released from one or more of the other lakes to replace the out-of-priority depletions resulting from the indoor and irrigation uses and to replace any out-of-priority diversions to storage. From time to time, the Applicant will exercise a lease of augmentation water from the City of Woodland Park ("Woodland Park") to partially or fully refill the evacuated space in the reservoirs. The Reservoirs will also be refilled when the associated water rights are in priority.

32. The Court finds that the source of augmentation and replacement water and the protective terms outlined above are sufficient to protect the vested rights of other water users in the South Platte basin. The Court further finds that, subject to the terms and conditions contained in this decree, the uses of the water described herein may be implemented and may continue without material injury to the vested water rights or decreed conditional water rights of others.

33. Measurement, Accounting, and Reporting. The Applicant shall compute the inflow or outflow from each reservoir based on the measured change in storage plus the compute net evaporation. The surface water and change in storage shall be determined based on the measured stage and the stage-area-capacity table. The net evaporation shall be computed based on the net evaporation in Exhibit B (row 10) on days with no ice cover multiplied by the surface area. The computed inflows/outflows from all of the lakes will be totaled and added to the computed depletions from the indoor and irrigation users. The out-of-priority depletions will be computed based on the daily priority calls affecting Trout Creek. The out-of-priority depletions will be replaced by adjustment of the water levels in the lakes and by water leased from the City of Woodland Park. In addition to the measuring devices expressly described herein, the Applicant shall install and maintain, at its expense, such additional meters, gauges, or other measuring devices required by the Water Commissioner or Division Engineer, and shall report at reasonable times to the Water Commissioner and/or Division Engineer the readings of such meters, gauges, or other measuring devices pursuant to C.R.S. § 37-92-502(5). The accounting is an administrative tool required by this Ruling to confirm that diversions and replacements are made in correct time, location, and amount in accordance with the terms and conditions of this decree. The accounting shall be sufficient in detail so that state water officials are not limited in their duty to administer, and make record of, the movement of water in accordance with this decree. All accounting must be acceptable to the Division Engineer, or his designated representative, and shall adhere to all applicable policy, guidelines, and protocol established by the Division Engineer. Unresolved disputes regarding the accounting forms and the accounting shall be resolved by the Water Court. The Court retains continuing jurisdiction to resolve any dispute regarding any proposed changes to the accounting form. The accounting form attached hereto is not decreed in this case and may be changed from time to time with the approval of the Division Engineer, so long as the changed accounting forms include the information required. Illustrative examples of the Applicant's accounting sheets are provided in Exhibit C. This Ruling does not establish or require a specific accounting form. The accounting is subject to revision at the direction of the Division Engineer, and may change from time to time. At a minimum, the accounting shall report the following: (1) priority call affecting Trout Creek, (2) staff gage reading and corresponding storage contents and surface area for each lake, (3) computed inflows to storage in each lake, (4) computed storage releases from each lake, (5) measured water used for in-house uses and irrigation use, (6) computed septic system return flows and irrigation return flows (7) out-of-priority depletions requiring augmentation, (8) amounts of water leased from Woodland Park less transit losses, and (9) a net river balance that summarizes the out-of-priority depletions and replacement supplies.

34. Proposed accounting forms shall be provided to the Division Engineer for his/her approval, in an unlocked electronic spreadsheet format with necessary equations included and served on Opposers at the same time. Opposers shall have sixty-three (63) days from the date of such service to serve comments concerning the proposed accounting forms on the Applicant and the Division Engineer. Applicant shall obtain approval of the proposed accounting forms from the Division Engineer prior operation of the plan for augmentation decreed herein. The initial accounting forms as approved by the Division Engineer may be modified without further Court

action, after 63 days advance notice is served on the Division Engineer and all Opposers, which notice clearly identifies the proposed changes. Opposers shall have sixty-three (63) days from the date such notice is served to serve on the Applicant and the Division Engineer comments on the proposed changes, and the Division Engineer shall have thirty-five (35) days after the expiration of the comment period to issue a written approval, modification or denial of the proposed changes.

Accounting reports will be provided to the Division Engineer and Water Commissioner within thirty (30) days of the end of each month, or more frequently if requested, in a format acceptable to the Division Engineer. The Applicant shall make the accounting available to other Opposers upon request at a reasonable cost to cover hard copy or electronic copy costs. In addition to the measuring devices expressly described herein, the Applicant shall install and maintain, at its expense, such additional meters, gauges, or other measuring devices required by the Water Commissioner or Division Engineer, and shall report at reasonable times to the Water Commissioner and/or Division Engineer the readings of such meters, gauges, or other measuring devices pursuant to C.R.S. § 37-92-502(5).

35. [Reserved for paragraph recognizing and describing the CWCB ISF rights. Also for language confirming that augmentation of reservoir evaporation, residential (domestic) use and irrigation was made prior to 1977, so the augmentation does not need to satisfy the ISF. Augmentation of lodge use would need to satisfy the ISF.]

