

1999 ANNUAL REPORT

***Water Supply, Interstate Compacts, Designated Basins,
Groundwater Well Permitting, Litigation, and the
Colorado Ground Water Commission***

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STATE OF COLORADO

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March 1, 2000

Bill Owens
Governor

Greg E. Walcher
Executive Director

Hal D. Simpson, P.E.
State Engineer

Harold Simpson
State Engineer
1313 Sherman Street Room 818
Denver, CO 80203

Dear Hal,

Submitted herewith is the 1999 Annual report for Water Supply, Interstate Compacts, Groundwater Well Permitting, Designated Basins and The Colorado Groundwater Commission, and Litigation.

Sincere appreciation is extended to you, the staff in the Water Supply branch, and personnel in all seven Water Divisions for the support and dedication provided in fulfillment of our statutory and professional duties.

Respectfully,

Kenneth W. Knox
Assistant State Engineer

Water Supply, Interstate Compacts, Groundwater Well Permitting, Designated Basins & The Colorado Groundwater Commission, and Litigation

1999 Annual Report

Introduction

On behalf of the Water Supply Branch within the Colorado Division of Water Resources, this annual report is submitted to the Colorado State Engineer. The protection of Colorado's water resources is a complex and vital challenge to the employees that serve in the Division of Water Resources. Recognizing the import and value of our vested responsibilities, the ensuing text illuminates some of the activities, highlights, and accomplishments achieved by our dedicated and professional staff during 1999. For clarification, the administrative and functional responsibilities performed by Division of Water Resources staff in this branch include:

- ◆ Analysis and approval of pending Substitute Water Supply Plans (SWSP's).
- ◆ Subdivision review, analysis, and comment to discrete Colorado counties for proposed housing developments in regard to water supply adequacy.
- ◆ Provide engineering, accounting, and advisory support to the Colorado State Engineer for all interstate compacts and international treaties.
- ◆ Perform all functions of groundwater well analysis and permitting.
- ◆ Conduct engineering analyses and groundwater well permitting functions for the designated groundwater basins. Also serve as technical staff for the Colorado Groundwater Commission
- ◆ Perform litigation management for our involvement within the judicial and water court processes. Coordinate activities with the seven Water Divisions, the seven Water Courts, and legal counsel provided through the Colorado Attorney General's Office.

The following narrative is a synopsis of our activities in each of these major areas of responsibilities and our anticipated goals for the next year.

Substitute Water Supply Plans

The authority to evaluate and issue substitute water supply plans is vested exclusively to the State Engineer pursuant to Colorado Revised Statute 37-87-120. It is important to note the amount and depth of required engineering and analysis to prevent injury to senior water rights is consistent with the standards applied to pending water court applications. During 1999, this office reviewed and acted upon 165 substitute water supply plans.

In an attempt to continue streamlining the review and analysis of SWSP's, the operations plan for review and analysis of Water Division II plans was modified. In part, the previous procedure assigned primary responsibility for the review and analysis of all renewal plans to staff in the Division II office with cursory review by Team 237. To alleviate an expanding backlog of SWSP's, responsibility for the primary analysis was reversed back to Denver (Team 237). To date, the intent of the modification has been successfully achieved. The backlog of renewal plans has been eliminated and Team 237, in collaboration with Division II staff, are remaining current in acting upon subsequent SWSP renewal plans as they are submitted.

Our intent for the forthcoming year is to continue seeking more efficient work processes that decrease the amount of time necessary for a thorough SWSP evaluation. We are actively striving to minimize redundant efforts for SWSP's filed in successive years by conducting the comprehensive review and analysis only once. With the exception of developments that are limited in duration (example: gravel pit operations lasting 3-5 years), a standard term and condition within the approval letter requires the applicant to file a water court application to adjudicate the plan within one calendar year. Our intent is to expend our efforts only once - on the pending water court application without performing duplicative tasks on subsequent SWSP filings.

Subdivision Review

Subdivision water supply plan reviews must be conducted within 21 days to meet statutory time restrictions. We routinely satisfy this requirement, often in a timeline that is substantially less than 21 days (during 1999 the average process time was 14.2 days). During 1999, a total of 348 subdivision referrals were received and acted upon by this office.

This function requires perpetual information sharing and communication with all Colorado counties. As an example, Mr. Bill McIntyre and Ms. Megan Sullivan met on several occasions with the Jefferson County planning department to improve our mutual working relationships and describe the specific information we need from the counties to properly evaluate the adequacy of a water supply to a pending subdivision.

The professionals in this agency will continue to provide training and information to Colorado counties to foster an effective and collaborative working relationship. We recognize the importance of this function in terms of immediate land development criteria and sustainable water supply assurances.

Interstate Compacts

The State Engineer and Engineer Advisers for all the interstate river compacts actively continue to assure Colorado meets her compact obligations while simultaneously protecting Colorado's interests and water allocations. Litigation, water administration/accounting, and engineering analyses are requisite and perpetual activities on the Arkansas, Rio Grande, and South Platte River Compacts. The following bullets provide a brief description of inordinate activities that occurred during 1999:

- ◆ Beginning in November 1999, the appointed Water Master for the Arkansas River litigation of Kansas v. Colorado heard testimony regarding alleged damages for historic underdeliveries. The damages segment of the litigation extended into February with an anticipated decision in the late spring of 2000. Division II staff continue to expend tremendous efforts in surface and ground water administration, enforcement, and accounting to assure the Special Master as well as water users in Colorado and Kansas that Colorado is strictly meeting all Arkansas River Compact obligations.
- ◆ Activities relevant to the Republican River Compact litigation continue to gain momentum. The United States Supreme Court appointed former Maine Supreme Court Justice Vincent L. McKusick as Special Master in this matter. In his first determination, Special Master McKusick has found in favor of the position tendered by the State of Kansas and federal agencies acting on behalf of the United States that tributary ground water from the Ogallala aquifer must be included with alluvial groundwater and surface waters in the allocation schedule set forth by the Compact. We continue to perform single-mass balance and other engineering analyses necessary to determine the extent of Colorado's use of Republican River Basin waters.
- ◆ In April 1999 representatives from the State Engineer's Offices from both Colorado and New Mexico met in Farmington New, Mexico to address issues relevant to the La Plata River Compact. Intent of the meeting was to discuss three main topics: (1) the increasing conversion of water from traditional irrigation to a myriad of other beneficial uses associated with the explosive growth occurring in the La Plata River watershed; (2) to establish formal communication procedures between the two states to accurately and timely report streamflow, diversion, and river call conditions; and (3) to identify and implement water measurement and administration practices that effectively distribute volatile water supplies in conformance with the Compact.
- ◆ Division III Engineer Steven Vandiver led both the State of Colorado and State of New Mexico in developing a draft Water Operation Manual designed to effectively and equitably distribute water in accord with the Costilla Creek Compact. This is the first tangible result in repeated attempts to provide documentation and reporting tools to aid the Costilla Creek Water Master in performing his/her administrative responsibilities on this highly contentious creek system. This operations manual is necessary to assure compact compliance to Colorado water users that are entitled to a portion of the limited Costilla Creek waters and it is available only through Mr. Vandiver's diligent and persistent efforts.

