

## Appendix D

### Water Supply

Technical Report for Environmental Process Control  
Analytical Results – Asbestos  
Analytical Results – Radium  
Analytical Results – Bacteria  
Well Test  
Pump Test  
Change in Ownership Form  
Pump Installation and Test Report





02/20/12

Technical Report for

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Environmental Process Control

MRI Well

Accutest Job Number: D31715

Sampling Date: 02/07/12

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Report to:

Environmental Process Control  
PO Box 493  
Snowmass, CO 81654  
epc@environmentalprocesscontrol.com

ATTN: Linda Fry

Total number of pages in report: 9



Test results contained within this data package meet the requirements of the National Environmental Laboratory Accreditation Conference and/or state specific certification programs as applicable.

  
Brad Madadian  
Laboratory Director

Client Service contact: Shea Greiner 303-425-6021

Certifications: CO, ID, NE, NM, ND (R-027) (PW) UT (NELAP CO00049)

This report shall not be reproduced, except in its entirety, without the written approval of Accutest Laboratories.

Test results relate only to samples analyzed.

## Report of Analysis

Client Sample ID: MRI WELL Lab Sample ID: D31715-1 Matrix: DW - Drinking Water Project: MRI Well	Date Sampled: 02/07/12 Date Received: 02/08/12 Percent Solids: n/a
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**Total Metals Analysis**

Analyte	Result	MCL	RL	Units	DF	Prep	Analyzed By	Method	Prep Method
Antimony	< 0.00080	0.0060	0.00080	mg/l	2	02/09/12	02/10/12 GJ	EPA 200.8 <sup>2</sup>	EPA 200.8 <sup>5</sup>
Arsenic	< 0.0016	0.010	0.0016	mg/l	2	02/09/12	02/10/12 GJ	EPA 200.8 <sup>2</sup>	EPA 200.8 <sup>5</sup>
Barium	0.021	2.0	0.0040	mg/l	2	02/09/12	02/10/12 GJ	EPA 200.8 <sup>2</sup>	EPA 200.8 <sup>5</sup>
Beryllium	< 0.00040	0.0040	0.00040	mg/l	2	02/09/12	02/10/12 GJ	EPA 200.8 <sup>2</sup>	EPA 200.8 <sup>5</sup>
Cadmium	< 0.00020	0.0050	0.00020	mg/l	2	02/09/12	02/17/12 JB	EPA 200.8 <sup>3</sup>	EPA 200.8 <sup>5</sup>
Chromium	< 0.0040	0.10	0.0040	mg/l	2	02/09/12	02/10/12 GJ	EPA 200.8 <sup>2</sup>	EPA 200.8 <sup>5</sup>
Copper	0.043	1.3	0.0040	mg/l	2	02/09/12	02/10/12 GJ	EPA 200.8 <sup>2</sup>	EPA 200.8 <sup>5</sup>
Lead	0.0055	0.015	0.0010	mg/l	2	02/09/12	02/10/12 GJ	EPA 200.8 <sup>2</sup>	EPA 200.8 <sup>5</sup>
Mercury	< 0.0010	0.0020	0.0010	mg/l	1	02/09/12	02/09/12 JB	EPA 245.1 <sup>1</sup>	EPA 245.1 <sup>4</sup>
Nickel	0.012		0.0040	mg/l	2	02/09/12	02/10/12 GJ	EPA 200.8 <sup>2</sup>	EPA 200.8 <sup>5</sup>
Selenium	0.00098	0.050	0.00080	mg/l	2	02/09/12	02/10/12 GJ	EPA 200.8 <sup>2</sup>	EPA 200.8 <sup>5</sup>
Sodium	5.1		1.0	mg/l	2	02/09/12	02/17/12 JB	EPA 200.8 <sup>3</sup>	EPA 200.8 <sup>5</sup>
Thallium	< 0.00040	0.0020	0.00040	mg/l	2	02/09/12	02/10/12 GJ	EPA 200.8 <sup>2</sup>	EPA 200.8 <sup>5</sup>

- (1) Instrument QC Batch: MA2173
- (2) Instrument QC Batch: MA2175
- (3) Instrument QC Batch: MA2195
- (4) Prep QC Batch: MP6822
- (5) Prep QC Batch: MP6824

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RL = Reporting Limit  
 MCL = Maximum Contamination Level (40 CFR 141)

## Report of Analysis

Client Sample ID: MRI WELL	Date Sampled: 02/07/12
Lab Sample ID: D31715-1	Date Received: 02/08/12
Matrix: DW - Drinking Water	Percent Solids: n/a
Project: MRI Well	

### General Chemistry

Analyte	Result	MCL	Units	DF	Analyzed	By	Method
Nitrogen, Nitrate	0.15	10	mg/l	2	02/08/12 14:42	GH	EPA 300
Nitrogen, Nitrite <sup>a</sup>	< 0.0080	1.0	mg/l	2	02/08/12 14:42	GH	EPA 300
Sulfate	617		mg/l	50	02/08/12 15:49	GH	EPA 300

(a) Elevated detection limit due to matrix interference.

