LOVELAND READY-MIX CONCRETE

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LOVELAND, CO 80539

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RECEIVED

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DIVISION OF RECLAMATION
MINING AND SAFETY

all maps small

June 25, 2019

Peter Hays
Colorado Division of Reclamation, Mining and Safety
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

RE: Green/Croissant Sand and Gravel Mine
Permit No. M2001-022

Dear Mr. Hays,

This letter is being sent to comply with the Inspection Report dated June 24, 2019.

Attached is a copy of the 09CW105 Decree that provides augmentation for the exposed groundwater for this mine site.

Pages 17 through 35 of the Decree specifically addresses the Plan for Augmentation. Sections 33.2, 35.4, and 35.6 specifically address evaporation depletions for the Green and Croissant Pits Site while Exhibit B specifically identifies the exposed water surfaces.

Attached is copy of the monthly water accounting for May that shows LRM is replacing the required evaporative depletions and following the accounting provisions in 09CW105.

If you have any questions or require additional information regarding this information, please advise.

Sincerely,

Stephanie Fancher English
Loveland Ready-Mix Concrete, Inc.

Attachment: 09CW105 Final Decree

cc: file

FINAL DECREE

WATER DIVISION NO. 1, STATE OF COLORADO DISTRICT COURT, WELD COUNTY 901 9th Avenue Greeley, Colorado 80631-1113	
CONCERNING THE APPLICATION FOR WATER RIGHTS, WATER STORAGE RIGHTS, CHANGE OF WATER RIGHTS AND APPROVAL OF PLAN FOR AUGMENTATION OF **LOVELAND READY MIX CONCRETE, INC., Applicant** **IN WELD AND LARIMER COUNTIES**	**Δ COURT USE ONLY Δ** Case Number: 2009CW105

FINDINGS OF FACT, CONCLUSIONS OF LAW, JUDGMENT AND DECREE

This claim for approval of ground water rights, water storage rights, change of water rights and approval of plan for augmentation was filed on July 31, 2009 and amended on June 22, 2010. All matters contained in the application having been reviewed and testimony having been taken where such testimony is necessary, and such corrections made as indicated by the evidence presented herein, the Court finds, concludes and decrees:

FINDINGS OF FACT

1. Applicant: Loveland Ready Mix Concrete, Inc.
P.O. Box 299
Loveland, CO 80539
(970) 667-2680

In this decree, the Applicant is referred to as "Loveland Ready Mix" or "LRM."

2. Filing and procedural history:

2.1 The application was filed on July 31, 2009, and amended on June 22, 2010.

2.2 Notice of the application and amendment was published in the manner required by law.

2.3 Statements of Opposition to the application were filed by the City of Greeley, Farmers Reservoir and Irrigation Company, Greeley and Loveland Irrigation Company, State and Division Engineers, The Harmony Ditch Company, Thompson Water

Users Association, and Town of Johnstown. Statements of Opposition to the amended application were filed by Central Colorado Water Conservancy District and the Ground Water Management Subdistrict of the Central Colorado Water Conservancy District and the Well Augmentation Subdistrict of the Central Colorado Water Conservancy District (Central), and the City of Evans. No other Statements of Opposition have been filed and the time for filing Statements of Opposition has expired.

3. Summary of application: The application requests approval of a plan for augmentation to offset out of priority depletions for a number of gravel pits which expose tributary ground water in the Big Thompson River basin and other uses at the sites where those pits are located together with confirmation of conditional water rights for Walters Reservoir No. 1, Walters Reservoir No. 2 and Bokelman Reservoir No. 1 and conditional ground water rights for the unlined Walters Pits and Green and Croissant Pits and a change of water rights for 3 shares of the Consolidated Hillsborough Ditch Company. The gravel pits are mined under two separate mining permits, and are known as the Walters and Bokelman Pits, and the Green and Croissant Pits. Their locations are shown on Exhibit A, attached and incorporated by reference. LRM's mining plans at the Walters and Bokelman Pits and Green and Croissant Pits include excavation of mining "cells" located at each site. As described below, gravel pits are located within "cells" at each site.

3.1 Gravel pits located in seven cells at the Walters and Bokelman Pits site are shown on the attached Exhibit B. Gravel pits located in Walters Cells 1, 2 and 3 will be inside a slurry wall that does not intercept ground water, and therefore, these gravel pits will be lined pits that will not require augmentation of evaporative depletions. Gravel pits located in Walters Cell 4 will be unlined and therefore out of priority evaporative depletions from ground water exposed in these gravel pits shall be augmented pursuant to the plan for augmentation decreed herein. Gravel pits located in Bokelman Cells 1, 2 and 3 will be inside a slurry wall that does not intercept ground water, and therefore these gravel pits will not require augmentation of evaporative depletions.

3.1.1 Walters Reservoir No. 1 shall be located within lined Walters Cells 1 and 2 as shown on the attached Exhibit B.

3.1.2 Walters Reservoir No. 2 shall be located within lined Walters Cell 3 as shown on the attached Exhibit B.

3.1.3 Bokelman Reservoir No. 1 shall be located within lined Bokelman Cells 1 and 2 as shown on the attached Exhibit B.

3.2 Gravel pits located in four cells at the Green and Croissant Pits site are shown on the attached Exhibit B. All gravel pits located in the four cells will be unlined and therefore out of priority evaporative depletions from ground water exposed in these gravel pits shall be augmented pursuant to the plan for augmentation decreed herein.

CHANGE OF WATER RIGHTS

4. Water Rights to be Changed: Loveland Ready Mix owns 3 shares of the Consolidated Hillsborough Ditch Company, out of 118 total shares in the ditch represented by stock certificate nos. 844, 885 and 911 ("Hillsborough Shares"). The water rights of the Consolidated Hillsborough Ditch Company are described as follows:

4.1 Previous Decrees: Water rights were decreed in District Court, Boulder County, on May 28, 1883 as follows:

Priority	Appropriation Date	Amount	Ditch	LRM Pro Rata Amount for 3 Shares
No. 1	11/10/1861	96.5 cfs	Big Thompson	1.47 cfs
No. 40	4/15/1878	54.0 cfs	Hillsborough	1.37 cfs
No. 51	10/06/1881	45.69 cfs	Hillsborough	1.16 cfs

63.31 cfs of Priority 1 originally decreed to the Big Thompson Ditch is now decreed to the Hillsborough Ditch. 5.64 cfs of Priority No. 1 is separately owned in two deeded interests, and is not owned by the Consolidated Hillsborough Ditch Company. LRM claims no interest in these two deeded interests. The Consolidated Hillsborough Ditch Company owns 57.67 cfs of Priority No. 1 and all of Priority Nos. 40 and 51. Therefore, LRM owns pro rata interests in 57.67 cfs of Priority No. 1 and in all of Priorities 40 and 51.

4.2 Use: Irrigation;

4.3 Point of Diversion: headgate of the Hillsborough Ditch, located in the SE¼NW¼ of Section 21, T5N, R68W, 6th P.M., Larimer County, Colorado;

4.4 Source: Big Thompson River;

4.5 Historical use: The 3 Hillsborough Shares have historically irrigated approximately 153 acres on two adjacent farms ("Walters and Bokelman Pits site"), located in the SW¼ of the NE¼, the SE¼, and the E½SW¼ , Section 24, T5N, R68W, 6th P.M., Larimer County, Colorado. The historically irrigated lands are shown on the attached Exhibit C. The crops grown were corn, alfalfa, and pasture grass. A study period of 1950 to 2006 was selected for the shares. This study period is consistent with periods when the shares were applied to the farms via flood irrigation, represent periods with available local climate data and diversion data, include dry, wet, and average years and are representative of the historical irrigation use of the shares. Average ditch loss over the study period was determined to be 20%. The average historical consumptive use associated with each of the three shares is 56.29 acre-feet per share, for a total of 168.88 acre-feet for the three shares.

5. Description of Changes of Water Rights:

5.1 Change of Use: from irrigation to commercial, industrial, reclamation, domestic, irrigation, stock watering, recreation, fish culture and propagation, fishing, wildlife, aesthetic, fire protection, and all uses associated with gravel and rock mining including evaporation, dust suppression and production and processing losses with the right to totally consume the consumable portion of the water attributable to the historical consumptive use, either by first use, successive use or disposition. Water will be used directly, following storage, by exchange, and for augmentation of out-of-priority diversions and depletions resulting from the above uses and as a source of substitute supply. In addition to the Changed Uses, the Hillsborough Shares may continue to be used for the originally decreed irrigation use under the Hillsborough Ditch in any given year until the shares are put to a changed use.

5.2 Places of Storage: Walters Reservoir No. 1, Walters Reservoir No. 2 and Bokelman Reservoir No. 1 which are located at the Walters and Bokelman Pits site as described in Paragraph 4.5.

5.3 Changed Places of Use:

5.3.1 The Hillsborough Shares may be used for augmentation purposes to replace evaporation from unlined gravel pits and other depletions resulting from reclamation, production and processing and gravel mining and to replace out of priority depletions resulting from the other uses described in Paragraph 5.1 and out of priority depletions resulting from the "first fill" of gravel pits at the following places of use pursuant to an approved substitute water supply plan or a decreed augmentation plan, including the augmentation plan decreed herein:

5.3.1.1 Walters and Bokelman Pits site, at the location described in Paragraph 4.5, as shown on Exhibit A.

5.3.1.2 Green and Croissant Pits site located in the NW ¼ and the W½ of the NE ¼ of Section 30, T5N, R67W, 6th P.M., Weld County, Colorado, as shown on Exhibit A.

5.3.1.3 Dunn site located in the NE ¼ of Section 3, T4N, R67W and the SW ¼ of the SE ¼ of Section 34, T5N, R67 W, 6th P.M., Weld County, Colorado, as shown on Exhibit A.

5.3.2 Commercial and domestic uses, including augmentation of commercial and domestic uses, are limited to the Walters and Bokelman Pits site, and the Green site. All other changed uses described in Paragraph 5.1 shall be

limited to the Walters and Bokelman Pits site, and the Green and Croissant Pits site.

5.4 The changes of use, places of storage and changed places of use described above is collectively referred to as the "Changed Uses". The Hillsborough Shares may be put to the Changed Uses, including augmentation, pursuant to this decree, the augmentation plan decreed herein, an amendment of the augmentation plan decreed herein, a subsequently decreed augmentation plan or pursuant to an approved substitute water supply plan.

6. Diversion and Delivery of Shares. Water shall continue to be diverted from the Big Thompson River at the Hillsborough Ditch river headgate. LRM shall continue to take delivery of water attributable to the Hillsborough Shares for the Changed Uses at the Walters and Bokelman Pits site at one or more farm headgates. LRM shall only take delivery of water attributable to the Hillsborough Shares at times when and in the same manner as shares are delivered by the Consolidated Hillsborough Ditch Company to other shareholders. The Hillsborough Shares put to the Changed Uses shall either be returned immediately to the Big Thompson River to maintain historical return flows or to augment the uses described at the Walters and Bokelman Pits site, the Green and Croissant Pits site or the Dunn site, be stored in lined gravel pits on the Walters and Bokelman Pits site, or be directly used at the Walters and Bokelman Pits site, and the Green and Croissant Pits site. The Hillsborough Shares may also be put to the originally decreed irrigation use under the Hillsborough Ditch.

6.1 Delivery of Shares for Augmentation and to Maintain Historical Return Flows. When water attributable to the Hillsborough Shares is delivered to the Big Thompson River to augment out of priority depletions and to maintain historical return flows, the Hillsborough Shares shall be delivered at the farm headgates and measured at the augmentation station(s) located or to be located at the Walters and Bokelman Pits site which will return water to the Big Thompson River in the NW¼SE¼, Section 24, T5N, R68W, 6th PM, Larimer County, Colorado or at any other structure approved by the Consolidated Hillsborough Ditch Company and the Division Engineer or Water Commissioner as long as deliveries are made upstream of the Big Thompson and Platte River Ditch and downstream of the Hill and Brush Ditch headgate. Water attributable to the Hillsborough Shares shall not be used to augment out of priority depletions pursuant to the plan for augmentation decreed herein until an augmentation station has been constructed.

6.2 Delivery of Shares for Other Changed Uses or Storage. When water attributable to the Hillsborough Shares is delivered for any other Changed Use decreed herein, deliveries shall be made at the Walters and Bokelman Pits site and then either directly used at the Walters and Bokelman Pits site and the Green and Croissant Pits site, or delivered into storage in the Walters Reservoir No. 1, Walters Reservoir No. 2 or

Bokelman Reservoir No. 1 for subsequent beneficial use, augmentation or return flow obligations following storage in the reservoirs.

7. Conditions to Prevent Injury: Loveland Ready Mix may divert, store and use water from the Hillsborough Shares for the Changed Uses, subject to the following terms and conditions:

7.1 Diversion Season. Loveland Ready Mix shall limit its annual deliveries to the April 10 through October 31 period. All water delivered in October shall be returned directly back to the stream to maintain historical return flows.

7.2 Ditch Loss. The ditch loss on the Hillsborough Shares shall be assessed the same as for other shares in the ditch. The Hillsborough Shares shall be entitled to pro rata delivery, the same as other shareholders using water for irrigation, subject to the volumetric limits in Paragraph 7.3.

7.3 Volumetric Limits. Deliveries of water attributable to the Hillsborough Shares for the originally decreed irrigation use or for the Changed Uses shall be subject to the following monthly, annual and long term volumetric limits:

7.3.1 The maximum monthly delivery for the Hillsborough Shares:

Monthly Maximum Delivery (ac-ft)	
April	24.91
May	69.65
June	101.32
July	119.23
August	78.19
September	60.05
October	28.65

7.3.2 The maximum annual delivery for the Hillsborough Shares is 377 acre-feet in any year. Deliveries shall not exceed 16,318.53 acre-feet over any consecutive fifty seven year period. Deliveries shall not exceed 6,356.8 acre-feet over any consecutive twenty year period. In the first ten years of operation pursuant to this decree, deliveries of the Hillsborough Shares shall not exceed a cumulative total of 3,178.4 acre-feet. In order to start comparing cumulative deliveries to the volumetric limits upon entry of the decree, LRM shall use the last fifty six years of deliveries from its historical study period as shown in Exhibit E and assume these values for past years of delivery prior to entry of the decree.