36. Opposer Center of Colorado Water Conservancy District and the Upper South Platte Water Conservancy District own decreed exchange rights on Trout Creek from the confluence of Horse Creek to the Teller County line located in the SW ¼ of the SW ¼ of Section 34, Township 10 South, Range 69 West of the 6th P.M. as decreed in Case Nos. 12CW50 and 02CW389, District Court, Water Division 1. Such decreed exchange rights are senior to the herein decreed water rights.

CONCLUSIONS OF LAW

1. This Application was filed with the Water Clerk, Water Division 1, pursuant to C.R.S. §37-92-302(1)(a). Statements of Opposition were filed by the City and County of Denver, Colorado Water Conservation Board and Headwater Authority of the South Platte. As is specified in C.R.S. §37-92-302(1)(c), the time for filing statements of opposition has expired. Applicants have entered into Stipulations with the City and County of Denver, Colorado Water Conservation Board and Headwater Authority of the South Platte. The terms and conditions of the Stipulations are incorporated herein by reference.

2. The Application for Application for Water Storage Rights, Surface Water Rights and for Approval of a Plan for Augmentation described herein is contemplated and authorized by law, and if administered in accordance with this decree, will permit the uninterrupted use of the Reservoir, and the Surface Water Rights for the purposes described herein without adversely affecting any

other vested water rights in the South Platte River or its tributaries. C.R.S. §§37-92-305(3), (5) and (8), §37-80-120 and §37-83-104.

3. The State Engineer may lawfully be required to administer this water storage right, plan for augmentation and water exchange in the manner set forth herein.

4. As a result of the operation of the Plan for Augmentation, the depletions associated with the Reservoir, and associated with evaporation from the Reservoir, and associated with the Surface Water Rights, will not result in the material injury to the vested water rights of others.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

5. The Application for Water Storage Rights, Surface Water Rights and for Approval of a Plan for Augmentation is approved.

6. The State Engineer, the Division Engineer and/or the Water Commissioner shall not, at the request of appropriators, or on their own initiative, curtail diversions to storage in the Reservoirs or diversions of the Surface Water Rights so long as the out-of-priority depletions associated with said diversions are replaced to the stream system pursuant to the conditions contained herein. To the extent that Applicant is ever unable to provide the replacement water required, then the Reservoir and Surface Water Rights shall not be entitled to operate under the protection of this Plan, and shall be subject to administration and curtailment in accordance with the laws, rules and regulations of the State of Colorado. Pursuant to C.R.S. §37-92-305(8), the State Engineer shall curtail all out-of-priority diversions, the depletions of which are not so replaced as to prevent injury to vested water rights.

7. All of the foregoing Finding of Fact and Conclusions of Law are incorporated by reference herein, and are to be considered a part of the decretal portion hereof as though set out in full.

8. Applicant, and its successors, shall make available for release to the stream system a sufficient quantity of water to replace depletions associated with the Reservoir and Surface Water Rights. The volume of augmentation water required to be released shall be limited to out-of-priority depletions to the stream system directly attributable to diversions to storage in the Reservoirs and diversion of the Surface Water Rights.

9. The Court confirms that the water rights described herein as augmentation and replacement water can be utilized for replacement and augmentation purposes to replace depletions associated with out-of-priority water use as described herein.

10. The water storage rights sought herein, and the Surface Water Rights sought herein are contemplated by law and if administered in accordance with this decree will not result in injury to the vested rights or decreed conditional water rights of others.

11. Pursuant to the provisions contained in C.R.S. §37-92-304(6), the plan for augmentation decreed herein shall be subject to the reconsideration of this Court, for the purpose of evaluating injury to vested water rights, for a period of five years from the first date Applicant has delivered water from both augmentation sources to augment depletions. Applicant shall provide notice to the parties and the Division Engineer of the beginning of the retained jurisdiction period. Any person, within the five year period, may petition the Court to invoke its retained jurisdiction. Any such request shall state with particularity the factual basis for requesting that the Court evaluate injury to vested water rights associated with the operation of this decree, together with proposed decretal language to effect the petition. Unless otherwise stated herein, the party lodging the petition shall have the burden of going forward to establish the prima facie facts alleged in the petition. If the Court finds those facts to be established, the Applicant shall thereupon have the burden of proof to show; (a) that any modification sought by Applicant will avoid injury to other appropriators, or (b) that any modification sought by an Opposer is not required to avoid injury to other appropriators, or (c) that any term or condition proposed by the Applicant in response to Opposer's petition does avoid injury to other appropriators. Such petition shall be filed with the Court under the above styled caption and case number and shall be served by certified mail, return receipt requested, on all parties have appeared herein, or on their counsel of record. If no such petition is lodged within the five year period, and the retained jurisdiction period is not extended by the Court, in accordance with the provisions of the statute, this decree shall become final under its own terms.