Groundwater Well Permitting

This essential and valued agency responsibility continues to require a voluminous amount of time and staff resources. Paralleling Colorado's growth, the groundwater evaluation staff acted upon 10,532 new well permit applications in 1999. The

groundwater well permitting staff also continues to process and analyze Statements of Beneficial Use, Notices of Well Completion Reports, and Monitoring-Hole Notices. Permitting Services also maintains the comprehensive groundwater wells database, contractor (water well) database, and other statistical information vital to operational and data quality assurance.

Currently, the Colorado Division of Water Resources does not have a groundwater well permitting backlog and we are meeting all statutory mandates. Of greater significance, the dedicated well permitting staff is providing excellent public service by processing the average well permit application in less than two weeks. To assist in that laudable effort, especially in context of the impending inundation of new permit applications that typically occurs in the spring, we are utilizing the new interactive electronic system to process well permits referred to as Well Tools. This inventive and comprehensive computer system was deployed in the summer of 1999.

Designated Groundwater Basins and Colorado Groundwater Commission

In performance of their duties, the Designated Basins staff acted upon 1,156 small-capacity well permits, 275 large-capacity permits, evaluated and approved 53 change applications, and were involved in numerous enforcement activities and hearings. The staff continues to be active participants in Designated Basin groundwater management through consultation and participation in Groundwater Management District meetings.

Litigation

Litigation activities continue to consume a significant amount of time, effort, and expense for the State Engineer's Office in performance of our statutory responsibilities. The following table describes the number of water court applications filed in 1999 and formal statements of opposition:

Division 1	241 applications	12 statements of opposition
Division 2	185	9
Division 3	57	4
Division 4	282	6
Division 5	325	19
Division 6	77	4
Division 7	71 applications	0 statements of opposition
Total	1238	54

This table cogently demonstrates that the State Engineer's Office participated as a formal party or litigant in only 4.36 percent of all water court cases filed.

Several Colorado Supreme Court decisions were rendered this year to aid our water administrator's in the perpetual task of interpreting Colorado water law for application in our assigned responsibilities. A brief synopsis of each case is as follows:

Farmer's High Line Canal and Reservoir Co. v. City of Golden, Case 97SA343

This action was brought by appellants, Farmers Highline Canal and Reservoir Co., Farmers Reservoir and Irrigation Co., and the cities of Westminster, Thornton and Arvada to appeal a judgment from the Division I Water Court. Said action of the lower court was dismissal of a complaint for declaratory judgment and a request for injunctive relief based upon allegations that the City of Golden had expanded its water use beyond the scope of its decrees.

For foundation, Golden is part owner of a very senior water right known as the Clear Creek Priority No. 12. It has an 1884 adjudication date with a May 1861 appropriation date. Golden first approached the owners of Priority No. 12, James Mannon and William Vaughn in October 1957. Sale of the water right was contingent upon Mannon and Vaughn filing a change of water right application to the water court to convert the use from agricultural irrigation to municipal. Upon resolution of a highly contested trial, a consent decree was entered in 1961 that granted Golden the right to divert a maximum of 2.86 cfs, with no volumetric limitation. To prevent injury to other vested water rights in the Clear Creek System, 0.84 cfs was abandoned to the stream. In 1964, Golden purchased an additional 1.8 CFAs of Priority No. 12 water and obtained a similar consent decree to change the use from agricultural to municipal. Golden now owned 4.66 cfs of Priority No. 12 water that could be diverted from May through October of each year, without explicit volumetric limits.

In 1992, Consolidated Mutual sought a similar change of use for its ownership of Priority No. 12 water. Golden filed an objection stating that "Consolidated Mutual's change would injure Golden unless the court imposed a volumetric limitation, expressed in acre-feet per year, on Consolidated Mutual's" decree." (Ref. p.11). In the 1993 litigation, the Water Court agreed and held a volumetric limitation on Con Mutual's decree. To do so, however, required consumptive use engineering and analysis to first determine how much Golden received in the 1960's change proceeding. Therefore, the analysis concluded 411 acre-feet was available from Priority No. 12, with 287 acre feet implicitly assigned to Golden and the balance of 124 acre-feet explicitly quantified for Con Mutual.

This current case began on September 29, 1995 when Farmer's filed a three-pronged complaint alleging Golden had improperly expanded the use of their water rights. In their first claim, Farmers argue "that although the 60's decrees do not contain express volumetric limitations on the amount of priority 12 water Golden can consume, such a limitation, stated in acre-feet and based upon historical consumptive use, is read into every decree as a matter of law." (ref. P.11). In rendering their decision to uphold the lower court's dismissal of this claim the Supreme Court provides a historical and pragmatic perspective of the evaluation of engineering techniques to protect junior water rights in change proceedings. Succinctly, from the late 1800's until the early 1970's it was common practice for the courts to require the change of water right petitioner to abandon a portion of their water right back to the stream. Although many of these

change decrees have proven inadequate to protect downstream junior water users, the Supreme Court confirmed that these earlier judgments entered within the jurisdiction of the court, even if wrong, are not subject to collateral attack..(*Ref. Smith Cattle, Midway Ranches Property Owner's Association*). The Supreme Court went on to recognize the value and impact of improved engineering techniques in change of water right actions to prevent injury to junior water rights. "Under the modern method, courts now translate the petitioner's historical consumptive use into a volumetric limitation stated in acre-feet. Courts then incorporate the volume limit into the express terms of the decree." (p.15). In essence, the Supreme court refutes Farmer's claim that a volumetric limit is warranted because the 1960's litigation did incorporate a form of historical use analysis and protection of junior water rights through the prevalent method at the time - abandonment of a portion of a water right.