7.4 Depletion and Return Flow Factors. Historical depletion credits and return flows shall be replicated in time, location, and amount based upon the following depletion and return flow factors:

7.4.1 Depletion Factors. Of the water delivered to Loveland Ready Mix attributable to the Hillsborough Shares for the Changed Uses, the following percentages may be used directly, stored for later use in the Walters Reservoir No. 1, Walters Reservoir No. 2 or Bokelman Reservoir No. 1, returned to the Big Thompson River for augmentation use or payment of return flow obligations:

Depletion Factors	
April	64.0%
May	78.6%
June	74.1%
July	71.5%
August	65.1%
September	49.9%

The balance shall be returned directly to the Big Thompson River at the location described in Paragraph 6.1 to maintain historical return flows from the Walters and Bokelman Pits site. All water delivered in October shall be returned directly to the Big Thompson River.

7.4.2 Return Flow Factors. During the period of April 1 through September 30 of each year, LRM shall multiply its delivery for the Changed Uses from the Hillsborough Ditch by the appropriate monthly return flow factor to determine the return flow obligation that must be returned to the stream. During the period of October 1 through March 31 of each year, LRM shall multiply the appropriate monthly return flow factor by the total deliveries from the Hillsborough Ditch for the Changed Uses for the previous April through October to determine the amount of water that must be released from storage each month in the non-irrigation season to replace historical return flows.

Return Flow Factors	
November	-2.4%
December	-1.5%
January	-0.9%
February	-0.6%
March	-0.3%
April	36.0%
May	21.6%
June	25.9%
July	28.5%

August	34.9%
September	50.1%
October	-2.4%

7.4.3 Return Flow Replacement. Except during times of free river, LRM shall either release replacement water from storage or immediately return delivered water to the Big Thompson River to replace historical return flows at the location described in Paragraph 6.1. Loveland Ready Mix shall release water in the amount so calculated at as constant a rate as is practical. During the months of April through October, LRM shall make the required return flow replacement daily when there is a valid call for water from a downstream senior water right. During the months of November through March, the Division Engineer may allow or require return flow replacement monthly for ease of administration or otherwise. LRM shall replace historical return flows except during times of free river.

7.5 Water used directly or after storage may be fully consumed and may be used, reused, successively used or disposed of to extinction for the Changed Uses. The amount of water available for reuse, successive use and disposition shall be based on the amount of return flows resulting from use of the consumptive use portion of the Hillsborough Shares which shall be quantified as follows:

7.5.1 Irrigation Use. Return flows resulting from sprinkler irrigation shall be equal to 17% of the total amount applied, where 15% of the water returns to the Big Thompson River as deep percolation return flow and 2% of the water returns to the Big Thompson River as surface water return flow.

7.5.2 Commercial and Domestic Use. For indoor commercial and residential use, 95% of water treated at central wastewater treatment facilities shall be available for reuse. In the event septic systems are used, 90% of the water delivered to septic systems shall be available for reuse.

7.5.3 The calculated amount of return flows available for reuse shall be lagged to the Big Thompson River using the Glover Method and the AWAS Glover alluvial aquifer model or similar tool.

7.5.4 Prior to claiming credit for the reuse of the consumptive use portion of the Hillsborough Shares, LRM shall demonstrate to the Division Engineer that it can measure and account for such reuse by submitting accounting that includes the following: (1) identify the location of all irrigated acres; (2) identify the method for irrigation; (3) identify whether septic systems or onsite treatment, or a combination, will be used for the commercial and domestic uses; and (4) develop aquifer parameters to calculate the return flow lagging using the Glover Method and the

AWAS alluvial aquifer model or similar tool. A copy of the reuse accounting form approved by the Division Engineer shall be provided to Central.

7.6 Loveland Ready Mix shall install and maintain measuring devices and shall keep records as directed by the Division Engineer or Water Commissioner. Loveland Ready Mix shall maintain records of its diversions and shall provide such information to the Division Engineer on such forms and at such times as reasonably requested by the Division Engineer.

7.7 Revegetation Requirements.

7.7.1 The historically irrigated land is now included within the lands covered by Loveland Ready Mix's mining permit, DRMS Permit No. M-2006-080. The mining permit contains detailed conditions requiring revegetation of disturbed lands. Loveland Ready Mix shall comply with the revegetation conditions of the mining permit. Compliance with the revegetation conditions of the mining permit as described in this paragraph 7.7.1 will meet the revegetation requirement of CRS §37-92-305(4.5)(a). Except as provided in paragraphs 7.8 or 7.10 of this decree, as each Hillsborough Share, or portion of share, is put to a Changed Use, a corresponding amount of historically irrigated acres must either be reclaimed pursuant to the following requirements (1) and (2) of LRM's DRMS Permit No. M-2006-080 as described in this paragraph 7.7.1, or be located within a lined or unlined gravel pit. Pursuant to this decree, for the reclaimed areas located within the historically irrigated lands, LRM must satisfy the following requirements: (1) LRM is required to plant the grass seed mix as approved by DRMS in the Technical Revision Approval, Revision TR02 for LRM's Permit No. M-2006-080 on August 25, 2011; and (2) LRM is required to construct and maintain a perimeter drain for each slurry wall or lined gravel pit to maintain historical ground water levels and prevent ground water mounding in accordance with approved engineering design on file with DRMS for Permit No. M-2006-080. To the extent there is substantial conformity with the approved engineering design currently on file with DRMS and DRMS approval is obtained, LRM may revise the perimeter drain design plans to conform to any change in the configuration of gravel pits resulting from mining operations. LRM shall provide notice to Greeley and Central of any revisions to its perimeter drain design plans. LRM shall also provide notice to Greeley, Central and the Division Engineer once LRM satisfies the reclamation requirements of its DRMS permit described in requirements (1) and (2) of this paragraph 7.7.1 for reclaimed areas located within the historically irrigated lands. The perimeter drains constructed around the Walters Reservoir No. 1 and 2 comply with the above described requirements. LRM's obligations under this decree to construct and maintain a perimeter drain for each slurry wall or lined gravel pit in substantial conformity with the current design plans on file with DRMS, and to plant the grass seed mix described in this paragraph 7.7.1 shall remain terms and

conditions on the changed Hillsborough Shares under this decree even to the extent that this paragraph 7.7.1 imposes additional obligations on LRM that are not required by any subsequent revision to LRM's DRMS Permit No. M-2006-080.

7.7.2 Additionally, LRM shall discontinue taking delivery of Hillsborough Shares at the Bokelman farm headgate after all historically irrigated lands at the Bokelman property are removed from agricultural irrigation and the pond shown on the attached Exhibit C which is located on adjacent property upgradient from the Bokelman property shall not be refilled.

7.8 Except as provided in Paragraph 7.10, the historically irrigated land may be irrigated, provided such irrigation is accomplished via use of the consumptive use portion of the Hillsborough Shares, water provided by a municipal water provider, augmented wells, non-tributary water, not non-tributary water that is augmented, or any other source of water approved for use on those lands by the Water Court or the State Engineer. There shall be no use of other Hillsborough Ditch shares on these lands, unless irrigation of the historically irrigated lands by such shares is approved pursuant to a subsequent water court decree or pursuant to a Substitute Water Supply Plan if appropriate.

7.9 Any use for augmentation at the Dunn site may only be made pursuant to a court-approved plan for augmentation or substitute water supply plan approved by the State Engineer pursuant to statute.

7.10 The Hillsborough Shares may continue to be used for the originally decreed irrigation use under the Hillsborough Ditch until the shares are put to a Changed Use so long as deliveries for such irrigation use are accounted for and included in the volumetric limits in Paragraph 7.3. Once a portion of the Hillsborough Shares are put to a Changed Use, such portion shall be permanently removed from the originally decreed irrigation use and may only be subsequently used for the Changed Uses.

7.10.1 In any year that all or a portion of the Hillsborough Shares are used for the originally decreed irrigation use, LRM shall provide written notice to the Division Engineer and Central by April 1.

7.10.2 In any year that all or a portion of the Hillsborough Shares are first put to a Changed Use, LRM shall provide written notice to the Division Engineer and Central by April 1st. The notification shall describe the number of Hillsborough Shares that are being put to a Changed Use and the number of acres that will be dried up. The notification shall include either a legal description or a map showing the lands that will be irrigated with the remaining Hillsborough Ditch Shares pursuant to the originally decreed irrigation use and the lands that will be or have been dried up. In any year, no portion of the Hillsborough Shares shall first

be put to a Changed Use unless the requirements of this Paragraph 7.10.2 are satisfied.

8. By letters dated April 16, 2008 and April 28, 2010, the Consolidated Hillsborough Ditch Company has determined that the requested change of Hillsborough Shares is in accordance with the company bylaws.

9. No Injury: The changes of water rights for the Hillsborough Shares decreed herein, if operated and administered pursuant to the terms and conditions above, will not cause any material injurious effect to the owner or user of any vested water right or decreed conditional water right.

APPROVAL OF WATER STORAGE RIGHTS

10. LRM is entitled to a decree for conditional water rights for the Walters Reservoir No. 1, Walters Reservoir No. 2 and Bokelman Reservoir No. 1 as set forth below.

10.1 Walters Reservoir No. 1, DRMS Permit No. M-2006-080, shall be located in the NE¼SW¼ of Section 24, T5N, R68W, 6th P.M., Larimer County as shown on Exhibit B. The approximate center of the reservoir is located 2083 feet from the south section line and 2034 feet from the west section line.

10.2 Walters Reservoir No. 2, DRMS Permit No. M-2006-080, shall be located in the NW¼SE ¼ of Section 24, T5N, R68W, 6th P.M., Larimer County as shown on Exhibit B. The approximate center of the reservoir is located 1651 feet from the south section line, and 1967 feet from the east section line.

10.3 Bokelman Reservoir No. 1, DRMS Permit No. M-2001-022, shall be located in the E½SE ¼ of Section 24, T5N, R68W, 6th P.M., Larimer County as shown on Exhibit B. The approximate center of the reservoir is located 910 feet from the south section line, and 790 feet from the east section line.

11. Points of diversion for all reservoirs:

11.1 Diversion Point No. 1 shall be located in the NW¼SE¼, Section 24, T5N, R68W, 6th PM, Larimer County, Colorado, at a point approximately 2241 feet from the south section line and approximately 1814 feet from the east section line.

11.2 Diversion Point No. 2 shall be located within the SE¼, Section 24, T5N, R68W, 6th PM, Larimer County, Colorado.

11.3 Water tributary to the reservoirs may also be used to fill the reservoirs.

11.4 Each of these points serve as an alternate point of diversion for the other and up to 50 cfs cumulative may be diverted from either or both points of diversion.

12. Source: Big Thompson River and water tributary to the reservoirs.

13. Amounts:

13.1 Walters Reservoir No. 1: 480 acre-feet (conditional).

13.2 Walters Reservoir No. 2: 160 acre-feet (conditional).

13.3 Bokelman Reservoir No. 1: 345 acre-feet (conditional).

13.4 Rate of diversion: 50 cfs.

13.5 Amounts claimed for storage at the reservoirs may include water stored within the void space in the unmined material located within the lined area at the Walters and Bokelman Pits site. Upon completion of mining at the Walters and Bokelman Pits site, LRM shall calculate the amount of total storage located within the void space of the unmined material, and provide such determination and plan to account for the storage in the void space to the Division Engineer for approval and notice to all parties of such determination and accounting plan. If no decision is rendered by the Division Engineer within 60 days of submittal, the determination shall be considered accepted by the Division Engineer. If the Division Engineer will not approve such determination and plan as provided by LRM, the Division Engineer may contest the determination and plan and file a petition to invoke the Court's retained jurisdiction within 60 days of receipt of such determination by LRM. The Court will thereafter set such proceedings as it deems necessary and LRM shall have the initial burden of proof in such proceedings concerning all issues related to the determination of the amount of total storage in the void space of the unmined material. All water released from storage in the reservoirs, include water stored in the void space located in the unmined material, shall be metered.

13.5.1 The determination and plan to account for the storage in the void space shall include at least the following information:

a. survey information and drawings of the completed reservoirs including the amount of alluvial material that remains inside the slurry liner;

b. information supporting the void space ratio (specific yield) of the remaining alluvial material;

c. calculation of the amount of storage within the void spaces based on the above described information; and

d. methodology that will be used to relate changes in reservoir levels to the amount of water in storage, including water held in the alluvial material.

14. Date of appropriation: December 18, 2007.

How appropriation initiated: DRMS permit issued March 2006. Mining/construction of the reservoirs began December 18, 2007. As evidenced by its approved reclamation plans and mining permits, LRM had and manifested the intent to appropriate water for its claimed uses as of the priority date above. LRM's actions and on-going mining manifested their intent, gave adequate notice, and constituted substantial steps toward appropriation of water, all as of the appropriation date claimed above.

15. Uses: industrial, commercial, reclamation, domestic, piscatorial, fishing, fish culture and propagation, stock watering, wildlife, aesthetic, recreation, irrigation, fire protection, all uses associated with gravel and rock mining including evaporation, dust suppression and production and processing losses, directly, after storage, by exchange or by augmentation, replacement and as a source of substitute supply. The water rights will be used, in part, to replace evaporation from exposed groundwater at these and other sites identified herein. The water may be fully consumed either by first use, successive use or disposition.

15.1 Irrigation Use: Up to 100 acres within the Walters and Bokelman Pits site, and the Green and Croissant Pits site described on Exhibit A. Irrigation use may be made directly or following storage, or by augmentation of out of priority depletions resulting from one or more separate diversions made for irrigation use.

15.2 Domestic and commercial uses will occur at the Walters and Bokelman Pits site, and the Green Pits site. Domestic and commercial uses may be made directly or following storage, or by augmentation of out of priority depletions resulting from one or more separate diversions made for domestic and commercial uses.

15.3 Industrial, reclamation, piscatorial, fishing, fish culture and propagation, stock watering, wildlife, aesthetic, recreation, fire protection, all uses associated with gravel and rock mining including evaporation, dust suppression and production and processing losses, directly, after storage, or by augmentation of out of priority depletions resulting from one or more separate diversions for these uses, will occur at the Walters and Bokelman Pits site and the Green and Croissant Pits site, and such uses may occur by augmentation of out of priority depletions resulting from one or more separate diversions for these uses at the Dunn site.