12. A copy of this decree shall be recorded by the Applicant in the office of the Douglas County Clerk and Recorder.

Dated: _____

_____
Water Referee
Water Division No. 1

THE COURT FINDS: NO PROTEST WAS FILED IN THIS MATTER.

THE FOREGOING RULING IS CONFIRMED AND APPROVED, AND IS HEREBY MADE THE JUDGMENT AND DECREE OF THIS COURT.

Dated: _____

_____
Water Judge
Water Division No. 1

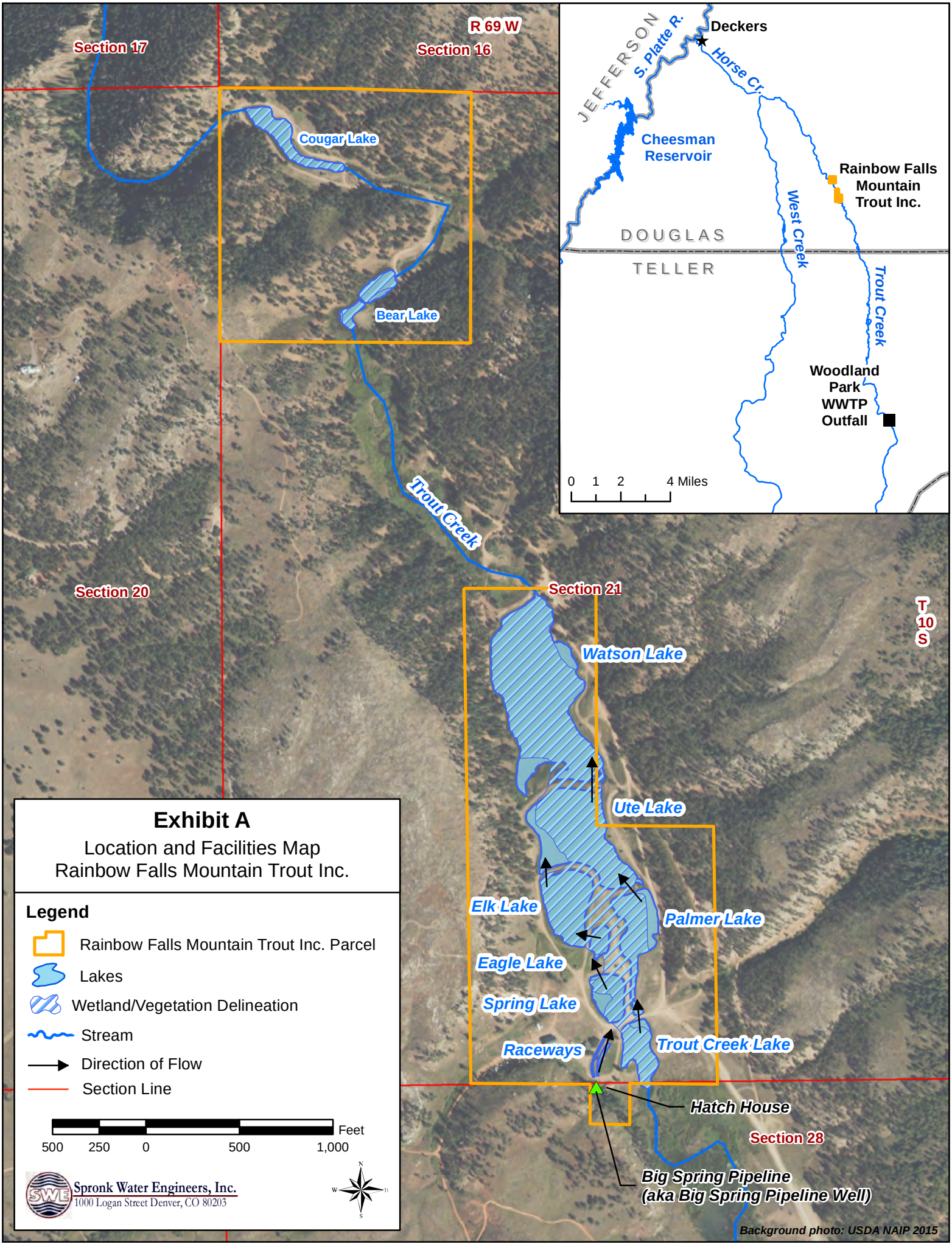

R 69 W
Section 17
Section 16
Cougar Lake
Bear Lake
Trout Creek
Section 20
Section 21
T 10 S
Watson Lake
Ute Lake
Elk Lake
Palmer Lake
Eagle Lake
Spring Lake
Raceways
Trout Creek Lake
Hatch House
Section 28
Big Spring Pipeline
(aka Big Spring Pipeline Well)
JEFFERSON
S. Platte R.
Deckers
Horse Cr.
Cheesman Reservoir
Rainbow Falls Mountain Trout Inc.
West Creek
DOUGLAS
TELLER
Trout Creek
Woodland Park WWTP Outfall
0 1 2 4 Miles
Exhibit A
Location and Facilities Map
Rainbow Falls Mountain Trout Inc.
Legend
Rainbow Falls Mountain Trout Inc. Parcel
Lakes
Wetland/Vegetation Delineation
Stream
Direction of Flow
Section Line
500 250 0 500 1,000 Feet
Spronk Water Engineers, Inc.
1000 Logan Street Denver, CO 80203
Background photo: USDA NAIP 2015

Exhibit B

Monthly Evaporation and Consumptive Use
Rainbow Falls Mountain Trout Inc.

