



STATE OF
COLORADO

Ebert - DNR, Jared <jared.ebert@state.co.us>

FW: Superior S&G Pit, M-1979-189

Schuler, Patricia <pschuler@auroragov.org>
To: "Ebert - DNR, Jared" <jared.ebert@state.co.us>

Wed, Feb 21, 2018 at 11:05 AM

Hi Jared,

I have attached the Water Decree containing the augmentation plan for this site. I think this is what you need but if not, please let me know.

As an update, we are advertising for an employee to help on this project, and I have received a proposal from a consultant to complete some of the work on the project. I say some only because we are a bit hamstrung since there is an active bald eagle pair nesting on the site currently. We believe they are sitting on eggs and successfully raised a pair from this nest last year. Based on Colo Parks & Wildlife and US Fish and Wildlife, we are to stay 1/4 mile away from the nest until approximately July 30th. That will mean phasing the restoration work itself. This informs our wish to do less rather than more grading, but I will share the proposed adjustments, if any, to the original and approved reclamation plan.

Let me know your thoughts on this Jared, nothing about this site is straight forward!

Thanks,

Pat Schuler

Open Space & Natural Resources Manager | City of Aurora | Parks, Recreation & Open Space (PROS) Department

office 303.326.8947 | fax 303.739.7143



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From: Vidmar, Richard

Sent: Wednesday, February 21, 2018 10:02 AM

To: Schuler, Patricia <pschuler@auroragov.org>

Cc: Jewell, Dawn <dmjewell@auroragov.org>

Subject: RE: Superior S&G Pit, M-1979-189

Hi Pat,

I've attached the signed decree for this case. That should be what they need.

If you need anything else don't hesitate to ask.

Thanks,

Rich

From: Schuler, Patricia

Sent: Wednesday, February 21, 2018 9:09 AM

To: Vidmar, Richard <rvidmar@auroragov.org>

Subject: FW: Superior S&G Pit, M-1979-189

Hi Rich,

I am certain you sent this to me but I cannot find it and need to send a copy of the final augmentation plan to the State Mined Land Reclamation group. I found the original memo you and Lisa sent back in early 2014 and I recall getting a follow up memo later but I cannot find that.

The state is asking for a copy of the augmentation plan so that I can close out the active mine permit.

If you can help me on this I will greatly appreciate it!

Thanks,

Pat Schuler

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From: Schuler, Patricia
Sent: Wednesday, January 31, 2018 6:18 PM
To: 'Ebert - DNR, Jared' <jared.ebert@state.co.us>
Subject: RE: Superior S&G Pit, M-1979-189, Inspection Report

Will do. I will have to poke around to find the correct person in Water who can provide it but I know we have it – they went to water court to adjudicate the augmentation plan and that was several years ago. I will stay in touch! Thanks very much for your assistance.

Pat Schuler

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From: Ebert - DNR, Jared [<mailto:jared.ebert@state.co.us>]
Sent: Wednesday, January 31, 2018 3:01 PM
To: Schuler, Patricia <pschuler@auroragov.org>
Subject: Re: Superior S&G Pit, M-1979-189, Inspection Report

Thanks for the information Pat,

I will extend the corrective action due date for the second problem cited in the report to June 1, 2018. I would request that you keep me informed as to the progress of reclamation.

If you could send me documentation that the augmentation plan is in place for our records that would be great. T

Thanks,

On Wed, Jan 31, 2018 at 2:38 PM, Schuler, Patricia <pschuler@auroragov.org> wrote:

We would probably get the reclamation started by June 1 since it will take us 3 months to get it out to bid and a contractor ready to start.

As to the water issue, we do have an augmentation plan and well permit in place (we got that part done in a timely way!). Our Water Dept took care of that for us, I can ask them to send me proof if you need the info?

Pat Schuler

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From: Ebert - DNR, Jared [mailto:jared.ebert@state.co.us]

Sent: Wednesday, January 31, 2018 10:10 AM

To: Schuler, Patricia <pschuler@auroragov.org>

Subject: Re: Superior S&G Pit, M-1979-189, Inspection Report

Good morning Pat, I have a couple of follow-up questions. If you hire someone in February when do you project reclamation to begin?

Regarding the first corrective action, does the city have a valid well permit, substitute water supply plan or permanent plan for augmentation for the exposed groundwater at the site? This issue is rather pertinent.

Thanks

Jared

On Wed, Jan 31, 2018 at 9:09 AM, Schuler, Patricia <pschuler@auroragov.org> wrote:

Hi Jared,

The city is aware that we need to move forward with the implementation of the site restoration, and we are in the process of hiring a project manager who can manage this as soon as they are hired. I anticipate hiring someone in February and hopefully start in earnest on the project at that point. I do know it is a high priority, I simply have not had the manpower to move forward with it till our budget for 2018 became effective. That allowed me to hire someone, and I have the funding for the project implementation in place already. I will let you know when we start – will that work for you?

Pat Schuler

Open Space & Natural Resources Manager | City of Aurora | Parks, Recreation & Open Space (PROS) Department

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From: Ebert - DNR, Jared [mailto:jared.ebert@state.co.us]
Sent: Wednesday, January 31, 2018 7:50 AM
To: Schuler, Patricia <pschuler@auroragov.org>
Cc: Watts, Eric <ewatts@auroragov.org>
Subject: Re: Superior S&G Pit, M-1979-189, Inspection Report

Good morning,

The corrective actions listed in this report are past due. Please respond and advise the Division on the status of these issues.

Thank you,

Jared

On Thu, Sep 21, 2017 at 10:05 AM, Ebert - DNR, Jared <jared.ebert@state.co.us> wrote:

Hello Mrs. Schuler,

Attached is the inspection report from yesterday's inspection. Please review it and feel free to call me with questions.

Thank you,

--

Jared Ebert

Environmental Protection Specialist III



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

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Jared Ebert

Environmental Protection Specialist III



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13CW3169 Decree.pdf
4481K

municipal water service to the citizens within its municipal boundaries as they now exist and as they may exist in the future, as well as to those with whom it has agreements for water service.

- 1.3. Aurora, either individually or in cooperation with others, is the owner of numerous water rights and water diversion and storage facilities located within the Colorado, Arkansas, and South Platte River Basins. Much of this supply is reusable water. Water from the Colorado River Basin facilities flows through, and from time-to-time is stored in, facilities located within the Arkansas River Basin. Water from the Arkansas and Colorado River Basins is conveyed via pipeline to the South Platte basin for storage and beneficial use along with water native to the South Platte River and water pumped from the Denver Basin bedrock aquifers.

2. Jurisdiction of the Water Court:

- 2.1. Timely and adequate notice of the pendency of these proceedings *in rem* and matters determined herein was given in the manner required by law. The Water Court has jurisdiction over the subject matter of these proceedings and over all persons and owners of property who may be affected hereby, whether they have appeared or not.
- 2.2. The land and water rights involved in this decree are not included within the boundaries of any designated ground water basin.

3. Procedural History: Aurora filed the application in this matter on December 31, 2013.

4. Parties:

- 4.1. Timely statements of opposition were filed by the following parties: The Burlington Ditch, Reservoir and Land Company; and The Farmers Reservoir and Irrigation Company.
- 4.2. The time for filing Statements of Opposition or motions to intervene in this matter has expired.
- 4.3. Aurora has stipulated with the following parties:

4.3.1. Burlington Ditch, Reservoir and Land Company on March 26, 2015.

4.3.2. Farmers Reservoir and Irrigation Company on April 15, 2015.

5. Summary of Consultation Report of the Division Engineer: The Division Engineer for Water Division 1 issued his Summary of Consultation on March 31, 2014. Aurora responded to the Summary of Consultation on June 23, 2014. The Referee and the Court have considered the

Division Engineer's Consultation and Aurora's Response in entering this Ruling and Decree. All issues raised in the Summary of Consultation have been adequately addressed in Aurora's Response or in this decree.

6. Synopsis: Aurora seeks approval of a plan for augmentation to replace out-of-priority depletions caused by groundwater being exposed by unlined, previously excavated gravel pits (hereinafter the "Triple Creek Park Ponds") located at the Triple Creek Park located near the confluence of Coal Creek, Murphy Creek, and Sand Creek. Aurora will replace such out-of-priority depletions at or above the point of depletion, or by the exercise of appropriate rights of exchange as confirmed herein from locations downstream of the points of depletion. Aurora claims junior groundwater rights for the depletions that accrue to the stream at times when no call senior to December 16, 2013 is in effect. A map showing the locations of Triple Creek Park, the Exchange-From points and other points of release of substitute supply for the plan for augmentation and the lawn irrigation return flow ("LIRF") quantification point is attached hereto as **Exhibit A**. A map showing the location of the Triple Creek Park Ponds is attached as **Exhibit B**.

7. First Claim: Conditional Groundwater Rights

- 7.1. Legal Descriptions

- 7.1.1. Triple Creek Park Pond A: The Centroid of Pond A is located in the SW 1/4 of the NE 1/4 of Section 11, Township 4 South, Range 66 West of the 6th P.M., at a point 2,631 feet from the East section line and 1,721 feet from the North section line of said Section 11, Arapahoe County, Colorado.
 - 7.1.2. Triple Creek Park Pond B: The Centroid of Pond B is located in the SW 1/4 of the NE 1/4 of Section 11, Township 4 South, Range 66 West of the 6th P.M., at a point 2,513 feet from the East section line and 1,556 feet from the North section line of said Section 11, Arapahoe County, Colorado.
 - 7.1.3. Triple Creek Park Pond C: The Centroid of Pond C is located in the SW 1/4 of the NE 1/4 of Section 11, Township 4 South, Range 66 West of the 6th P.M., at a point 2,391 feet from the East section line and 1,717 feet from the North section line of said Section 11, Arapahoe County, Colorado.
 - 7.1.4. Triple Creek Park Pond D: The Centroid of Pond D is located in the SW 1/4 of the NE 1/4 of Section 11, Township 4 South, Range 66 West of the 6th P.M., at a point 1,640 feet from the East section line and 1,631 feet from the North section line of said Section 11, Arapahoe County, Colorado.
 - 7.1.5. Triple Creek Park Pond E: The Centroid of Pond E is located in the SE 1/4 of the NE 1/4 of Section 11, Township 4 South, Range 66 West of the 6th P.M., at a

point 743 feet from the East section line and 1,965 feet from the North section line of said Section 11, Arapahoe County, Colorado.

7.2. Appropriation Information

7.2.1. Appropriation Date: December 16, 2013

7.2.2. How Appropriation was Initiated: By adoption of a resolution expressing Aurora's intent on December 16, 2013, by engineering evaluations of the water available for appropriation prior to the adoption of said resolution, by posting signs giving notice of the appropriations commencing on December 3, 2013, and by the drafting of materials for the filing of the Application.

7.2.3. Date of Application to Beneficial Use: N/A (Conditional)

7.2.4. Well Permit No.: 8696

7.2.5. DRMS Permit No.: M1979189

7.2.6. Source: Groundwater tributary to Coal Creek, Murphy Creek, and/or Sand Creek, tributary to the South Platte River.

7.2.7. Amounts: The maximum estimated stream depletion from the Triple Creek Park Ponds is 0.18 cfs. The volumetric amount of such depletion is as follows:

7.2.7.1. Triple Creek Park Pond A: 0.18 acre feet per year.

7.2.7.2. Triple Creek Park Pond B: 0.66 acre feet per year.

7.2.7.3. Triple Creek Park Pond C: 2.69 acre feet per year.

7.2.7.4. Triple Creek Park Pond D: 26.61 acre feet per year.

7.2.7.5. Triple Creek Park Pond E: 13.02 acre feet per year.

7.2.8. Uses: All uses necessary and incident to use of the Triple Creek Park Ponds for park and recreational purposes, which uses include but are not limited to aesthetic, fire protection, fish and wildlife propagation, other piscatorial uses, wildlife and waterfowl habitat, incidental irrigation, and recreation.