16. Size of Reservoirs:

16.1 Maximum Height and Length of Dams in Feet: These will be lined gravel pit reservoirs so no dam will be built.

16.2 Surface Area:

16.2.1 Walters Reservoir No. 1: approximately 25.2 acres.

16.2.2 Walters Reservoir No. 2: approximately 8.7 acres.

16.2.3 Bokelman Reservoir No. 1: approximately 17.1 acres.

17. Total Capacity of Reservoirs:

17.1. Walters Reservoir No. 1: 480 acre-feet active/0 acre-feet dead storage.

17.2 Walters Reservoir No. 2: 160 acre-feet active/0 acre-feet dead storage.

17.3 Bokelman Reservoir No. 1: 345 acre-feet active/0 acre-feet dead storage.

18. The reservoirs shall be lined and tested in accordance with the State Engineer's Guidelines for Lining Criteria for Gravel Pits, dated August 1999. Until a liner for each reservoir is accepted by the State or Division Engineer, each reservoir shall operate as a well that requires augmentation of out of priority depletions pursuant to the plan for augmentation decreed in this case.

19. Loveland Ready Mix shall install and maintain staff gauges in the reservoirs acceptable to the Division Engineer and provide the State Engineer and Division Engineer with stage storage-area capacity curves or tables for each reservoir prior to storing water in each reservoir.

20. The waters claimed can be and will be diverted, stored, or otherwise captured, possessed and controlled and will be beneficially used and the project can and will be completed with diligence and within a reasonable time.

21. Loveland Ready Mix has demonstrated a specific plan and intent to divert, store, and otherwise capture, possess and control water in the amounts set forth in Paragraph 13, above, and that such water can and will be beneficially used for the beneficial uses, as described in Paragraph 15, above.

22. Loveland Ready Mix has proceeded with reasonable diligence to complete the

appropriations from the dates of initiation through the date of this decree.

APPROVAL OF GROUND WATER RIGHTS

23. LRM is entitled to a decree for ground water rights for the unlined Walters Pits and Green and Croissant Pits as set forth below. Ground water rights are decreed for these unlined gravel pits to establish priorities for the evaporative depletions and other uses identified in Paragraph 24 below. The augmentation plan decreed in this case is designed to fully replace all out of priority stream depletions caused by the Walters Pits and Green and Croissant Pits.

23.1 Walters Pits, which includes lands located within the exterior boundary of DRMS Permit No. M-2006-080 at the Walters and Bokelman Pits site located in the SW¼ of the NE¼, the SE¼, and the E½SW¼, Section 24, T5N, R68W, 6th P.M., Larimer County, Colorado as shown on Exhibit B, but excluding Walters Reservoir Nos. 1 and 2 and Bokelman Reservoir No. 1 once liners are approved. As of the date of this decree, LRM plans to mine one unlined pit at the Walters and Bokelman Pits site. Upon completion of mining at this site, the final number of unlined pits at this site may be more than the currently planned one unlined gravel pit but the total exposed surface area for the unlined Walters Pits and Green and Croissant Pits shall not exceed a total exposed area of 58.7 acres.

23.2 Green and Croissant Pits, which includes lands located within the exterior boundary of DRMS Permit No. M-2001-022 at the Green and Croissant Pits site located in the NW ¼ and the W½ of the NE ¼ of Section 30, T5N, R67W, 6th P.M., Weld County, Colorado, as shown on Exhibit B. As of the date of this decree, LRM plans to mine eight unlined pits at the Green and Croissant Pits site. Upon completion of mining at this site, the final number of unlined pits at this site may be more or less than the currently planned eight unlined gravel pits but the total exposed surface area for the unlined Walters Pits and Green and Croissant Pits shall not exceed a total exposed area of 58.7 acres.

24. Uses for Walters Pits and Green and Croissant Pits: reclamation, piscatorial, recreation, fish propagation and all uses associated with gravel and rock mining, including evaporation, dust suppression and production and processing losses, as well as replacement of evaporation from exposed ground water at the sites. After completion of mining at the sites, LRM will continue to use its processing plant to process material mined from other properties.

25. Source: Ground water tributary to the Big Thompson River.

26. Appropriation Dates:

26.1 Walters Pits: December 18, 2007.

26.2 Green and Croissant Pits: November 30, 2002.

27. How appropriations initiated: The DRMS permit for the Green and Croissant Pits was issued on January 16, 2002 and mining/construction began in November 2002 with concrete production commencing in January 2003. The DRMS permit for the Walters Pits was issued in March 2006, and mining/construction of the gravel pits began December 18, 2007. As evidenced by its approved reclamation plans and mining permits, LRM had manifested the intent to appropriate water for its claimed uses as of the appropriation dates above. LRM's actions and on-going mining manifested its intent, gave adequate notice, and constituted substantial steps toward appropriation of water, all as of the appropriation dates claimed above.

28. Amounts:

28.1 Mining and processing of mining products, concrete production, and dust suppression:

28.1.1 Walters Pits: 35 acre-feet per year.

28.1.2 Green and Croissant Pits: 35 acre-feet per year.

28.1.3 The cumulative amount for mining and processing of mining products, concrete production and dust suppression uses made at the Walters Pits and the Green and Croissant Pits shall not exceed 35 acre-feet per year.

28.2 Reclamation and replacement of evaporative depletions:

28.2.1 Walters Pits: 145 acre-feet per year.

28.2.2 Green and Croissant Pits: 145 acre-feet per year.

28.2.3 The cumulative amount of use for reclamation and replacement of evaporative depletions made at the Walters Pits and the Green and Croissant Pits shall not exceed 145 acre-feet per year.

29. Wells: The unlined portions of the Walters Pits and Green and Croissant Pits are "wells" as defined in CRS §37-92-103(14)(a) and *Three Bells Ranch v. Cache la Poudre Water Users Assn.*, 758 P.2d 164 (Colo. 1988). The Walters Pits currently have well permit number 66399-F. The Green and Croissant Pits currently have well permit number 67817-F.

30. The waters claimed can be and will be diverted, stored, or otherwise captured,

possessed and controlled and will be beneficially used and the project can and will be completed with diligence and within a reasonable time.

31. Loveland Ready Mix has demonstrated a specific plan and intent to divert, store, and otherwise capture, possess and control water in the amounts set forth in Paragraph 28, above, and that such water can and will be beneficially used for the beneficial uses, as described in Paragraph 24, above.

32. Loveland Ready Mix has proceeded with reasonable diligence to complete the appropriations from the dates of initiation through the date of this decree.

PLAN FOR AUGMENTATION

33. Structures to be Augmented:

33.1 Walters and Bokelman Pits. Located in the SW¼ of the NE¼, the SE¼, and the E½SW¼, Section 24, T5N, R68W, 6th P.M., Larimer County, Colorado, as shown on the attached Exhibit B.

33.1.1 Gravel pits located in Walters Cells 1, 2 and 3 will be inside a slurry wall that does not intercept ground water, and therefore, these gravel pits shall be lined pits that do not require augmentation. Gravel pits located in Walters Cell 4 will be unlined and therefore evaporative depletions from ground water exposed in these gravel pits shall be augmented pursuant to the plan for augmentation decreed herein. Gravel pits located in Bokelman Cells 1, 2 and 3 will be inside a slurry wall that does not intercept ground water, and therefore, these gravel pits shall be lined pits that do not require augmentation. LRM shall replace out of priority evaporative depletions at each gravel pit until the State or Division Engineer approves the liner for each pit.

33.2 Green and Croissant Pits. Located in the NW¼ and the W½ of the NE¼, Section 30, T5N, R67W, 6th P.M., Weld County, Colorado, as shown on the attached Exhibit B.

33.2.1 Gravel pits located in all four cells at the Green and Croissant Pits site will be unlined and therefore evaporative depletions from ground water exposed in these gravel pits will be augmented pursuant to the plan for augmentation decreed herein.

34. Uses: Unlined gravel pits at the Walters and Bokelman Pits site and the Green and Croissant Pits site ("Gravel Pits") expose tributary ground water. Out of priority evaporation losses from the unlined Gravel Pits must be replaced. In addition, water from the Gravel Pits is used for mining, product washing and processing, concrete production

and dust suppression. Water contained within the mined products removed from the Gravel Pits must also be replaced. The additional uses described in paragraphs 35.5 and 35.6 must also be replaced. As of the date of this decree, the above described uses continue at the Walters and Bokelman Pits site and the Green and Croissant Pits site. After mining ceases at the Gravel Pits, washing and processing operations for products mined from other sites, concrete production and dust suppression may continue. To the extent that these depletions are out of priority, the purpose of this plan is to provide for replacement of such out of priority depletions in time, location and amount, under the terms of this decree, to the extent necessary to prevent material injury to senior vested water rights and decreed conditional water rights. The Court approves the plan for augmentation subject to the terms and conditions of this decree.

35. Description of Depletions to be Augmented:

35.1 Mining and Production Losses. 35 acre-feet per year of consumption from gravel and rock mining uses, which include product washing, concrete production and other processing of mined rock products, water incorporated in or adhering to rock products and dust suppression. Consumption from product washing and processing shall be calculated as 9.6 gallons of water per ton of aggregate sold, or 4% of the total mined volume. Consumption from concrete production shall be calculated based on the volume of concrete produced times 30 gallons of water per cubic yard of concrete. Consumption from dust suppression shall be measured and is fully consumptive. For planning purposes, LRM estimates maximum dust suppression use of approximately 352,667 gallons per month during peak use months of July through September, with minimum dust suppression use of approximately 46,000 gallons per month occurring in December through February. After completion of mining at the sites, LRM will continue to use the processing plant to process material mined from other properties, and such use at the sites shall not exceed 25.5 acre-feet per year.

35.2 Evaporation. Pursuant to CRS §37-92-305(12), LRM is not required to replace evaporation from ground water exposed to the atmosphere from mining the Gravel Pits in an amount equal to the amount of historical natural depletions caused by the preexisting natural vegetative cover on the surface of the area which will be, or which has been, permanently replaced by the open water surface of the Gravel Pits. Accordingly, LRM is only required to augment the net evaporation from ground water exposed to the atmosphere by mining the Gravel Pits. Net evaporation is equal to the gross evaporation from the Gravel Pits that results from ground water exposed to the atmosphere from mining less the historical natural depletions. During mining, the exposed surface area at each site will vary, and at times exposure at the Walters and Bokelman Pits site or the Green and Croissant Pits site may exceed the exposed surface area for each site identified in Paragraphs 35.3 and 35.4. LRM shall also augment gross evaporative depletions from stock ponds located at the Green and Croissant Pits Site. As mining is completed in certain gravel pits and commences or continues in other gravel pits, backfilling of portions of

completed gravel pits shall occur to limit the total exposed surface area of unlined gravel pits at the Walters and Bokelman Pits site and the Green and Croissant Pits site and the stock ponds to 65 acres. Total net evaporation at the Gravel Pits and gross evaporation at the stock ponds will consume 166 acre-feet per year.

35.2.1 Depletions caused by the gross evaporation from the Gravel Pits and stock ponds were estimated using the gross lake evaporation rates obtained from the National Oceanic and Atmospheric Administration Evaporation Atlas (NOAA Technical Report NWS 33), which averages 3.35 acre-feet per acre per year.

35.2.2 Historical natural depletions occurred due to consumption by grasses and irrigated crops, and natural non-irrigated vegetation on the land which is now, or will be, permanently replaced by an open water surface at the Gravel Pits. The historical natural depletions associated with the lands covered by irrigated crops is equal to the effective precipitation for irrigated land, which is equal to 70% of total precipitation.

35.2.3 As of the date of this decree there are three stock ponds at the Green and Croissant Pits Site with 6.3 acres of ground water surface area exposed to the atmosphere resulting in gross evaporative depletions averaging 21.11 acre-feet per year. In the event LRM eliminates one or more stock ponds in the future, LRM shall notify the Division Engineer and the parties and LRM shall modify the accounting to revise the calculation of evaporative depletions. Gross evaporative stock pond depletions shall be lagged to the Big Thompson River with the net evaporative depletions for the Green and Croissant Pits pursuant to Paragraph 36.1.

35.3 Walters and Bokelman Pits Evaporation. Upon completion of mining, up to 11.5 acres of ground water surface area will be exposed to the atmosphere by mining the unlined gravel pit at the Walters and Bokelman Pits site resulting in net evaporation averaging 28.37 acre-feet per year (gross evaporation less historical natural depletions).

35.4 Green and Croissant Pits Evaporation. Upon completion of mining, up to 47.2 acres of ground water surface area will be exposed to the atmosphere by mining the unlined gravel pits at the Green and Croissant Pits site resulting in net evaporation averaging 116.44 acre-feet per year (gross evaporation less historical natural depletions).

35.5 Additional uses: irrigation, piscatorial, fishing, fish culture and propagation, stock watering, wildlife, aesthetic, recreation, and fire protection uses. Irrigation consists of agricultural irrigation, which continues on portions of the sites as mining expands, and irrigation which may be part of the reclamation plans. Up to 100 acres of irrigation at the Walters and Bokelman Pits site and the Green and Croissant Pits site will result in an augmentation requirement of up to 170.79 acre-feet per year. LRM is not precluded from amending this plan for augmentation to seek credit for the irrigation

wetlands

return flows in the future but may only take credit for the irrigation return flows upon approval of a substitute water supply plan or entry of an amended decree, as applicable, and such credit shall be subject to the terms and conditions of such SWSP or amended decree. Depletions for all additional uses will consume up to 170.79 acre-feet per year.

35.6 Once mining commences at Walters Cell 4 and Green and Croissant Cell 4, dewatering operations at the unlined gravel pits located at these sites will result in out of priority depletions to be replaced pursuant to this plan for augmentation. Dewatering water will be pumped from the unlined gravel pits located within Walters Cell 4 and Green and Croissant Cell 4 and delivered to the Big Thompson River and may be used for augmentation so long as all depletions attributable to dewatering are replaced. LRM estimates that it will dewater up to approximately 40.33 acre-feet per month at a rate of 300 gpm. However, the dewatering rate may fluctuate and at times be higher or lower than the currently estimated rate of 300 gpm. The augmentation credit resulting from dewatering is equal to the amount of water delivered to the Big Thompson River. Depletions resulting from dewatering shall be lagged to the Big Thompson River using the Glover Method and the AWAS Glover alluvial aquifer model or similar tool described in Paragraph 36 and using the aquifer parameters shown in the following table:

Gravel Pit	X(ft)	W(ft)	S	T(GPD/ft)
Walters and Bokelman Pits Cell 4	661.0	981.0	0.2	50,000
Green and Croissant Pits Cell 4	738.0	2,280.0	0.2	50,000

The amount of water delivered to the Big Thompson River during dewatering operations shall be metered daily and accounted for monthly.

