

APPLICATION FOR CHANGE OF DESCRIPTION OF IRRIGATED ACRES

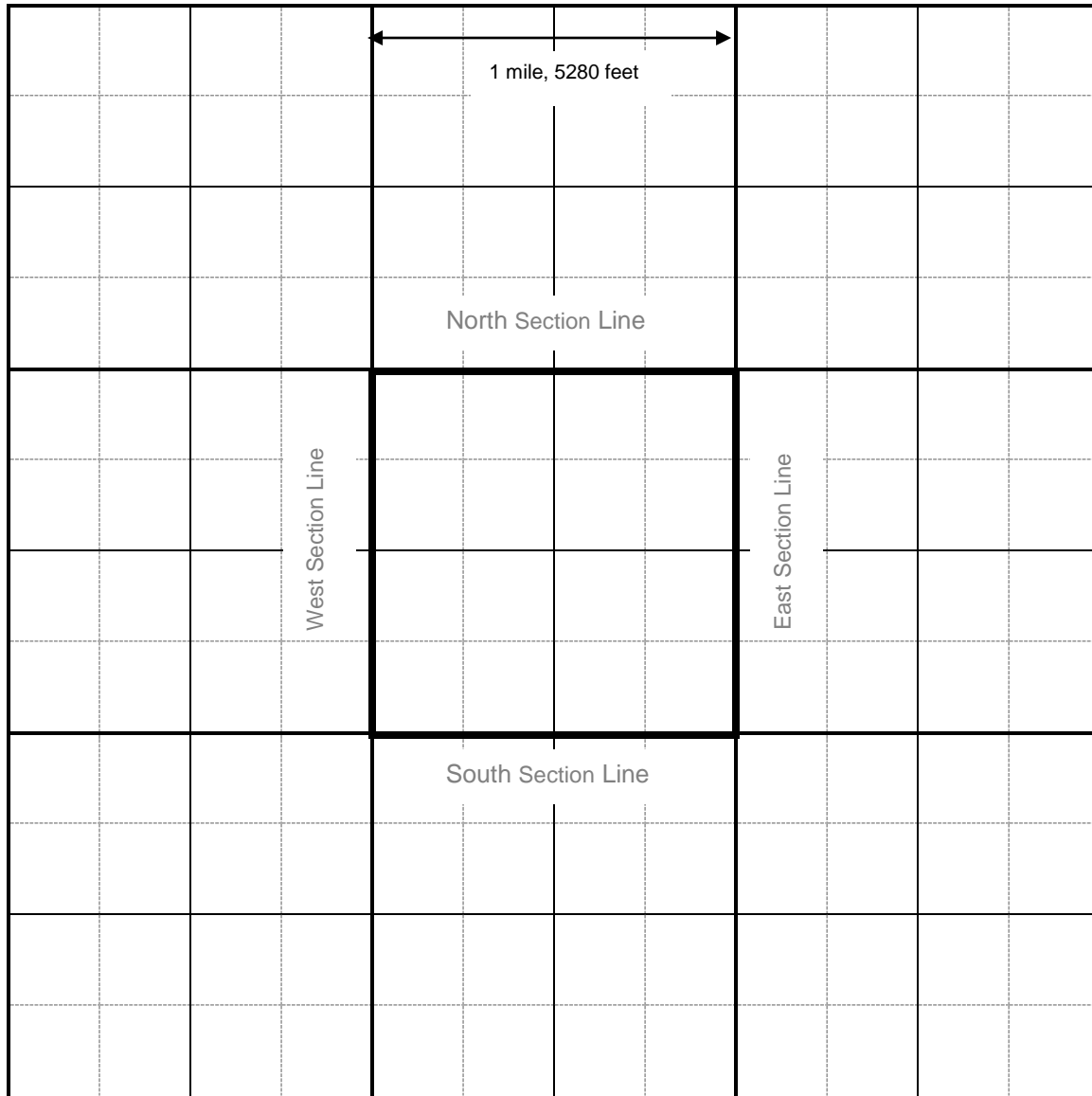
This application can only be used to apply to change the description of irrigated acres of a well permit issued by the Ground Water Commission. This is an application for a change of water right pursuant to Section 37-90-111(1)(g), C.R.S, subject to Designated Basin Rule 7.4. This form must be completed, signed, dated and submitted to the Commission with a non-refundable \$100 filing fee. Review the instructions at the end of this form. Type or print in black ink.

1. WELL PERMIT NUMBER:			
2. APPLICANT INFORMATION			
Name of Applicant			
Mailing Address	City	State	Zip code
Telephone Number (include area code)		Email	
3. WELL LOCATION: County: _____			
_____ 1/4 of the _____ 1/4 of Section _____, Township _____ N/S, Range _____ West, 6 th P.M.			
4. ACRES PROPOSED TO BE IRRIGATED:			
Number of Acres: _____			
Describe the acres proposed to be irrigated. A map showing the acres proposed to be irrigated must also be provided (the diagram on page 2 of this form may be used).			