In their second claim, Farmers argues that Golden has enlarged its Priority No. 12 water right by changing its use patterns from a "peaking flow right" used to satisfy municipal demands during peak summer months of lawn irrigation to a 'base flow right' that meets municipal demand beyond the summer months. The Supreme Court upheld the lower court's dismissal of this claim based upon the extensive factual evidence heard by the water court in which they "defer to its findings and ruling on this issue."

The third issue brought by the appellants claimed Golden had enlarged its use of Priority No. 12 water and injured their junior water rights by increasing the amount of lawn irrigation beyond that amount anticipated in the 1960's change decrees. The Supreme Court found the Water Court did not make the requisite findings of fact on this matter, and remanded it back for a determination of the validity of this claim.

Santa Fe Trails Ranch Property Owners Association v. Simpson, Case 99SA91

In this decision, Justice Hobbs provides a cogent ruling that affirms our long-standing position regarding a contemplated change of water right. Santa Fe Trails sought to change the use of two water rights formerly owned by CF&I that were decreed for manufacturing purposes to "municipal, domestic, commercial, industrial, irrigation, stockwater, recreation, fish, wildlife, fire protection, exchange, augmentation, and reuse and successive uses until such water has been entirely consumed". The problem was, the two ditches had not been used by CF&I for 30-40 years, records of their use in the early part of this century were lost, and from 1966 until 1997 the water rights were used exclusively for irrigation (by our water commissioner).

In succinct terms, the Supreme Court affirmed the Water Court on these central issues by stating "[d]iversions made pursuant to a decreed water right, when not used for decreed uses, may not be considered as establishing historical use for the purpose of a change of water right proceeding, regardless of whether the water commissioner was aware of such diversions and did not order their discontinuance or curtailment." Justice Hobbs endorsed the standard of consideration in change of water right applications by stating "[t]he continuous stream of Colorado water law demonstrates the change of use involves two primary questions: (1) What historic beneficial use has occurred pursuant to the appropriation that is proposed for change? and (2) What conditions must be imposed

on the change to prevent injury to other water rights?" In his oral argument before the Supreme Court, the attorney for Santa Fe Trails alleged only the second standard was necessary and that the Division Engineers (implying the State Engineer and water commissioners also) had full authority to allow a change in water right (use, point of diversion, location of use) and it was not necessary to seek judicial approval. Again the court affirmed our position in regard to judicial and administrative responsibilities by stating "the General Assembly has consistently chosen to assign the water right determination function to the courts and water distribution function to the water officials".

Municipal Subdistrict, Northern Colorado Water Conservancy District v. Chevron Shale Oil Company, Case 98SA377

In this action, the Municipal Subdistrict of the Northern Colorado Water Conservancy District (Subdistrict) appealed a hexennial finding of reasonable diligence by Judge Ossala in Water Division 5. The subject conditional water rights were granted over 45 years ago to supply water for shale oil extraction and processing. In seeking diligence, the Water Court found that Chevron had pursued many activities that it grouped into six categories: "planning for a diversion facility, planning a dam on Roan Creek, planning for pipeline facilities, preparing environmental baseline studies, preparing a detailed master planning document for Chevron's Parachute Creek Unit, and participating in miscellaneous activities related to the conditional water rights such as litigation, research projects, and studies".

Although the Subdistrict did not challenge the accuracy of the water court's findings, they asserted the "water courts must impose a more stringent standard of reasonable diligence as a conditional water right ages". The central point of concern and emphasis for the Subdistrict was in regard to the economic feasibility standard that is included within the statutory list of factors for consideration in a diligence determination (ref. Dallas Creek Water Co. v. Huey, CRS 37-92-301(4)(b)). In presenting their case, Chevron openly declared that the water rights were not going to be developed due to adverse economic conditions for the oil shale industry. Their internal planning process revealed the oil shale project would not be developed until the year 2020, 2050, or 2085 based upon best-to-worst case scenarios.

Despite the adverse economic condition argument, the Supreme Court upheld the water court's decision because "there is undisputed evidence that Chevron exercised reasonable diligence". As to the specific issue of adverse economic conditions, the Supreme Court also found in favor of Chevron and the water court's interpretation. They held "[t]he plain language of section 37-92-301(4)(c) recognizes that current economic conditions beyond the control of the applicant might adversely affect effort to perfect the water right. This provision prohibits courts from using such a circumstance to deny a diligence application when there is other evidence of reasonable diligence".

In application to our consultation process, this ruling provides clear direction that adverse economic conditions, despite their existing or anticipated tenure, are not sufficient to warrant recommending cancellation to the water court if there are other supporting diligence activities.

Municipal Subdistrict, Northern Colorado Water Conservancy District v. OXY USA, Inc.
Case No. 98SA475

This case is a close companion to the *Chevron* case in the respect that the Municipal Subdistrict of Northern Colorado Water Conservancy District (Subdistrict) again protests a finding of reasonable diligence by the Division 5 water Court for conditional water rights pertinent to the oil shale industry.

Parallel to the *Chevron* case, OXY admitted that it has not developed the water rights necessary for the oil shale extraction due to low oil prices, which currently render the project economically unfeasible. In offering evidence to the lower court for diligence; OXY revealed that they have one employee responsible for the oil-shale project, they have spent \$5,052,235 in conducting technological and economic feasibility studies, solicited financial partners and participated in forums protecting endangered species, oil and gas development etc.

In the instant case, the Supreme Court provided clarification on two central issues. First, the Supreme Court upheld the Water Court's finding that the "can and will" standard is necessary and applicable to a petition for reasonable diligence (ref. CRS 37-92-305 (9) (b)). Judge Ossala found that the "oil shale project is technically feasible given current technology-or, in other words, that OXY "can" complete the project and "will" complete the project when current economic conditions facing the oil shale industry no longer exist." (ref. P.6).

For the second issue, the Subdistrict's assertion that hexennial diligence applications are subject to the anti-speculation doctrine was validated. However, since the only issues raised by the Subdistrict were those related to economic feasibility and timing of the project, the Supreme Court again upheld the lower court's finding "That OXY demonstrated steady effort to complete the appropriation was sufficient on this point. OXY's investments, in this diligence proceeding and earlier proceedings, demonstrate that it intends to pursue the project to completion in the future." (ref p.7).

In summary, this case is consistent with *Chevron* in the perspective that adverse economic conditions, regardless of the time frame, are not a fatal bar to a finding of reasonable diligence. The OXY case merely refines the earlier conclusion by enveloping the "can and will" and anti-speculation doctrines into the comprehensive diligence determination.