Surface Areas

Total water surface area (ac)	21.09
Total wetlands inundated (ac)	17.71
Total upland area inundated (ac)	3.38

Domestic Parameters

Number residences	3
Annual water use (AF/res)	0.333
Consumptive use %	10%

Evaporation Parameters

Average annual evaporation (in)	35.0
% of precipitation consumed by upland vegetation	70%
Elevation above mean sea level (ft)	7550

Irrigation Parameters

Acres Irrigated	5.00
Annual Irrigation consumptive use (AF/acre)	2.32

Lodge Parameters

Number rooms	25
Daily use (gpd/room)	100
Average occupancy (%)	75%
Consumptive use %	10%

		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
	Lake Evaporation													
(1)	Monthly evaporation distribution >6500 ft.	1.0%	3.0%	6.0%	9.0%	12.5%	15.5%	16.0%	13.0%	11.0%	7.5%	4.0%	1.5%	100.0%
(2)	Gross evaporation (in)	0.35	1.05	2.10	3.15	4.38	5.43	5.60	4.55	3.85	2.63	1.40	0.53	35.00
(3)	Average monthly precipitation (in)	0.46	0.57	1.28	1.66	1.94	1.69	2.54	2.61	1.21	1.06	0.76	0.59	16.37
(4)	Wetland CU (in)	0.00	0.00	0.00	0.07	2.12	6.67	8.01	6.88	4.66	1.14	0.00	0.00	29.56
(5)	Precipitation consumed by upland vegetation (in)	0.32	0.40	0.90	1.16	1.36	1.18	1.78	1.83	0.85	0.74	0.53	0.41	11.46
(6)	Gross pond and raceway evaporation (AF)	0.62	1.85	3.69	5.54	7.69	9.53	9.84	8.00	6.77	4.61	2.46	0.92	61.52
(7)	Wetland CU (AF)	0.00	0.00	0.00	0.10	3.13	9.84	11.82	10.16	6.88	1.69	0.01	0.00	43.63
(8)	Precipitation consumed by upland vegetation (AF)	0.09	0.11	0.25	0.33	0.38	0.33	0.50	0.52	0.24	0.21	0.15	0.12	3.23
(9)	Net evaporation (AF)	0.53	1.73	3.44	5.11	4.17	-	-	-	-	2.72	2.31	0.81	20.81
(10)	Net evaporation (in)	0.30	0.99	1.96	2.91	2.37	-	-	-	-	1.55	1.31	0.46	11.84
(11)	Percent of month with no ice cover	0%	0%	81%	100%	100%	100%	100%	100%	100%	100%	87%	0%	
(12)	Net evaporation on ice-free days (AF)	0.00	0.00	2.77	5.11	4.17	0.00	0.00	0.00	0.00	2.72	2.00	0.00	16.78
	Irrigation Use													
(13)	Turfgrass consumptive use (in)	0.00	0.00	0.00	0.26	3.37	6.12	6.87	5.90	4.17	1.43	0.02	0.00	28.15
(14)	Effective precipitation (in)	0.32	0.40	0.90	1.16	1.36	1.18	1.78	1.83	0.85	0.74	0.53	0.41	11.46
(15)	Irrigation water requirement (in)	0.00	0.00	0.00	0.00	2.01	4.94	5.09	4.07	3.32	0.69	0.00	0.00	20.13
(16)	Irrigation consumptive use (AF)	0.000	0.000	0.000	0.000	0.839	2.059	2.121	1.697	1.383	0.287	0.000	0.000	8.39
	Domestic and Lodge Use													
(17)	Domestic water use (AF)	0.085	0.077	0.085	0.082	0.085	0.082	0.085	0.085	0.082	0.085	0.082	0.085	1.00
(18)	Lodge water use (AF)	0.178	0.161	0.178	0.173	0.178	0.173	0.178	0.178	0.173	0.178	0.173	0.178	2.10
(19)	Domestic and lodge consumptive use (AF)	0.026	0.024	0.026	0.025	0.026	0.025	0.026	0.026	0.025	0.026	0.025	0.026	0.31
(20)	Total Consumptive Use	0.026	0.024	2.798	5.138	5.040	2.085	2.148	1.723	1.409	3.032	2.024	0.026	25.47