35.7 The maximum net amount of depletion that, to the extent it is out of priority, is required to be replaced pursuant to this plan for augmentation (net evaporation depletions + consumption in production washing and processing and concrete production and dust suppression + depletions from additional uses) is estimated to be up to approximately 361 acre-feet per year. Depletions are to a reach of the Big Thompson River downstream of the headgate of the Hill and Brush Ditch including the E ½ of Section 24, Township 5N, Range 68 W, 6th PM, Larimer County, Colorado and Sections 19 and 30, Township 5N, Range 67 W, 6th PM, Weld County, Colorado.

36. Timing of depletions: Due to the timing of evaporation and mining depletions, and the lagging effects of the aquifer, the net evaporation depletions to the river shall be distributed through the year using the following method and parameters:

36.1 The monthly net evaporative depletions from each Gravel Pit shall be lagged to the Big Thompson River using the Glover Method and the AWAS Glover alluvial aquifer model or similar tool. The AWAS model is based on the Glover Stream Depletion Method, and requires the definition of several aquifer and stream parameters,

including the distance from the center of the gravel pit to the impacted stream (X), the width of the aquifer on the side of the river where the gravel pit is located (W), the harmonic transmissivity of the aquifer (T), and the storage coefficient (S). Data from a local pump test were used to establish the aquifer parameters (a transmissivity of 50,000 gallons per day per foot and a storage coefficient to 0.2). The X, W, T and storage coefficient parameters are shown in the following table:

Gravel Pit	X(ft)	W(ft)	S	T(GPD/ft)
Walters and Bokelman Pits	661.0	981.0	0.2	50,000
Green and Croissant Pits	1,152.5	2,179.25	0.2	50,000

36.2 On November 1 of each year while mining operations are ongoing at each site, LRM shall determine the total current exposed surface area for each site for the next year, and calculate actual out of priority net evaporative depletions pursuant to Paragraph 35.2. Out of priority net evaporative depletions shall be replaced pursuant to the lagging pattern set forth in Paragraph 36.1. After completion of mining at each site, LRM shall make a final determination of the total exposed surface area at the completed site pursuant to Paragraph 35.2 and the lagging pattern to be used to make replacement of out of priority evaporative depletions pursuant to Paragraph 36.1 and calculate out of priority depletions for the completed site pursuant to Paragraph 35.2.

37. Sources of Augmentation Water (may be by first use or use of return flow from a prior use):

37.1 3 shares of the Consolidated Hillsborough Ditch Company described above.

37.2 LRM has the right to up to 200 acre-feet per year of fully consumable water leased from the City of Loveland for augmentation use pursuant to the Lease of Fully Consumable Water between LRM and the City of Loveland dated January 13, 1998 ("Leased Water").

37.2.1 In supplying the Leased Water to LRM, the City of Loveland may use any water, including, but not limited to the following sources of water which may be used to extinction:

a. Native water from the Big Thompson River basin which, when stored within the City's reservoir system, may be totally consumed pursuant to the terms and conditions of the decree in Case No. 82CW202A, Water Division 1; and

b. Water under an allotment contract with the Municipal Sub-District of the Northern Colorado Water Conservancy District, commonly known as Windy Gap Water; and

c. Any other water rights of the City determined by Water Court decree to be totally consumable.

37.2.2 At times when (1) LRM's Leased Water is being used as a source of augmentation; (2) any of the water rights identified in paragraph 4.1 are the calling water right; and (3) the Division Engineer is not able to administer a bypass of the Leased Water past the Hillsborough Ditch headgate, LRM's Leased Water shall be diverted at the Hillsborough Ditch river headgate, delivered to one of LRM's farm headgates, subject however to Paragraph 7.7.2, and measured at an augmentation station at the Walters and Bokelman Pits site, and then returned directly back to the Big Thompson River at a location described in Paragraph 6.1. LRM must obtain permission from the Consolidated Hillsborough Ditch Company before its Leased Water can be delivered to one of its farm headgates.

37.3 The conditional water storage rights and ground water rights described above.

37.4 Water delivered to the Big Thompson River through dewatering operations:

37.4.1 Water delivered through dewatering operations may be used to replace out of priority depletions resulting from evaporation, mining and production losses and from the dewatering process pursuant to Paragraph 35.6.

38. Replacement: Loveland Ready Mix shall release water from storage in the Walters Reservoir No. 1, Walters Reservoir No. 2 or Bokelman Reservoir No. 1, or deliver its water attributable to the Hillsborough Shares directly to the Big Thompson River, at the location described in Paragraph 6.1, or take delivery of Leased Water pursuant to the terms of its Lease with the City of Loveland to replace the depletions quantified under Paragraph 35 and the historical return flows from the changed Hillsborough Shares any time depletions resulting from uses approved pursuant to this plan for augmentation are out of priority. Use of water produced from dewatering operations for the replacement of out of priority depletions shall be made pursuant to Paragraph 35.6. LRM shall replace historical return flows for the changed Hillsborough Shares pursuant to the requirements of Paragraph 7.4.3.

39. Terms and conditions to prevent injury:

39.1 "First fill" is the water that fills an unlined gravel pit and occupies the volume previously occupied by the removed sand, gravel or other solid material. To prevent unreplaced out of priority depletions that may result from the "first fill" of the unlined Gravel Pits, LRM shall dewater the Gravel Pits except at times when in priority diversions may be made to fill all or some portion of the Gravel Pits or until LRM obtains

a substitute water supply plan approved by the State Engineer or plan for augmentation approved by the Water Court to augment out of priority depletions from the "first fill" of the Gravel Pits. In the event any diversion made in priority only fills a portion of an unlined gravel pit, LRM shall either re-commence dewatering to maintain the water level in such pit until additional in priority diversions can be made or LRM may continue out of priority diversions to fill such pit pursuant to an approved substitute water supply plan or Court approved augmentation plan that replaces out of priority depletions from the "first fill" for such pit. If pumps are used to make in priority diversions directly from the Big Thompson River to fill all or some portion of the Gravel Pits, there will be no lagged depletions. All out of priority depletions resulting from dewatering operations at the unlined Gravel Pits shall be replaced pursuant to Paragraph 35.6 of this augmentation plan.

39.2 After completion of mining at the Walters and Bokelman Pits site and Green and Croissant Pits site, LRM shall make a final determination of the total exposed surface acres at each site, and provide such determination to the Division Engineer for approval with notice to all parties of such determination and submittal to the Division Engineer. If no decision is rendered by the Division Engineer within 60 days of submittal, the determination shall be considered accepted by the Division Engineer. LRM shall also provide such determination to Central and all other parties upon request. Any party, other than the Division Engineer, wishing to contest the final determination of the total exposed surface acres at each site must, within 60 days of the submittal of the determination of total exposed surface acres to the Division Engineer, file a petition to invoke retained jurisdiction with the Court setting forth the specific factual basis for the dispute of such determination amount. If the Division Engineer will not approve such determination as provided by LRM, the Division Engineer may contest the final determination and file a petition to invoke the Court's retained jurisdiction within 60 days of receipt of such determination by LRM. The Court will thereafter set such proceedings as it deems necessary and LRM shall have the initial burden of proof in such proceedings concerning all issues related to the final determination of total exposed surface acres at the site.

39.3 Accounting. Accounting shall be on the accounting forms attached hereto as Exhibit D. LRM shall send copies of its monthly accounting records to the Division Engineer on a monthly basis, or more frequently as required by the Water Commissioner or the Division Engineer, and to the parties to this proceeding upon their request. The accounting forms are not decreed herein and may be changed from time to time so long as the information required by this decree is included in the forms and such changes are approved or required by the Division Engineer or Water Commissioner without need for Water Court approval. The accounting shall include the following information: (1) Measured deliveries under the changed Hillsborough Shares and Walters Reservoir No. 1, Walters Reservoir No. 2 and Bokelman Reservoir No. 1, which shall be accounted for daily and reported monthly; (2) Amount of concrete production in cubic yards, which shall be accounted for and submitted monthly; (3) Amount of washed mined product in tons, which shall be accounted for and submitted monthly; (4) Amount of water used for dust

suppression, which shall be accounted for and submitted monthly; (5) Amount of Gravel Pit net evaporation and Stock Pond gross evaporation, which shall be accounted for and submitted monthly; (6) Measured releases of replacement water from storage from Walters Reservoir No. 1, Walters Reservoir No. 2 and Bokelman Reservoir No. 1 to the Big Thompson River, including accounting of reservoir inflows, outflows, change of storage, evaporation, and releases of out of priority precipitation, which shall be accounted for daily and reported monthly; (7) Measured direct augmentation deliveries to the Big Thompson River, which shall be accounted for daily and reported monthly; (8) Measured deliveries of Leased Water which shall be accounted for daily and reported monthly; (9) Measured in priority diversions for Walters Pits and Green and Croissant Pits which shall be accounted for daily and reported monthly; (10) Measured water pumped for dewatering, which shall be accounted for daily and reported monthly; (11) Measured water pumped for dewatering that may be used for augmentation, which shall be accounted for daily and reported monthly; (12) Measured historical return flow obligations, which shall be accounted for daily and reported monthly; (13) Total augmentation supply on a daily basis, as well as the total out of priority depletion replacement requirement, as indicated by daily river call information; (14) monthly tracking of compliance with volumetric limits; and (15) unit response factors (URFs) used to calculate lagged depletions attributable to gravel mine dewatering and irrigation return flows.

39.4 LRM shall install and maintain, at LRM's expense, necessary meters, gauges or other measuring devices required by the Water Commissioner or Division Engineer and shall report at reasonable times to the Division Engineer or Water Commissioner the readings of such meters, gauges, or other measuring devices pursuant to CRS §37-92-502(5)(a).

39.5 During the months of November through March, LRM shall replace out of priority depletions by the fifteenth and last day of the month of occurrence of such depletions, but the Division Engineer or Water Commissioner may require more frequent releases and replacement. During the months of April through October, LRM shall replace all out of priority depletions on a daily basis when there is a valid call for water from a downstream senior water right

39.6 Transit Losses. When applicable, LRM shall bear such transit losses as may be reasonably and lawfully assessed by the Division Engineer or Water Commissioner for the carriage of water to downstream locations in the same manner as for other water users on the South Platte River and Big Thompson River. Pursuant to § 37-87-103, LRM shall provide reasonable prior notice of such release of water to the Division Engineer or Water Commissioner.

40. No injury: This plan for augmentation will not injuriously affect the owner of or persons entitled to use water under any vested water right or decreed conditional water right.

41. Substitute supply: The substituted water shall be of a quality and quantity so as to meet the requirements for which the water of senior appropriators has normally been used.

CONCLUSIONS OF LAW

42. The Application herein is contemplated by law and this Court has jurisdiction over the subject matter of this proceeding and all persons affected thereby, whether they appeared or not.

43. Timely and adequate notice of the pendency of this action was given in the manner provided by law.

44. The plan for augmentation, the conditional water rights and change of water rights decreed herein are, as a matter of law, permissible and come within the definitions authorized by statute.

45. Well permit and plan for augmentation required: Pursuant to CRS §37-92-103(14), §37-90-137(11)(a) and *Three Bells Ranch v. Cache la Poudre Water Users Assn.*, 758 P.2d 164 (Colo. 1988), a gravel pit that exposes ground water to the atmosphere, where application of the ground water to a beneficial use is part of an approved reclamation plan, is a "well." A well permit and plan for augmentation are required.

46. Approval of change of water rights. The change of water rights decreed herein meet all statutory and case law requirements for approval.

47. Approval of conditional water rights: The conditional water rights decreed herein meet all statutory and case law requirements for approval.

48. Approval of plan for augmentation: The plan for augmentation decreed herein meets all statutory and case law requirements for approval.

49. Pre-existing natural depletions: Pursuant to CRS §37-92-305(12), an augmentation plan for a gravel pit that exposes ground water to the atmosphere need not replace the amount of historic natural depletion to the waters of the state 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. Loveland Ready Mix has proven the historic natural depletion.

50. This Decree is administrable by the water officials of the State of Colorado provided that LRM furnishes to the Division Engineer or his representative upon request, appropriate accounting records.

51. No injury: This plan for augmentation will not injuriously affect the owner of or persons entitled to use water under any vested water right or decreed conditional water right. CRS §37-92-305(3).

52. Substitute water: The substituted water shall be of a quality and quantity so as to meet the requirements for which the water of senior appropriators has normally been used, and such substituted water shall be accepted by senior appropriators in substitution for water derived by the exercise of their decreed rights pursuant to CRS §37-92-305(5).

53. The change of water right described above will not result in any material injurious affect to the owner or user of any vested water right or decreed conditional water right.

54. Loveland Ready Mix has completed the "first step" necessary to initiate the claimed conditional water rights, has been reasonably diligent since the priority date awarded, and has met all other requirements. The "first step" requires formation of the intent to appropriate, and overt acts that manifest the necessary intent, demonstrate the taking of a substantial step toward application of the water to beneficial use, and provide notice to others of the nature and extent of the claimed appropriation. *City of Thornton v. City of Fort Collins*, 830 P.2d 915 (Colo. 1992). Loveland Ready Mix is thus entitled to the claimed conditional water rights with the priority dates set forth herein.

55. Loveland Ready Mix has established that the claimed conditional water rights, which are the subject of this decree, can be and will be diverted, stored, captured, possessed, and controlled and will be beneficially used and that the subject water rights can and will be completed with diligence and within a reasonable time pursuant to CRS §37-92-305(9)(b).

JUDGMENT AND DECREE

56. The Findings of Fact and Conclusions of Law set forth above are hereby incorporated into the terms of this Judgment and Decree as if the same were fully set forth herein.