5. THIS APPLICATION IS REQUESTED TO BE EVALUATED UNDER THE CRITERIA OF EITHER:			
<input type="checkbox"/> DESIGNATED BASIN RULE 7.4.1 (Historical Irrigated Area) – Part II (giving the number of acres historically irrigated along with evidence the acres were irrigated) of the form must be completed and provided. Parts III and IV of the form should not be completed.			
OR <input type="checkbox"/> DESIGNATED BASIN RULE 7.4.2 (Historical Depletion) – Part III (giving flow meter, power consumption, pump test, and crop data) and Part IV (Applicant’s Statement) of the form must be completed and provided. Part II of the form should not be completed.			
6. <input type="checkbox"/> I HEREBY STATE I AM THE OWNER OF THIS WATER RIGHT. I understand that this request will be published in the local newspaper(s) as may be required by law and I agree that I will pay the actual publication cost to the Commission when the same is billed to me.			
7. SIGNATURE – Sign or enter name(s) 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 thereof, and state that they are true to my knowledge.			
Signature:		Date:	
Print name and title (if applicant is not an individual):			
FOR OFFICE USE ONLY			
DIV _____ CO _____ WD _____ BASIN _____ MD _____			

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Diagram of acres proposed to be irrigated, and well locations.
Label all wells with permit numbers.



The scale of this diagram is 2 inches = 1 mile.
Each small square represents 40 acres.

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PART III (CONTINUED)

TABLE B – POWER CONSUMPTION RECORDS

Complete this table for at least the ten most recent consecutive years. If flow meter records from a field verified/certified flow meter exist for all ten or more most recent consecutive years of record and are provided in Table A, power consumption records and a well test is not required.

Indicate any changes in irrigation method, changes in type of irrigation or other equipment including pumps and motors, and the year such changes occurred. Use a supplemental sheet if required.

IMPORTANT: Verification, such as billing statements or a signed document from the power company, must be provided to support the amounts given below.

Year	Electric		Natural Gas		Diesel or Propane.	
	KWH	System H.P.*	Thousand Cu. Ft. (CMF)	Motor H.P.	Indicate which type of fuel is used each year	
					Gallons	Motor H.P.
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
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_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

* Total operating horsepower of the pump motor and any other electrical devices (sprinkler motors, booster pumps, etc.) supplied by the electrical meter. If electrical devices other than the pump motor are supplied, identify the other devices.

In addition to the above power records, a recent pump test that can be used to determine historical withdrawals of the well from the above data based on a Power Consumption Coefficient must be provided, as described on the following page.

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PART III (CONTINUED)

TABLE B – WELL PUMP TEST FOR POWER CONSUMPTION COEFFICIENT RATING

This test is used to determine the power consumption coefficient of the well and so determine the historical withdrawals from the well using the power consumption data.

The test must be conducted and reported on Form 3.2 (Form 3.1/3.2 Well Measurement Verification Form, and instruction for that form, are available on line at www.water.state.co.us), unless an acceptable test conducted prior to the creation of that form was conducted and reported on a form acceptable to the Commission that contain the data required for the analysis.

The test should be conducted in the later part of the irrigation season, during August through October, when the ground water table is typically lower, or a reduction factor may be applied to the amounts of water estimated to have been pumped. Additional tests may be submitted at the applicant's option. The test must be conducted with the system under full operating conditions. If the well supplies a sprinkler, the sprinkler must be connected and operating. Such a test must be conducted by a certified well tester as determined by the State of Colorado. A list of certified well testers is available on line at www.water.state.co.us. The requirement for the test may be waived where other supportive data on yield, water level, sprinkler operating pressures, and efficiency justify.

IMPORTANT: The test as described in Form 3.2 allows for the option of either measuring the pumping level below the centerline of the discharge or measuring the discharge rate for purposes of determining that the well system has stabilized. For purposes of this application, in order to assist in determining the effect of changes in water level in the aquifer on historical diversions:

- 1) The pumping level in the well below the centerline of the discharge during the test must be measured and reported, and
- 2) The operating pressure of the pumping system during the test must be determined and reported.

NOTE: FOR PUMPS POWERED BY SOURCES OTHER THAN ELECTRICITY

A test sufficient to compute a power consumption coefficient must be performed on the well by a certified well tester as determined by the State of Colorado. The test shall identify the type of fuel used and a determination of the rate of fuel use instead of a determination of the rate of electrical power demand.

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PART III (CONTINUED)

TABLE C – HISTORIC CROP PRACTICE

Complete this table for at least the ten most recent consecutive years.