8. Conditional Appropriative Right of Exchange

8.1. Exchange-From Points:

8.1.1. Confluence of Sand Creek and the South Platte River: The confluence is generally located in the SE1/4 of the SW1/4 of Section 1, T3S, R68W, of the 6th P.M., Adams County, Colorado.

- 8.1.2. The Outfall of the Aurora Sand Creek Wastewater Treatment Plant, also known as the Sand Creek Water Reuse Facility (“SCWRF”), located on Sand Creek in the NW1/4 of SE1/4 of Section 26, T3S, R67W, 6th P.M, Adams County, Colorado.
- 8.1.3. The quantification point for Aurora’s reusable LIRFs as decreed in Case No. 02CW341, Water Division 1. This quantification point is located at the USGS Sand Creek gauge, (Gauge SANCOMCO.394839104570300) on Sand Creek approximately 1,400 feet upstream of the confluence of Sand Creek and the South Platte River, in the NE1/4 of the NW 1/4 of Section 12, T3S, R68W, or a location at which such gauge may be relocated in the future.
- 8.1.4. The confluence of Tollgate Creek and Sand Creek, located in the SE 1/4 of the SW 1/4 of Section 25, T3S, R67W, 6th P.M., in Adams County, Colorado.
- 8.2. Exchange-To Point: the uppermost point of depletions for Triple Creek Park Ponds described in paragraph 7 above.
 - 8.2.1. In addition to the specific Exchange-To point described above, Aurora may operate the subject exchange from any of the Exchange-From points described above to any intermediate point within the subject exchange reach.
- 8.3. Sources of substitute supply for exchange:
 - 8.3.1. Any water derived from the exercise of all water rights currently owned by Aurora that is fully consumable or reusable from water sources diverted from the Colorado River Basin, the Arkansas River Basin, and the South Platte River Basin, or withdrawn from the Denver Basin Aquifers, as well as reusable municipal effluent and quantified lawn irrigation return flows. A list of the water rights currently owned by Aurora is attached hereto as **Exhibit C**.
 - 8.3.2. Other water that is reusable, fully consumable, transmountain or historical consumptive use, or decreed for exchange or augmentation purposes, that Aurora develops adjudicates, buys, leases, or otherwise acquires in the future, said rights being situated in the Colorado, Arkansas, and/or South Platte River basins.
- 8.4. Exchange Rate: 0.18 c.f.s., conditional.
- 8.5. Appropriation Date: December 16, 2013.
 - 8.5.1. How Appropriation was Initiated: By adoption of a resolution expressing Aurora’s intent on December 16, 2013, by engineering evaluations of the water available for appropriation prior to the adoption of said resolution, by posting

signs giving notice of the appropriations commencing on December 3, 2013, and by the drafting of materials for the filing of the Application.

8.5.2. Date Water Applied to Beneficial Use: Not applicable; the water rights claimed herein are conditional.

8.6. Uses: All uses necessary and incident to use of the Triple Creek Park Ponds for park and recreational purposes, which uses include but are not limited to aesthetic, fire protection, fish and wildlife propagation, other piscatorial uses, wildlife and waterfowl habitat, incidental irrigation, and recreation.

8.7. Exchange Matrix:

Exchange-From Points	Exchange-to Points	Exchange Rate (cfs)
Confluence Sand Creek & S. Platte River	Uppermost Triple Creek Park Point of Depletion or Intermediate Point within Exchange Reach	0.18
Sand Creek Water Reuse Facility Outfall to Sand Creek		
LIRF Quantification Point (USGS Sand Creek Gauge)		
Confluence Tollgate Creek & Sand Creek		

8.8. Terms and Conditions regarding Exchange Operation:

8.8.1. Aurora may only operate the exchange to the extent that there is a continuous live stream between the subject exchange from and exchange to points.

8.8.2. The substitute supply for the exchange may be subject to transit losses, as determined by the Division Engineer or Water Commissioner.

8.8.3. If Aurora operates the exchange using sources located at the confluence of Sand Creek and the South Platte River, the amount of Aurora's downstream replacement substitute supply for such exchange will be limited by the available flow in excess of Denver Water's and South Adams County Water and Sanitation District's calculated LIRF Credit at the Sand Creek Gage.

8.8.4. Maximum Rate of Exchange. The maximum rate of exchange shall not exceed the lesser of the following: (a) 0.18 c.f.s; (b) the amount of substitute supply delivered by Aurora to the Exchange From point from the sources of water

described in paragraph 8.3; (c) the amount of water legally and physically available to Aurora that is delivered to the Exchange From point; or (d) the actual amount of water diverted at the particular Exchange To Point by exchange.

8.8.5. Exchanges in Priority. Applicant may not operate the appropriative rights of exchange confirmed in this decree if doing so will reduce the amount of water available to vested water rights, decreed exchanges, and decreed conditional water rights, with priority dates senior to the priority date of these appropriative rights of exchange. The appropriative rights of exchange confirmed in this decree shall be exercised within the priority system and are subject to the call of other water rights, including exchanges, located at or between the Exchange From point and the Exchange To point. Other vested water rights, decreed exchanges, and decreed conditional water rights shall not be deemed to be out-of-priority if water would otherwise be available to them but for diversions by the Applicant hereunder at their upstream Exchange To point.

8.8.6. Notification of Exchanges. Aurora will provide the Office of the Division Engineer for Water Division 1 reasonable notice at least 24 hours prior to operating the exchange rights herein decreed. Such notice shall include: the amount of the exchange, the source(s) of substitute supply, the location(s) of the delivery of substitute supply, the Exchange To point(s) where the substitute supply will be diverted by exchange, and the duration of the proposed exchange. Aurora will not operate any exchange without prior consent of the water commissioner. Aurora shall notify the water commissioner when Aurora terminates the exchanges.

9. Additional Findings Regarding Conditional Water Rights:

9.1. Appropriation. Aurora has taken a “first step” toward the appropriation of the water rights, including the formation of its intent to appropriate the water rights and overt acts manifesting its intent to appropriate the water rights.

9.2. Can and will. Aurora has demonstrated that the waters can and will be diverted, stored or otherwise captured, possessed and controlled and will be beneficially used, and that Aurora can and will complete the construction of the wells and appropriation of the rights with diligence and within a reasonable time. Construction of the diversion and control structures described above is technically and economically feasible. Aurora has demonstrated that there is an adequate supply of water legally and physically available for the conditional water rights.

9.3. Need. Aurora’s intent to appropriate the subject conditional water rights is not speculative. The water rights are needed to satisfy the stated demands of Aurora to operate the Sand Creek Park as described above. Aurora has demonstrated that it has a

specific plan and intent to divert, store or otherwise capture, possess and control the water for the beneficial uses set forth above.

- 9.4. Non-injury. Adjudication of the new conditional water rights set forth in paragraphs 7 and 8 above will not injure any senior vested water rights or decreed conditional water rights, because out-of-priority diversions will be augmented pursuant to the augmentation plan adjudicated herein, as such augmentation plan may be amended or supplemented.

10. Plan for Augmentation

10.1. Structures to be Augmented:

10.1.1. Structure names: Triple Creek Park Ponds A-E, as described above.

10.1.2. Prior decree for these structures: none

10.2. Water Rights to be Used for Augmentation:

10.2.1. Aurora's water rights, as described in paragraph 8.3.1.

10.2.2. Nontributary Groundwater

10.2.2.1. Name: Triple Creek Park Wells

10.2.2.2. Original Decree: Case No. 94CW102, Water Division 1, Colorado.

10.2.2.3. Type of Water Right: Nontributary Groundwater

10.2.2.4. Well Permit: 046423-F

10.2.2.5. Legal Description: A point 1700 feet from the North Section Line and 2500 feet from the East Section Line in the SW 1/4 of the NE 1/4 of Section 11, T4S, R66W, 6th P.M.

10.2.2.6. Source: Nontributary Groundwater from the Upper and Lower Arapahoe Aquifers and the Laramie-Fox Hills Aquifer.

10.2.2.7. Appropriation Date: N/A

10.2.2.8. Amount:

10.2.2.8.1. Upper Arapahoe: 9.7 acre-feet per year

- 10.2.2.8.2. Lower Arapahoe: 11.9 acre-feet per year*
- 10.2.2.8.3. Laramie-Fox Hills: 15.9 acre-feet per year*

*Note: The Triple Creek Park Wells were decreed to allow groundwater withdrawals from all three of the listed aquifers, but the existing well currently withdraws water only from the Upper Arapahoe aquifer.

- 10.2.2.9. Uses: Use, reuse, and successive use to extinction for municipal, domestic, industrial, agricultural, commercial, irrigation, stock watering, recreation, fish and wildlife, fire protection, augmentation, substitution, and exchange. Water may be withdrawn through the subject well for immediate application to beneficial use, for storage and subsequent application to beneficial use, for exchange purposes, for replacement of depletions resulting from the use of water from other sources and for all other augmentation purposes, including taking credit for all return flows as augmentation for or as offsets against out-of-priority tributary depletions.

10.2.3. Additional or Alternative Replacement Sources

- 10.2.3.1. Pursuant to § 37-92-305(8), C.R.S., Aurora may use additional or alternative supplies of replacement water, including water leased on a yearly or less frequent basis, in this Augmentation Plan. This paragraph sets forth the procedure under which these sources may be added to this plan after the initial decree.
- 10.2.3.2. New Source. Aurora may use a water source not identified as an augmentation supply in this decree as an additional or alternative augmentation supply for this plan only if such source is part of a substitute water supply plan approved pursuant to § 37-92-308 or an interruptible supply agreement under § 37-92-309, C.R.S., or if such source is decreed for such use.
- 10.2.3.3. Notice of New Source. Prior to using an additional or alternative water source for this plan, Aurora shall give written Notice of Use of Water Right for Augmentation, to the Court, the Division Engineer and all the objectors herein. Such Notice shall state: 1) the water right by name and decree; 2) the annual and monthly amount of water available to Aurora from the water right; 3) the manner by which the augmentation credits will be used to augment depletions from wells or water rights included in this plan for augmentation in time, location and amount; 4) the date of initial use of the proposed new source within this plan; 5) duration of use of the new source; 5) identification of the exchange reach, including the exchange “to” and exchange “from” point(s), if the additional or alternative augmentation supply is introduced downstream of the out-of-

priority diversion; 6) if an exchange is required for the new source to be used, proposed terms and conditions relative to the exchange operation; 7) evidence that the claimed amount of water is available for use in this plan and will not be used by any other person; and 8) the manner in which Aurora will account for use of the augmentation credits and make any required return flow replacements. The Notice shall also specifically include a request that the Court enter an Order either affirming or denying Aurora's proposal, and that said Order be attached to the final decree approving the plan for augmentation.

10.2.3.4. Objection to use of New Source. If any person wishes to object to the addition of the noticed water rights to this plan, a written objection shall be filed with the Court within 30 days after the date the Notice was given by Aurora. If no objection is so filed, the Court shall promptly enter an Order affirming Aurora's immediate use of the noticed water rights. If an objection is so filed, then Aurora may not use the noticed water rights until the Court has determined whether and under what terms and conditions the water rights may be used in this plan.

10.2.3.5. Hearing on Use of New Source. Where an objection has been filed to the use of a water right as an additional or alternative source for this plan, the Court shall promptly schedule a hearing to determine whether and under what terms and conditions the water right may be used in this plan. The Court shall conduct whatever proceedings are needed to appropriately address and resolve the disputed issues. At such hearing, the Court shall impose such terms and conditions as necessary to prevent injury to vested water rights and decreed conditional rights. If the Notice requested temporary use of the noticed water rights in this plan for a period not to exceed one year, then the Court shall grant an expedited hearing.

10.2.3.6. New Sources Requiring Operation of an Exchange. Where the use of any new source requires the operation of any new exchanges, including the expansion of any existing exchange reach, Aurora must obtain approval of the Division Engineer and Water Commissioner prior to operating such exchanges. Aurora must submit a separate water court application if seeking to adjudicate such exchanges.