57. The change of water rights for the 3 Hillsborough Shares is approved, subject to all terms and conditions herein.

58. The conditional water rights are confirmed and decreed.

59. The plan for augmentation is approved and decreed.

60. Pursuant to CRS §37-92-305(8), 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.

61. The application for water rights confirmed above for the Walters Reservoir No. 1, Walters Reservoir No. 2, and Bokelman Reservoir No. 1 was filed in the year 2009, and the amended application for water rights confirmed above for the Walters Pits and Green and Croissant Pits was filed in the year 2010. The priority dates awarded shall establish their relative priorities among other water rights or conditional water rights awarded on applications filed in 2009 for the Walters Reservoir No. 1, Walters Reservoir No. 2, and Bokelman Reservoir No. 1 and 2010 for the Walters Pits and Green and Croissant Pits; but such water rights shall be junior to all water rights or conditional water rights awarded on applications filed in any previous calendar year.

62. The conditional water rights decreed herein are continued in force through the month of October, 2017. An application for a finding of reasonable diligence or to make absolute shall be filed pursuant to CRS §37-92-302 no later than October 31, 2017.

63. Retained Jurisdiction:

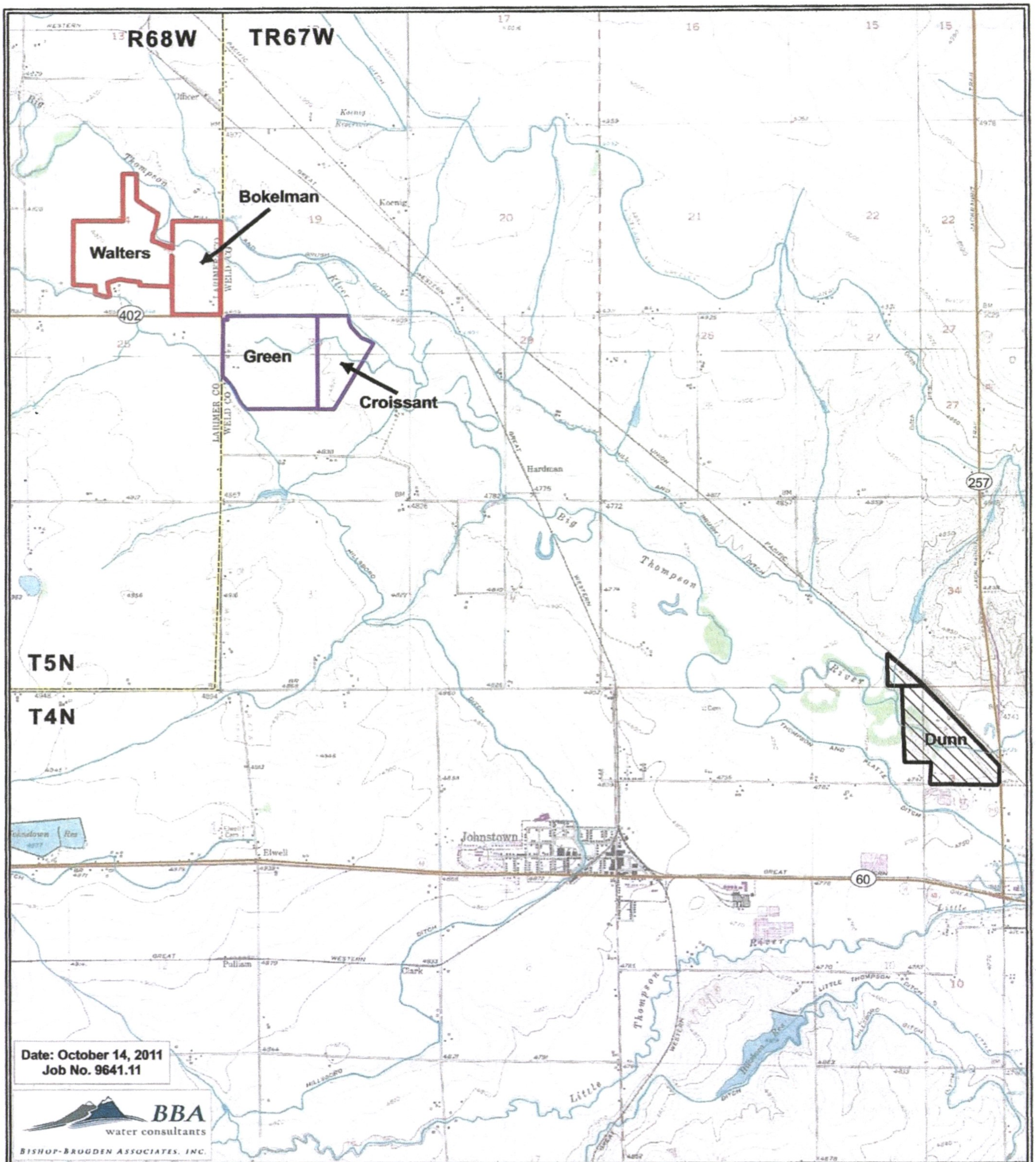
63.1 Pursuant to CRS §37-92-304(6), the approval of the above plan for augmentation is subject to reconsideration by the water judge on the question of injury to the vested rights of others for a period of 5 years after the date that two Hillsborough Shares are first put to a Changed Use.

63.2 Pursuant to CRS §37-92-304(6), approval of the above change of water rights shall be subject to reconsideration by the water judge on the question of injury to the vested rights of others for a period of five years from the date that two Hillsborough Shares are first put to a Changed Use.

63.3 The Court shall retain jurisdiction regarding the final determinations of the total exposed surface acres at the Walters and Bokelman Pits site and the Green and Croissant Pits site for the period of time set forth in Paragraph 39.2. Retained jurisdiction must be invoked pursuant to the requirements of Paragraph 39.2.

63.4 The Court shall retain jurisdiction regarding the calculation of the amount of total storage located within the void space of the unlined material at the Walters and Bokelman Pits site and plan to account for storage in the void space for the period of time set forth in Paragraph 13.5. Retained jurisdiction must be invoked pursuant to the requirements of Paragraph 13.5.

63.5 Procedure for Retained Jurisdiction. Any party, including the State and Division Engineers, may invoke retained jurisdiction pursuant to paragraphs 63.1 or 63.2 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 the retained jurisdiction shall set forth with



Legend

- Walter/Bokelman Property Boundary
- Green and Croissant Boundary
- Dunn Property Boundary (Approximate)

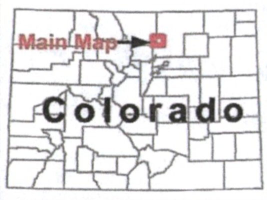
Exhibit A
Loveland Ready Mix
General Property
Location Map

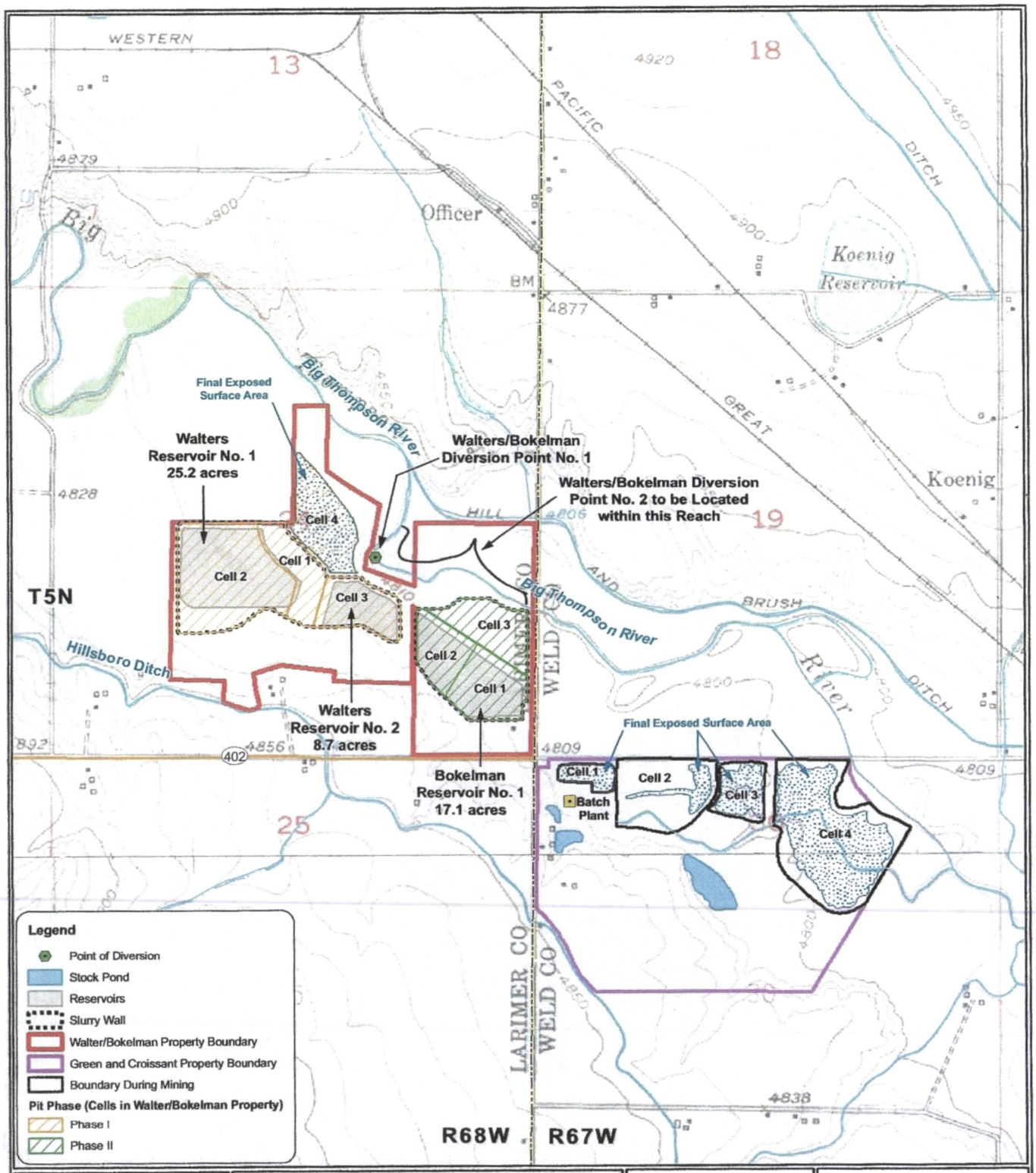
N
W E
S

1 inch = 3,739 feet

0 1,800 3,600 Feet

Overview Map





BBA water consultants
BISHOP-BROGDEN ASSOCIATES, INC.

Date: July 30, 2010
Job No. 9641.11

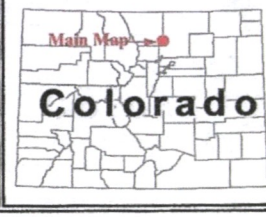
Exhibit B
Loveland Ready Mix Map of Mining at Walters/Bokelman and Green/Croissant Properties

N
W E
S

1 inch = 1,505 feet

0 750 1,500 Feet

Overview Map



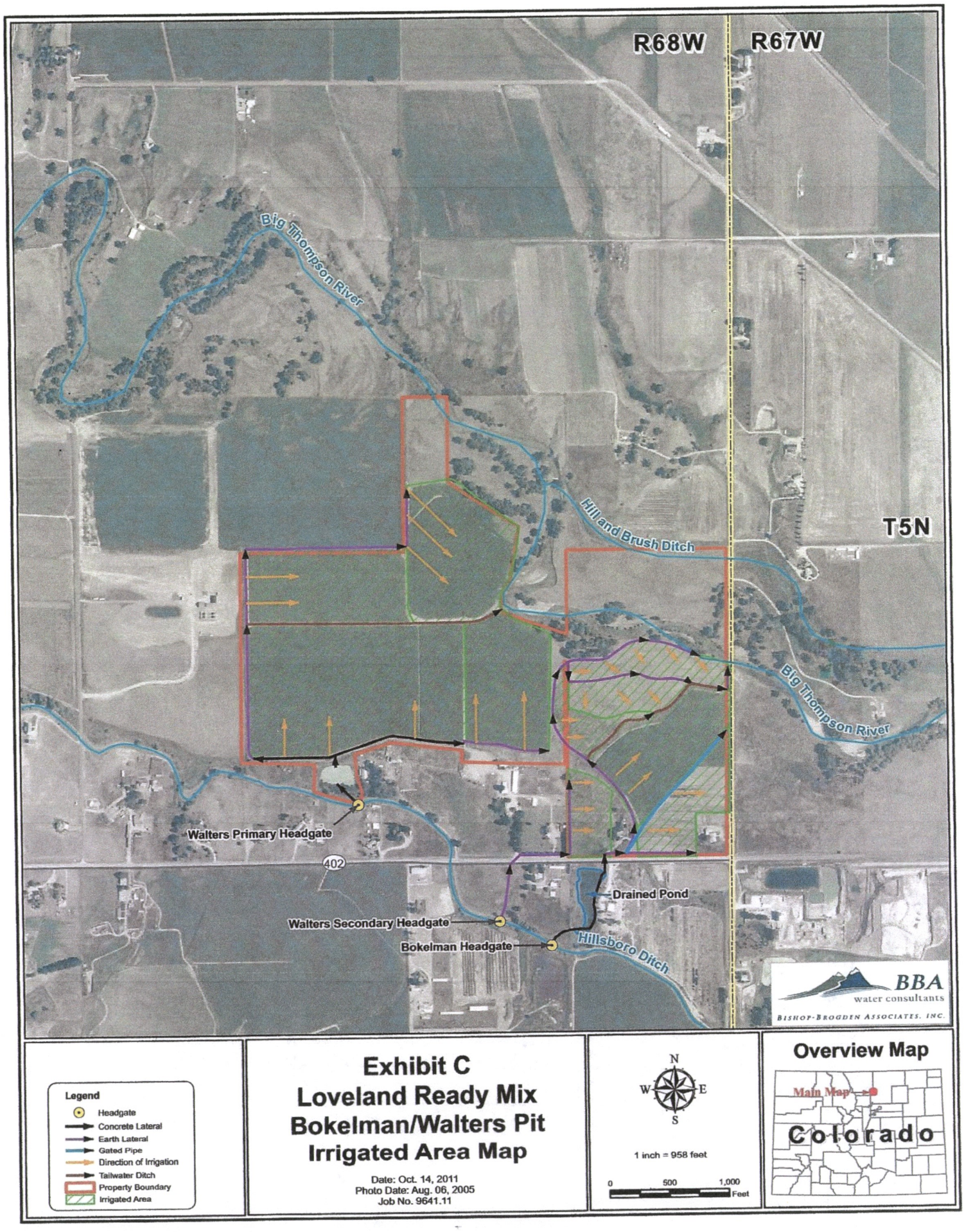

R68W
R67W
T5N
Big Thompson River
Hill and Brush Ditch
Big Thompson River
Walters Primary Headgate
402
Drained Pond
Walters Secondary Headgate
Bokelman Headgate
Hillsboro Ditch
BBA
water consultants
Bishop-Brogden Associates, Inc.
Legend
Headgate
Concrete Lateral
Earth Lateral
Gated Pipe
Direction of Irrigation
Tailwater Ditch
Property Boundary
Irrigated Area
Exhibit C
Loveland Ready Mix
Bokelman/Walters Pit
Irrigated Area Map
Date: Oct. 14, 2011
Photo Date: Aug. 06, 2005
Job No. 9641.11
N
W
E
S
1 inch = 958 feet
0
500
1,000
Feet
Overview Map
Main Map
Colorado

