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Desig. Basin

COLORADO DIVISION OF WATER RESOURCES
 DEPARTMENT OF NATURAL RESOURCES
 1313 SHERMAN ST, RM 821, DENVER, CO 80203
 Main: (303) 866-3581 Fax: (303) 866-2223 dwrpermitsonline@state.co.us

Office Use Only Form GWS-45 (07/2013)

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SEP 13 2017

WATER RESOURCES
STATE ENGINEER COLO.

GENERAL PURPOSE
Water Well Permit Application
 Review instructions on reverse side prior to completing form.
 The form must be computer generated, typed or in black or blue ink.

1. Applicant Information
 Name of applicant
 JDM Farmland LLC (c/o Darin Via)

Mailing address
 8101 SW 34th Ave.

City Amarillo State TX Zip code 79121

Telephone # (area code & number) 806-463-3952 E-mail (online filing required) darin.via@ustrust.com

6. Use Of Well (check applicable boxes)
 Attach a detailed description of uses applied for.

Industrial Dewatering System
 Municipal Geothermal (production or reinjection)
 Irrigation Other (describe): Increase to 474 acres
 Commercial

2. Type Of Application (check applicable boxes)

Construct new well Use existing well
 Replace existing well Change or increase use
 Change source (aquifer) Reapplication (expired permit)
 COGCC Well Other: _____

7. Well Data (proposed)

Maximum pumping rate	gpm	Annual amount to be withdrawn
1,163.2		1,305.7 acre-feet
Total depth	feet	Aquifer
618		Southern High Plains

3. Refer To (if applicable)

Well permit # 77052-F Water Court case # n/a
 Designated Basin Determination # n/a Well name or # n/a

8. Land On Which Ground Water Will Be Used
 Legal Description of Land (may be provided as an attachment):
 474-acre circle in the N 1/2 Sec. 35 and the S 1/2 Sec. 26,
 T. 32 S., R. 48 W., 6th P.M. See Attached Figure 1.

(If used for crop irrigation, attach a scaled map that shows irrigated area.)

4. Location Of Proposed Well

County Baca NE 1/4 of the NE 1/4

Section 35 Township 32 N or S N S Range 48 E or W E W Principal Meridian 6th

Distance of well from section lines (section lines are typically not property lines)
 90 Ft. from N S 275 Ft. from E W

For replacement wells only -- distance and direction from old well to new well
n/a feet n/a direction

Well location address (Include City, State, Zip) Check if well address is same as in Item 1
n/a

A. # Acres 474 B. Owner Applicant
 C. List any other wells or water rights used on this land
none on the 474-acre circle

Optional: GPS well location information in UTM format You must check GPS unit for required settings as follows

Format must be UTM
 Zone 12 or Zone 13 Units must be Meters
 Datum must be NAD83
 Unit must be set to true north
 Was GPS unit checked for above? YES NO Remember to set Datum to NAD83

9. Proposed Well Driller License # (optional): _____

10. Sign or Entered Name Of Applicant(s) Or Authorized Agent
 The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104 (13)(a). I have read the statements herein, know the contents hereof and state that they are true to my knowledge.

Sign or enter name(s) of person(s) submitting application Darin Via Date (mm/dd/yyyy) 9/7/17

If signing print name and title
Darin Via, agent for JDM

5. Parcel On Which Well Will Be Located
 (PLEASE ATTACH A CURRENT DEED FOR THE SUBJECT PARCEL)

A. Legal Description (may be provided as an attachment)
N 1/2 Sec. 35, T. 32 S., R. 48 W., 6th P.M.

B. # of acres in parcel 320 C. Owner Applicant

D. Will this be the only well on this parcel? YES NO (if no list other wells)

63823-FP

E. State Parcel ID# (optional)

Office Use Only

USGS map name	DWR map no	Surface elev

Receipt area only

AQUAMAP
 WE
 W/R
 CWCE
 TOPO
 MYLAR
 SB5

Transaction # 3002651
 Date 9/13/2017 10:57:44 AM
 Transaction Total \$100.00
 CHECK #11645 \$100.00

DIV 8 WD 666 BA 3 MD _____

HELTON & WILLIAMSEN, P.C.
CONSULTING ENGINEERS IN WATER RESOURCES

384 INVERNESS PARKWAY, SUITE 144
ENGLEWOOD, COLORADO 80112-5822
PHONE (303) 792-2161
dgillham@helton-williamsen.com

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WATER RESOURCES
STATE ENGINEER COLO.