Notes:

(1) Monthly evaporation distribution for elevations above 6500 feet msl (CDWR, 2009).
(2) Average annual evaporation from NOAA Tech Report NWS 33 x monthly evaporation distribution (1).
(3) Average monthly precipitation at Cheesman (1949-2009).
(4) Average monthly consumptive use using Hargreaves method (REF-ET) and large stand wetlands coefficients (Allen, 2007).
(5) Average monthly precipitation (3) x percentage of precipitation consumed by upland vegetation.
(6) Gross evaporation (2) converted to feet x total water surface area at maximum storage volumes.
(7) Wetland CU (4) converted to feet x total wetlands inundated at maximum storage volumes.
(8) Precipitation consumed by upland vegetation (5) and x upland area inundated at maximum storage volumes.
(9) Gross pond evaporation (6) minus wetland CU (7) minus precipitation consumed by upland vegetation (8) .
(10) Net evaporation (9) divided by total water surface area at maximum storage volumes converted to inches.
(11) Percent of month with average daily temperatures greater than 32°F using Cheesman temperature data (1949-2009).
(12) Net evaporation (9) x % month with no ice cover (10).
(13) Average monthly turfgrass consumptive use based on Hargreaves method (REF-ET) and turfgrass coefficients (ASCE, 2016).
(14) Average monthly precipitation (3) x 70%.
(15) Turfgrass consumptive use (13) minus effective precipitation (14).
(16) Irrigation water requirement (15) converted to feet x irrigated area.
(17) 0.333 AF/y x 3 residences, spread evenly year round.
(18) 20 rooms x 100 gpd/room x 75% occupancy, converted to acre-feet and spread evenly year around.
(19) Domestic use + lodge use x 10% consumption (septic treatment).
(20) Net evaporation (12) plus irrigation consumptive use (16) plus domestic and lodge consumptive use (19).

Information Sources

- Aerial Imagery: 1937 Douglas County historic aerial photo from Google Earth, USDA 1999 DOQ, and USDA 2009 NAIP.
- Allen, R.G. and Robison, C.W., April 2007. Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho, U of Idaho.
- Colorado Division of Water Resources, 2009. General Guidelines for Substitute Water Supply Plans for Sand and Gravel Pits.
- NOAA Technical Report NWS TR-33, June 1982. Evaporation Atlas for the Contiguous 48 United States.
- Allen, R.G. and U. of Idaho, 2001. REF-ET: Evapotranspiration Calculation Software for FAO and ASCE Standardized Equations, Version 3.1.01.

Exhibit C-1
Illustrative Daily Accounting Summary
Rainbow Falls Mountain Trout, Inc. SWSP
June 20XX

Contact:
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Values are not actual. For illustrative purposes only.