To continue the sagacious management of our litigation activities, the following objectives are envisioned:

- ❖ Update the litigation database and/or electronic spreadsheet to reflect the current status of all court actions on a real-time basis.
- ❖ Provide interactive training to our staff in the attempt to broaden and deepen our expertise in interpretation of case and statutory law. We will continue providing this training in the form of numerous "working lunches" that provides detailed

instruction and interpretation of legal issues by the First Assistant Attorney General in tandem with the Assistant State Engineer for Water Supply.

- ❖ Continue meeting with water resource engineering consultants and water lawyers (example: Water Division 5 Bench Bar) to identify new and improved business and communication methods we can employ within our operations. Our intent is to minimize unwarranted litigation through mutual understanding of the relevant issues by all affected parties.
- ❖ Provide documentation of relevant procedures and established legal considerations in preparation for the July, 2000 decennial abandonment list.

Personnel

My sincere gratitude is extended to the Water Supply Branch personnel for their dedication and creativity in performing their duties. They provide the highest standard of professional service to the citizens of Colorado in a courteous and exuberant work environment. Appreciation is also extended to the field staff in all seven Water Divisions for their collaborative efforts and support.

As of December 1, 1999 the Permitting Services Branch was reorganized by shifting the staff and their inherent functions within the Water Supply Section. Reassigned well permitting services staff aid the individual Denver-based teams in the processing of well permits and other DWR related duties as deemed appropriate by the individual team leaders. The intent of this personnel and functional restructuring is to increase the effectiveness of our professional service and to support the engineering and technical staff. As directed by the team leaders, the additional team members will perform the following primary duties:

- Analysis and processing of well permit applications
- Change of ownership
- Requests for extensions of the expiration dates of water well permits
- Generate well permit registrations pursuant to decreed absolute water rights
- Statements of Beneficial Use
- Monitoring Hole Notices
- Data entry and copy functions

The anticipated benefits of the reorganization are:

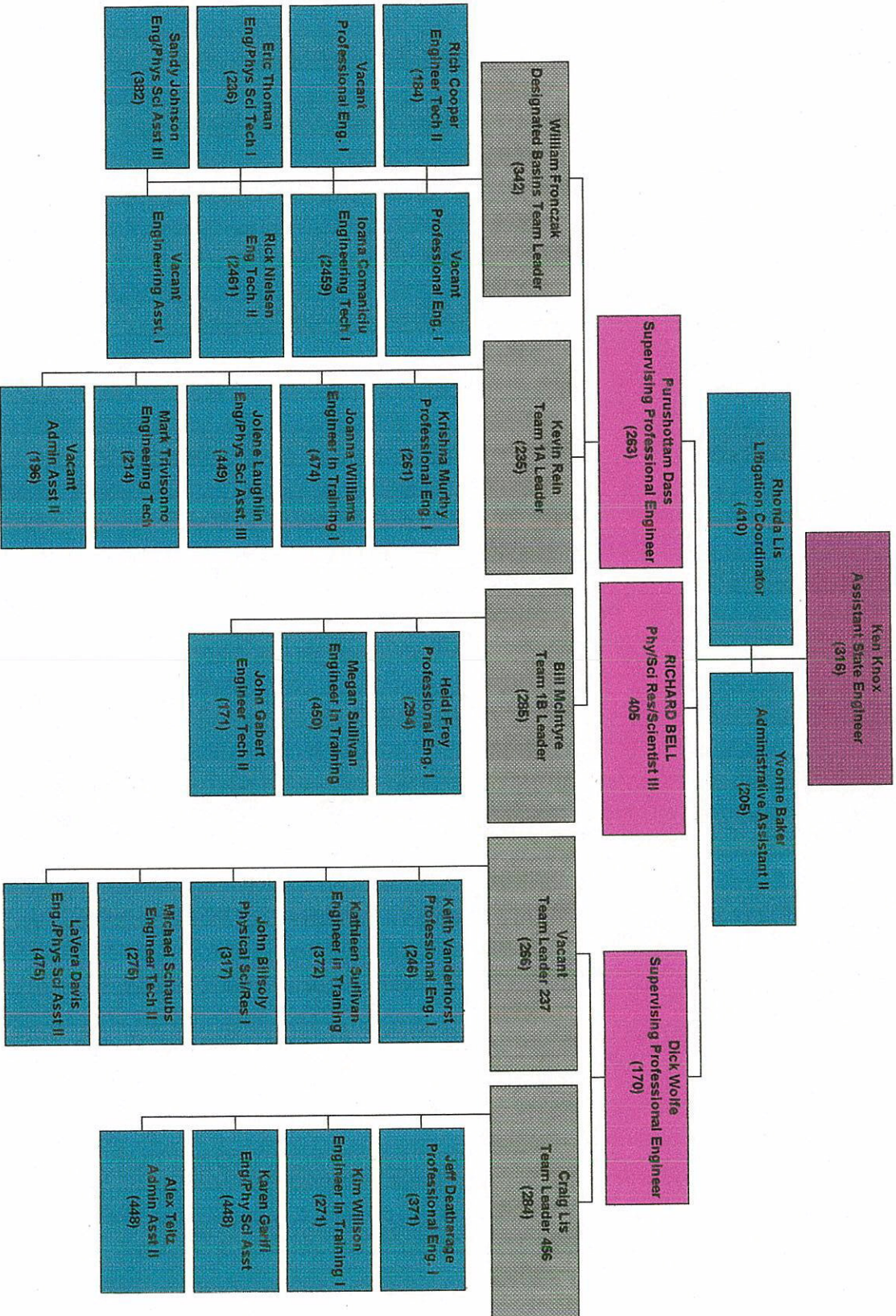
- Increased well permitting efficiency by instituting a global directional process
- Enhanced team and individual responsibility
- Greater work diversity for permitting services staff
- Potential career advancement
- Promotes DWR camaraderie
- Better coordination of personnel with electronic capabilities (Well Tools and imaging)
- Increased individual employee morale
- Opportunity to broaden Team Leader supervisory experience

Several other personnel changes occurred this year, which are represented in chronological order.

- ❑ April – Tamara Crouse resigned from Team 456.
- ❑ May – Eric Thoman transferred into Designated Basins Team as Tech I from Water Division 1.
- ❑ October – Ioana Comaniciu, hired in Designated Basins Team as Tech I.
- ❑ October – Karen Garifi transferred from Permitting Services to Team 456.
- ❑ November – Yvonne Baker was hired to provide Administrative Support to the Water Supply Branch.
- ❑ December- Alex Teitz transferred from to Team 456 during Permitting Services reorganization.
- ❑ December- Ruby Gomez transferred to Team 1A and 1B during Permitting Services reorganization.
- ❑ December- Sandy Johnson transferred to Designated Basins Team during Permitting Services reorganization.
- ❑ December- Lavera Davis transferred to Team 237 during Permitting Services reorganization.
- ❑ December- Alex Teitz transferred to Team 456 during Permitting Services reorganization.
- ❑ December – Rick Nielsen transferred from Team 1A to Designated Basins Team.