September 7, 2017

Mr. Rick Nielsen
Colorado Division of Water Resources
1313 Sherman St., Rm. 821
Denver, CO 80203

Subject: Well Permit No. 77052-F, Baca County, Southern High Plains –
Application to Increase Use, and Variance Request

Dear Mr. Nielsen,

On behalf of my client Darin Via (agent for JDM Farmland LLC), I am submitting the enclosed requests to increase the use of Well Permit No. 77052-F and for a variance from Rule 5.5 regarding duty of water. Enclosed with this letter is a check for \$100 for the application fee.

JDM Farmland LLC owns Well Permit No. 77052-F and the land it irrigates. Currently, this well along with the well permitted by Permit No. 63823-FP irrigates 1) a 120-acre circle in the SW 1/4 Sec. 35, and 2) a 474-acre circle in the N 1/2 Sec. 35 and the S 1/2 Sec. 26, all in T. 32 S., R. 48 W., 6th P.M. Well Permit No. 77052-F was originally permitted to be commingled with Well Permit No. 77051-F for irrigation of the 474-acre circle; however, Well Permit No. 77051-F was not completed and that permit has been cancelled. Well No. 77052-F and 63823-FP are physically commingled. They are not permitted for commingling, and the pipeline(s) connecting the two wells will be disconnected. Well Permit No. 63823-FP will be used to irrigate only the 120-acre pivot in the SW 1/4 Sec. 35 for which it is permitted.

Well No. 77052-F is permitted to withdraw 829.5 acre-feet per year for half of the 474-acre circle (3.5 acre-feet per acre on 237 acres). A flow test recently conducted on Well No. 77052-F revealed the well is capable of producing 1,163.2 gallons per minute (gpm). See the attached Form 3.1/3.2. For the 254-day growing season in the Southern High Plains aquifer, pumping at this rate would produce 1,305.7 acre-feet. The enclosed Form GWS-45 requests an increase of use under Well Permit No. 77052-F up to 1,305.7 acre-feet per year at 1,163.2 gpm.

JDM Farmland LLC wants to continue irrigating the 474-acre circle with Well Permit No. 77052-F. It is noted that the duty of water of 1,305.7 acre-feet on 474 acres is 2.8 acre-feet per acre, which is less than the 3.5 acre-feet per acre required by Rule 5.5. JDM Farmland LLC hereby requests a variance from Rule 5.5. Figures 1 and 2 depict the currently permitted area and the full area being requested herein.



Helton & Williamsen, P.C.			FIGURE 2 JDM Farmland, LLC Application to Increase Use September 17, 2015 Aerial Photography
Drawn by: ACO	Job No. V401		
File: Permits.mxd	Date: 2/27/2017	Rev. Date:	RECEIVED SEP 13 2017 WATER RESOURCES STATE ENGINEER COLO.
0 1,000 2,000 4,000 6,000 Scale in Feet			



REASON FOR VERIFICATION (CHOOSE ONLY ONE)

3.1 FORM (TFM): Re-verify TFM Replace TFM Repair/Reprogram TFM No Prev. TFM Re-seal TFM
 3.2 FORM (PCC): New PCC Re-verify PCC Modification Date (if re-verified due to system modification):

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METER LOCATION AND ASSOCIATED WELL INFORMATION:

WDID 1: WDID 2: WDID 3: WDID 4:
 UTM E: 697086 UTM N: 4121715 Well Description: 77052

SEP 13 2017

WATER RESOURCES
STATE ENGINEER (C) 17

TAMPER RESISTANT SEAL INFORMATION

Meter Seal No.: 3501623 New Seal No.: _____ Other: _____ Seal No. _____ New Seal No. _____
 Register Seal No.: _____ New Seal No.: _____ Other: _____ Seal No. _____ New Seal No. _____

REPLACED TFM INFORMATION

Meter Serial No.: _____ Register Serial No.: _____
 Date New TFM Installed: _____ Date Previous TFM Removed: _____ Previous TFM: Reading Estimate

POWER METER INFORMATION:

Serial No.: 68820 Mfr.: Elster Reading: 2775 Mult.: 3 No. Digits: 4 Power Company: SECPA

INSTALLED TFM INFORMATION (TFM ONLY):

Meter Serial No.: gp13-0191-8 Register Serial No.: _____ Mfr.: mccrometer Model: mo308
 Multiplier: 100 No. Rec. Digits: 7 Units: Ac-Ft Gal Ac-In Cu-Ft K-Factor (if adj.) _____
 OD: 8.625 " ID: 7.981 " U/S Straight Pipe: 48 " = 6.0 Dia. D/S Straight Pipe: 36 " = 4.5 Dia.