Plan Administration No. = **XXXXXX.XX**

	Date	Prev	6/1	6/2	6/3	6/4	6/5	6/6	6/7	6/8	6/9	6/10	6/11	6/12	6/13	6/14	6/15	6/16	6/17	6/18	6/19	6/20	6/21	6/22	6/23	6/24	6/25	6/26	6/27	6/28	6/29	6/30	Monthly
	Priority Call																																
(1)	Ice cover? (1-Yes, 0-No)		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
(2)	In-Priority? (1-Yes, 0-No)		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	0	0	0	0	0	0	0	0	22
	Spring Lake (WDID 0803321)																																
(3)	Gage Reading (ft)		1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	1.59	
(4)	Available Storage Space (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(5)	Evaporation (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(6)	Change in Storage Volume (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(7)	Computed Inflow (+) Outflow (-)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Eagle Lake (WDID 0803320)																																
(8)	Gage Reading (ft)		3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	3.68	
(9)	Available Storage Space (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(10)	Evaporation (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(11)	Change in Storage Volume (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(12)	Computed Inflow (+) Outflow (-)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Elk Lake (WDID 0803319)																																
(13)	Gage Reading (ft)		3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	3.56	
(14)	Available Storage Space (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(15)	Evaporation (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(16)	Change in Storage Volume (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(17)	Computed Inflow (+) Outflow (-)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Trout Creek Lake (WDID 080XXXX)																																
(18)	Gage Reading (ft)		4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	4.76	
(19)	Available Storage Space (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(20)	Evaporation (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(21)	Change in Storage Volume (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(22)	Computed Inflow (+) Outflow (-)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Palmer Lake (WDID 080XXXX)																																
(23)	Gage Reading (ft)		0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	
(24)	Available Storage Space (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(25)	Evaporation (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(26)	Change in Storage Volume (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(27)	Computed Inflow (+) Outflow (-)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Ute Lake (WDID 080XXXX)																																
(28)	Gage Reading (ft)		0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	
(29)	Available Storage Space (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(30)	Evaporation (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(31)	Change in Storage Volume (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(32)	Computed Inflow (+) Outflow (-)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Bear Lake (WDID 080XXXX)																																
(33)	Gage Reading (ft)		2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	2.49	
(34)	Available Storage Space (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(35)	Evaporation (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(36)	Change in Storage Volume (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(37)	Computed Inflow (+) Outflow (-)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Cougar Lake (WDID 080XXXX)																																				
(38) Gage Reading (ft)		2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19	2.19		
(39) Available Storage Space (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(40) Evaporation (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(41) Change in Storage Volume (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(42) Computed Inflow (+) Outflow (-)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Watson Lake (WDID 080XXXX)																																				
(43) Gage Reading (ft)		1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16		
(44) Available Storage Space (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(45) Evaporation (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(46) Change in Storage Volume (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(47) Computed Inflow (+) Outflow (-)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total of Lakes																																				
(48) Available Storage Space (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(49) Evaporation (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(50) Change in Storage Volume (af)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(51) Computed Inflow (+) Outflow (-)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Domestic/Irrigation Uses (af)																																				
(52) Diversions for Residences		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(53) Diversions for Lodge		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(54) Diversions for Irrigation		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Return Flows (af)																																				
(55) Lagged Domestic Returns		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(56) Lagged Irrigation Returns		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Stream Depletion (af)																																				
(57) Domestic		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.00
(58) Irrigation		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.00
(59) Computed Inflow/Outflow		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.00
(60) **Total Stream Depletion**		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	**0.00**
Total Replacement Obligation (af)																																				
(61) Out-of-Priority Computed Inflow		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.00
(62) Out-of-Priority Raceway Inflow		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.00
(63) Out-of-Priority Dom/Irr CU		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.00
(64) **Total Replacement Oblig**		**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.108**	**0.108**	**0.108**	**0.108**	**0.108**	**0.108**	**0.108**	**0.108**	**0.86**		
Total Replacement Supplies (af)																																				
(65) Leased Water at Woodland Park		0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	1.00		
(66) Leased Water Transit Loss		0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.002	0.06		
(67) **Total Replacement Supply**		**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	**0.03**	0.94		
Net Stream Effect (Out of Priority) (af)																																				
(68) Depletion (-) or Accretion (+)		0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.03	-0.08	-0.08	-0.08	-0.08	-0.08	-0.08	-0.08	-0.08	0.08		
(69) Cumulative Effect	0.03	0.06	0.09	0.12	0.15	0.19	0.22	0.25	0.28	0.31	0.34	0.37	0.41	0.44	0.47	0.50	0.53	0.56	0.59	0.62	0.66	0.69	0.72	0.64	0.57	0.49	0.41	0.34	0.26	0.18	0.11	0.11			

*All values in acre-feet, unless indicated otherwise.

Notes

(1) Is there ice covering entire pond? (Enter "1" for yes and "0" for no)
(2) Is the plan in priority? (Enter "1" for yes and "0" for no)
(3) Staff gage reading (ft)
(4) Available storage space in lake (af)
(5) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(6) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(7) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(8) Staff gage reading (ft)
(9) Available storage space in lake (af)
(10) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(11) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(12) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(13) Staff gage reading (ft)
(14) Available storage space in lake (af)
(15) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(16) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(17) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(18) Staff gage reading (ft)
(19) Available storage space in lake (af)
(20) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(21) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(22) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(23) Staff gage reading (ft)
(24) Available storage space in lake (af)
(25) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(26) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(27) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(28) Staff gage reading (ft)
(29) Available storage space in lake (af)
(30) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(31) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(32) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(33) Staff gage reading (ft)
(34) Available storage space in lake (af)
(35) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(36) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(37) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(38) Staff gage reading (ft)
(39) Available storage space in lake (af)
(40) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(41) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(42) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(43) Staff gage reading (ft)
(44) Available storage space in lake (af)
(45) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(46) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(47) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(48) Sum of lakes available storage space (af).
(49) Sum of lakes evaporation. (af)
(50) Sum of lakes change in storage based on staff gage reading and the stage-capacity relationship (af).
(51) Sum of lakes computed inflow calculated as the change in storage plus the evaporation (af)
(52) Water diverted for indoor use in residences (af).
(53) Water diverted for indoor use in lodge (af).
(54) Water diverted for irrigation use (af).
(55) Domestic return flows (90% of domestic diversions) lagged as per Glover calculations.
(56) Irrigation return flows (15% of irrigation diversions) lagged as per Glover calculations.
(57) Consumptive use of residences and lodge minus lagged septic return flows (af).
(58) Irrigation consumptive use minus lagged return flows (af).
(59) Depletions or accretions due to calculated inflows or outflows (af).
(60) Row (57) + Row (58) + Row (59).
(61) Total out-of-priority computed inflow (af).
(62) Total out-of-priority inflow to replace raceway evaporation (af).
(63) Total out-of-priority consumptive use of water for domestic and irrigation use (af).
(64) Row (61) + Row (62) + Row (63).
(65) Total water leased at Woodland Park (af).
(66) Transit loss of leased Woodland Park water (0.5% per mile x 12.4 miles = 6.2%).
(67) Total leased water Row (65) - transit loss Row (66); no credit when plan is in-priority (af),
(68) Row (67) - Row (64).
(69) Current days effect on river + previous days effect on river; (-) net depletion and (+) net accretion (af).