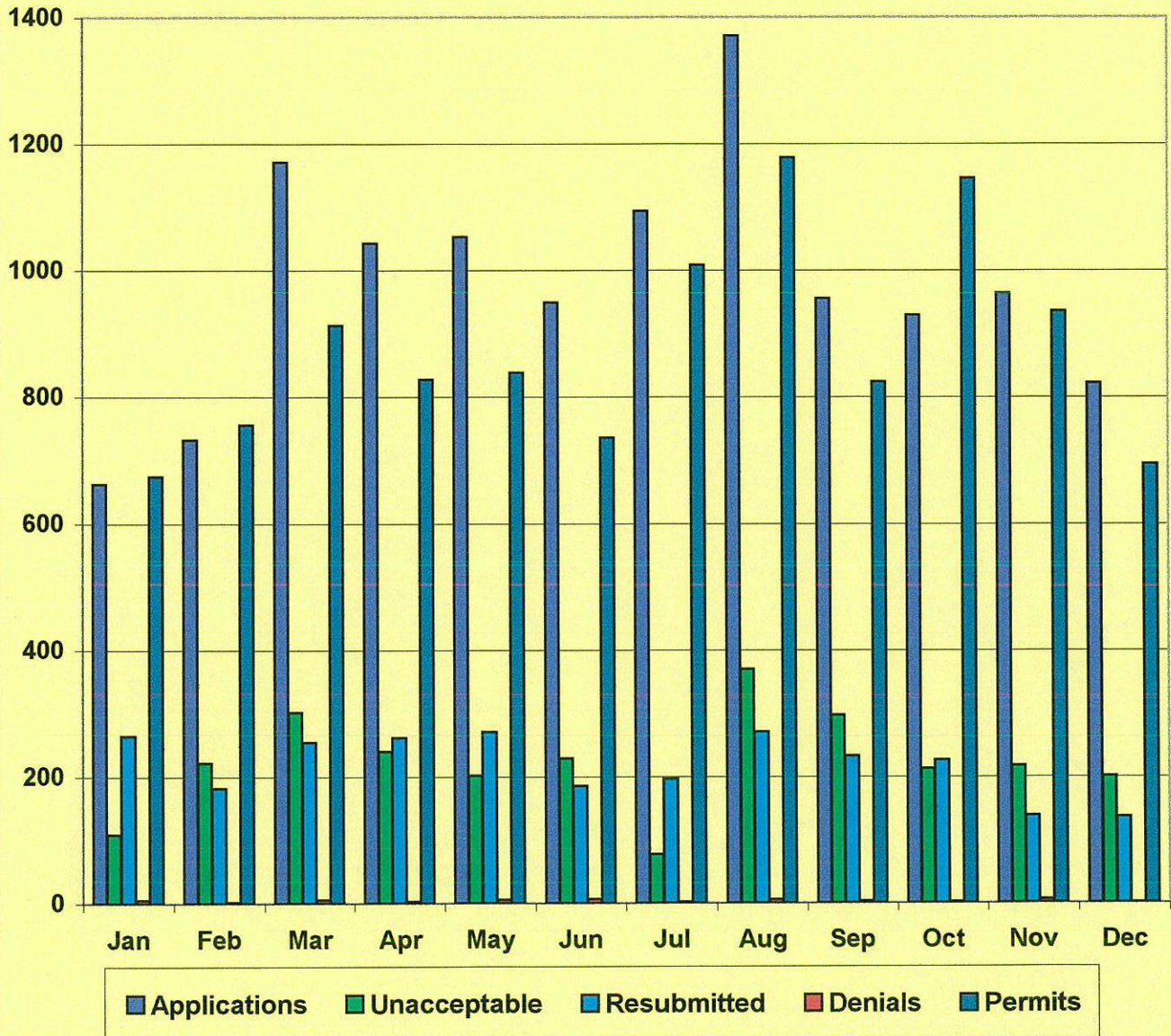
Currently the Water Supply branch has four vacant positions and we anticipate additional positions to become open this year. We recognize our fellow employees constitute the most valuable resource to this agency. Therefore, we will fill the vacant positions through vigorous recruitment of diverse and exceptionally qualified people in a timely manner. Further, for our current staff, every effort will be taken to create a dynamic and enjoyable work environment. To meet that objective, we will explore and utilize opportunities afforded through job sharing, career enrichment, new and advanced training, exposure to field operations, and personal attention to the needs and ideas of our employees.

Ken Knox, Assistant State Engineer
Water Supply, Interstate Compacts, Groundwater
Well Permitting, Designated Basins & Colorado Groundwater
Commission and Litigation 2-00