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MCL = Maximum Contamination Level (40 CFR 141)

**RESERVOIRS ENVIRONMENTAL, INC.**  
 NVLAP Lab Code 101896-0

**TABLE I. TEM WATER SAMPLE ANALYTICAL RESULTS**

RES Job Number: RES 229319-1  
 Client: Environmental Process Control  
 Client Project Number/P.O.: Well  
 Client Project Description: MRI  
 Date Samples Received: February 8, 2012  
 Analysis Type: TEM, Water  
 Turnaround: 3-5 Day  
 Date Samples Analyzed: February 8, 2012

Client ID Number	Lab ID Number	Aliquot Dilution	TOTAL Asbestos Structures Detected	Greater than 10 Micron Length Asbestos Structures Detected	Analytical Sensitivity	TOTAL Asbestos Concentration	Greater than 10 Micron Length Asbestos Concentration
#1 MRI Well	EM 861781	5 on Filter (ml)	1	ND	0.53	BAS	BAS

NA = Not Analyzed

ND = None Detected

BAS = Below Analytical Sensitivity

Digitally signed by  
 Gina Ventralino  
 Date: 2012.02.09  
 13:47:11 -0700  
 Data QA

ND = None Detected

Trem-Act = Tremolite-Actinolite

### Environmental Process Control (EPC)

Project ID:

Sample ID: MRI WELL

Locator:

ACZ Sample ID: **L93089-01**

Date Sampled: 02/07/12 13:15

Date Received: 02/08/12

Sample Matrix: *Drinking Water*

Gross Alpha  
M900.0

Prep Method:

Parameter	Measure Date	Prep Date	Result	Error(+/-)	LLD	Units	XQ	Analyst
Gross Alpha	02/28/12 16:00		7.1	5.2	3.8	pCi/L	*	thf

Radium 226  
M903.1

Prep Method:

Parameter	Measure Date	Prep Date	Result	Error(+/-)	LLD	Units	XQ	Analyst
Radium 226	02/21/12 13:43		0.22	0.09	0.12	pCi/L		zsh

Radium 228  
M904.0

Prep Method:

Parameter	Measure Date	Prep Date	Result	Error(+/-)	LLD	Units	XQ	Analyst
Radium 228	02/24/12 13:04		0.32	0.2	0.45	pCi/L	*	thf



### Environmental Process Control (EPC)

Project ID:

Sample ID: MRI WELL

ACZ Sample ID: **L93089-01**

Date Sampled: 02/07/12 13:15

Date Received: 02/08/12

Sample Matrix: *Drinking Water*

#### Inorganic Prep

Parameter	EPA Method	Result	Qual	XQ	Units	MDL	PQL	Date	Analyst
Total Recoverable Digestion	M200.2 ICP-MS							02/17/12 12:00	scp

#### Metals Analysis

Parameter	EPA Method	Result	Qual	XQ	Units	MDL	PQL	Date	Analyst
Uranium, total recoverable	M200.8 ICP-MS	0.0033			mg/L	0.0001	0.0005	02/18/12 2:04	pmc



March 01, 2012

Report to:

Linda Leslie

Environmental Process Control (EPC)

PO Box 493

Snowmass, CO 81654

Bill to:

Accounts Payable

Environmental Process Control (EPC)

PO Box 493

Snowmass, CO 81654

Project ID:

ACZ Project ID: L93089

Linda Leslie:

Enclosed are the analytical results for sample(s) submitted to ACZ Laboratories, Inc. (ACZ) on February 08, 2012. This project has been assigned to ACZ's project number, L93089. Please reference this number in all future inquiries.


All analyses were performed according to ACZ's Quality Assurance Plan. The enclosed results relate only to the samples received under L93089. Each section of this report has been reviewed and approved by the appropriate Laboratory Supervisor, or a qualified substitute.

Except as noted, the test results for the methods and parameters listed on ACZ's current NELAC certificate letter (#ACZ) meet all requirements of NELAC.