Exhibit C-2
Illustrative Monthly Accounting Summary
Rainbow Falls Mountain Trout, Inc. SWSP

Contact:
Richard Johnson
Rainbow Falls Mountain Trout Inc.
P.O. Box 279, Woodland Park, CO 80866
(719) 687-8690

Month: 6
Year: 20XX

Values are not actual. For illustrative purposes only.

	Date	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Annual
	Priority Call													
(1)	Total Days with Ice Cover	7	0	23	18	0	0	0	0	0	0	0	2	48
(2)	Total Days in Priority	7	0	23	8	31	26	19	22	0	0	0	0	136
	Elk Lake (WDID 0803319)													
(3)	Available Storage Space	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(4)	Evaporation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(5)	Change in Storage Volume	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(6)	Computed Inflow (+) Outflow (-)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Eagle Lake (WDID 0803320)													
(7)	Available Storage Space	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(8)	Evaporation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(9)	Change in Storage Volume	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(10)	Computed Inflow (+) Outflow (-)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Spring Lake (WDID 0803321)													
(11)	Available Storage Space	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(12)	Evaporation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(13)	Change in Storage Volume	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(14)	Computed Inflow (+) Outflow (-)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Trout Creek Lake (WDID 0803321)													
(15)	Available Storage Space	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(16)	Evaporation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(17)	Change in Storage Volume	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(18)	Computed Inflow (+) Outflow (-)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Palmer Lake (WDID 080XXX)													
(19)	Available Storage Space	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(20)	Evaporation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(21)	Change in Storage Volume	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(22)	Computed Inflow (+) Outflow (-)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Ute Lake (WDID 080XXX)													
(23)	Available Storage Space	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(24)	Evaporation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(25)	Change in Storage Volume	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(26)	Computed Inflow (+) Outflow (-)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Bear Lake (WDID 080XXX)													
(27)	Available Storage Space	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(28)	Evaporation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(29)	Change in Storage Volume	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(30)	Computed Inflow (+) Outflow (-)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Cougar Lake (WDID 080XXX)													
(31)	Available Storage Space	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(32)	Evaporation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(33)	Change in Storage Volume	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(34)	Computed Inflow (+) Outflow (-)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

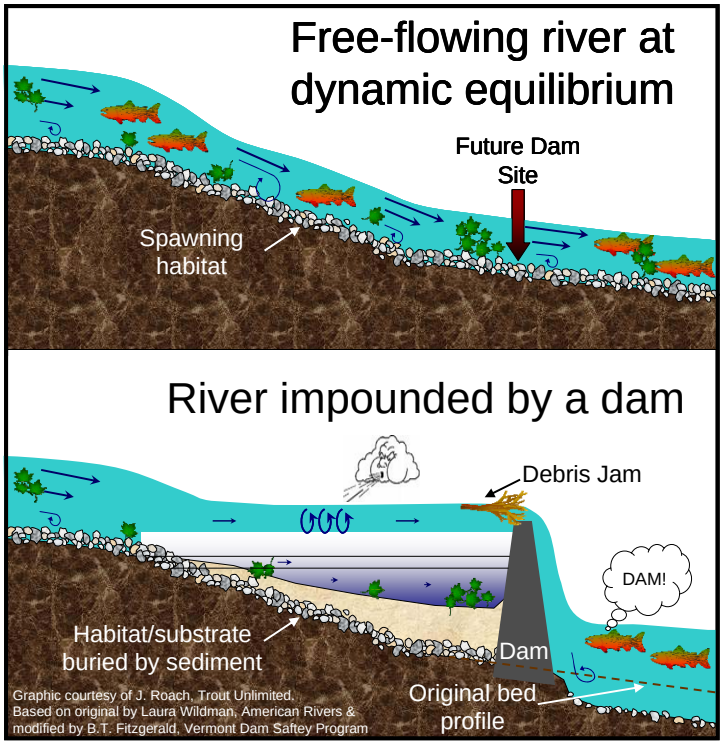
Watson Lake (WDID 080XXX)													
(35) Available Storage Space	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(36) Evaporation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(37) Change in Storage Volume	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(38) Computed Inflow (+) Outflow (-)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total of Lakes													
(39) Available Storage Space	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(40) Evaporation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(41) Change in Storage Volume	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(42) Computed Inflow (+) Outflow (-)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Domestic/Irrigation Uses (af)													
(43) Diversions for Residences	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(44) Diversions for Lodge	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(45) Diversions for Irrigation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Return Flows (af)													
(46) Lagged Domestic Returns	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(47) Lagged Irrigation Returns	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Stream Depletion (af)													
(48) Domestic	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(49) Irrigation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(50) Computed Inflow/Outflow	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(51) Total Stream Depletion	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Replacement Obligation (af)													
(52) Out-of-Priority Computed Inflow	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(53) Out-of-Priority Raceway Inflow	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(54) Out-of-Priority Dom/Irr CU	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(55) Total Replacement Oblig	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(56) In-Priority Depletions	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Replacement Supplies (af)													
(57) Leased Water at Woodland Park	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(58) Leased Water Transit Loss	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(59) Total Replacement Supply	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Net Stream Effect (Out of Priority) (af)													
(60) Depletion (-) or Accretion (+)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(61) Cumulative Effect	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