TEST METER LOCATION AND DISCHARGE PIPE INFORMATION:

OD: 10.010 " Wall Thickness: 0.183 " ID: 9.644 " U/S Straight Pipe: 116 " = 12.0 Dia. D/S Straight Pipe: 140 " = 14.5 Dia.
 Discharge (One or more): Open discharge/low pressure Sprinkler Drip Pressurized Other:

TEST METER (COLLINS TUBE): Standard Overhung

GPM Factor: _____ Stop Clamp Settings:

	1	2	3	4	5	6	7	8	9	10
Front:										
Back:										
	2-Point		2-Point		2-Point		10-Point			
Avg. of F/B:										

Avg. Collins: _____ x GPM factor
 Avg. QT (gpm): _____ (0,000.0)

INSTALLED FLOW METER

	Totalizer Readings	Elapsed Time	Instantaneous (gpm) (Min. 10)
	Gal	(min:sec)	
Stop:	<u>167,342,900.0000</u>	<u>15 : 3.00</u>	
Start:	<u>167,325,800.0000</u>	<u>0 : 0.00</u>	
Total:	<u>17,100.0000</u>	<u>15.05</u>	
		(Dec. Min.)	
	<u>1,136.2</u>	Avg. QI (gpm)	TFM Reading
		(0,000.0)	

TEST METER (ULTRASONIC OR VOLUMETRIC)

	Reading (gal)	Elapsed Time (min:sec)	Avg. QT (gpm) (0,000.0)
Stop:	<u>17,989.0</u>	<u>15 : 15.00</u>	<u>1,163.2</u>
Start:	<u>250.0</u>	<u>0 : 0.00</u>	
Total:	<u>17,739.0</u>	<u>15.25</u>	
		(Dec. Min.)	Spacer Setting: <u>7.697</u> (Ultrasonic Meter Only)

CALIBRATION COEFFICIENT (TFM ONLY)

QT = $\frac{1,163.2}{1,136.2} = 1.024$ (to 0.000)

For CC greater than 1.050 or less than 0.950, Owner/Agent is REQUIRED to complete Owner/Agent Info and Variance Request (Page 2).

STABILIZATION (PCC ONLY)

Time (24:00)	Pumping Level or Discharge Rate (ft)	(gpm)	Pressure (psi)
1 <u>14:30</u>	<u>5.30</u>	<u>1,204.00</u>	<u>14.0</u>
2 <u>14:45</u>	<u>5.13</u>	<u>1,176.00</u>	<u>13.0</u>
3 <u>15:00</u>	<u>5.11</u>	<u>1,165.00</u>	<u>13.0</u>
4 <u>15:15</u>	<u>5.13</u>	<u>1,168.00</u>	<u>13.0</u>
5 <u>15:30</u>	<u>5.12</u>	<u>1,167.00</u>	<u>13.0</u>

DETERMINATION OF PD AND PCC (PCC ONLY)

No. Revs.	Time (sec)	Rate (rev/sec)	Avg. Rate (0.0000)
1 <u>20</u>	<u>25.65</u>	<u>0.7797</u>	<u>0.7773</u>
2 <u>20</u>	<u>25.78</u>	<u>0.7758</u>	
3 <u>20</u>	<u>25.56</u>	<u>0.7825</u>	
4 <u>20</u>	<u>25.81</u>	<u>0.7749</u>	
5 <u>20</u>	<u>25.85</u>	<u>0.7737</u>	

PD = Avg. Rate x 3.6 x Pt x Ct x Kh = 5.04 kWh (to 0.00)

PCC = (5433 x PD) ÷ (QT) = 23.5 kWh/af (to 0.0)

For PCC, Owner/Agent is REQUIRED to complete Owner/Agent Info and Variance Request (Page 2).