Colorado Division of Water Resources

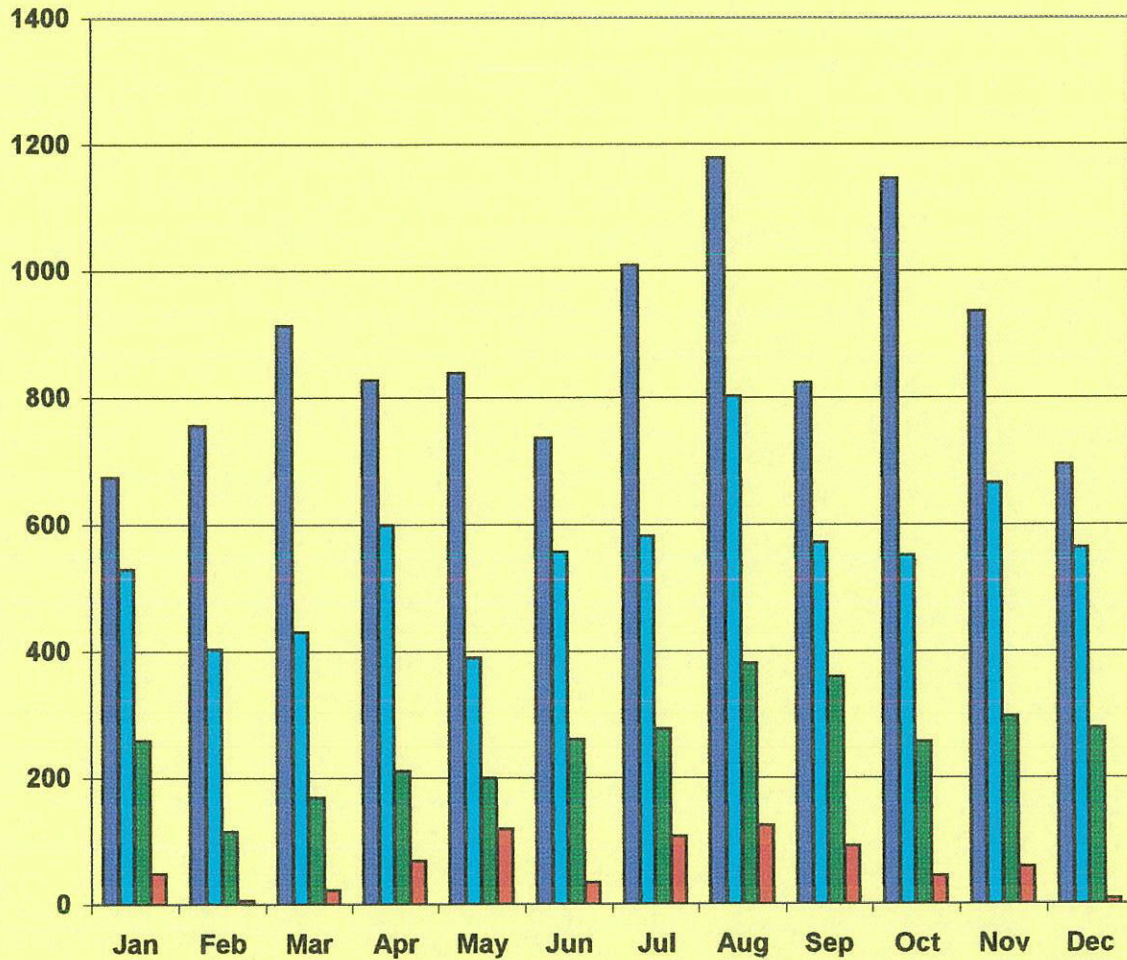
Application, Permit and Denial Actions, Calendar Year 1999



	Applications	Unacceptable	Resubmitted	Denials	Permits
Jan	662	109	264	5	674
Feb	732	222	182	2	756
Mar	1171	302	254	5	913
Apr	1043	240	262	3	828
May	1053	202	271	5	839
Jun	949	229	185	6	736
Jul	1094	77	196	2	1008
Aug	1371	370	271	5	1178
Sep	956	297	233	3	824
Oct	929	213	226	2	1146
Nov	964	217	138	5	936
Dec	822	201	136	1	694
Total	11746	2679	2618	44	10532

Colorado Division of Water Resources

Permits, Construction and Pump Installation Reports and Accepted Statements of Beneficial Use, Calendar Year 1999

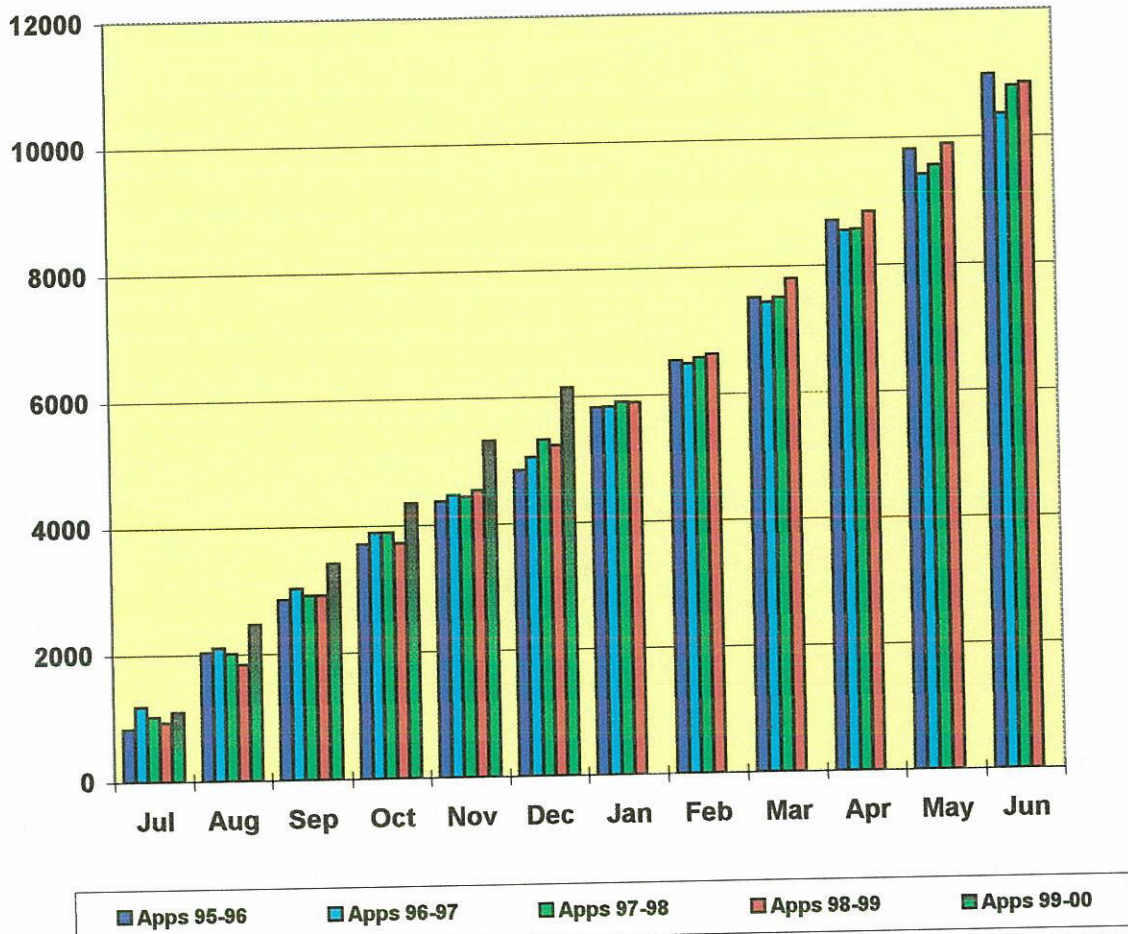


■ Permits
 ■ Logs
 ■ Pumps
 ■ SBU Accept

	Permits	Logs	Pumps	SBU Accept
Jan	674	529	258	48
Feb	756	403	115	6
Mar	913	430	169	22
Apr	828	599	210	69
May	839	390	199	119
Jun	736	556	260	34
Jul	1008	581	277	107
Aug	1178	802	381	124
Sep	824	571	359	92
Oct	1146	551	256	44
Nov	936	665	297	59
Dec	694	563	278	8
Total	10532	6640	3059	732