This report shall be used or copied only in its entirety. ACZ is not responsible for the consequences arising from the use of a partial report.

All samples and sub-samples associated with this project will be disposed of after April 01, 2012. If the samples are determined to be hazardous, additional charges apply for disposal (typically less than \$10/sample). If you would like the samples to be held longer than ACZ's stated policy or to be returned, please contact your Project Manager or Customer Service Representative for further details and associated costs. ACZ retains analytical reports for five years.

If you have any questions or other needs, please contact your Project Manager.



Tony Antalek has reviewed and approved this report.



STANDARD BACTERIOLOGICAL WATER TEST  
SNOWMASS WATER & SANITATION DISTRICT  
P.O. BOX 5700 - SNOWMASS VILLAGE, CO 81615

PWS ID# \_\_\_\_\_ Sample Location WELL

SAMPLE TAKEN:

DATE 1-25-12 TIME 10<sup>00</sup> NAME OF SUPPLY MRI

COUNTY Garfield SAMPLER LINDA CHLORINE RESIDUAL \_\_\_\_\_ MG/L

- ( ) COMMUNITY SUPPLY ( ) ROUTINE DISTRIBUTION SYSTEM SUPPLY  
( ) NON COMMUNITY ( ) CHECK SAMPLE ( ) PROCESS WATER  
( ) OTHER PUBLIC ( ) RAW ( ) GROUND ( ) SURFACE  
( ) PRIVATE ( ) SPECIAL PURPOSE SAMPLE

\*\*NOTE: IF ALL INFORMATION IS NOT SUPPLIED, THE SAMPLE WILL BE DISCARDED.

SEE REVERSE FOR TIME LIMITATIONS, SAMPLING INSTRUCTIONS AND DEFINITIONS.

REMARKS:

PHONE 970 963 8393

RETURN TO EPC

ADDRESS Box 493

CITY-STATE Snowmass CO 81654

ANALYST/START DL UNSUITABLE FOR TEST   
ANALYST/FINISH DL

RESULTS

COLILERT 18-hour test

COLIFORM ABSENT PRESENT  
E. COLI ABSENT PRESENT

LT2 Rule

COLIFORM MPN \_\_\_\_\_  
E. COLI MPN \_\_\_\_\_

DO NOT WRITE IN THIS SPACE

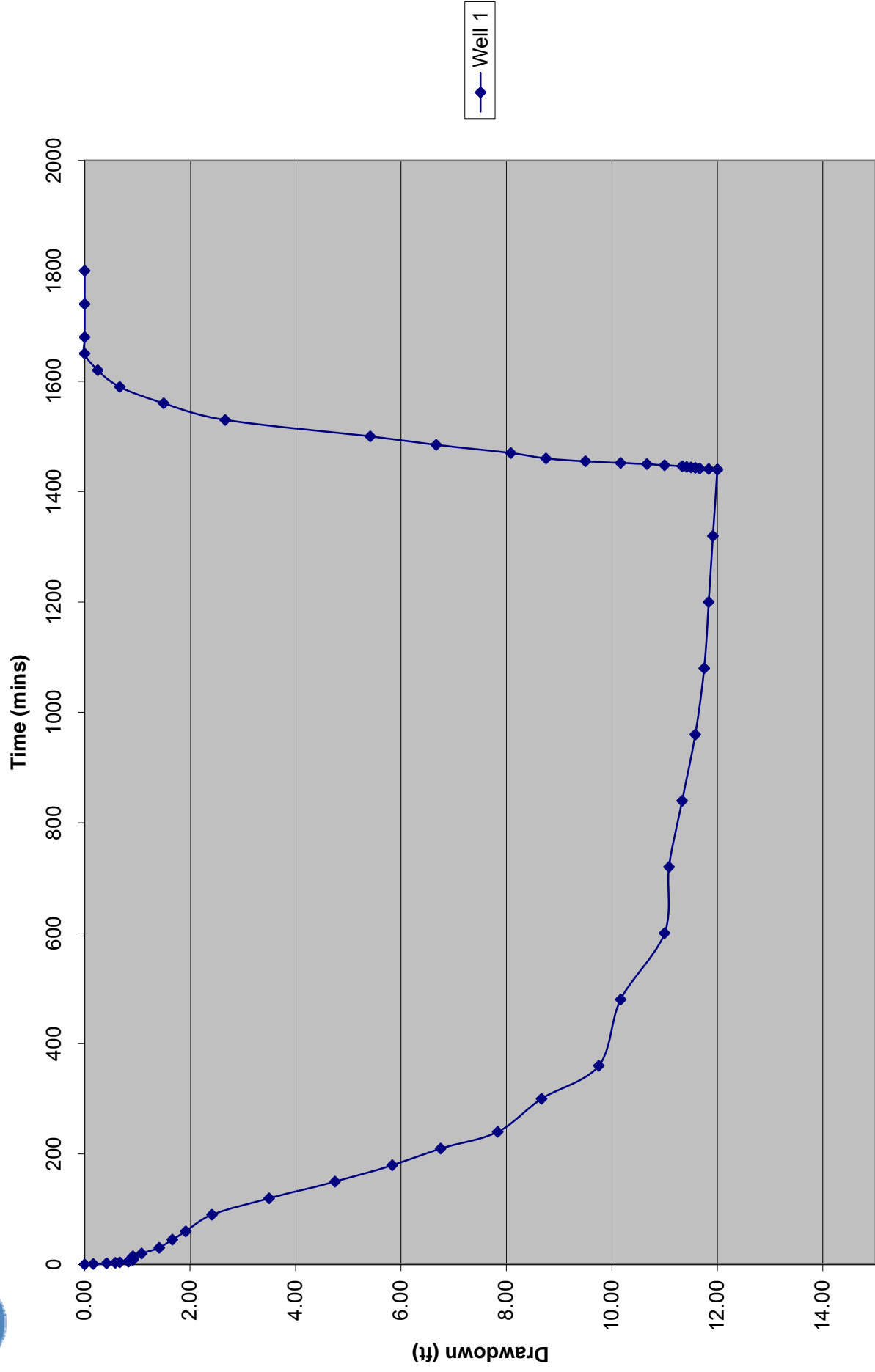
DATE 1/25/12 TIME 12:30 PM RECEIVED  
DATE 1-25-12 TIME 1530 ON TEST