*All values in acre-feet, unless indicated otherwise.

Notes:

(1) Total number of days with full ice cover over ponds (days).
(2) Total number of days the plan is in priority (days).
(3) Available storage space in lake (af)
(4) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(5) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(6) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(7) Available storage space in lake (af)
(8) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(9) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(10) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(11) Available storage space in lake (af)
(12) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(13) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(14) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(15) Available storage space in lake (af)
(16) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(17) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(18) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(19) Available storage space in lake (af)
(20) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(21) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(22) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(23) Available storage space in lake (af)
(24) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(25) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(26) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(27) Available storage space in lake (af)
(28) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(29) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(30) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(31) Available storage space in lake (af)
(32) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(33) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(34) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(35) Available storage space in lake (af)
(36) Evaporation computed as the net evaporation rate on days with no ice cover multiplied by the surface area (af)
(37) Change in storage based on the staff gage reading and the stage-capacity relationship (af)
(38) Computed inflow/outflow calculated as the change in storage plus the evaporation (af)
(39) Sum of lakes available storage space (af).
(40) Sum of lakes evaporation. (af)
(41) Sum of lakes change in storage based on staff gage reading and the stage-capacity relationship (af).
(42) Sum of lakes computed inflow calculated as the change in storage plus the evaporation (af)
(43) Water diverted for indoor use in residences (af).
(44) Water diverted for indoor use in lodge (af).
(45) Water diverted for irrigation use (af).
(46) Domestic return flows (90% of domestic diversions) lagged as per Glover calculations.
(47) Irrigation return flows (15% of irrigation diversions) lagged as per Glover calculations.
(48) Consumptive use of residences and lodge minus lagged septic return flows (af).
(49) Irrigation consumptive use minus lagged return flows (af).
(50) Depletions or accretions due to calculated inflows or outflows (af).
(51) Row (48) + Row (49) + Row (50).
(52) Total out-of-priority computed inflow (af).
(53) Total out-of-priority inflow to replace raceway evaporation (af)
(54) Total out-of-priority consumptive use of water for domestic and irrigation use (af).
(55) Row (52) + Row (53) + Row (54).
(56) Total Depletions in priority, not requiring replacement.
(57) Total water leased at Woodland Park (af).
(58) Transit loss of leased Woodland Park water (0.5% per mile x 12.4 miles = 6.2%).
(59) Total leased water Row (57) minus transit loss Row (56).
(60) Net stream depletion Row (59) - Row (55) (af).
(61) Current months net effect on river + previous months net effect on river; (-) net depletion and (+) net accretion (af).

How an on-channel impoundment can affect the natural environment preserved by an instream flow water right



	Free-flowing instream flow water right	On-channel impoundment inundating instream flow water right
Temperature	Native species have adapted to a stream's natural temperature regime.	The greater surface area of the impounded waters, exposed to the sun, may result in higher water temperatures both in the impoundment and downstream.
Dissolved Oxygen	Turbulent flow and shallower water depths result in high dissolved oxygen concentrations.	Loss of turbulent flow may result in reduced dissolved oxygen concentrations. If the impoundment stratifies or is covered by snow and ice for long periods of time, dissolved oxygen concentrations can be reduced further.
Habitat	Some aquatic species require the high velocity and oxygen concentrations found in river and stream environments for their survival.	Some species are better suited for the slower velocity environment of lakes and ponds
Fish Movement	Fish and other aquatic organisms are not restricted and are free to move upstream and downstream.	Dams may restrict or block fish migration.
Flow regime	Natural flow regime	Modified flow regime and river dynamics interrupted.
Natural Transport	Streams and river naturally transport sediment, nutrients, metals and organic materials downstream.	Impoundment tends to trap sediment, nutrients, metals and organic materials. Critical habitat could be inundated by water or buried by sediment. In addition, downstream channel erosion may result because the stream's sediment load is trapped upstream by the impoundment.

APPENDIX C

CPW Recommendation Letter

To be provided at the board meeting