10.3. Complete Statement of Plan for Augmentation: Aurora will determine the amount of net depletion caused by evaporation of groundwater exposed to the atmosphere at Triple Creek Park. To the extent such depletions accrue to the stream at times the water rights described in paragraph 7 above are in priority, the depletions will be attributed to that water right. To the extent such depletions accrue to the stream out-of-priority, Aurora will replace such depletions in time, place, and amount by one or a combination of the following methods: 1) leaving Aurora's reusable LIRFs tributary to Sand Creek in the

stream, 2) leaving excess reusable effluent discharges made at Aurora's Sand Creek Water Reuse Facility ("SCWRF") outfall to Sand Creek in the stream, 3) by withdrawing nontributary groundwater from the Triple Creek Park Well, 4) by exchange up Sand Creek from the points identified in paragraph 8 above (including exchange of releases from Quincy Reservoir) pursuant to the exchange confirmed herein, or 5) by release of water from Aurora Reservoir and conveyance of such water down Senac Creek to Coal Creek.

10.3.1. Depletions: The depletions associated with the Triple Creek Park are those caused by evaporation of ground water created by five unlined ponds which expose alluvial ground water to the atmosphere.

10.3.1.1. Amount: The maximum exposed groundwater surface area at Triple Creek Park is 18.9 acres, as shown in in **Table 1**. The net replacement requirement of exposed ground water surface, is 3.75 acre-feet per surface acre of exposed groundwater of gross evap. A net annual evaporation loss of 3.75 acre-feet per acre for 18.9 surface acres of exposed ground water results in a total annual depletion associated with the Triple Creek Park Ponds of 71 acre-feet. Monthly evaporation amounts are shown in **Table 2**.

10.3.1.2. Timing: The IDS Alluvial Water Accounting System (AWAS) indicates that depletions associated with evaporation at the Triple Creek Park Ponds accrue to the location at which Sand Creek becomes a live stream very slowly. Rather than utilizing the results of groundwater modeling that would not require Aurora to replace any depletions associated with Triple Creek Park Ponds' evaporation for some time into the future, Aurora will replace the full annual evaporative loss associated with the Triple Creek Park Ponds (71 acre-feet, as described above) at a constant rate of 5.92 acre-feet per month, less any offset made by pumping of the Triple Creek Park Wells, beginning on the date of this Decree.

10.3.1.3. Location: The Triple Creek Park Ponds, as described above.

10.3.1.4. Post-Pumping Depletions. In the unlikely event that evaporative depletions from the Triple Creek Park Ponds cease, Aurora will replace post-pumping depletions as necessary to prevent injury to vested water rights.

10.3.2. Replacement Sources: Aurora may use the following replacement sources to replace the depletions associated with the evaporative losses of the Triple Creek Park Ponds:

- 10.3.2.1. Triple Creek Park Wells: Aurora may replace out-of-priority depletions associated with the evaporative losses of the Triple Creek Park Ponds by withdrawing non-tributary groundwater from the Triple Creek Park Wells and releasing such groundwater into the alluvium of Sand Creek.
- 10.3.2.1.1. Any such withdrawals shall comply with the terms and conditions of the decree in Case No. 94CW102 that pertain to the use of the Triple Creek Park Wells.
- 10.3.2.1.2. Currently, only one well withdraws water from the Upper Arapahoe aquifer. Accordingly, the accounting for the Triple Creek Park Wells shall reflect the currently available amount of withdrawal as 9.7 acre-feet per year. Aurora may adjust the accounting as necessary if the Triple Creek Park Wells are drilled into any of the other aquifers, re-drilled, or a replacement well is drilled.
- 10.3.2.2. LIRFs: Pursuant to the decree in Case No. 02CW341, Water Division 1, Aurora is entitled to claim a credit for LIRFs accruing to Sand Creek, and to offset other out-of-priority depletions with such LIRFs. Aurora's use of LIRFs as a replacement source in this plan for augmentation will occur pursuant to the terms and conditions of the decree in Case No. 02CW341. The minimum monthly credit available to Aurora between 2009 and 2013 period was 109 acre-feet. Compared to the maximum monthly Triple Creek Park depletion of 10.65 acre-feet in July, Aurora's LIRF credits are more than adequate to fully replace the estimated monthly and annual depletions.
- 10.3.2.3. Reservoir Releases: Aurora will replace out-of-priority depletions associated with the evaporative losses of the Triple Creek Park Ponds by releasing water from Quincy Reservoir or Aurora Reservoir. The amount of any reservoir release used for augmentation of the depletions herein will be measured at the point of release. Aurora will be assessed transit losses as reasonably determined by the Division Engineer or Water Commissioner.
- 10.3.2.4. Replacement Supplies to be Exchanged: When the exchange decreed herein is in priority, Aurora may operate the exchange such that replacement water is provided at a location downstream of the depletions associated with the evaporative losses of the Triple Creek Park Ponds.

- 10.3.2.4.1. LIRFS: Aurora may use LIRF credits pursuant to Case No. 02CW341 in this plan for augmentation by exchanging such LIRFs pursuant to the exchange decreed herein.
- 10.3.2.4.2. SCWRF: Aurora may use discharge from the SCWRF LIRF in this plan for augmentation by exchanging such discharge pursuant to the exchange decreed herein.
- 10.3.2.4.3. Confluence of Sand Creek and South Platte River: Aurora has several sources of replacement water available for use in this augmentation plan that accrue to the confluence of Sand Creek and the South Platte River, as described in paragraph 8.3.1. Aurora may use such replacement sources in this plan for augmentation by exchanging such water pursuant to the exchange decreed herein.
- 10.3.2.4.4. Reservoir Release from Quincy Reservoir: Water released from Quincy Reservoir will accrue to Sand Creek at the confluence of Tollgate Creek and Sand Creek, where Aurora may exchange such water up Sand Creek pursuant to the exchange decreed herein.

10.3.3. Operation of Plan. Aurora will primarily rely on its LIRF credits and nontributary groundwater from the Triple Creek Park Wells to replace out-of-priority depletions associated with the evaporative losses of the Triple Creek Park Ponds. Until such time as Sand Creek is a perennial stream directly downstream of the Triple Creek Park Ponds, daily depletions will be determined assuming depletions have reached steady state equilibrium of 5.92 acre-feet per month. Therefore, daily depletions, absent any offset for nontributary pumping, are approximately 0.19 acre-feet or 0.1 cfs. To the extent the nontributary groundwater from the Triple Creek Park Wells is pumped, Aurora will reduce their daily replacement requirement by an amount equal to the amount of the well pumping. If Sand Creek becomes a perennial stream directly downstream of the Triple Creek Park Ponds, Aurora will determine depletions from evaporation on an instantaneous basis based on the monthly evaporation rates found in Aurora will allocate the necessary amount of LIRF credits available to replace such depletions to the extent such depletions are out-of-priority. To the extent Aurora utilizes their 02CW341 LIRF credits as a replacement source, Aurora will reduce their daily calculated LIRF credit at the Sand Creek Gage by an amount equal to the daily Triple Creek Park depletion. If Aurora uses any other replacement source, it will calculate depletions on a daily basis and replace water on a weekly basis as necessary to prevent injury.

- 10.3.3.1. Accounting: Aurora shall record accounting information on a daily basis, balance depletions and replacements on a weekly basis, and submit

accounting records to the Division Engineer on a monthly basis, unless the Division Engineer requires reporting on a more frequent basis. Accounting shall be submitted to the Division Engineer and Water Commissioner no later than thirty (30) days following the last day of any given month.

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.

This Ruling does not establish or require a specific accounting form. Upon entry of this decree, 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 be structured to report the following: (1) the controlling priority on the river that diversions under this ruling are subordinate to; (2) the amount of out-of-priority diversions; (3) the amount of water owed, to include depletions and any other obligations; (4) the location of where obligations are owed; (5) the amount and source of replacements; (6) a net river balance that summarizes the replacements and obligations, and; (7) any transit losses from upstream replacement deliveries. The accounting shall contain raw meter readings from measurements, from which a volume of water can be determined.

Regarding the Exchange, the accounting shall be structured to report the following: (1) all diversions by exchange at each exchange-to point; (2) all releases of water at each exchange-from point; (3) date of exchange; (4) name and location of the downstream calling water right and structure, if any; (5) whether the contemplated exchange is in priority; (6) the minimum flow in the exchange reach; and (7) the total amount of water exchanged through each river reach.

The Court retains jurisdiction in perpetuity to resolve any disputes pertaining to the accounting in this case, as further described in paragraph 30 below.

- 10.3.4. Aurora's sources of replacement water available directly and by exchange far exceed the rate of stream depletion from the Triple Creek Park gravel pits.

10.3.5. Finding of No Injury. Operation of the augmentation plan will prevent injury to any vested or decreed conditional water rights. The water to be provided for augmentation is of a quality and quantity so as to meet the requirements for which the water has been used by senior downstream appropriators, and therefore meets the requirements of C.R.S. § 37-92-305(5).

11. Integrated System: The conditional groundwater rights and conditional appropriative right of exchange decreed herein are features of an integrated water system of water rights and structures designed to facilitate the operation of Triple Creek Park as described herein.
12. Ownership and Control: Aurora is the owner of the Triple Creek Park Ponds, the Triple Creek Park Well, the Sand Creek Wastewater Treatment Plant, Aurora Reservoir, and Quincy Reservoir. The United States Geological Survey is the owner of the Sand Creek Gauge described in paragraph 8.1.3 above. Aurora has the ability to use all of the subject diversion and control structures as necessary to operate the subject water rights and plan for augmentation.

II. CONCLUSIONS OF LAW

13. The foregoing Findings of Fact are incorporated herein to the extent they constitute conclusions of law.
14. Notice and Jurisdiction: The Water Court for Division 1 has jurisdiction over the subject matter of these proceedings and over all persons and owners of property and water rights that may be affected hereby, whether or not they have chosen to appear. The Application in this matter and the resume publication of the Application placed such persons on notice of the relief requested by the Application and granted by this decree. C.R.S. §§ 37-92-203 and 302.
15. Application Complete: The Application is complete, covering all applicable matters required by the Water Right Determination and Administration Act of 1969, C.R.S. § 37-92-101 through 602, and should be granted as set forth herein.
16. Summary of Consultation: The Court has given due consideration to the Division Engineer's Summary of Consultation Report dated March 31, 2014. *See* C.R.S. § 37-92-302(4). A copy of the Summary of Consultation Report was properly served on all parties to the case. This Decree addresses the matters raised in the Summary of Consultation Report.
17. Appropriative Right of Exchange: The Court has jurisdiction to confirm an appropriative right of exchange. C.R.S. § 37-80-120.
18. Plan for Augmentation: Pursuant to C.R.S. § 37-92-305(8), the plan for augmentation is sufficient to permit the continuation of diversions when curtailment would otherwise be required to meet a valid senior call for water, because Aurora will provide adequate

replacement water necessary to meet the lawful requirements of a senior diverter at the time and location and to the extent that the senior would be deprived of his or her lawful entitlement by Aurora's diversions.

18.1. Pre-Existing Natural Depletions: An augmentation plan for a gravel pit, such as the Triple Creek Park Ponds, that expose ground water to the atmosphere need not replace the amount of historical natural depletion caused by the preexisting natural vegetative cover on the surface of the area which will be, or which has been, permanently replaced by an open water surface. C.R.S. § 37-92-305(12).

19. Integrated System: When a project or integrated system is comprised of several features, work on one feature of the project or system shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the entire project or system. C.R.S. § 37-92-301(4)(b).
20. The terms and conditions as set forth in this Ruling and Decree are adequate to prevent injury to the vested rights of others, including the owners of, or persons entitled to use water under a vested water right or a decreed conditional water right. C.R.S. § 37-92-305.
21. Administration: The plan for augmentation as described in this Ruling and Decree is capable of administration by the state water officials.
22. Burden of Proof: Aurora has complied with all requirements and has met its burden of proof to adjudicate the water rights required in the Application and is therefore entitled to a decree approving the requested water rights and plan for augmentation.

