



UPPER ARKANSAS  
WATER CONSERVANCY  
DISTRICT

DRMS Recd:  
8/11/2020

INVOICE

Upper Arkansas Water Activity Enterprise  
PO Box 1090  
Salida, Colorado 81201  
719-539-5425

Bill to :

Pelino Excavation  
Attn: Scott Pelino  
PO Box 5049  
Buena Vista, CO 81211

Invoice 8051027

Date 08/05/20 Re: Annual Application

Units	Description	Price Per Unit	Amount
1	Application Fee	\$200.00	\$200.00
2.38	Annual Water Fee	\$1,650.00	\$3,927.00
1	Well Permits	\$100.00	\$100.00

Total Due \$4,227.00

Please make checks out to UAWAE and remit to above address

Upper Arkansas Water Conservancy District

PO Box 1090 Salida, CO 81201

Phone (719) 539-5425 Fax (719) 539-7579

ANNUAL AUGMENTATION APPLICATION

Date: 8/10/20

Augmentation # \_\_\_\_\_  
(To Be Completed By Office)

First Name: Pelino Excavation Last Name: \_\_\_\_\_

First Name: Pelino Last Name: Scott

Mailing Address: PO Box 5049

City: Buena Vista State: CO Zip: 81211

Phone Number: 719-395-2093 Email Address: Admin@pelinoexcavation.com

Month & Year in which water augmentation is requested: August 2020

Amount of augmentation water applied for: 2.38

Structure:

Choose One: ☐ Existing ☒ Proposed

Choose One: ☒ Well ☐ On-stream reservoir/pond ☐ Off-stream reservoir/pond ☐ Surface diversion

Structure Location and Permit:

Physical Address: X 26000 S. Hwy 285

City: X Buena Vista State: X CO Zip: X 81211

Legal Description: SE 1/4 of the, NE 1/4, Section 33 Township 14 ☐ N or ☒ S

Range 78 ☐ E or ☒ W Meridian ☐ NMPM or ☒ 6<sup>th</sup>

# Acres in Tract: 18 +/-

Distance from Section lines: \_\_\_\_\_ ft from the ☐ N or ☐ S and \_\_\_\_\_ ft from the ☐ E or ☐ W

OR

GPS Location (Must be in UTM format. Datum must be NAD83)

Easting: \_\_\_\_\_ Northing: \_\_\_\_\_

COMPLETE ALL PAGES, SIGN AND INITIAL  
REV: 4/20/2020

INITIAL 

Lot # X N/P Tract # \_\_\_\_\_ Block # \_\_\_\_\_ Filing # \_\_\_\_\_

Subdivision: \_\_\_\_\_

Permit Number (if it is an existing well): \_\_\_\_\_ Case Number if adjudicated water right: \_\_\_\_\_

**Use: Type of water for which augmentation is requested. Check all that apply.**

**Complete this section for existing or proposed wells.**

☐ In-house domestic uses (identify number of structures ) \_\_\_\_\_

☐ Lawn/garden irrigation (identify square footage) \_\_\_\_\_

☐ Domestic livestock water (how many animals?) \_\_\_\_\_

☐ RV park (how many hookups?) \_\_\_\_\_

☐ Bath house

☐ In-building office use

☐ Motel (identify # of motel units, restaurant, etc.) \_\_\_\_\_

☒ Other (commercial or industrial) **Commercial**

**Use: Type of water for which augmentation is requested. Check all that apply.**

**Complete this section only for on-stream ponds, off-stream ponds, or surface diversions.**

☐ On-stream pond (identify surface area in square-feet) \_\_\_\_\_

☐ Off-stream pond (identify surface area in square-feet) \_\_\_\_\_

☐ Surface diversion (please fill out information below)

Name of point of diversion: \_\_\_\_\_

Location of diversion: \_\_\_\_\_

Choose One: ☐ Decreed ☐ Un-decreed Case Number, if Decreed: \_\_\_\_\_

Choose one and fill in required information:

☐ Off-stream pond filled by surface diversion

Surface Area (acres or square-feet): \_\_\_\_\_ Capacity (acre-feet): \_\_\_\_\_

☐ Surface diversion for irrigation Acres to be irrigated (acres or square-feet): \_\_\_\_\_

\* If you checked Surface Diversion you must also provide an Engineering Report.