Exhibit D
Loveland Ready Mix Concrete, Inc., Case No. 2009CW105
Accounting Form E
Monthly LRM Reservoir Storage

Month: *Year:*

All Values in Acre-Ft

Physical Pond Volume Deliveries and Releases - Walters Reservoir No. 1

Day	Aug Credits Stored [a]	Captured Precip. [b]	Other Deliveries or Seepage [c]	Aug or Historical Releases [d]	Evaporation Losses [e]	Required Return Precip. [f]	Total In Flow/Out Flow [g]	Running Total 09CW105 [h]	Running Total Free Water [i]	Running Total Walters Reservoir No. 1 [j]
Carry Over										
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										
21										
22										
23										
24										
25										
26										
27										
28										
29										
30										
31										
Totals	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
										Final Calculated Pond Balance

Est. reservoir volume based upon staff gauge readings:
Difference in Estimated versus Physical:

Total Exposed Acreage

All Values in Acre-Ft

Physical Pond Volume Deliveries and Releases - Bokelman Reservoir No. 1

Day	Aug Credits Stored [a]	Captured Precip. [b]	Other Deliveries or Seepage [c]	Aug or Historical Releases [d]	Evaporation Losses [e]	Required Returned Precip. [f]	Total In Flow/Out Flow [g]	Running Total 09CW105 [h]	Running Total Free Water [i]	Running Total Bokelman Reservoir No. 1 [j]
Carry Over										
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										
21										
22										
23										
24										
25										
26										
27										
28										
29										
30										
31										100
Totals	0.00	0.00	0			0.00		0.00	0.00	Final Calculated Pond Balance

Est. reservoir volume based upon staff gauge readings:
Difference in Estimated versus Physical:

All Values in Acre-Ft

Physical Pond Volume Deliveries and Releases - Walters Reservoir No. 2

Day	Aug Credits Stored [a]	Captured Precip. [b]	Other Deliveries or Seepage [c]	Aug or Historical Releases [d]	Evaporation Losses [e]	Required Returned Precip. [f]	Total In Flow/Out Flow [g]	Running Total 09CW105 [h]	Running Total Free Water [i]	Running Total Walters Reservoir No. 2 [j]
Carry Over										
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										
21										
22										
23										
24										
25										
26										
27										
28										
29										
30										
31										0.00
Totals	0.00	0.00	0			0.00		0.00	0.00	Final Calculated Pond Balance

Estimated reservoir volume based upon staff gauge readings:
Difference in Estimated versus Physical:

Notes:

[a] Physical Case No. 09CW105 water deliveries run into storage
[b] Physical precipitation captured as per rain gauge readings
[c] Other deliveries, fees diver
[d] Water returned to river for Direct Augmentation, Irrigation, or Historical Return Flows
[e] Calculated/Estimated evaporation based on exposed surface area of reservoir at beginning of month (for reservoir balance only)
[f] Captured precipitation returned to river
[g] Total change to reservoir volume, sum of [a] thru [f]
[h] Total change to volume of 09CW105 water stored in Pond, sum of [a], [d], [g]
[i] Total change to volume of Free Water stored in Reservoir sum of [b], [c], [f]
[j] Running total of all water stored in Reservoir = [h]+[i]

Staff Gauge Reading at end of month: Walters Reservoir No. 1
Walters Reservoir No. 2
Bokelman Reservoir No. 1

Total Volume Stored in Reservoirs: 0.0 ac-ft

Average Surface Area: Walters Reservoir No. 1
Walters Reservoir No. 2
Bokelman Reservoir No. 1

NET EVAPORATION RATES TABLE

Month	Gross Evaporation	Effective Precipitation	Net Evaporation
January	0.101 ft	0.027 ft	0.074 ft
February	0.117 ft	0.026 ft	0.091 ft
March	0.184 ft	0.068 ft	0.116 ft
April	0.302 ft	0.104 ft	0.198 ft
May	0.402 ft	0.159 ft	0.243 ft
June	0.466 ft	0.107 ft	0.359 ft
July	0.503 ft	0.094 ft	0.409 ft
August	0.452 ft	0.089 ft	0.363 ft
September	0.335 ft	0.076 ft	0.259 ft
October	0.235 ft	0.061 ft	0.174 ft
November	0.134 ft	0.043 ft	0.091 ft
December	0.101 ft	0.030 ft	0.071 ft

Gross Evaporation rates based on NOAA Evaporation Atlas and distributed according to SEO Senate Bill 130 criteria

Effective Precipitation based upon the average of precipitation data at the Watertdale, CO (ID#6839) and Greeley UNC, CO (ID#3553-combined) NOAA weather stations for the time period 1950-2007 (both stations) and assuming 70% effective precipitation occuring on historically irrigated lands.

Exhibit D
Loveland Ready Mix Concrete, Inc., Case No. 2009CW105
Accounting Form D
Monthly Accounting Summary
Walters/Bokelman and Green/Croissant Properties
(all values in acre-feet unless otherwise noted)

Month: *Year:*
Total Acres Irrigated *0.0* *acres*

	LRM Hillsborough Ditch Deliveries				Augmentation Credits						LRM Augmentation Obligations and Returns							
											Returns to the Stream-Obligations					*Returns to Stream-Actual*		
Day	Total Delivery at Headgate (afa) [1]	Total Delivery [2]	Delivery used for Agricultural Irrigation [3]	Augmentation Deliveries (to Storage) [4]	Hillsborough Ditch Credits Available for Augmentation [5]	Calculated Historical Return Flows [6]	Delivery of Water from City of Loveland Lease [7]	Total Augmentation Credits [8]	Augmentation Credits Stored [9]	Augmentation Credits Returned to the River for Direct Use [10]	Required Returns for Direct Augmentation Use [11]	Calculated Historical Return Flow [12]	Non-Irrigation Season Return Flow Obligation [13]	Captured Water Return Obligation [14]	Total Return Obligations to the River [15]	Storage Releases [16]	Augmentation Credits Returned to the River for Direct Use [17]	Net Effect to River [18]
1																		
2																		
3																		
4																		
5																		
6																		
7																		
8																		
9																		
10																		
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22																		
23																		
24																		
25																		
26																		
27																		
28																		
29																		
30																		
31																		
Total																		

Notes:
[1] Deliveries to the Walter Headgate from the Hillsborough Ditch. Limited to April 10 through October 31, per the Case No. 2009CW105 decree.
[2] Equal to [1] x 1.9825.
[3] Equal to LRM delivery x (acres irrigated/150.4 average historical acres irrigated).
[4] Equal to [2] - [3].
[5] Equal to [4] x monthly depletion credit factor per paragraph 7.4.1 of the Case No. 2009CW105 decree.
[6] Equal to [4] - [5].
[7] Delivery of leased City of Loveland water (includes ditch loss).
[8] Equal to [5] - [6] + [7].
[9] Augmentation credits delivered to storage in LRM Walters Reservoir No. 1, Walters Reservoir No. 2, and/or Bokelman Reservoir No. 1.
[10] Augmentation credits used directly and returned to the river. (Equal to [8]-[9])
[11] Required Augmentation Returns under decree; from accounting form C.
[12] Required historical return flows equal to [6].
[13] Non-irrigation season return flows as defined in the Case No. 2009CW105 decree, divided by the number of days in the month
[14] Equal to precipitation inflows that must be returned.
[15] Equal to [11] + [12] +[13] + [14].
[16] Releases from LRM Walters Reservoir No. 1, Walters Reservoir No. 2, and/or Bokelman Reservoir No. 1, as shown in Accounting Form B.
[17] Augmentation credits used directly and returned to river, equal to [10].
[18] Net effect to river.

Exhibit D

Loveland Ready Mix Concrete, Inc., Case No. 2009CW105

Accounting Form C

Monthly Depletions

Walters/Bokelman and Green/Croissant Properties

Month:	March 2011
Total Depletions	
Evaporation	
1. Net Surface Area requiring Augmentation (acres):	65.00
1a. Walters/Bokelman Pits (acres) (from Accounting Form A)	11.50
Lagged Net Evaporation at Walters/Bokelman Pits (ac-ft)	-1.21
1b. Green/Croissant Pits (acres) (from Accounting Form B)	53.50
Total Evaporation at Green/Croissant Pits and Stock Ponds (ac-ft)	-6.19
2. Total Lagged Pond Evaporation (ac-ft), equals (1a) + (1b)	-7.40
Effect of Dewatering	
3. Water pumped to the river for dewatering, equals (3a) + (3b):	80.66
3a. Walters/Bokelman Cell 4 (ac-ft)	40.33
3b. Green/Croissant Cell 4 (ac-ft)	40.33
4. Lagged Depletions from dewatering, equals (4a) + (4b)	
4a. Walters/Bokelman Cell 4	24.52
4b. Green/Croissant Cell 4	16.41
5. Net effect to Big Thompson River, equals (5a) + (5b):	39.73
5a. Walters/Bokelman Cell 4 (ac-ft), equals (3a) - (4a)	15.81
5b. Green/Croissant Cell 4 (ac-ft), equals (3b) - (4b)	23.92
Washed Aggregate	
6. Aggregate Sales (tons), equals (6a) + (6b):	22,400
6a. Walters/Bokelman (tons)	14,000
6b. Green Croissant (tons)	8,400
7. Water Percent removed by Weight (%)	4%
8. Water Removed (ac-ft), equals (8a) + (8b):	-0.66
8a. Walters/Bokelman (ac-ft), equals (6a) x (7) x 7.36 E-4, equals unit conversion	-0.41
8b. Green/Croissant (ac-ft), equals (6b) x (7) x 7.36 E-4, equals unit conversion	-0.25
Dust Suppression	
9. Dust Control (gallons)	122,666
10. Dust Control (ac-ft), equals (9) / 325851	-0.38
Concrete Production	
11. Concrete Production (cubic yards)	11,428
12. Water Consumption (gallons), equals 30 gallons of water x (11)	342,840
13. Water Consumption (ac-ft), equals (12) / 325851	-1.05
Additional Uses	
Total Depletions	
14. Total Mining Uses (ac-ft), equals (14a) + (14b):	-2.09
14a. Walters/Bokelman (ac-ft), equals (8a)	-0.41
14b. Green/Croissant (ac-ft), equals (8b) + (10) + (13)	-1.68
15. Lagged Mining Depletions, equals (15a) + (15b):	-0.64
15a. Walters/Bokelman, based upon (14a) and URFs	-0.25
15b. Green/Croissant, based upon 14b and URFs	-0.39
16. Total Lagged Depletions (2) + (5) + (15)	**31.68**
Out of Priority Depletions	
17. Number of Days Unlined Pits are Out of Priority, obtained from Water Commissioner	31
18. Percent of Days Out of Priority (%)	100%
19. Total Out-of-Priority Depletions (ac-ft), equals (16) x (18) if (16) < 0; equals (16) if (16) > 0.	31.68
Replacement Water Requirement	
20. Replacement Requirement/Surplus (ac-ft), equals (16)	31.68
21. Transit Loss (to be determined by the Water Commissioner)	
22. Total Replacement Requirement	0.00
23. Daily Replacement Requirement	0.00

Notes:

Shaded areas indicate values to be input each month.

[1] Walters/Bokelman and Green/Croissant Pits exposed surface area to be confirmed and entered monthly in evaporation table (Accounting Forms A and B, respectively). Total lagged evaporation in [1a] and [1b] are based upon unit response functions (URFs) developed using the IDS AWAS program and the aquifer parameters shown in Accounting Forms A and B.

[3] Total amount pumped for dewatering of mined pits is based upon LRM records.

[4] Lagged depletions from dewatering are based upon [3] and unit response functions (URFs) developed using the IDS AWAS program and the following aquifer parameters:

Transmissivity = 50,000 gpd/ft.
Specific Yield = 0.2.
Aquifer width = 981 feet (Walters Cell 4) & 2,280 feet (Green Cell 4).
Distance from center of cell to river = 661 feet (Walter Cell 4) & 738 feet (Green Cell 4).

[6] Aggregate sales are based upon LRM records.

[7] Water removed with mined aggregate equals 9.6 gallons/ton (4% of total mined volume) as defined by Senate Bill 89-120.

[9] Dust suppression use is based upon LRM records.

[11] Concrete production is based upon LRM records.

[15] Lagged mining depletions are calculated using unit response functions (URFs) that were developed using the IDS AWAS program and the following aquifer parameters:

Transmissivity = 50,000 gpd/ft.
Specific Yield = 0.2.
Aquifer width = 981 feet (Walters/Bokelman) & 2,179.25 feet (Green/Croissant).
Distance from center of pit to river = 661 feet (Walters/Bokelman) & 1,152.5 feet (Green/Croissant).

[22] is equal to [20] + [21] if [20] is less than zero. If [20] is greater than zero (no replacement required), [22] is equal to zero.