Colorado Division of Water Resources

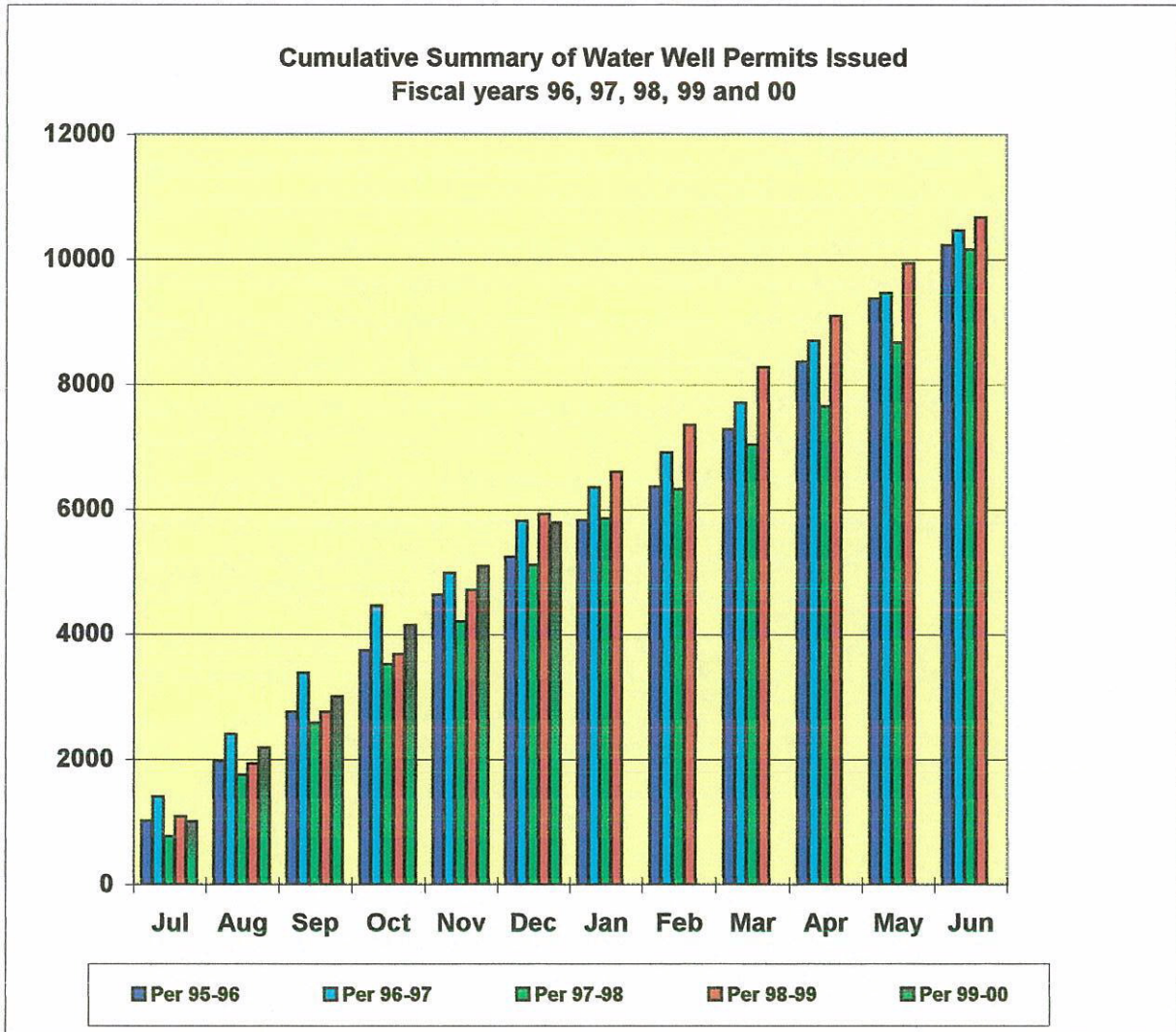
Cumulative Summary of Water Well Permit Applications Received Fiscal years 96, 97, 98, 99 and 00



Cumulative Total Applications Received

	Apps 95-96	Apps 96-97	Apps 97-98	Apps 98-99	Apps 99-00
Jul	826	1180	1020	930	1094
Aug	2031	2107	2007	1837	2465
Sep	2854	3024	2910	2916	3421
Oct	3708	3896	3893	3724	4350
Nov	4372	4467	4443	4543	5314
Dec	4840	5042	5317	5225	6136
Jan	5810	5820	5892	5887	
Feb	6526	6484	6575	6619	
Mar	7499	7434	7504	7790	
Apr	8700	8542	8559	8833	
May	9807	9411	9553	9886	
Jun	10983	10352	10782	10835	