RESULTS GREATER THAN ONE COLIFORM PER 100 ML INDICATES NON-COMPLIANCE WITH MINIMUM DRINKING WATER STANDARDS

BOTTLE # 97



# Drawdown v Time





Project: Carbondale Transfer Station  
 Job Number: 2011-4143  
 Designed By: NEK

Original Date: 4/10/12  
 Revision Date:  
 QA/QC:

### 24-hr Well Test Results

Date	Time	AM/PM	Min	Feet	Inches	Total (ft)	Drawdown (ft)	t'	t/t'			
1/25/2012	10:00	AM	0	36	6	36.50	0.00					
			1	36	8	36.67	0.17					
			2	36	11	36.92	0.42					
			3	37	1	37.08	0.58					
			4	37	2	37.17	0.67					
			5	37	4	37.33	0.83					
			6	37	4	37.33	0.83					
			8	37	5	37.42	0.92					
			10	37	5	37.42	0.92					
			12	37	5	37.42	0.92					
			15	37	5	37.42	0.92					
			20	37	7	37.58	1.08					
			30	37	11	37.92	1.42					
			45	38	2	38.17	1.67					
			60	38	5	38.42	1.92					
			11:00	AM	90	38	11	38.92	2.42			
			11:30	AM	120	40	0	40.00	3.50			
			12:00	PM	150	41	3	41.25	4.75			
			12:30	PM	180	42	4	42.33	5.83			
			1:00	PM	210	43	3	43.25	6.75			
2:00	PM	240	44	4	44.33	7.83						
		300	45	2	45.17	8.67						
4:00	PM	360	46	3	46.25	9.75						
6:00	PM	480	46	8	46.67	10.17						
8:00	PM	600	47	6	47.50	11.00						
10:00	PM	720	47	7	47.58	11.08						
1/26/2012	12:00	AM	840	47	10	47.83	11.33					
			2:00	AM	960	48	1	48.08	11.58			
			4:00	AM	1080	48	3	48.25	11.75			
			6:00	AM	1200	48	4	48.33	11.83			
			8:00	AM	1320	48	5	48.42	11.92			
			10:00	AM	1440	48	6	48.50	12.00			
			10:00	AM	1440	48	6	48.50	12.00	0		
					1441	48	4	48.33	11.83	1	1441.00	
					1442	48	2	48.17	11.67	2	721.00	
					1443	48	1	48.08	11.58	3	481.00	
					1444	48	0	48.00	11.50	4	361.00	
					1445	47	11	47.92	11.42	5	289.00	
					1446	47	10	47.83	11.33	6	241.00	
					1448	47	6	47.50	11.00	8	181.00	
					1450	47	2	47.17	10.67	10	145.00	
					1452	46	8	46.67	10.17	12	121.00	
					1455	46	0	46.00	9.50	15	97.00	
					1460	45	3	45.25	8.75	20	73.00	
				10:30	AM	1470	44	7	44.58	8.08	30	49.00
					1485	43	2	43.17	6.67	45	33.00	
	11:00	AM	1500	41	11	41.92	5.42	60	25.00			
	11:30	AM	1530	39	2	39.17	2.67	90	17.00			
	12:00	PM	1560	38	0	38.00	1.50	120	13.00			
	12:30	PM	1590	37	2	37.17	0.67	150	10.60			
	1:00	PM	1620	36	9	36.75	0.25	180	9.00			
	1:30	PM	1650	36	6	36.50	0.00	210	7.86			
	2:00	PM	1680	36	6	36.50	0.00	240	7.00			
	3:00	PM	1740	36	6	36.50	0.00	300	5.80			
1/26/2012	4:00	PM	1800	36	6	36.50	0.00	360	5.00			