III. RULING OF REFEREE, JUDGMENT AND DECREE

23. The foregoing Findings of Fact and Conclusions of Law are hereby approved and incorporated as the Judgment and Decree of the Court by this reference.
24. The conditional water rights for the Triple Creek Park Ponds and the Plan for Augmentation as described in the Findings of Fact and Conclusions of Law above are hereby approved, confirmed and adjudicated.
25. The priorities herein awarded were filed in the water court in the year of 2013 and shall be junior to all priorities filed in previous years. As between all rights filed in the same calendar year, priorities shall be determined by historical date of appropriation and not affected by the date of entry of ruling.
26. Aurora shall install and maintain such measuring devices and keep such records as the Division Engineer may require for administration of this right.

27. Pursuant to C.R.S. § 37-92-305(8), as such statute may be revised and/or superseded by law, the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.
28. Pursuant to C.R.S. § 37-92-305(6)(a), the State Engineer shall issue well permits for the conditional water rights adjudicated herein.
29. Aurora shall provide the schedule of any releases from augmentation stations or reservoirs under this plan for augmentation to the Water Commissioner, in writing, in advance of any such release.
30. Retained Jurisdiction: Pursuant to C.R.S. § 37-92-304(6), the Court shall retain continuing jurisdiction over the plan for augmentation on the question of injury to the vested rights of others for a period of five years from the date of entry of this decree. Any person may invoke retained jurisdiction under this Decree by filing a petition to do so with this Court. Such petition shall be filed under the caption and case number of this case and shall be served on counsel of record for all parties who have appeared. Any petition to invoke retained jurisdiction shall set forth the factual basis upon which it is asserted that injury has occurred or will occur. The petitioning party shall have the initial burden of going forward to establish the facts alleged in the petition. Aurora shall bear the ultimate burden to show (a) that no injury claimed by the other party has occurred or will occur, or (b) that any modification to this Ruling and Decree sought by the other party is not required, or (c) that any term or condition proposed by Aurora in response to the petition is adequate to avoid injury.
 - 30.1. Retained Jurisdiction – Accounting: The Court shall retain continuing jurisdiction in perpetuity over the plan for augmentation on the question of the sufficiency of the accounting for this plan for augmentation, as such accounting may be revised from time to time. The Division Engineer may invoke retained jurisdiction as to this issue by filing a petition to do so with this Court. The Division Engineer shall file such petition under the caption and case number of this case, and the petition shall set forth the factual basis upon which the Division Engineer asserts that the accounting has caused or will cause injury to occur. The Division Engineer shall have the initial burden of going forward to establish the facts alleged in the petition. Aurora shall bear the ultimate burden to show (a) the accounting has not caused and will not cause the injury claimed by the Division Engineer, or (b) that any modification to the accounting for this plan for augmentation sought by the Division Engineer is not required, or (c) that any term or condition proposed by Aurora in response to the Division Engineer’s petition is adequate to avoid such injury.
 - 30.2. No Retained Jurisdiction for Exchange: The appropriative right of exchange decreed herein is an appropriative water right, and is not subject to the retained jurisdiction procedures described herein. The jurisdiction retained in this matter

applies to the plan for augmentation only, as contemplated in C.R.S. § 37-92-304(6), and shall not be construed to afford any person the opportunity to invoke such retained jurisdiction with regard to the operation of the exchange only.


31. Until the conditional ground water rights and conditional appropriative right of exchange decreed herein are made absolute or otherwise disposed of, Aurora shall file an application for a finding of reasonable diligence in every sixth calendar year after the calendar year in which the conditional rights are herein decreed, or as otherwise required by statute. If Aurora desires to maintain such conditional water rights, an application for finding of reasonable diligence shall be made on or before November 30, 2021, or a showing made on before such date that the conditional water rights have become absolute water rights by reason of completion of the appropriation, or otherwise disposed of.

It is accordingly **ORDERED** that this Ruling shall be filed with the water clerk subject to judicial review.

It is further **ORDERED** that a copy of this Ruling shall be filed with the Division Engineer and the State Engineer.

Date: November 2, 2015

BY THE REFEREE:

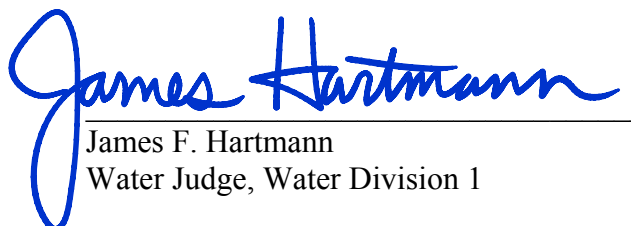


Water Referee
Water Division No. 1

The Court finds that 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.

Date: November 27, 2015

BY THE COURT:



James F. Hartmann
Water Judge, Water Division 1

ATTACHMENTS:

Exhibit A – locations of Exchange-From points, points of release of substitute supply, LIRF quantification point

Exhibit B – location of the Triple Creek Park Ponds System

Exhibit C – Aurora's water rights that may be used as a source of substitution and/or replacement

TABLE 1 - SURFACE AREA OF TRIPLE CREEK PARK PONDS

Pond Name	Maximum Water Surface Area (acres)
Pond A	0.08
Pond B	0.29
Pond C	1.18
Pond D	11.67
Pond E	5.71
Total	18.93

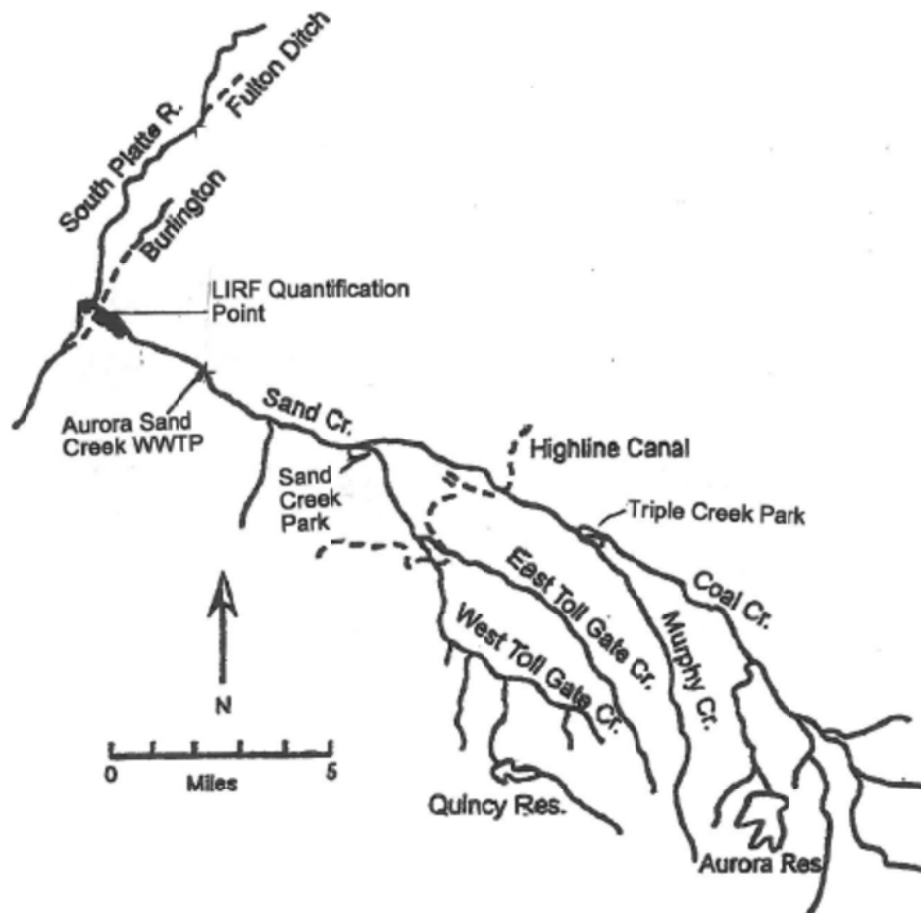
TABLE 2 – MONTHLY EVAPORATIVE LOSSES

Evaporative Losses			
	(1)	(2)	(3)
Month	Percent of Annual Evaporation	Gross Pond Evaporation (inches)	Net Pond Evaporation 18.93 Acres (acre-feet)
January	3.0%	1.35	2.13
February	3.5%	1.58	2.48
March	5.5%	2.48	3.90
April	9.0%	4.05	6.39
May	12.0%	5.40	8.52
June	14.5%	6.53	10.29
July	15.0%	6.75	10.65
August	13.5%	6.08	9.58
September	10.0%	4.50	7.10
October	7.0%	3.15	4.97
November	4.0%	1.80	2.84
December	3.0%	1.35	2.13
Total	100.0%	45.00	70.99

Notes:

- (1) Based on SEO information for elevations below 6,500 feet.
- (2) Equals 45.0 inches (NOAA Technical Report NWS 33), times column (1).
- (3) Equals 18.9 surface acres times Column (2) divided by 12.