**Right:**

\* Has applicant applied to Water Court or State Engineer's office for supplemental supply plan or other plan using or identifying the water structure to be augmented? ☐ Yes ☒ No

\* Does the applicant have or has the applicant applied for trans-basin water associated with the structure to be augmented? ☐ Yes ☒ No

**Wastewater Treatment System:**

Choose One: ☐ Public ☐ Private

Choose One: ☐ Central wastewater treatment system (not septic/leach)

☐ Septic tank/ leach field

Location of treatment system (choose one): ☐ Onsite ☐ Offsite

If offsite, please provide legal description:

Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Legal Description: \_\_\_\_\_ ¼ of the, \_\_\_\_\_ ¼, Section \_\_\_\_\_ Township \_\_\_\_\_ ☐ N or ☐ S

Range \_\_\_\_\_ ☐ E or ☐ W Meridian ☐ NMPM or ☐ 6<sup>th</sup>

Distance from Section lines: \_\_\_\_\_ ft from the ☐ N or ☐ S and \_\_\_\_\_ ft from the ☐ E or ☐ W

**OR**

GPS Location (Must be in UTM format. Datum must be NAD83)

Easting: \_\_\_\_\_ Northing: \_\_\_\_\_

Choose One: ☐ Vault ☐ Other

If other, please describe: \_\_\_\_\_

Name of Stream & Stream Segment to which wastewater returns: \_\_\_\_\_

The above named Applicant hereby agrees to the following terms and conditions and verifies the accuracy of the information contained herein above:

1. Applicant shall pay to UAWAE the Augmentation Water Fee of \$1,650.00 per acre foot per year. Such fee is due and shall be paid on or before **March 15th of each year**. UAWAE has the right and authority to increase or decrease such fee upon ninety (90) days prior written notice to Applicant at Applicant's address herein, or such other address as Applicant may advise UAWAE in writing.
2. The Applicant shall install and maintain a totalizing flow meter to measure the quantity of water flowing from Applicant's water structure (well) or to measure water flowing into Applicant's water structure (pond) and any other measurement device as may be required by the State pursuant to the applicable judgments and decrees. A written confirmation of such water flow shall be furnished to the Upper Arkansas Water Activity Enterprise (UAWAE) upon demand and not less frequently than annually at UAWAE office, 339 E. Hwy 50, Salida, Colorado. The right of the Applicant to use water pursuant to this agreement shall be subject to permanent forfeiture for over pumping their allocation based upon the amount of augmentation purchased for the uses described herein. If Applicant exceeds the annual allowable quantity of water for uses described herein UAWAE shall assess an "Over-Pumping Fee" at the rate of \$0.005 per gallon of excess. At the discretion of UAWAE, the rate of such fee may change without notice to the Applicant.
3. UAWAE may withhold the delivery of water for Applicant for any defaults or delinquencies of payment of any fees, charges, and assessments, failure to provide meter readings, or for exceeding the annual allowable quantity of water for uses described herein. The right of the Applicant to use water pursuant to this agreement shall be subject to permanent forfeiture for failure to pay fees, charges, installments, or assessments that from time to time may become due or upon default or failure to comply with this agreement. UAWCD's Board may declare such forfeiture to UAWAE and may resell, lease, or otherwise dispose of the water or right to use water upon which forfeiture has been declared, after making demand for the amount due either in person or by written or printed notice duly mailed to the last known address of Applicant at least thirty days prior to the time the forfeiture is to take effect. Notice will be given to the County, the State Engineer, and the Division of Water Resources, that such right to use water pursuant to this agreement has been forfeited and/or that the delivery of water has been withheld. All remedies herein or elsewhere provided for the collection of delinquencies shall be cumulative, and the exercise of one or more of such remedies shall not prevent UAWAE from invoking other remedies provided by law.
4. Applicant, upon transfer of the real property to which the water right is beneficially applied, shall pay all fees and charges owed to UAWAE within 60 days of such transfer, and notify UAWAE in writing of the ownership transfer. Upon payment of said fees and charges, Applicant may assign the right to use the augmentation water only to a successive owner of real property and water structure described above. Applicant must notify UAWAE of any such assignment and provide UAWAE with a copy of an assignment and assumption of rights and obligations within 60 days of such assignment. If full assignment and assumption of Applicant's rights and obligations related to the use of such water is not made upon the transfer of such real property and water structure, all rights and obligations of all parties related to the provision of such augmentation water shall immediately terminate without further notice.
5. UAWAE shall provide the augmentation water so applied for only upon approval of this application by UAWAE.
6. The location of delivery of the augmentation water shall be pursuant to applicable judgments and decrees.
7. Provision of the augmentation water and inclusion in UAWAE's augmentation plan(s) is subject to application

and approval procedures described in UAWAE's augmentation decrees and the terms and conditions of applicable judgments and decrees and laws including approval of the Office of the Colorado State Engineer. UAWAE shall not be responsible for failure to deliver or provide the augmentation water due to conditions beyond UAWAE's control, including natural conditions resulting in physical unavailability.

8. UAWAE does not warrant the quality of the augmentation water for any type of human, animal, or plant consumption.

9. UAWAE retains the sole right to any successive use of such water and to any return flows from such water.

10. This agreement is for one year. Annually this agreement will automatically renew subject to the availability of replacement water as determined by the District Board of Directors. If water is not available the applicant will be notified by UAWAE and the applicant must curtail all diversions. By application and approval of this application by UAWAE, nothing herein binds UAWAE to augmentation beyond the annual period for which augmentation is provided.

These provisions shall be binding upon the heirs, legal representatives and assigns of the Applicant.

Applicant ☒ Scott Helms

Date ☒ 8-11-2020

Applicant \_\_\_\_\_

Date \_\_\_\_\_