List all crops grown each year, the acres of each crop and the method of irrigation [for example: flood or furrow application; mid-elevation sprinkler (spray heads midway between pivot mainline and ground surface); low elevation drop nozzle sprinkler (spray heads 12 to 18 inches above ground surface); Low Energy Precision Application (bubble applicators 12 to 18 inches above ground surface or drag socks or hoses on the ground)]. Use additional sheets if necessary. Where the record is dependent upon the testimony of neighbors or former owners or operators, affidavits must be attached.

IMPORTANT: Farm Service Agency (FSA) crop acreage reports (Form OMB No. 0560) and accompanying aerial photos must be provided for all years available to support the amounts given below.

<u>Year</u>	<u>Crop A</u>			<u>Crop B</u>			<u>Crop C</u>		
	<u>Crop</u>	<u>Acres</u>	<u>Irrig. Method</u>	<u>Crop</u>	<u>Acres</u>	<u>Irrig. Method</u>	<u>Crop</u>	<u>Acres</u>	<u>Irrig. Method</u>
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
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_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

(USE THE FOLLOWING PAGE IF MORE THAN 3 CROPS WERE IRRIGATED)

I recognize that the aquifer is overappropriated at this location, and/or that the change of water right requested requires future use to be limited to permitted historical use, and/or that the change of water right may result in limitation of the use of the right(s), and that in order to allow this change of water right for the well with Permit No. _____ without material injury to the rights of other appropriators, the future withdrawals from the well may be limited to prevent an increase over the historic depletions to the aquifer and/or to prevent material injury to the vested rights of others. I am willing to comply with the following conditions to provide for the proper administration of the requested change, if approved.

1. The terms of the Ground Water Commission's ("Commission") change of water right approval shall be considered as controlling the use of the well on the land described in the approval, modifiable in the future only by the Commission. A certified copy of the approval shall be recorded in the public records of the county clerk on the land described in the approval. Any modifications shall likewise be recorded.
2. Prior to implementation of the requested change of water right, the applicant agrees to install, maintain, and operate a totalizing flow meter or other Commission approved measuring device in accordance with Commission Policy Memorandum 95-3, or if within the Republican River Basin in accordance with the "Rules and Regulations Governing the Measurement of Ground Water Diversions Located in the Republican River Basin Within Water Division No. 1." Such installation, maintenance, and operation includes:
 - a. Installation, maintenance, and operation according to the manufacturer's specifications.
 - b. Field certification or verification to be in accurate operating condition when installed and at intervals specified in the relevant Policy or Rule (currently every 4 years for flow meter, or every 2 or 4 years for other devices) by a certified well tester as determined by the State of Colorado.
 - c. Certification or verification of all meters and devices must be reported on forms acceptable to the Commission. Forms currently approved for reporting totalizing flow meter installation are **Form 3.1/3.2 Well Measurement Verification Form**. A totalizing flow meter may be required if the well is part of a Complex or Compound system, if the pump is not powered by electricity, or if the well produces from a confined aquifer.
 - d. Reporting of diversions as required by the administrative conditions stated herein and as may be required in the approval of the change of water right.
3. Prior to implementation of the change of water right, the applicant agrees to enter into a contract with the local Ground Water Management District ("District"), the Commission, or a person or entity acceptable to the Commission for purposes of administration of the change of water right. The contracted services required under this administration shall include:
 - a. Site inspections covering the peak water use period during the calendar year, and for irrigation wells readings prior to and after the irrigation season per form **DBB-004**. Each inspection will include the readings of water and power measuring devices and a description of use of water from the subject well(s). Any perceived violation of the permit conditions shall also be reported.
 - b. The applicant (or the contracted entity) shall report to the Commission and District all readings of the measuring device(s), whether water pumped, kilowatt-hours of electricity, thousand cubic feet of gas, or quantity of other fuel used, by February 15 of each year for the prior calendar year, or by December 1 of the current calendar year if within the Republican River Basin.
 - c. All meter readings must be reported on forms acceptable to the Commission. Forms currently approved for reporting meter readings are **DBB-004 Administrative Reporting-Meter Readings** (note that the **6.1 Annual Water Use Reporting Form** is also to be submitted if within the Republican River Basin).
4. No water shall be withdrawn from any well that is not in compliance with the applicable measurement

Policy or Rule, except to field certify or verify the accuracy of a totalizing flow meter or certify a Power Consumption Coefficient (PCC) rating.