Exhibit A



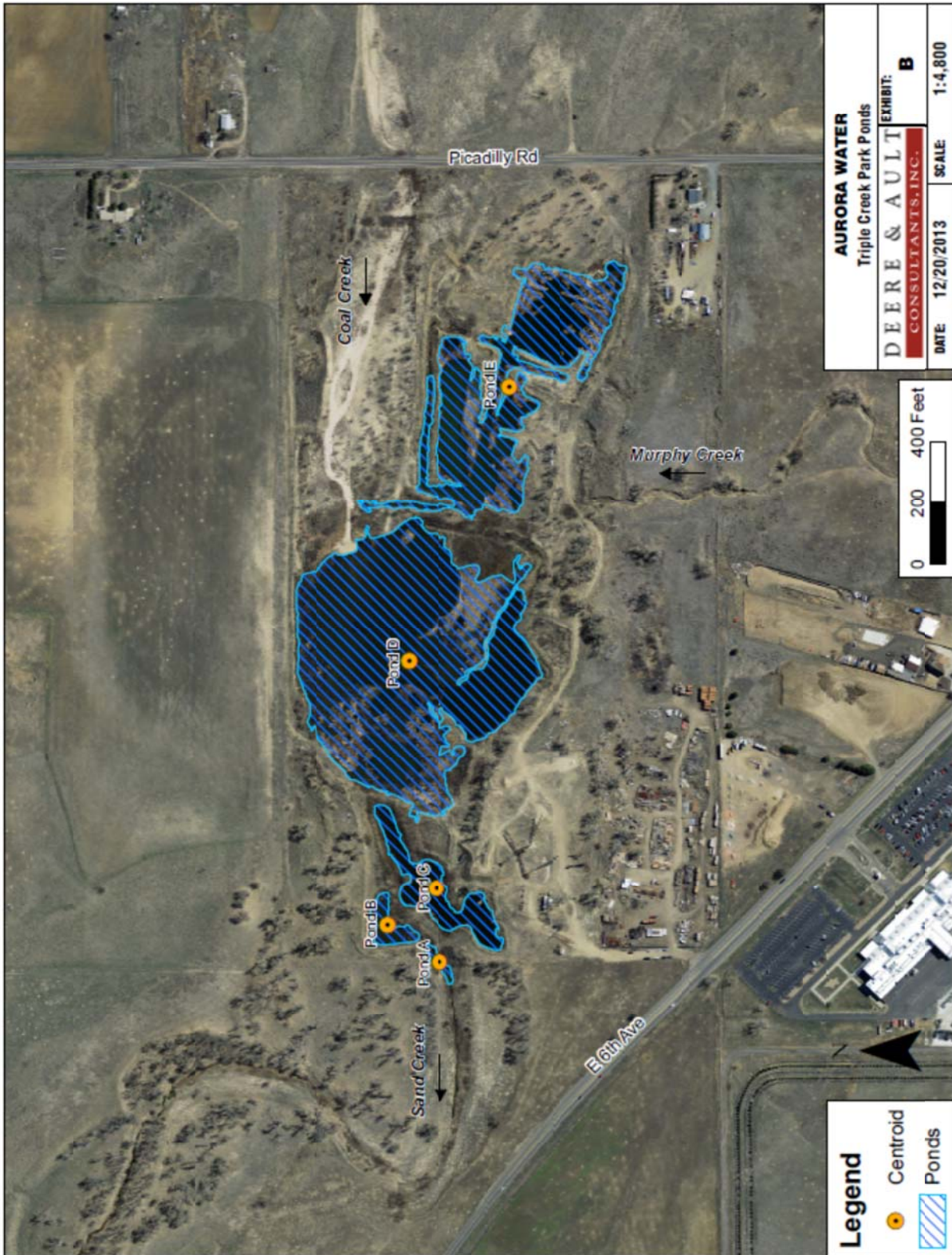


EXHIBIT C

I. SOUTH PLATTE RIVER, WATER DIVISION 1:

NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS*
MCDOWELL RANCH						W-8345-76
GUIRAUD 1 & 2	08.70 cfs	MIDDLE FORK SOUTH PLATTE	1867/07/01	1889/10/18	23	1.2 cfs
GUIRAUD DITCH	20.27 cfs	MIDDLE FORK SOUTH PLATTE	1867/07/01	1889/10/18	23	2.2 cfs
CANON DITCH	41.59 cfs	MIDDLE FORK SOUTH PLATTE	1867/07/15	1889/10/18	23	5.5 cfs
SMALL DITCH	16.00 cfs	MIDDLE FORK SOUTH PLATTE	1867/07/15	1889/10/18	23	1.1 cfs
FEHRINGER NO. 1 DITCH	17.90 cfs	MIDDLE FORK SOUTH PLATTE	1875/04/20	1889/10/18	23	1.0 cfs
FEHRINGER NO. 2 DITCH	13.60 cfs	MIDDLE FORK SOUTH PLATTE	1878/04/20	1889/10/18	23	1.0 cfs
SCHATTINGER RANCH						84CW055
BRUBAKER DITCH	02.06 cfs	JEFFERSON CREEK	1875/05/15	1889/10/18	23	1.8 cfs
CINCINNATI DITCH	05.59 cfs	FRENCH CREEK	1879/06/20	1889/10/18	23	5.6 cfs
LAVACK DITCH and ENLARGEMENT	10.00 cfs	TAIL WATER	1877/05/15	1889/10/18	23	
And LAVACK NO. 2 DITCH	03.00 cfs	VOLZ GULCH	1877/07/01	1889/10/18	23	2.4 cfs
HENRY DITCH	01.00 cfs	MOUNTAIN CREEK	1879/07/25	1889/10/18	23	1.0 cfs
ROCKER 7 RANCH						84CW056
CROSIER HAWXHURST DITCH	01.34 cfs	JEFFERSON CREEK	1875/04/25	1889/10/18	23	0.4 cfs
HAWXHURST DITCH	04.00 cfs	JEFFERSON CREEK	1876/04/25	1889/10/18	23	1.0 cfs
SNYDER CREEK DITCH	09.50 cfs	SNYDER CREEK	1884/07/08	1918/05/18	23	2.2 cfs
TETER RANCH						86CW222
DEMICK DITCH	08.00 cfs	MICHIGAN CREEK	1875/04/12	1889/10/18	23	5.20 cfs
DEMICK ENLARGEMENT	04.00 cfs	MICHIGAN CREEK	1882/03/01	1889/10/18	23	2.90 cfs

* Flow rates shown in this column indicate maximum rates and include flow rates for both the municipal use water and delayed return flow obligations, if any, as specified in each particular change decree.

NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS
DIXON-JOHNSTON RANCH						86CW223
HOPSON DITCH	06.00 cfs	UNNAMED CREEK	1872/05/15	1889/10/18	23	1.3 cfs
HOLTHUSEN DITCH	01.31 cfs	NO NAME CREEK	1875/07/01	1889/10/18	23	1.3 cfs
PEABODY DITCH	03.00 cfs	TARRYALL CREEK	1880/04/20	1889/10/18	23	1.9 cfs
PEABODY NO. 2 DITCH	04.00 cfs	TARRYALL CREEK	1881/05/10	1889/10/18	23	1.8 cfs
SIBLEY RANCH						84CW057
WILKEN DITCH	10.00 cfs	TARRYALL CREEK	1871/05/15	1889/10/18	23	1.0 cfs
RATCLIFF NO. 1 DITCH	20.00 cfs	ROCK CREEK	1872/05/01	1889/10/18	23	0.3 cfs
ROCK CREEK DITCH	02.70 cfs	ROCK CREEK	1872/06/15	1889/10/18	23	0.2 cfs
RATCLIFF NO. 2 DITCH	04.21 cfs	ROCK CREEK	1873/05/20	1889/10/18	23	0.8 cfs
BORDEN NO. 2 DITCH	04.63 cfs	TARRYALL CREEK	1874/11/01	1889/10/18	23	0.6 cfs
MARY G. BORDEN DITCH	03.00 cfs	TARRYALL CREEK	1874/11/30	1889/10/18	23	0.3 cfs
RATCLIFF NO. 3 DITCH	04.06 cfs	ROCK CREEK	1875/05/01	1889/10/18	23	0.6 cfs
MCMAHUS DITCH	10.00 cfs	TARRYALL	1876/05/01	1889/10/18	23	0.3 cfs
LEE NO. 1 DITCH	01.08 cfs	ROCK CREEK	1876/06/01	1889/10/18	23	0.3 cfs
LEE NO. 2 DITCH	00.50 cfs	ROCK CREEK	1877/05/01	1889/10/18	23	0.1 cfs
ROCK CREEK NO. 1 DITCH	01.35 cfs	ROCK CREEK	1877/06/30	1889/10/18	23	0.5 cfs
BORDEN DITCH ENLARGEMENT	05.00 cfs	TARRYALL CREEK	1879/12/31	1889/10/18	23	1.9 cfs
DUNBAR NO. 3 DITCH	02.00 cfs	TARRYALL CREEK	1880/05/30	1889/10/18	23	0.3 cfs
RATCLIFF NO. 4 DITCH	03.16 cfs	ROCK CREEK	1880/06/01	1889/10/18	23	0.2 cfs
RATCLIFF NO. 5 DITCH	03.16 cfs	ROCK CREEK	1880/06/09	1889/10/18	23	0.2 cfs
DUNBAR NO. 2 DITCH	04.05 cfs	TARRYALL CREEK	1880/08/01	1889/10/18	23	0.5 cfs
RATCLIFF NO. 7 DITCH	02.05 cfs	ROCK CREEK	1882/05/01	1889/10/18	23	0.2 cfs
RATCLIFF NO. 6 DITCH	02.05 cfs	ROCK CREEK	1882/05/01	1889/10/18	23	0.2 cfs
RATCLIFF NO. 9 DITCH	04.10 cfs	ROCK CREEK	1882/05/21	1889/10/18	23	0.2 cfs
RATCLIFF NO. 8 DITCH	04.32 cfs	ROCK CREEK	1882/05/21	1889/10/18	23	0.2 cfs
LEE NO. 3 DITCH	00.39 cfs	ROCK CREEK	1884/05/15	1889/10/18	23	0.3 cfs
LEE NO. 4 DITCH	00.39 cfs	ROCK CREEK	1884/05/21	1889/10/18	23	0.2 cfs
FURMAN RANCH						88CW262
LASSELL DITCH	09.60 cfs	MICHIGAN CREEK	1882/05/01	1889/10/18	23	1.5 cfs
FREMONT DITCH	20.00 cfs	TARRYALL CREEK	1889/07/01	1896/05/23	23	5.7 cfs
SCHATTINGER WASTE DITCH	07.00 cfs	SLOUGH	1895/10/09	1913/05/22	23	6.7 cfs

EXHIBIT C

<u>NAME</u>	<u>DECREED AMOUNT</u>	<u>DECREED SOURCE</u>	<u>APPROP. DATE</u>	<u>ADJUD. DATE</u>	<u>WATER DIST.</u>	<u>ADJUDICATION & CHANGED AMOUNTS</u>
MICHIGAN CREEK RANCH						88CW263
WHITTEN DITCH	06.48 cfs	MICHIGAN CREEK	1880/03/15	1889/10/18	23	2.4 cfs
PACKER DITCH	12.00 cfs	TARRYALL CREEK	1880/06/20	1889/10/18	23	2.0 cfs
McARTNEY DITCH	46.875 cfs	TARRYALL CREEK	1885/05/20	1889/10/18	23	2.6 cfs
WHITTEN DITCH NO. 2	04.00 cfs	MICHIGAN CREEK	1885/06/01	1913/05/22	23	3.5 cfs
WHITTEN DITCH NO. 3	05.00 cfs	MICHIGAN CREEK	1885/06/01	1913/05/22	23	Combined with No. 2
WHITTEN DITCH NO. 4	07.00 cfs	MICHIGAN CREEK	1885/06/01	1913/05/22	23	Combined with No. 2
AUGUSTINE RANCH						CA 3684, CA-3705 and W-7528
PRINCE DITCH	10.00 cfs	MIDDLE FORK SOUTH PLATTE	1868/08/01	1889/10/18	23	9.6 cfs
PRINCE DITCH ENLARGEMENT	45.60 cfs	MIDDLE FORK SOUTH PLATTE	1876/05/10	1889/10/18	23	3.4 cfs
HIGH CREEK RANCH						W-7931-75
ALDEN AND MILLIGAN DITCH	10.00 cfs	FOUR MILE CREEK	1873/08/31	1889/10/18	23	0.8 cfs
KESTER SWEET DITCH	05.08 cfs	SOUTH FORK SOUTH PLATTE	1874/06/01	1889/10/18	23	2.6 cfs
HUBBARD DITCH	19.00 cfs	SOUTH FORK SOUTH PLATTE	1876/05/22	1889/10/18	23	5.0 cfs
MILLIGAN DITCH	17.55 cfs	FOUR MILE CREEK	1877/05/01	1889/10/18	23	1.1 cfs
FRANKS DITCH	09.00 cfs	SOUTH FORK SOUTH PLATTE	1877/06/15	1889/10/18	23	1.5 cfs
DIXON-DECOURSEY DITCH	04.00 cfs	SOUTH FORK SOUTH PLATTE	1877/06/15	1889/10/18	23	2.1 cfs
ELISHA ALDEN DITCH	19.03 cfs	MIDDLE FORK SOUTH PLATTE	1879/05/21	1889/10/18	23	3.4 cfs
ROGERS DITCH	42.74 cfs	SOUTH FORK SOUTH PLATTE	1880/05/10	1889/10/18	23	1.8 cfs
TROUT CREEK RANCH						W-9242-78(A) and Stipulation to Modify Decree
TROUT CREEK DITCH	ENTIRE FLOW	TROUT CREEK	1862/07/01	1889/10/18	23	6.8 cfs
SIGAFUS DITCH (No. 1)	25.00 cfs	MIDDLE FORK SOUTH PLATTE	1873/05/25	1889/10/18	23	16.1 cfs
SIGAFUS FIRST ENLARGEMENT	25.00 cfs	MIDDLE FORK SOUTH PLATTE	1875/05/01	1889/10/18	23	
SIGFUS SECOND ENLARGEMENT	10.00 cfs	MIDDLE FORK SOUTH PLATTE	1876/05/10	1913/05/22	23	5.1 cfs
SIGAFUS DITCH (No 2)	02.00 cfs	MIDDLE FORK SOUTH PLATTE	1874/12/31	1913/05/22	23	