Exhibit D

Loveland Ready Mix Concrete, Inc., Case No. 2009CW105

Accounting Form B

Future Evaporation Depletion Accounting - Green/Croissant Pits (#M-2001-022)

YEAR 2011

Month	Exposed Area Requiring Augmentation-Green/Croissant Pits (acres) [1a]	Exposed Area Requiring Augmentation-Misc. Stock Ponds (acres) [1b]	Gross Evaporation Rate (ft) [2]	Volume of Gross Evaporation		Average Total Precipitation (ft) [4]	Effective Precipitation (ac-ft) [5]	Net Evaporation Rate (ft) [6]	Net Evaporation Volume-Green/Croissant (ac-ft) [7]	Evaporation Lagging Pattern (%) [8]	Total Lagged Evaporation Depletions (ac-ft) [9]
				Green/ Croissant (ac-ft) [3a]	Misc. Stock Ponds (ac-ft) [3b]						
November	47.20	6.3	0.13	6.32	0.84	0.06	0.04	0.09	4.32	8.6%	-10.81
December	47.20	6.3	0.10	4.74	0.63	0.04	0.03	0.07	3.35	6.3%	-7.99
January	47.20	6.3	0.10	4.74	0.63	0.04	0.03	0.07	3.47	4.9%	-6.35
February	47.20	6.3	0.12	5.53	0.74	0.04	0.03	0.09	4.31	4.3%	-5.73
March	47.20	6.3	0.18	8.70	1.16	0.10	0.07	0.12	5.48	4.3%	-6.19
April	47.20	6.3	0.30	14.23	1.90	0.15	0.10	0.20	9.33	5.3%	-8.10
May	47.20	6.3	0.40	18.97	2.53	0.23	0.16	0.24	11.48	7.0%	-10.72
June	47.20	6.3	0.49	22.93	3.06	0.15	0.11	0.38	17.85	9.5%	-14.17
July	47.20	6.3	0.50	23.72	3.17	0.13	0.09	0.41	19.28	12.2%	-17.41
August	47.20	6.3	0.45	21.35	2.85	0.13	0.09	0.36	17.15	13.5%	-18.59
September	47.20	6.3	0.34	15.81	2.11	0.11	0.08	0.26	12.23	12.9%	-17.18
October	47.20	6.3	0.23	11.07	1.48	0.09	0.06	0.17	8.20	11.0%	-14.32
Total			3.35	158.12	21.11	1.26	0.88	2.47	116.44	100.0%	-137.55

Notes:

[1] Exposed area requiring augmentation allows for augmentation of up to a total of 53.5 acres at Green/Croissant Pits.

[2] Total gross evaporation (3.35 feet) is based upon NOAA Technical Report NWS 33 and distributed according to SEO Senate Bill 89-120 criteria:

November:	4.0%	February:	3.5%	May: 12.0%	August: 13.5%
December:	3.0%	March:	5.5%	June: 14.5%	September: 10.0%
January:	3.0%	April:	9.0%	July: 15.0%	October: 7.0%

[3] [1] x [2].

[4] Based upon the average of precipitation data at the Waterdale, CO (ID#8839) and Greeley UNC, CO (ID#3553-confirm) NOAA weather stations for the time period 1950-2007 (both stations)

[5] Assumed 70% effective precipitation. [5] is equal to [4] x 70%.

[6] [2] - [5].

[7] [1] x [6].

[8] Lagging pattern for the Green/Croissant Pits is based upon IDS AWAS Glover Analysis using the following parameters (assuming steady state conditions):

Transmissivity: 50,000 gallons/day/foot
Specific Yield: 0.2
Aquifer Width: 2,179.25 feet
Average distance from edge of pit to river: 1,152.5 feet

[9] The total lagged depletion is equal to the total of [7] x [8] + [3b]

Exhibit D

Loveland Ready Mix Concrete, Inc., Case No. 2009CW105

Accounting Form A

Future Evaporation Depletion Accounting- Walters/Bokelman Pit (#M-2006-080)

YEAR 2011

Month	Exposed Area Requiring Augmentation (acres) [1]	Gross Evaporation Rate (ft) [2]	Volume of Gross Evaporation (ac-ft) [3]	Average Total Precipitation (ft) [4]	Effective Precipitation (ac-ft) [5]	Net Evaporation Rate (ft) [6]	Net Evaporation Volume (ac-ft) [7]	Evaporation Lagging Pattern (%) [8]	Lagged Net Evaporation Depletions (ac-ft) [9]
November	11.50	0.13	1.54	0.06	0.04	0.09	1.05	5.1%	-1.45
December	11.50	0.10	1.16	0.04	0.03	0.07	0.82	3.3%	-0.94
January	11.50	0.10	1.16	0.04	0.03	0.07	0.85	3.0%	-0.84
February	11.50	0.12	1.35	0.04	0.03	0.09	1.05	3.4%	-0.97
March	11.50	0.18	2.12	0.10	0.07	0.12	1.33	4.3%	-1.21
April	11.50	0.30	3.47	0.15	0.10	0.20	2.27	6.7%	-1.89
May	11.50	0.40	4.62	0.23	0.16	0.24	2.80	9.0%	-2.56
June	11.50	0.49	5.59	0.15	0.11	0.38	4.35	13.1%	-3.73
July	11.50	0.50	5.78	0.13	0.09	0.41	4.70	15.9%	-4.52
August	11.50	0.45	5.20	0.13	0.09	0.36	4.18	15.4%	-4.37
September	11.50	0.34	3.85	0.11	0.08	0.26	2.98	12.2%	-3.46
October	11.50	0.23	2.70	0.09	0.06	0.17	2.00	8.5%	-2.42
Total		3.35	38.53	1.26	0.88	2.47	28.37	100.0%	-28.37

Notes:

[1] Exposed area requiring augmentation allows for augmentation of up to a total of 11.5 acres at Walters/Bokelman Pit.

[2] Total gross evaporation (3.35 feet) is based upon NOAA Technical Report NWS 33 and distributed according to SEO Senate Bill 89-120 criteria:

November: 4.0%	February: 3.5%	May: 12.0%	August: 13.5%
December: 3.0%	March: 5.5%	June: 14.5%	September: 10.0%
January: 3.0%	April: 9.0%	July: 15.0%	October: 7.0%

[3] [1] x [2].

[4] Based upon the average of precipitation data at the Waterdale, CO (ID#8839) and Greeley UNC, CO (ID#3553-confirm) NOAA weather stations for the time period 1950-2007 (both stations)

[5] Assumed 70% effective precipitation. [5] is equal to [4] x 70%.

[6] [2] - [5].

[7] [1] x [6].

[8] Lagging pattern for the Walters/Bokelman Pit cells is based upon IDS AWAS Glover Analysis using the following parameters (assuming steady state conditions):

Transmissivity: 50,000 gallons/day/foot
Specific Yield: 0.2
Aquifer Width: 981 feet
Distance from center of pit to river: 661 feet

[9] The total lagged depletion is equal to the total of [7] x [8].

Exhibit E
Loveland Ready Mix Concrete, Inc., Case No. 2009CW105
Calculation of 20-Year and 57-Year Cumulative Deliveries

(1)	
Historical Study Period	Historical Deliveries (ac-ft)
1950	313.51
1951	294.42
1952	339.01
1953	350.94
1954	347.74
1955	318.96
1956	376.82
1957	306.02
1958	292.52
1959	321.71
1960	334.68
1961	294.61
1962	341.62
1963	326.19
1964	328.61
1965	311.44
1966	312.83
1967	230.38
1968	311.12
1969	289.79
1970	280.76
1971	305.09
1972	266.13
1973	269.06
1974	265.20
1975	303.91
1976	265.65
1977	266.28
1978	288.13
1979	189.90
1980	275.14
1981	229.28
1982	242.10
1983	226.46
1984	258.62
1985	287.16
1986	290.99
1987	287.01
1988	276.52
1989	248.42
1990	303.30
1991	243.18
1992	273.66
1993	274.58
1994	282.53
1995	224.69
1996	286.51
1997	256.02
1998	328.49
1999	221.90
2000	319.43
2001	246.87
2002	317.05
2003	235.65
2004	305.46
2005	230.92
2006	303.75

(2a)	(2b)	(2c)
Plan Year	Annual Delivery	20-Year Cumulative Delivery
Historical Deliveries Used to Calculate the Cumulative Volume of Deliveries in Year One of the Plan	276.52 248.42 303.30 243.18 273.66 274.58 282.53 224.69 286.51 256.02 328.49 221.90 319.43 246.87 317.05 235.65 305.46 230.92 303.75	
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(3a)	(3b)	(3c)
Plan Year	Annual Delivery	57-Year Cumulative Delivery
Historical Deliveries Used to Calculate the Cumulative Volume of Deliveries in Year One of the Plan	294.42 339.01 350.94 347.74 318.96 376.82 306.02 292.52 321.71 334.68 294.61 341.62 326.19 328.61 311.44 312.83 230.38 311.12 289.79 280.76 305.09 266.13 269.06 265.20 303.91 265.65 266.28 288.13 189.90 275.14 229.28 242.10 226.46 258.62 287.16 290.99 287.01 276.52 248.42 303.30 243.18 273.66 274.58 282.53 224.69 286.51 256.02 328.49 221.90 319.43 246.87 317.05 235.65 305.46 230.92 303.75	
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Notes:

(1) The historical farm headgate deliveries attributable to the three Hillsborough Ditch shares owned by Loveland Ready Mix are equal to the total pro-rata Hillsborough Ditch diversions available for shareholders less a 20% ditch loss. The study period from 1950-2006 represents the study period used to calculate the historical consumptive use of LRM's three shares in Case No. 09CW195.

(2) According to the decree in Case No. 09CW105, **LRM's deliveries are limited to a <u>cumulative 20-year running total of 6,356.8 ac-ft</u>** (20-year cumulative total is calculated in Column 2c). For Year 1 of the plan, the total cumulative deliveries will be equal to the first year deliveries plus the historical deliveries from 1988 through 2006, as shown above in Column 2b. In Year 2, the total cumulative deliveries will be equal to the deliveries from Year 1 plus deliveries from Year 2 plus the sum of historical deliveries from 1989 through 2006. In each subsequent year up to year 19, the total cumulative volume will be calculated in a similar manner. In Year 20 of the plan, the cumulative 20-year running total will be equal to the sum of the deliveries from Years 1 through 20 of the plan. In Year 21 of the plan, the cumulative 20-year running total will be equal to the sum of the deliveries from Years 2 through 21 of the plan, and so on for subsequent years. According to the decree in Case No. 09CW105, **LRM's deliveries in the first 10-years of the plan are limited to a cumulative total of 3,178.4 ac-ft.**

(3) According to the decree in Case No. 09CW105, **LRM's deliveries are limited to a <u>cumulative 57-year running total of 16,318.53 ac-ft</u>** (57-year cumulative total is calculated in Column 3c). For Year 1 of the plan, the total cumulative deliveries will be equal to the first year deliveries plus the historical deliveries from 1951 through 2006, as shown above in Column 3b. In Year 2, the total cumulative deliveries will be equal to the deliveries from Year 1 plus deliveries from Year 2 plus the sum of historical deliveries from 1952 through 2006. In each subsequent year up to year 56, the total cumulative volume will be calculated in a similar manner. In Year 57 of the plan, the cumulative 57-year running total will be equal to the sum of the deliveries from Years 1 through 57 of the plan. In Year 58 of the plan, the cumulative 57-year running total will be equal to the sum of the deliveries from Years 2 through 58 of the plan, and so on for subsequent years. According to the decree in Case No. 09CW105, LRM's deliveries in the first 10-years of the plan are limited to a cumulative total of 3,178.4 ac-ft.

Loveland Ready Mix Concrete, Inc., Case No. 2009CW105

Accounting Form A

Future Evaporation Depletion Accounting- Walters/Bokelman Pit (#M-2006-080)

WDID's: 0402537, 0403012

YEAR 2019

Month	Exposed Area Requiring Augmentation (acres) [1]	Gross Evaporation Rate (ft) [2]	Volume of Gross Evaporation (ac-ft) [3]	Average Total Precipitation (ft) [4]	Effective Precipitation (ac-ft) [5]	Net Evaporation Rate (ft) [6]	Net Evaporation Volume (ac-ft) [7]	Evaporation Lagging Pattern (%) [8]	Lagged Net Evaporation Depletions (ac-ft) [9]
November	0.16	0.13	0.02	0.06	0.04	0.09	0.01	5.1%	-0.02
December	0.16	0.10	0.02	0.04	0.03	0.07	0.01	3.3%	-0.01
January	0.16	0.10	0.02	0.04	0.03	0.07	0.01	3.0%	-0.01
February	0.16	0.12	0.02	0.04	0.03	0.09	0.01	3.4%	-0.01
March	0.16	0.18	0.03	0.10	0.07	0.12	0.02	4.3%	-0.02
April	0.16	0.30	0.05	0.15	0.10	0.20	0.03	6.7%	-0.03
May	0.16	0.40	0.06	0.23	0.16	0.24	0.04	9.0%	-0.04
June	0.16	0.49	0.08	0.15	0.11	0.38	0.06	13.1%	-0.05
July	0.16	0.50	0.08	0.13	0.09	0.41	0.07	15.9%	-0.06
August	0.16	0.45	0.07	0.13	0.09	0.36	0.06	15.4%	-0.06
September	0.16	0.34	0.05	0.11	0.08	0.26	0.04	12.2%	-0.05
October	0.16	0.23	0.04	0.09	0.06	0.17	0.03	8.5%	-0.03
Total		3.35	0.54	1.26	0.88	2.47	0.39	100.0%	-0.39

Notes:

[1] Exposed area requiring augmentation allows for augmentation of up to a total of 11.5 acres at Walters/Bokelman Pit. Current exposed area is determined on November 1st of each year of mining pursuant to Paragraph 36.2 of the decree in Case No. 09CW105.

[2] Total gross evaporation (3.35 feet) is based upon NOAA Technical Report NWS 33 and distributed according to SEO Senate Bill 89-120 criteria:

November: 4.0%	February: 3.5%	May: 12.0%	August: 13.5%
December: 3.0%	March: 5.5%	June: 14.5%	September: 10.0%
January: 3.0%	April: 9.0%	July: 15.0%	October: 7.0%

[3] [1] x [2].

[4] Based upon the average of precipitation data at the Waterdale, CO (ID#8839) and Greeley UNC, CO (ID#3553-confirm) NOAA weather stations for the time period 1950-2007 (both stations)

[5] Assumed 70% effective precipitation. [5] is equal to [4] x 70%.

[6] [2] - [5].

[7] [1] x [6].

[8] Lagging pattern for the Walters/Bokelman Pit cells is based upon IDS AWAS Glover Analysis using the following parameters (assuming steady state conditions):

Transmissivity: 50,000 gallons/day/foot
Specific Yield: 0.2
Aquifer Width: 981 feet
Distance from center of pit to river: 661 feet

[9] The total lagged depletion is equal to the total of [7] x [8].