5. The Applicant is required to observe the meter and monitor diversions from the wells, and shall be responsible to turn off the pump(s) once the withdrawal limit(s) for that year is(are) reached.
6. The applicant hereby authorizes _____ (name of electric or natural gas company or fuel supplier) to release to authorized Commission or District personnel all power use data within its records regarding this well(s), upon request.
7. The applicant hereby agrees to allow access to lands and wells described in the approval at reasonable times to authorized representatives of the Commission or District for inspection and other necessary visits to administer this application. The measuring devices must be accessible for examination and reading by the authorized persons.
8. The applicant hereby authorizes the Farm Service Agency to release to authorized Commission or District personnel all its records regarding lands irrigated from this well(s), upon request.
9. The applicant hereby agrees to such additional terms and conditions that are deemed appropriate to prevent an increase over the historic depletions to the aquifer and/or to prevent material injury to the vested rights of others as may be contained in the approval of the change of water right.
10. The applicant acknowledges that pursuant to §37-90-111.5(5) and (6), C.R.S., the applicant is subject to sums currently not to exceed five hundred dollars (\$500) for each violation or each day such violation occurs, court costs, and reasonable attorney fees incurred by the Commission and/or District in any court or administrative action, for the following:
 - a. Violation of any provision of this Applicant's Statement or any conditions of the change of water right approval.
 - b. Failure to submit data, falsifying or making a fictitious report of the amount of designated ground water pumped from a well, making a false or fictitious report of a power coefficient for a well, or falsifying any power coefficient test.
 - c. Willfully interfering with or damaging a totalizing flow meter, power meter, or other devices used to measure designated ground water diversions or tampering with or falsifying any record made or being made by any such totalizing flow meter, power meter, or other devices.
 - d. Furthermore, if such ground water violation results in the violation of compliance with an interstate compact, the violator is subject to liability for all direct, actual, and necessary expenses incurred by the State of Colorado in performing any action, including the purchase of water or payment of damages necessary for the State of Colorado to remedy the violation of such compact.

Name of Applicant: (Please Print) _____

Signature: _____

Print name and title: _____

Date: _____

INSTRUCTIONS – APPLICATION FOR A CHANGE IN DESCRIPTION OF IRRIGATED ACRES

ITEM 1 – WELL PERMIT NUMBER - Indicate the number of the well permit for which the application is being submitted.

ITEM 2 - APPLICANT INFORMATION - Provide the applicant's name, telephone number, mailing address and email where all correspondence will be sent.

ITEM 3 – WELL LOCATION – Give the location of the well for which the application is being submitted.

ITEM 4 – ACRES PROPOSED TO BE IRRIGATED – Give the number of acres proposed to be irrigated after the change is approved, a written description of the proposed acres, and a map showing those proposed acres. If there is insufficient space to provide a written description, refer to an attachment. The description and map must be sufficient to identify the field boundaries.

ITEM 5 – EVALUATION UNDER EITHER DESIGNATED BASIN RULE 7.4.1 or 7.4.2 – Indicate which rule under which you request the application be evaluated.

- Evaluation under Rule 7.4.1 is based on the historical average number of acres irrigated by the well. If requesting evaluation under Rule 7.4.1 complete Part II of the application.
- Evaluation under Rule 7.4.2 is based on the historical depletion of the aquifer by the well. If requesting evaluation under Rule 7.4.2 complete Parts III and IV of the application.

Details on evaluation under each Rule is given within the Rules themselves. The Designated Basin Rules are available on the Ground Water Commission's webpage at <http://water.state.co.us/groundwater/CGWC/Pages/default.aspx>

ITEM 6 – STATEMENT OF OWNERSHIP OF THE WATER RIGHT – Indicate you are the owner of the water right for which the application is being submitted, and that you acknowledge that you will pay the cost of the publication.

- If the application can be given favorable consideration by the Commission, the application will be published in a newspaper in the county where the overlying land is located once each week for two successive weeks, followed by a 30-day objection period. The applicant is responsible for, and will be billed for, the actual cost of such publication.

ITEM 7 - SIGNATURE OF APPLICANT – The application must be signed by the landowner(s). If the landowner is a company, corporation, organization, etc, the statement must be signed by an official of the company who must indicate his/her position or capacity that grants authorization to sign. An applicant's authorized agent or attorney may sign the application if a statement signed by the applicant is submitted with the application authorizing the person to act as agent for the specific purpose of applying for a change of the determination of water right.

PAGE 2 - Diagram of acres proposed to be irrigated, and well locations – Outline the field boundaries of the area proposed to be irrigated and include well locations. An alternate map or aerial photograph may be submitted in place of using page 2.

PART II – Historically Irrigated Acres – Complete Part II, consisting of page 3 of the application form, if you are requesting the application be evaluated under the criteria of Rule 7.4.1.

PART III - Meter Data, Power Data and Pump Test, and Crop Data – Complete Part III, consisting of pages 4 through 8 of the application form, if you are requesting the application be evaluated under the criteria of Rule 7.4.2

PART IV – Applicant's Statement – Complete and sign page 2 of Part IV of the application form if you are requesting the application be evaluated under the criteria of Rule 7.4.2

IF YOU HAVE ANY QUESTIONS - call the Division of Water Resources - Ground Water Information Desk - at 303-866-3587