EXHIBIT C

NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS
PLATTE-ANSLEY RANCH						
BONNELL DITCH	27.00 cfs	MIDDLE FORK SOUTH PLATTE	1882/05/08	1889/10/18	23	W-9242-78(B) 8.4 cfs T
BONNELL DITCH-2	10.00 cfs	SOUTH PLATTE	1882/06/20	1889/10/18	23	
RAYNOR & EDMONDSON DITCH-1	20.00 cfs	SOUTH PLATTE	1882/06/10	1889/10/18	23	2.9 cfs
RAYNOR & EDMONDSON DITCH-2	25.00 cfs	SOUTH PLATTE	1879/07/15	1889/10/18	23	2.6 cfs
RAYNOR & EDMONDSON DITCH-3	05.85 cfs	SOUTH PLATTE	1882/06/15	1889/10/18	23	1.3 cfs
RAYNOR & EDMONDSON DITCH-4	02.00 cfs	SOUTH PLATTE	1882/06/28	1889/10/18	23	0.5 cfs
RAYNOR & EDMONDSON DITCH-5	20.00 cfs	SOUTH PLATTE	1882/06/14	1889/10/18	23	2.1 cfs
EDMONDSON SEEPAGE DITCH	10.00 cfs	SEEPAGE	1882/06/10	1918/05/18	23	
SPRING BRANCH DITCH	ENTIRE FLOW	SPRING	1879/07/01	1889/10/18	23	1.5 cfs
DITCH NO. 52	10.00 cfs			1889/10/18	23	
ALKALINE DITCH	27.00 cfs	MIDDLE FORK SOUTH PLATTE	1885/07/05	1889/10/18	23	
JANITELL RANCH						
BURNS AND SESSIONS DITCH	09.36 cfs	JEFFERSON CREEK	1874/10/01	1889/10/18	23	W-7936-75 5.99 cfs
RANDALL & NICHOLAS DITCH	10.00 cfs	MICHIGAN CREEK	1874/10/14	1889/10/18	23	1.62 cfs
BRUBAKER DITCH	05.19 cfs	JEFFERSON CREEK	1875/05/15	1889/10/18	23	2.03 cfs
OHLEH GULCH DITCH	ENTIRE FLOW	OHLEH GULCH	1878/04/01	1889/10/18	23	1.63 cfs
O'NEIL DITCH	01.10 cfs	TARRYALL CREEK	1879/05/10	1889/10/18	23	5.26 cfs
ANCHOR DITCH	04.10 cfs	JEFFERSON CREEK	1879/05/20	1889/10/18	23	5.50 cfs
CINCINNATI DITCH	00.90 cfs	MICHIGAN CREEK	1879/06/20	1889/10/18	23	0.64 cfs
WHITTEN DITCH	04.50 cfs	MICHIGAN CREEK	1880/03/15	1889/10/18	23	0.14 cfs
SESSIONS DITCH	02.35 cfs	MICHIGAN CREEK	1880/07/31	1889/10/18	23	0.83 cfs
SKELTON DITCH	06.50 cfs	MICHIGAN CREEK	1880/11/01	1889/10/18	23	3.37 cfs
MESA DITCH	05.00 cfs	MICHIGAN CREEK	1881/11/15	1889/10/18	23	
CRAIG DITCH	06.60 cfs	JEFFERSON CREEK	1882/05/05	1889/10/18	23	1.63 cfs
LITMER DITCH	02.00 cfs	JEFFERSON CREEK	1882/06/15	1889/10/18	23	0.79 cfs
SCHATTINGER DITCH	02.16 cfs	MICHIGAN CREEK	1883/06/01	1889/10/18	23	0.19 cfs
LITMER DITCH ENLARGEMENT	01.42 cfs	JEFFERSON CREEK	1883/11/13	1889/10/18	23	
OHLEH DITCH	07.00 cfs	JEFFERSON CREEK	1888/06/25	1889/10/18	23	3.22 cfs

EXHIBIT C

NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS
HURON RANCH						W-7595-74
PRUDEN DITCH	13.51 cfs	PRUDEN CREEK	1874/06/15	1889/10/18	23	1.1 cfs
SADLER DITCH	49.00 cfs	MIDDLE FORK SOUTH PLATTE	1875/05/31	1889/10/18	23	4.8 cfs
BALM OF GILEAD DITCH	13.50 cfs	BAUM OF GILEAD CRK	1876/07/15	1889/10/18	23	0.9 cfs
FOSTER DITCH	42.00 cfs	MIDDLE FORK SOUTH PLATTE	1876/07/31	1889/10/18	23	4.5 cfs
HOT SPRINGS DITCH	28.00 cfs	SOUTH FORK SOUTH PLATTE	1877/05/15	1889/10/18	23	8.8 cfs
CENTRAL DITCH	33.00 cfs	MIDDLE FORK SOUTH PLATTE	1877/06/01	1889/10/18	23	3.7 cfs
FRITZ DITCH2	24.00 cfs	SOUTH FORK SOUTH PLATTE	1877/07/01	1889/10/18	23	5.1 cfs
PIERCE DITCH	55.00 cfs	SOUTH FORK SOUTH PLATTE	1880/06/01	1889/10/18	23	2.5 cfs
WESTERN DITCH	66.00 cfs	MIDDLE FORK SOUTH PLATTE	1881/10/01	1889/10/18	23	25.9 cfs
ROGERS NORTH DITCH	16.80 cfs	MIDDLE FORK SOUTH PLATTE	1879/05/15	1889/10/18	23	0.6 cfs
DIVINE HILL DITCH	49.00 cfs	MIDDLE FORK SOUTH PLATTE	1882/05/31	1889/10/18	23	8.6 cfs
HARRINGTON SOUTH DITCH	43.00 cfs	MIDDLE FORK SOUTH PLATTE	1882/09/15	1889/10/18	23	4.4 cfs
RICHARDS LOWER DITCH	45.00 cfs	MIDDLE FORK SOUTH PLATTE	1882/09/15	1889/10/18	23	
HARRINGTON & RICKARDS DITCH	94.00 cfs	MIDDLE FORK SOUTH PLATTE	1884/10/15	1889/10/18	23	9.5 cfs
ROBBINS NO. 1 DITCH	02.00 cfs	SIMS CREEK	1872/05/01	1913/05/22	23	
ROBBINS-SIMS DITCH	01.80 cfs	SIMS CREEK	1873/05/01	1913/05/22	23	
ROBBINS NO. 2 DITCH	01.80 cfs	SIMS CREEK	1873/06/01	1913/05/22	23	
SIMS DITCH	04.00 cfs	SIMS CREEK	1876/06/01	1913/05/22	23	
SPRING DITCH NO. 1	01.90 cfs	SIMS CREEK	1877/05/01	1913/05/22	23	
SPRING DITCH NO. 2	00.72 cfs	NO NAME CREEK	1877/05/01	1913/05/22	23	
THREE MILE DITCH	05.00 cfs	3 MILE CREEK	1904/04/01	1913/05/22	23	
LEFT HAND DITCH	05.00 cfs	LEFT HAND CREEK	1906/04/01	1913/05/22	23	
HENRY E. ROGERS DITCH NO. 1	08.00 cfs	CROSS CREEK	1874/05/15	1918/05/18	23	
HENRY E. ROGERS DITCH NO. 2	01.00 cfs	UNION CREEK	1874/06/15	1918/05/18	23	
PONCHO VILLA DITCH	02.00 cfs	BUFFALO SLOUGH	1917/05/31	1918/05/18	23	
JARDON DITCH	01.00 cfs	SOUTH FORK SOUTH PLATTE	1919/06/10	1953/03/24	23	
LEFT HAND GULCH DITCH	01.05 cfs	LEFT HAND CREEK	1927/01/10	1953/03/24	23	
BROWN DITCH	03.40 cfs	SPRING CREEK	1947/09/22	1953/03/24	23	

EXHIBIT C

NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS
SIMMS DITCH	04.80 cfs	EAST FOREST RANGER STA. CREEK	1947/09/23	1953/03/24	23	
SPRING CREEK DITCH	08.00 cfs	SPRING CREEK	1947/09/25	1953/03/24	23	
MAGNA NO. 1 EAST DITCH	15.00 cfs	SPRING CREEK	1947/10/04	1953/03/24	23	
MAGNA NO. 1 WEST DITCH	07.35 cfs	SPRING CREEK	1947/10/04	1953/03/24	23	
JORDAN EAST DITCH	13.65 cfs	WEST FORK SPRING CREEK	1947/10/11	1953/03/24	23	
JORDAN WEST DITCH	00.60 cfs	SPRING CREEK	1947/10/11	1953/03/24	23	
HARRINGTON & RICKARDS RANCH	01.00 cfs	MIDDLE FORK SOUTH PLATTE	1884/12/31	1913/05/22	23	
TOTAL-SOUTH SIDE JUNIORS			1889/12/02		23	4.3 cfs
BADGER BASIN RANCH						W-9234-78
DANIEL FYFFE DITCH	06.00 cfs	FOUR MILE CREEK	1874/06/01	1889/10/18	23	0.41 cfs
DONOVAN DITCH	45.00 cfs	FOUR MILE CREEK	1878/05/15	1889/10/18	23	2.48 cfs
MAIN OR HOTEL DITCH	29.00 cfs	SOUTH FORK SOUTH PLATTE	1879/04/15	1889/10/18	23	5.73 cfs
THOMPSON DITCH	31.00 cfs	MIDDLE FORK SOUTH PLATTE	1881/04/02	1889/10/18	23	7.86 cfs
HARRIS DITCH	16.45 cfs	FOUR MILE CREEK	1881/05/01	1889/10/18	23	0.49 cfs
HARTSEL FOURMILE DITCH2	22.00 cfs	FOUR MILE CREEK	1885/06/08	1889/10/18	23	1.33 cfs
HIGH CREEK NO. 2 DITCH	02.00 cfs	HIGH CREEK	1880/06/01	1913/05/22	23	0.26 cfs
FOURMILE NO. 1 DITCH	02.00 cfs	FOUR MILE CREEK	1880/06/01	1913/05/22	23	0.75 cfs
FOURMILE NO. 2 DITCH	02.00 cfs	FOUR MILE CREEK	1880/06/01	1913/05/22	23	0.41 cfs
EUHLER DITCH	06.50 cfs	MIDDLE FORK SOUTH PLATTE	1892/03/01	1918/05/18	23	0.76 cfs
FIRST FIELD DITCH	03.00 cfs	THREE MILE SLOUGH	1892/09/01	1918/05/18	23	0.34 cfs
THREE MILE DITCH	05.25 cfs	THREE MILE SLOUGH	1892/10/31	1918/05/18	23	0.22 cfs
COIL RANCH						W-9448-78
MILLER & CHAPMAN DITCH	10.00 cfs	MIDDLE FORK SOUTH PLATTE	1873/05/23	1889/10/18	23	2.84 cfs
ANDERSON NO. 3 DITCH	06.40 cfs	MIDDLE FORK SOUTH PLATTE	1873/07/01	1889/10/18	23	3.13 cfs
ANDERSON NO. 2 DITCH	10.45 cfs	MIDDLE FORK SOUTH PLATTE	1875/05/25	1889/10/18	23	4.23 cfs
MILLER & CHAPMAN DITCH ENLARGEMENT	02.00 cfs	MIDDLE FORK SOUTH PLATTE	1878/06/20	1889/10/18	23	0.38 cfs
ANDERSON No. 1 DITCH	22.00 cfs	MIDDLE FORK SOUTH PLATTE	1881/04/20	1889/10/18	23	3.13 cfs

