

**APPLICATION FOR DETERMINATION OF WATER RIGHT
 WITHIN A DESIGNATED GROUND WATER BASIN**

This application may only be used to apply for a determination of right to ground water from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifer underlying land area located within a Designated Ground Water Basin pursuant to Section 37-90-107(7), C.R.S. A separate form must be used for each aquifer. Review the instructions on the reverse of this form. This form must be completed, signed, dated and submitted to the Ground Water Commission with a non-refundable \$60 filing fee. Type or print in black ink.

1. APPLICANT INFORMATION			
Name of Applicant			
Mailing Address		City	State Zip Code
Telephone Number (include area code)		Email	
2. AQUIFER:		3. AMOUNT OF OVERLYING LAND: acres	
4. OVERLYING LAND OWNERSHIP OR UNDERLYING WATER RIGHT OWNERSHIP DOCUMENTATION – A Nontributary Ground Water Landownership Statement (form GWS-1) or Nontributary Ground Water Consent Claim (form GWS-3A) that includes a description of the overlying land must be submitted as an attachment to the application.			
5. EXISTING WELLS – Are there any wells located on the overlying land? YES <input type="checkbox"/> NO <input type="checkbox"/> If yes: 1) Provide a complete list of all wells located on the overlying land as an attachment to this application; and 2) For all wells producing from the subject aquifer indicate whether the well will continue to operate under its existing well permit or water right, or whether the well is to be re-permitted to withdraw the ground water being allocated by the Determination of Water Right.			
6. AMOUNT OF GROUND WATER – Indicate one of the following, being the amount of ground water requested to be allocated for subsequent well permitting and withdrawal pursuant to the determination, on the basis of an aquifer life of 100 years. If less than the maximum available allocation is requested, an attachment must be provided identifying how the excluded water will be allocated (i.e. distributed) beneath the overlying land. <input type="checkbox"/> Maximum allocation <input type="checkbox"/> Maximum allocation excluding _____ acre-feet annually <input type="checkbox"/> Specific allocation of _____ acre-feet annually			
7. TYPE OF USE – Description of intended beneficial uses of the ground water			
8. PLACE OF USE – The intended place of use of the ground water shall be considered to be the overlying land area claimed and described in Items 3 and 4 above, unless an attachment provides a legal description of an additional and/or alternate place of use.			
9. 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:			
FOR OFFICE USE ONLY			
DIV _____ CO _____ WD _____ BASIN _____ MD _____			

INSTRUCTIONS - APPLICATION FOR DETERMINATION OF WATER RIGHT

ITEM 1 - APPLICANT INFORMATION - Provide the applicant's name, telephone number, mailing address and email where all correspondence will be sent.

ITEM 2 - AQUIFER - Indicate the aquifer that is the subject of this application.

ITEM 3 – AMOUNT OF OVERLYING LAND – Indicate the total number of acres of the overlying land area being claimed and described in the documents provided in Item #4.

ITEM 4 - OVERLYING LAND OWNERSHIP OR UNDERLYING WATER RIGHT OWNERSHIP DOCUMENTATION – Because ground water from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers is allocated on the basis of ownership of overlying land, documentation must be provided of either ownership of the overlying land, or if the applicant does not own the overlying land that the applicant has the right to the underlying ground water. Submit form GWS-1 if the overlying land is owned. Submit form GWS-3A if the overlying land is not owned and the applicant owns the right to the underlying ground water.

ITEM 5 - EXISTING WELLS – Provide a complete list, with well permit numbers, of all existing wells located on the overlying land, including large capacity and small capacity wells. The amount of water determined to be allocated may be reduced to account for the amounts water that have been withdrawn by existing wells, and the amounts water that may be withdrawn in the future by existing wells that will continue to operate under their existing well permits or water rights.

ITEM 6 - ANNUAL AMOUNT OF GROUND WATER – “Maximum allocation” means the maximum available allocation. “Maximum allocation excluding _ acre-feet annually” means less than the maximum available allocation by an amount equal to the indicated rate for a period of 100 years. “Specific allocation of _ acre-feet annually” means less than the maximum available allocation, being an amount equal to the indicated rate for a period of 100 years.

Ground water underlying the overlying land is allowed to be withdrawn on the basis of an aquifer life of 100 years.

If less than the maximum available allocation is requested you must provide an attachment identifying how the excluded water will be allocated (i.e. distributed) beneath the overlying land.

The ability to obtain future small capacity domestic or stock watering type wells on the overlying land requires reserving water from the determination by requesting less than the maximum available allocation.

ITEM 7 - TYPE OF USE - Provide a description of all intended beneficial uses of the subject ground water. Uses must be beneficial, non-speculative, and may not create unreasonable waste. Non-specific descriptions or terms such as “all beneficial uses” are not acceptable. Municipal type use is limited to municipalities or water service districts, or private parties who have a contract with a municipality or water service district.

ITEM 8 - PLACE OF USE - If there are places of use in addition to and/or alternate to the overlying land claimed and described in items 3 and 4, provide an attachment stating that fact along with a complete description of such additional and/or alternate place of use and evidence of ability and right to use the water on such additional and/or alternate place of use.

ITEM 9 - SIGNATURE OF APPLICANT – The application must be signed. If the applicant 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 letter signed by the applicant is submitted with the application authorizing the person to act as agent for the specific purpose of applying for the determination of water right.

Additional information:

- **Applications for determinations of rights** within Designated Ground Water Basins are submitted to the Colorado Ground Water Commission and evaluated pursuant to Section 37-90-107(7), CRS, and Rule 5.3 of the Designated Basin Rules, 2 CCR 410-1.
- **An application for a land area that consists of noncontiguous areas** shall only be considered under a single application if it is possible that withdrawal of ground water from beneath the noncontiguous areas could occur in accordance with Rule 5.3.7.2 of the Designated Basin Rules.
- **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.
- **If Commission approval of a replacement plan** is required to obtain well permits to withdraw ground water from the aquifer, a replacement plan must be obtained in accordance with Section 37-90-107.5, C.R.S., and Rule 5.6 of the Designated Basin Rules. An application for replacement plan (form GWS-69) may be submitted concurrent with an application for determination of water right or any time after approval of a determination.

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