STATIC WATER LEVEL (PCC ONLY)

Pump run time prior to arrival: 15 min
 Static Water Level (Decimal Feet from Discharge Centerline): _____
 Time of Static Water Level Measurement: n/a
 If Water Levels cannot be obtained, provide reason: not accessible

BEFORE THE COLORADO GROUND WATER COMMISSION

CONCERNING THE SOUTHERN HIGH PLAINS DESIGNATED GROUND WATER BASIN BACA COUNTY

TAKE NOTICE that pursuant to Section 37-90-107(1), C.R.S., as amended JDM Farmland LLC has made application for the appropriation of designated ground water through an existing well with a permitted location of 90 feet from the North section line and 275 feet from the East section line, in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 32 South, Range 48 West of the 6th Principal Meridian. This is an increase in appropriation on an existing well with Permit No. 77052-F. The well with permit no. 77052-F has a permitted pumping rate of 1200 gpm, a permitted annual appropriation of 829.5 acre-feet per year, and a permitted use of irrigation of 474 acres described as a 474-acre circle covering the S $\frac{1}{2}$ of Section 26 and the N $\frac{1}{2}$ of Section 35, Township 32 South, Range 48 West of the 6th Principal Meridian. The depth of the well is 618 feet, and the source of water is the Southern High Plains aquifer. The ground water from the proposed new appropriation is to be used for irrigation of the 474 acres previously described, with a proposed additional maximum annual amount of ground water to be appropriated of 476.2 acre-feet. The applicant has submitted a Well Measurement Verification Form demonstrating that the well with permit no. 77052-F has a sustained yield of 1163.2 GPM. The combined irrigated acres and maximum annual appropriation for this well under this application and permit no. 77052-F will total 474 acres and 1305.7 acre-feet respectively.

ALSO TAKE NOTICE that in accordance with the Designated Basin Rule 11, the Colorado Ground Water Commission is considering the following request for an exception from the strict application of Designated Basin Rule 5.5 which states: "Water Quantity Requirements for Issuance of New Permits for Irrigation Use - For new permits, the amount of water to be appropriated for irrigation of agricultural lands shall be 2-1/2 acre-feet per irrigated acre for all aquifers in all designated basins except the Southern High Plains Basin where this amount shall be 3-1/2 acre-feet per acre. In reviewing permit applications, the amount of water available for appropriation must be sufficient to irrigate the requested acreage at the prescribed rate unless an exception is granted by the Commission".

Pursuant to Rule 11.1.1, the applicant has requested that the Commission grant an exception to Rule 5.5 to allow for a duty of water of 2.75 acre-feet per irrigated acre allowing for permit no. 77052-F and any permit approved under the application discussed above to use 1,305.7 acre-feet of water at 1163.2 GPM to irrigate a 474-acre circle covering the S $\frac{1}{2}$ of Section 26 and the N $\frac{1}{2}$ of Section 35, Township 32 South, Range 48 West, 6th P.M.

A hearing on the variance request will be held during the regularly scheduled Colorado Ground Water Commission Meeting which will commence at 10:00 am on Friday, February 16, 2018 in the Centennial Building, 1313 Sherman St., Rm 318, Denver Co 80203.

Any person wishing to object to the issuance of this permit or the variance request must do so in writing briefly stating the nature of the objection. The objection must be accompanied by a \$10 fee for each objection filed and must be received by the Colorado Ground Water Commission, 818 Centennial Building, 1313 Sherman Street, Denver, Colorado 80203, by January 25, 2018.



COLORADO
Division of Water Resources
 Department of Natural Resources

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PAID
 by H+W
 #11714
 1/22/18

January 17, 2018

JDM Farmland
 c/o Helton & Williamsen, P.C.
 Daniel J Gillham, P.E.
 384 Inverness Parkway Suite 144
 Englewood Co 80112-5822

Invoice No. 18-PUB-53

INVOICE

Your application to appropriate Designated Ground Water through a well located in the NE1/4 of Section 35, Township 32 South, Range 48 West, 6th P.M., Receipt No. 3682651 was published in the Plainsman Herald newspaper on December 19 and 26, 2017. The following cost was incurred:

1. Actual cost of publication: \$ 109.71
2. Additional fees: none

PAYABLE TO: DIVISION OF WATER RESOURCES \$ 109.71

Your application cannot be considered for approval until the charges are paid.

Pursuant to Rule 11.2.5, the remittance must be received no later than February 9, 2018 for your hearing before the Colorado Ground Water Commission to proceed at the February 16, 2018 Commission meeting.

(A copy of the publication affidavit is enclosed for your records.)

Richard A Nielsen
 Richard A Nielsen, P.E.
 Water Resource Engineer

Transaction # 3684527
 Date 1/29/2018 2:29:42 PM
 Transaction Total \$109.71
 CHECK #11714 \$109.71