Loveland Ready Mix Concrete, Inc., Case No. 2009CW105

Accounting Form B

Future Evaporation Depletion Accounting - Green/Croissant Pits (#M-2001-022)

WDID's: 00402535, 0403010

YEAR 2019

Month	Exposed Area Requiring Augmentation-Green/Croissant Pits (acres) [1a]	Exposed Area Requiring Augmentation-Misc. Stock Ponds (acres) [1b]	Gross Evaporation Rate (ft) [2]	Volume of Gross Evaporation		Average Total Precipitation (ft) [4]	Effective Precipitation (ac-ft) [5]	Net Evaporation Rate (ft) [6]	Evaporation Volume-Green/Croissant (ac-ft) [7]	Evaporation Lagging Pattern (%) [8]	Total Lagged Evaporation Depletions (ac-ft) [9]
				Green/ Croissant (ac-ft) [3a]	Misc. Stock Ponds (ac-ft) [3b]						
November	50.00	4.5	0.13	6.70	0.60	0.06	0.04	0.09	4.57	8.6%	-11.83
December	50.00	4.5	0.10	5.03	0.45	0.04	0.03	0.07	3.55	6.3%	-8.73
January	50.00	4.5	0.10	5.03	0.45	0.04	0.03	0.07	3.68	4.9%	-6.79
February	50.00	4.5	0.12	5.86	0.52	0.04	0.03	0.09	4.56	4.3%	-5.92
March	50.00	4.5	0.18	9.21	0.82	0.10	0.07	0.12	5.80	4.3%	-5.97
April	50.00	4.5	0.30	15.08	1.34	0.15	0.10	0.20	9.88	5.3%	-7.36
May	50.00	4.5	0.40	20.10	1.79	0.23	0.16	0.24	12.16	7.0%	-9.72
June	50.00	4.5	0.49	24.29	2.16	0.15	0.11	0.38	18.91	9.5%	-13.19
July	50.00	4.5	0.50	25.13	2.24	0.13	0.09	0.41	20.42	12.2%	-16.91
August	50.00	4.5	0.45	22.61	2.01	0.13	0.09	0.36	18.17	13.5%	-18.69
September	50.00	4.5	0.34	16.75	1.49	0.11	0.08	0.26	12.96	12.9%	-17.89
October	50.00	4.5	0.23	11.73	1.04	0.09	0.06	0.17	8.69	11.0%	-15.25
Total			3.35	167.50	14.91	1.26	0.88	2.47	123.35	100.0%	-138.26

Notes:

[1] Exposed area requiring augmentation allows for augmentation of up to a total of 53.5 acres at Green/Croissant Pits. Current exposed area is determined on November 1st of each year of mining pursuant to Paragraph 36.2 of the decree in Case No. 09CW105. (Total exposed area allowed is 65 acres between Green/Croissant and Bokelman/Walters)

[2] Total gross evaporation (3.35 feet) is based upon NOAA Technical Report NWS 33 and distributed according to SEO Senate Bill 89-120 criteria:

November:	4.0%	February:	3.5%	May:	12.0%	August: 13.5%
December:	3.0%	March:	5.5%	June:	14.5%	September: 10.0%
January:	3.0%	April:	9.0%	July:	15.0%	October: 7.0%

[3] [1] x [2].

[4] Based upon the average of precipitation data at the Waterdale, CO (ID#8839) and Greeley UNC, CO (ID#3553-confirm) NOAA weather stations for the time period 1950-2007 (both stations)

[5] Assumed 70% effective precipitation. [5] is equal to [4] x 70%.

[6] [2] - [5].

[7] [1] x [6].

[8] Lagging pattern for the Green/Croissant Pits is based upon IDS AWAS Glover Analysis using the following parameters (assuming steady state conditions):

Transmissivity: 50,000 gallons/day/foot
Specific Yield: 0.2
Aquifer Width: 2,179.25 feet
Average distance from center of pit to river: 1,152.5 feet

[9] The total lagged depletion is equal to the total of [7] x [8] + [3b]

Loveland Ready Mix Concrete, Inc., Case No. 2009CW105

Accounting Form C

Monthly Depletions

Walters/Bokelman and Green/Croissant Properties

WDID's: 00402535, 0403010, 0402537, 0403012

Month:	May 2019
Total Depletions	
Evaporation	
1. Net Surface Area requiring Augmentation (acres):	54.61
1a. Walters/Bokelman Pits (acres) (from Accounting Form A)	0.16
Lagged Net Evaporation at Walters/Bokelman Pits (ac-ft)	-0.04
1b. Green/Croissant Pits (acres) (from Accounting Form B)	54.45
Lagged Evaporation at Green/Croissant Pits and Stock Ponds (ac-ft)	-9.72
2. Total Lagged Pond Evaporation (ac-ft), equals (1a) + (1b)	-9.76
Effect of Dewatering	
3. Water pumped to the river for dewatering, equals (3a) + (3b):	0.00
3a. Walters/Bokelman Cell 4 (ac-ft)	0.00
3b. Green/Croissant Cell 4 (ac-ft)	0.00
4. Lagged Depletions from dewatering, equals (4a) + (4b)	
4a. Walters/Bokelman Cell 4	0.00
4b. Green/Croissant Cell 4	0.00
5. Net effect to Big Thompson River, equals (5a) + (5b):	0.00
5a. Walters/Bokelman Cell 4 (ac-ft), equals (3a) - (4a)	0.00
5b. Green/Croissant Cell 4 (ac-ft), equals (3b) - (4b)	0.00
Washed Aggregate	
6. Aggregate Sales (tons), equals (6a) + (6b):	0
6a. Walters/Bokelman (tons)	0
6b. Green Croissant (tons)	0
7. Water Percent removed by Weight (%)	2%
8. Water Removed (ac-ft), equals (8a) + (8b):	0.00
8a. Walters/Bokelman (ac-ft), equals (6a) x (7) x 7.36 E-4, equals unit conversion	0.00
8b. Green/Croissant (ac-ft), equals (6b) x (7) x 7.36 E-4, equals unit conversion	0.00
Dust Suppression	
9. Dust Control (gallons)	64,000
10. Dust Control (ac-ft), equals (9) / 325851	-0.20
Concrete Production	
11. Concrete Production (cubic yards)	12,322
12. Water Consumption (gallons), equals 30 gallons of water x (11)	369,653
13. Water Consumption (ac-ft), equals (12) / 325851	-1.13
Additional Uses	
	0.00
Total Depletions	
14. Total Mining Uses (ac-ft), equals (14a) + (14b):	-1.33
14a. Walters/Bokelman (ac-ft), equals (8a)	0.00
14b. Green/Croissant (ac-ft), equals (8b) + (10) + (13)	-1.33
15. Lagged Mining Depletions, equals (15a) + (15b):	-1.55
15a. Walters/Bokelman, based upon (14a) and URFs	0.00
15b. Green/Croissant, based upon 14b and URFs	-1.55
16. Total Lagged Depletions (2) + (5) + (15)	**-11.31**
Out of Priority Depletions	
17. Number of Days Unlined Pits are Out of Priority, obtained from Water Commissioner	0
18. Percent of Days Out of Priority (%)	0%
19. Total Out-of-Priority Depletions (ac-ft), equals (16) x (18) if (16) < 0; equals (16) if (16) > 0.	0.00
Replacement Water Requirement	
20. Replacement Requirement/Surplus (ac-ft), equals (16)	0.00
21. Transit Loss (to be determined by the Water Commissioner)	0.00
22. Total Replacement Requirement	0.00
23. Daily Replacement Requirement	0.00
Total Mining, Dust Suppression, and Concrete Production November 2018 thru October 2019:	**8.123**

Notes:

Shaded areas indicate values to be input each month.

[1] Walters/Bokelman and Green/Croissant Pits exposed surface area to be confirmed and entered monthly in evaporation table (Accounting Forms A and B, respectively). Total lagged evaporation in [1a] and [1b] are based upon unit response functions (URFs) developed using the IDS AWAS program and the aquifer parameters shown in Accounting Forms A and B.

[3] Total amount pumped for dewatering of mined pits is based upon LRM records.

[4] Lagged depletions from dewatering are based upon [3] and unit response functions (URFs) developed using the IDS AWAS program and the following aquifer parameters:

Transmissivity = 50,000 gpd/ft.
Specific Yield = 0.2.
Aquifer width = 981 feet (Walters Cell 4) & 2,280 feet (Green Cell 4).
Distance from center of cell to river = 661 feet (Walter Cell 4) & 738 feet (Green Cell 4).

[6] Aggregate sales are based upon LRM records.

[7] Water removed with mined aggregate equals 9.6 gallons/ton (4% of total mined volume) as defined by Senate Bill 89-120.

[9] Dust suppression use is based upon LRM records.

[11] Concrete production is based upon LRM records.

[15] Lagged mining depletions are calculated using unit response functions (URFs) that were developed using the IDS AWAS program and the following aquifer parameters:

Transmissivity = 50,000 gpd/ft.
Specific Yield = 0.2.
Aquifer width = 981 feet (Walters/Bokelman) & 2,179.25 feet (Green/Croissant).
Distance from center of pit to river = 661 feet (Walters/Bokelman) & 1,152.5 feet (Green/Croissant).

[22] is equal to [20] + [21] if [20] is less than zero. If [20] is greater than zero (no replacement required), [22] is equal to zero.

Loveland Ready Mix Concrete, Inc., Case No. 2009CW105
Accounting Form D
Monthly Accounting Summary
Walters/Bokelman and Green/Croissant Properties, WDID's: 0402535, 0403010, 0402537, 040
(all values in acre-feet unless otherwise noted)

Month: **May** ***Year:*** **2019**

	LRM Hillsborough Ditch Deliveries					Augmentation Credits					
Day	Total Delivery at Headgate (cfs) [1]	Total Delivery [2]	Delivery used for Agricultural Irrigation	Deliveries for use of Changed Shares of the Hillsborough Ditch [4]	**Water Pumped for Dewatering** [5]	Hillsborough Ditch Credits Available for Augmentation [6]	Calculated Historical Return Flows [7]	Delivery of Water from City of Loveland Lease [8]	Water Pumped for Dewatering available for Augmentation [9]	Total Augmentation Credits [10]	Augmentation Credits Stored [11]
1	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
2	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
3	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
4	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
5	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
6	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
7	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
8	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
9	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
10	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
11	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
12	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
13	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
14	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
15	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
16	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
17	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
18	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
19	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
20	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
21	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
22	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
23	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
24	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
25	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
26	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
27	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
28	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
29	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
30	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
31	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00
Total		0.00	0.00	0.00		0.00	0.00	0.00		0.00	0.00

Notes:
[1] Deliveries to the Walter Augmentation Station 1 and/or the Bokelman Augmentation Station from the Hillsborough Ditch. Limited to April 10 through October 31, per the Case No. 2009CW105 decree.
[2] Equal to [1] x 1.9825.
[3] Equal to LRM's measured delivery for agricultural irrigation.
[4] Equal to [2] - [3].
[5] Water pumped to the river from Walters/Bokelman Cell 4 and Green/Croissant Cell 4 for dewatering.
[6] Equal to [4] x monthly depletion credit factor per paragraph 7.4.1 of the Case No. 2009CW105 decree.
[7] Equal to [4] - [6].
[8] Delivery of leased City of Loveland water (includes ditch loss).
[9] Measured water pumped for dewatering that may be used for augmentation. Also equal to positive values in Item 5 of Accounting Form C, divided by the number of days in the month.
[10] Equal to [6] - [7] + [8] + [9].
[11] Augmentation credits delivered to storage in LRM Walters Reservoir No. 1, Walters Reservoir No. 2, and/or Bokelman Reservoir No. 1. Should not exceed [10].
[12] Augmentation credits used directly and returned to the river. (Equal to [10]-[11]).
[13] Required Augmentation Returns under decree; from Item 23 in Accounting Form C.
[14] Required historical return flows equal to [7].
[15] Non-irrigation season return flows as defined in the Case No. 2009CW105 decree, divided by the number of days in the month.
[16] Equal to the total precipitation inflows that must be returned (see Accting Form E), divided by the number of days in the month.
[17] Equal to the lagged depletion associated with the cessation of dewatering pumping. Also equal to negative values in Item 5 of Accounting Form C, divided by the number of days in the month.
[18] Equal to [13] + [14] +[15] + [16] + [17].
[19] Releases from LRM Walters Reservoir No. 1, Walters Reservoir No. 2, and/or Bokelman Reservoir No. 1, as shown in Accounting Form E.
[20] Augmentation credits used directly and returned to river, equal to [12].
[21] Net effect to river is equal to [18]+[19]+[20].

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	LRM Augmentation Obligations and Returns									
	Returns to the Stream-Obligations						*Returns to Stream-Actual*			
Augmentation Credits Returned to the River for Direct Use [12]	Required Returns for Direct Augmentation Use [13]	Calculated Historical Return Flow [14]	Non-Irrigation Season Return Flow Obligation [15]	Captured Water Return Obligation [16]	Lagged Depletion from Dewatering Pumping [17]	Total Return Obligations to the River [18]	Storage Releases [19]	Augmentation Credits Returned to the River for Direct Use [20]	**Net Effect to River** [21]	PRIORITY 0 = In 1 = Out
0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0
0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0
0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0
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0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0

Depletion Factors	
Decree 09CW105 Paragraph 7.4.1	
April	64.0%
May	78.6%
June	74.1%
July	71.5%
August	65.1%
September	49.9%

Non Irrigation Season Return Flow Factors	
Decree 09CW105 Paragraph 7.4.2	
October	2.4%
November	2.4%
December	1.5%
January	0.9%
February	0.6%
March	0.3%

Cumulative Totals for Novemer 2018thru October 2019 (ac-ft):

Augmentation and Non-Irrig Return Flow: 26.31

Captured Precipitation Return: 0

Loveland Ready Mix Concrete
P.O. Box 299
Loveland, Colorado
80539-0299

FC PKG SVC - RTL

PITNEY BOWES

US POSTAGE

02 1P $ 003.66⁰
0001162585 JUN 25 2019
MAILED FROM ZIP CODE 80537

Peter Hays
Colorado Division of Reclamation, Mining and Safety
Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

RECEIVED

JUL 0 1 2019

DIVISION OF RECLAMATION
MINING AND SAFETY