EXHIBIT C

NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS
DF MILLER NO. 1 DITCH	126.20 cfs	MIDDLE FORK SOUTH PLATTE	1881/05/10	1889/10/18	23	2.86 cfs
PARK DITCH	60.00 cfs	MIDDLE FORK SOUTH PLATTE	1882/06/10	1889/10/18	23	2.69 cfs
"DITCH" DITCH	50.00 cfs	MIDDLE FORK SOUTH PLATTE	1887/05/24	1889/10/18	23	
MCNULTY RANCH						79CW274
CHAPELLE DITCH	05.00 cfs	SOUTH FORK SOUTH PLATTE	1873/09/01	1889/10/18	23	1.48 cfs
KESTER SWEET DITCH	20.31 cfs	SOUTH FORK SOUTH PLATTE	1874/06/01	1889/10/18	23	7.94 cfs
BURLINGAME DITCH	06.75 cfs	SOUTH FORK SOUTH PLATTE	1878/08/10	1889/10/18	23	0.21 cfs
WEAVER NO. 3 DITCH	01.35 cfs	SOUTH FORK SOUTH PLATTE	1887/07/12	1889/10/18	23	0.09 cfs
BURLINGAME NO. 3 DITCH	01.62 cfs	SOUTH FORK SOUTH PLATTE	1888/06/10	1889/10/18	23	0.19 cfs
MILLER DEYARMAN DITCH	00.75 cfs	SOUTH FORK SOUTH PLATTE	1885/06/01	1913/05/22	23	0.13 cfs
WALKER RANCH						79CW351
HAYER NO. 1 DITCH	24.32 cfs	SOUTH FORK SOUTH PLATTE	1873/06/25	1889/10/18	23	0.88 cfs
PARMALEE & SHOEMAKER NO. 1 DITCH	30.54 cfs	SOUTH FORK SOUTH PLATTE	1875/05/20	1889/10/18	23	1.37 cfs
PARMALEE & SHOEMAKER NO. 3 DITCH	30.48 cfs	SOUTH FORK SOUTH PLATTE	1876/06/15	1889/10/18	23	0.86 cfs
ISLAND DITCH	12.67 cfs	SOUTH FORK SOUTH PLATTE	1876/06/30	1889/10/18	23	0.72 cfs
HAYER NO. 2 DITCH	29.98 cfs	SOUTH FORK SOUTH PLATTE	1876/07/01	1889/10/18	23	1.12 cfs
PARMALEE & SHOEMAKER NO. 2 DITCH	44.30 cfs	SOUTH FORK SOUTH PLATTE	1877/06/01	1889/10/18	23	2.61 cfs
HAYER NO. 3 DITCH	09.47 cfs	SOUTH FORK SOUTH PLATTE	1887/05/01	1889/10/18	23	2.53 cfs
BLACK MOUNTAIN RANCH						84CW010
BINKLEY NO. 2 DITCH	20.00 cfs	TWELVE MILE CREEK	1878/08/013	1889/10/18	23	0.59 cfs
BURLINGAME DITCH	20.25 cfs	SOUTH FORK SOUTH PLATTE	1878/08/10	1889/10/18	23	1.61 cfs
BINKLEY DITCH	25.00 cfs	TWELVE MILE CREEK	1879/09/01	1889/10/18	23	0.09 cfs
SOUNDERS & WOLFE NO. 6 DITCH	11.68 cfs	SOUTH FORK SOUTH PLATTE	1887/05/25	1889/10/18	23	0.21 cfs
ROGERS DITCH	14.30 cfs	HIGH CREEK	1884/06/01	1893/10/30	23	0.19 cfs
ROGERS AND MILLER DITCH	12.50 cfs	TWELVE MILE CREEK	1901/05/27	1913/05/22	23	0.68 cfs
WINKLER DITCH	01.50 cfs	TWELVE MILE CREEK	1879/06/01	1913/05/22	23	0.35 cfs

EXHIBIT C

NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS
COLLARD RANCH						88CW228
DUNBAR DITCH	07.00 cfs	TARRYALL CREEK	1876/04/05	1889/10/18	23	3.66 cfs
DUNBAR DITCH NO. 1	18.00 cfs	TARRYALL CREEK	1881/06/01	1889/10/18	23	1.43 cfs
INDIAN MOUNTAIN RANCH						84CW065
HARLAND DITCH	27.00 cfs	TARRYALL CREEK	1878/05/20	1889/10/18	23	3.28 cfs
SLATER DITCH	14.00 cfs	TARRYALL CREEK	1880/05/20	1889/10/18	23	1.25 cfs
JOHNSON RANCH						92CW156
BAKER & LILLEY DITCH	07.30 cfs	DEADMAN GULCH	1875/06/01	1889/10/18	23	1.52 cfs
W.R. HEAD DITCH	05.70 cfs	JEFFERSON CREEK	1879/09/01	1889/10/18	23	3.91 cfs
NOTE: Decree shows allowed diversions of 2.99 cfs + 0.92 cfs = 3.91 cfs.						
W.R. HEAD NO. 3 DITCH	01.80 cfs	JEFFERSON CREEK	1881/05/10	1889/10/18	23	0.73 cfs
NOTE: Decree shows allowed diversions of 0.57 cfs + 0.16 cfs = 0.73 cfs.						
W.R. HEAD NO. 4 DITCH	02.44 cfs	JEFFERSON CREEK	1881/05/15	1889/10/18	23	1.65 cfs
STEINER RANCH						93CW140
BRUBAKER DITCH	2.063 cfs	JEFFERSON CREEK	1875/05/15	1889/10/18	23	1.70 cfs
LAST CHANCE DITCH NO.2						91CW117
PLATTE CANYON DITCH	08.50 cfs	SOUTH PLATTE	1863/12/30	1883/12/10	8	1.92 cfs
NEVADA DITCH	01.00 cfs	SOUTH PLATTE	1865/12/30	1883/12/10	8	
LAST CHANCE DITCH (PR-39)	32.00 cfs	SOUTH PLATTE	1868/03/03	1883/12/10	8	3.64 cfs
NOTE: These flow rates appear as max rates in decree.						
Case No. 95CW226 & 227 (As augmented with reusable sources)		CHERRY CREEK WELL FIELD				
Case No. W-6452 (Augmented in Case No. 85CW371)		BE-WELLS 1, 2, & 3				
Case No. 80CW232 (Augmented in Case No. 87CW210)		BEHRENS WELLS				

EXHIBIT C

NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS
STRONTIA SPRINGS DIVERSION	225 cfs	SOUTH PLATTE	2004/08/30	2009/07/13	8	04CW218
TUCSON SOUTH / ARR-B STORAGE FACILITY	10,400 AF	SOUTH PLATTE	2003/12/08	2007/08/01	2	03CW414
AURORA, QUINCY, AND EAST RESERVOIRS	18,707 AF 2,693 AF 25,000 AF	SOUTH PLATTE	2003/12/08	2008/05/14	2	03CW415
PRAIRIE WATERS PROJECT Involves a conditional underground storage right, surface storage right, tributary ground water rights, and appropriative rights of exchange	19,000 AF 19,000 AF 77.4 cfs 21,000 AF	SOUTH PLATTE	2006/04/28	2009/05/06		06CW104
ROBERT W. WALKER RESERVOIR	2,000 AF	SOUTH PLATTE	1997/10/21	2000/05/10	2	97CW272 06CW129
STILLWATER RANCH RESERVOIR	1,600 AF	SOUTH PLATTE	1997/09/12	2000/05/10	2	97CW392 06CW130
UCCWA	27,848 AF	CHERRY CREEK	N/A	2007/12/04		01CW284
BRIGHTON DITCH Aurora Owns 9,023 Shares	22.22 cfs 22.58 cfs	SOUTH PLATTE SOUTH PLATTE	1863/12/01 1871/11/01	1883/04/28 1883/04/28	2 2	07CW037 16.13 cfs/943 AF (7.203 shares) 4.08 cfs/255 AF (1.82 shares)
AURORA LAWN IRRIGATION RETURN FLOWS	N/A			2008/09/25 as amended on 2008/12/18		02CW341
SHOP CREEK LIRFs	N/A			2001/08/01		Case Nos. 95CW226 and 227

II. ARKANSAS RIVER, WATER DIVISION 2:

NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS
BURROUGHS RANCH						
YOUNGER NO. 1 DITCH	5.71 cfs	Arkansas River	1879/05/15	1902/07/15	11	W-4799 & 82CW182 0.77 cfs
YOUNGER NO. 2 DITCH	6.29 cfs	Arkansas River	1879/05/15	1902/07/15	11	0.85 cfs
BEAVER DAM DITCH	1.43 cfs	Arkansas River	1881/05/15	1902/07/15	11	0.08 cfs
YOUNGER WASTE DITCH	3.00 cfs	Springs and Seepage	1892/05/01	1911/06/09	11	zero
BUFFALO PARK RANCH						
UPPER DITCH	4.80 cfs	Half Moon Creek	1881/05/07	1890/06/19	11	89CW042 1.4 cfs
ABBOTT & LOPER DITCH	1.00 cfs	Half Moon Creek	1882/04/25	1890/06/19	11	0.4 cfs
ABBOTT & LOPER DITCH (2nd)	5.40 cfs	Half Moon Creek	1887/05/07	1890/06/19	11	1.5 cfs
ABBOTT & LOPER DITCH (3rd)	0.50 cfs	Half Moon Creek	1885/03/19	1911/01/27	11	zero
HALFMOON DITCH	0.30 cfs	Half Moon Creek	1887/05/28	1890/06/19	11	zero
LORD-COLAHAN DITCH	1.50 cfs	Half Moon Creek	1890/06/19	1910/07/12	11	zero
LORD-COLAHAN DITCH (2nd)	0.14 cfs	Half Moon Creek	1887/06/01	1911/01/27	11	zero
HARL DITCH	1.00 cfs	Half Moon Creek	1885/03/19	1911/01/27	11	zero
HARL DITCH (2nd)	2.80 cfs	Half Moon Creek	1901/09/01	1911/01/27	11	zero
COLAHAN NO. 1 DITCH	0.20 cfs	Half Moon Creek	1885/06/01	1911/01/27	11	zero
COLAHAN NO. 1 DITCH (2nd)	0.40 cfs	Half Moon Creek	1901/09/01	1911/01/27	11	zero
COLAHAN & LOPER DITCH	0.50 cfs	Half Moon Creek	1887/06/01	1911/01/27	11	zero
SPURLIN-SHAW RANCH						
DelLappe Ditch	5.00 cfs	Arkansas River	1887/06/16	1908/01/21	11	98CW137(A&B) zero
Henderson - DelLappe Ditch	10.00 cfs	Lake Fork Creek	1887/05/01	1907/07/10	11	3.14 cfs
Wells & Starr Ditch	8.00 cfs	Arkansas River	1882/05/01	1907/07/10	11	1.73 cfs
Henderson Rock Creek Ditch	3.44 cfs	Rock Creek	1878/08/01	1913/07/14	11	1.23 cfs
HAYDEN RANCH						
Upper River Ditch	14.00 cfs	Arkansas River	1879/05/15	1901/01/31	11	98CW137(A&B) 4.01 cfs
Pioneer Ditch	7.00 cfs	Arkansas River	1878/04/08	1901/01/31	11	2.57 cfs
Champ Ditch	5.00 cfs	Arkansas River	1877/06/25	1901/01/31	11	0.28 cfs
Wheel Ditch	16.00 cfs	Arkansas River	1880/05/05	1901/01/31		0.10 cfs

EXHIBIT C

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NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS
COLORADO CANAL COMPANIES						84CW062, 84CW063, & 84CW064
Colorado Canal	756.28 cfs	Arkansas River	1890/06/09	1896/03/23	14	
Lake Meredith Reservoir	26,028 AF	Arkansas River	1898/03/09	1916/11/25	14	
Lake Henry Reservoir	6,355 AF	Arkansas River	1891/12/31	1916/11/25	14	
Lake Henry Reservoir	2,000 AF	Arkansas River	1900/09/10	1932/10/13	14	
Lake Henry Reservoir	3,561 AF	Arkansas River	1909/06/15	1916/11/25	14	
ROCKY FORD DITCH COMPANY						83CW018 & 99CW169(A)
ROCKY FORD DITCH	111.76 cfs	Arkansas River	1874/05/15	1905/04/08	17	58.00 cfs
ROCKY FORD DITCH	96.54 cfs	Arkansas River	1890/05/06	1905/04/08	17	Zero
ROCKY FORD DITCH EXCHANGES						
ROCKY FORD I EXCHANGES	500.00 cfs	Arkansas River	1987/12/21	1987/12/31		87CW063
ROCKY FORD II EXCHANGES	500.00 cfs	Arkansas River	1999/12/28	1999/12/31		99CW170(A&B)
BOX CREEK RES. EXCHANGES						
	50.00 cfs		2001/12/17	2012/10/30		01CW145