Colorado Division of Water Resources

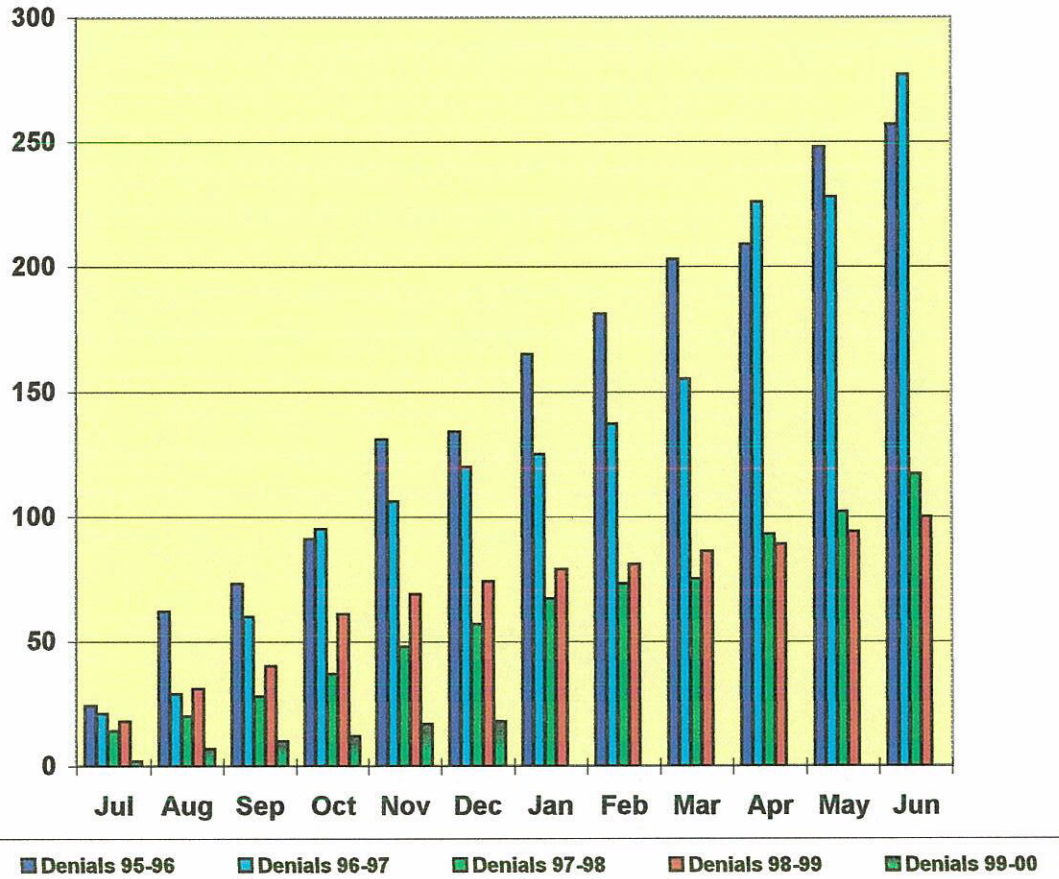


Cumulative Total Well Permits Issued

	Per 95-96	Per 96-97	Per 97-98	Per 98-99	Per 99-00
Jul	1020	1412	768	1087	1008
Aug	1970	2408	1756	1937	2186
Sep	2764	3392	2586	2760	3010
Oct	3747	4457	3531	3685	4156
Nov	4633	4982	4208	4714	5092
Dec	5243	5814	5110	5927	5786
Jan	5824	6351	5854	6601	
Feb	6366	6910	6323	7357	
Mar	7285	7710	7038	8270	
Apr	8359	8705	7646	9098	
May	9373	9460	8675	9937	
Jun	10228	10465	10153	10673	

Colorado Division of Water Resources

**Cumulative Summary of Denied Well Permit Applications
Fiscal years 96, 97, 98, 99 and 00**

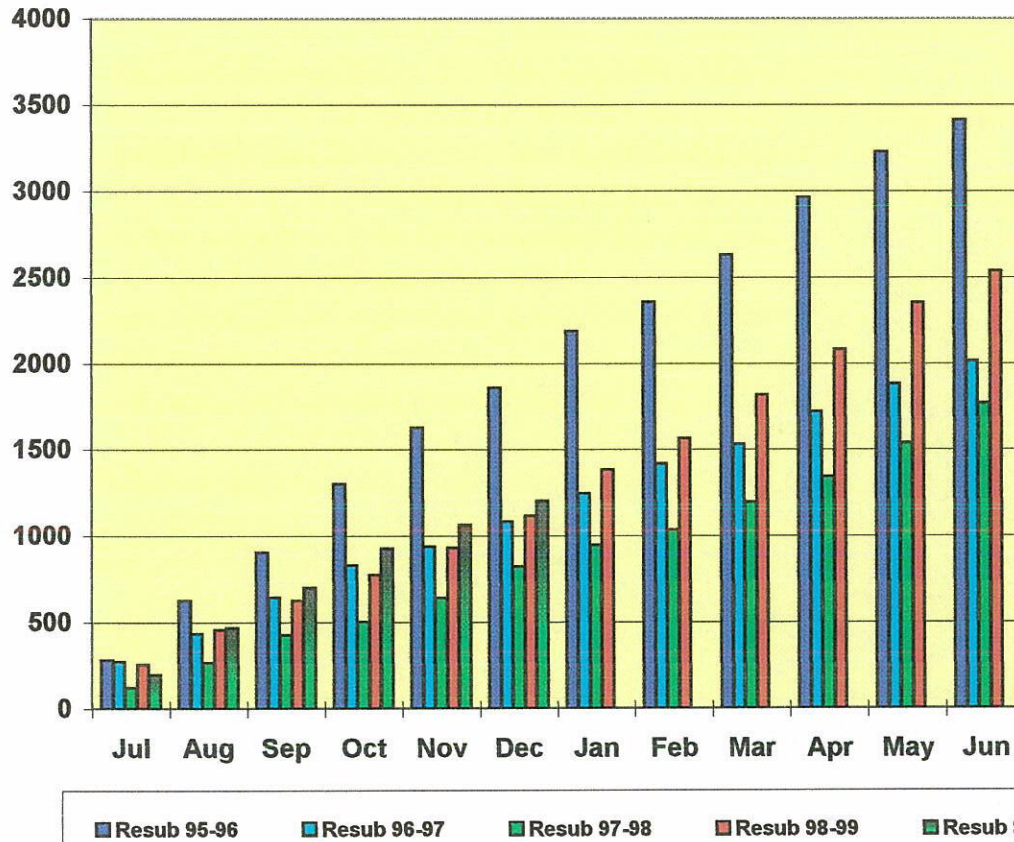


Cumulative Total Denials Issued

	Denials 95-96	Denials 96-97	Denials 97-98	Denials 98-99	Denials 99-00
Jul	24	21	14	18	2
Aug	62	29	20	31	7
Sep	73	60	28	40	10
Oct	91	95	37	61	12
Nov	131	106	48	69	17
Dec	134	120	57	74	18
Jan	165	125	67	79	
Feb	181	137	73	81	
Mar	203	155	75	86	
Apr	209	226	93	89	
May	248	228	102	94	
Jun	257	277	117	100	

Colorado Division of Water Resources

Cumulative Summary of Well Permit Applications Resubmitted
Fiscal years 96, 97, 98, 99 and 00



Cumulative Total Apps. Resubmitted

	Resub 95-96	Resub 96-97	Resub 97-98	Resub 98-99	Resub 99-00
Jul	280	276	124	255	196
Aug	628	435	268	455	467
Sep	906	646	425	625	700
Oct	1301	831	505	776	926
Nov	1627	939	640	930	1064
Dec	1858	1083	823	1117	1200
Jan	2187	1246	947	1381	
Feb	2355	1415	1034	1563	
Mar	2628	1530	1193	1817	
Apr	2963	1720	1343	2079	
May	3224	1881	1537	2350	
Jun	3411	2014	1767	2535	