III. COLORADO RIVER, WATER DIVISION 5:

NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS (FULLY REUSABLE)
HOMESTAKE SYSTEM						
	1195 cfs	Tributaries to the Colorado River	09/22/1952	07/23/1958	37	Case No. 1193, District Court, Eagle County
	1530 cfs	Eagle River and other tributaries to the Colorado River	1988/12/19	2002/08/21		Case No. 88CW449, Water Division 5
	800 AF	Eagle River and other tributaries to the Colorado River	1995/02/13	2011/03/16, and 02/06/2003		Case Nos. 95CW272 and 98CW270, Water Division 5
TWIN LAKES SYSTEM						
	57,000 AF (Average)	Roaring Fork River, tributary to the Colorado River	1930/08/23	05/12/1976		Case No. W-1901, Water Division 5
	4,650 AF	Roaring Fork River, tributary to the Colorado River	1994/06/08	04/20/2001		Case No. 95CW321, Water Division 5
HOMESTAKE EXCHANGE						
	800 AF	Homestake Reservoir	1995/02/13	2003/02/06		Case No. 98CW270
BUSK-IVANHOE SYSTEM						
Ivanhoe Reservoir	1,200 AF	Ivanhoe Creek and Tribs.	1921/06/27	1928/01/09		Case No. 09CW142 (pending) Water Division 2
Ivanhoe Reservoir & Tunnel	35 cfs		1921/06/27			
Lyle Ditch	50 cfs		1924/09/28			
Pan Ditch	25 cfs		1924/10/05			
Hidden Lake Creek Ditch	70 cfs		1927/08/30			
COLUMBINE SYSTEM						
SENIOR RIGHT						
	60 cfs	Tributary to East Fork of Eagle River	1930/06/21	2013/08/04		Case No. 09CW187
JUNIOR RIGHT						
	60 cfs	Tributary to East Fork of Eagle River	2009/12/17	2013/08/04		Case No. 09CW188

IV. DENVER BASIN DEEP AQUIFER GROUND WATER:

CASE NO. and NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS (FULLY REUSABLE)
01CW297—Aurora ARAPAHOE COUNTY, Post-1985, North of Quincy	4879 AF 2604 AF 2227 AF 2990 AF	Denver Aquifer Upper Arapahoe Aquifer Lower Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	03/01/2005		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
01CW298—Aurora ARAPAHOE COUNTY, Pre-1985	207 AF 8455 AF 3334 AF 3658 AF 7067 AF	Lower Dawson Aquifer Denver Aquifer Upper Arapahoe Aquifer Lower Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	03/01/2005		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
01CW299—Aurora DOUGLAS COUNTY, Post-1985	63.9 AF	Upper Dawson Aquifer	N/A	03/01/2005		Same as Decreed Amount (Less Replacement Deductions)
01CW300—Aurora ARAPAHOE COUNTY, Post-1985, South of Quincy	1007 AF 1988 AF 206 AF 246 AF 164 AF 1386 AF	Lower Dawson Aquifer Denver Aquifer Upper Arapahoe Aquifer Lower Arapahoe Aquifer Undiff. Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	03/01/2005		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
01CW301—Aurora ADAMS COUNTY, Pre-1985	1691 AF 1190 AF 1495 AF 2561 AF	Denver Aquifer Upper Arapahoe Aquifer Lower Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	12/07/2004		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
01CW302—Aurora ADAMS COUNTY, Post-1985	3052 AF 1199 AF 1221 AF 1712 AF	Denver Aquifer Upper Arapahoe Aquifer Lower Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	08/23/2005		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
84CW241—Aurora ARAPAHOE COUNTY, (Bradbury Family Partnership)	42 AF 150 AF 176 AF 101 AF	Lower Dawson Aquifer Denver Aquifer Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	11/04/1988		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
98CW420—Aurora ARAPAHOE COUNTY, Aurora (Quick and Bellamah)	278 AF	Arapahoe Aquifer	N/A	04/28/1999		Same as Decreed Amount (Less Relinquishment Deduction)

CASE NO. and NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS (FULLY REUSABLE)
96CW211—Aurora ARAPAHOE COUNTY Havana Office Park Well	33 AF	Arapahoe Aquifer	N/A	10/20/1997		Same as Decreed Amount (Less Relinquishment Deduction)
91CW-007—Aurora ARAPAHOE COUNTY, Senae Wells	1141 AF	Arapahoe Aquifer	N/A	04/30/1993		Same as Decreed Amount (Less Relinquishment Deduction)
86CW-219—Aurora ARAPAHOE COUNTY, Senae Wells	776 AF 297 AF 171 AF	Denver Aquifer Upper Arapahoe Aquifer Lower Arapahoe Aquifer	N/A	06/25/1987		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
80CW 360(A)—Aurora ARAPAHOE COUNTY, Kings Point	189 AF 94 AF	Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	03/01/1984 Replacement Decree:		Same as Decreed Amounts (Less Relinquishment Deductions)
83CW350—Aurora ARAPAHOE COUNTY, Kings Point	277 AF 390 AF 86 AF	Denver Aquifer Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	10/18/1984 Replacement Decree:		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
85CW145(A)&(B)—First Capital ARAPAHOE COUNTY, Kings Point	80 AF 230 AF 138 AF 98 AF	Dawson Aquifer Denver Aquifer Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	02/03/1999		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
87CW207/208-Douglas Farms DOUGLAS COUNTY Rockinghorse	68 AF 166 AF 166 AF 110 AF	Dawson Aquifer Denver Aquifer Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	08/07/1989		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
84CW564-Miller DOUGLAS COUNTY Rockinghorse	64 AF 105 AF 200 AF 99 AF	Dawson Aquifer Denver Aquifer Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	09/29/1989		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
97CW075-Gartrell Land, LLC DOUGLAS COUNTY Rockinghorse	36 AF 94 AF 154 AF 104 AF	Dawson Aquifer Denver Aquifer Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	09/10/1997		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)

<u>CASE NO. and NAME</u>	<u>DECEED AMOUNT</u>	<u>DECEED SOURCE</u>	<u>APPROP. DATE</u>	<u>ADJUD. DATE</u>	<u>WATER DIST.</u>	<u>ADJUDICATION & CHANGED AMOUNTS (FULLY REUSABLE)</u>
PERMIT NO. 5127-F--Aurora ARAPAHOE COUNTY, Cherry Creek Well	485 AF	Arapahoe Aquifer	N/A	02/14/1964		Same as Decreed Amount
PERMIT NO. 5128-F--Aurora ARAPAHOE COUNTY, Cherry Creek Well	351 AF	Arapahoe Aquifer	N/A	02/14/1964		Same as Decreed Amount
PERMIT NO. 5129-F--Aurora ARAPAHOE COUNTY, Cherry Creek Well	521 AF	Arapahoe Aquifer	N/A	02/14/1964		Same as Decreed Amount
84CW183(A)-First Capital Corp. DOUGLAS COUNTY, Kings Point	101 AF 210 AF	Lower Dawson Denver	N/A	03/10/1989		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
84CW183(B)-Seventeen Mile V. DOUGLAS COUNTY, Kings Point	217 AF 155 AF	Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	12/28/1988		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
82CW115(A)-Eugene Tepper ARAPAHOE COUNTY,	120 AF 250 AF 112 AF	Denver Aquifer Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	10/11/1985		Same as Decreed Amount
80CW330(A)-Alpert Corp. ARAPAHOE COUNTY,	237 AF 167 AF	Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	07/21/1987		Same as Decreed Amounts
80CW330(B)-Alpert Corp. ARAPAHOE COUNTY,		Lower Dawson Denver	N/A	12/01/1987		
85CW171-Deutsch & Alpert ARAPAHOE COUNTY,	96 AF	Laramie-Fox Hills Aquifer	N/A	04/29/1987		Same as Decreed Amount (Less Relinquishment Deduction)

CASE NO. and NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS (FULLY REUSABLE)
80CW237 and 238—Danford-Champlin Farms ADAMS COUNTY, (Front Range Airport System)	2016 AF 1344 AF	Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	03/26/1984		Same as Decreed Amounts
85CW253—Williams Investments ADAMS COUNTY, (Box Elder Creek)	207 AF 118 AF 85 AF 139 AF	Denver Aquifer Upper Arapahoe Aquifer Lower Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	01/13/1988		
80CW232—Planet Cos. ADAMS COUNTY, 87CW210 (Diligence)	50 AF 125 AF 32 AF	Denver Aquifer Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	11/23/1983 12/31/1991		Same as Decreed Amount
82CW488/84CW030-GVR Partnership/Alpertis ADAMS COUNTY Green Valley Ranch	701 AF 892 AF 1264 AF	Upper Arapahoe Aquifer Lower Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	04/29/1987		Same as Decreed Amount (Less Relinquishment Deduction)
83CW112-Box Elder Investment ADAMS COUNTY	1597 AF	Arapahoe Aquifer	N/A	06/18/1985		Same as Decreed Amount
84CW096-Kaufman, Jensen & Small ADAMS COUNTY	109 AF	Arapahoe Aquifer	N/A	04/03/1985		Same as Decreed Amount
85CW135(B)-Monaghan Farms ADAMS COUNTY	2008 AF 1506 AF	Upper Arapahoe Aquifer Lower Arapahoe Aquifer	N/A	06/30/1988		Same as Decreed Amount (Less Relinquishment Deduction)
85CW414(F)-Fulenwider ADAMS COUNTY	221 AF 192 AF	Upper Arapahoe Aquifer Lower Arapahoe Aquifer	N/A	04/24/1998		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
85CW414(V)-Van Schaak ADAMS COUNTY	355 AF 308 AF	Upper Arapahoe Aquifer Lower Arapahoe Aquifer	N/A	04/24/1998		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
79CW253-Leprino ARAPAHOE COUNTY	59 AF 95 AF 129 AF 287 AF	Dawson Aquifer Denver Aquifer Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	01/30/1981		

CASE NO. and NAME	DECREED AMOUNT	DECREED SOURCE	APPROP. DATE	ADJUD. DATE	WATER DIST.	ADJUDICATION & CHANGED AMOUNTS (FULLY REUSABLE)
82CW110(A) – Claude C. Craig Trust ADAMS COUNTY	71.9 AF 40 AF 41.9 AF 56.4 AF	Denver Aquifer Upper Arapahoe Aquifer Lower Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	11/16/1989		Same as Decreed Amount
82CW110(B) – Dot-Sal Ptn. ADAMS COUNTY	55.2 AF 26.9 AF 29.7 AF 39.9 AF	Denver Aquifer Upper Arapahoe Aquifer Lower Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	12/13/1989		Same as Decreed Amount
82CW241 – Saftroth ARAPAHOE COUNTY	33 AF 13.5 AF 11.5 AF 0 AF	Denver Aquifer Upper Arapahoe Aquifer Lower Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	07/28/1989		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
83CW164 – Kaufman, Jensen, and Small ADAMS COUNTY	182 AF	Arapahoe Aquifer	N/A	06/27/1985		
86CW086 – LDS ADAMS COUNTY	560.16 AF 700.8 AF 948.3 AF	Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	09/29/1989		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
91CW043 – Nevin Wells ARAPAHOE COUNTY	222 AF	Denver Aquifer	N/A	01/22/1992		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)
91CW044 – Nevin Wells ARAPAHOE COUNTY	148 AF 148 AF 184 AF	Upper Arapahoe Aquifer Lower Arapahoe Aquifer Laramie-Fox Hills Aquifer	N/A	01/22/1992		Same as Decreed Amounts (Less Relinquishment and Replacement Deductions)

Notes:

- (1) Some of the ground water amounts listed above are classified as not-nontributary, and accordingly must be augmented prior to use. Nevertheless, once such ground water rights are augmented, the full decreed amounts are reusable.
- (2) Some of the decreed nontributary ground water is subject to a 2% relinquishment requirement.
- (3) Decreed Amounts are amounts adjudicated in the Water Court decree. In some instances, only a portion of the overlying land area has been annexed to the City. In those instances, only a corresponding portion of the decreed amount has been decreed to Aurora.