Client Name: MRI  
 Well Location: 1058 CR100  
 Well Depth: 140'  
 Pump Type: Sub.  
 Pump Set Depth: 136'

Tele: \_\_\_\_\_

**DRAWDOWN**

Date	Time	am /pm	Min	Depth to Water		Pumping	Notes	
				Ft	Inches	Rate		
1/25/12	10:00	AM	0	36'	6"	6.5		
			1	36'	8"			
			2	36'	11"			
			3	37'	1"			
			4	37'	2"			
			5	37'	4"			
			6	37'	4"			
			8	37'	5"			
			10	37'	5"			
			12	37'	5"			
			15	37'	5"			
			20	37'	7"			
			30	37'	11"			
			45	38'	2"			
				11:00			60	38'
			90	38'	11"			
	12:00		120	40'	0"	6.5		
			150	41'	3"			
	1:00		180	42'	4"			
			210	43'	3"			
	2:00		240	44'	4"			
			300	45'	2"			
	4:00		360	46'	3"			
	6:00			46'	8"			
	8:00			47'	6"			
	10:00			47'	7"			
1/26/12	12:00			47'	10"			
				2:00	48'		1"	
				4:00	48'		3"	
				6:00	48'		4"	
				8:00	48'		5"	
				10:00	48'	6"	6.5	



Form No. GWS-11 3/2003  
STATE OF COLORADO  
OFFICE OF THE STATE ENGINEER  
818 Centennial Bldg., 1313 Sherman St., Denver, CO 80203  
(303) 866-3581 Fax (303) 866-3589

For Office Use Only  
**RECEIVED**  
OCT 22 2003  
REC # 0420264A

**CHANGE IN OWNERSHIP/ADDRESS  
CORRECTION OF THE WELL LOCATION**

Insert the Well Permit Number 053266-F

Name, address and phone of the person claiming ownership of the well:  
NAME(S) IRMW, LLC C/o William W. Rice, Manager  
Mailing Address 1058 County Road 100 (P.O. Box 1252)  
City, St. Zip Carbondale, CO 81623  
Phone ( 970 ) 960-8600

This form is filed by the named individual/entity claiming that they are the owner of the well permitted as referenced above. This filing is made pursuant to C.R.S. 37-90-143.

WELL LOCATION: County Garfield Owner's Well Designation Well #2-A  
1058 County Road 100 Carbondale, CO 81623  
(Address) (City) (State) (Zip)  
SE 1/4 of the SE 1/4, Sec. 35, Twp. 7  N. or  S., Range 88  E. or  W., 6th P.M.  
Distance from Section Lines 665 Ft. From  N. or  S., 1130 Ft. From  E. or  W. Line.  
Subdivision Name N/A Lot \_\_\_\_\_, Block \_\_\_\_\_, Filing/Unit \_\_\_\_\_

The above listed owner(s) say(s) that he, she (they) own the well described herein. The existing record is being amended for the following reasons:  Change in name of owner  Change in mailing address  
 Correction of location for exempt wells permitted prior to May 8, 1972 and non-exempt wells permitted before May 17, 1965. Please see the reverse side for further information regarding correction of the well location.

I (we) claim and say that I (we) (are) the owner(s) of the well described above and that the commencement of extraction of ground water from this well, lawfully made under the well permit, occurred on the date indicated, and that the statements made herein are true to my (our) knowledge.

Please print the Signer's Name & Title <u>William W. Rice</u> <u>Manager</u>	Signature(s) of the new owner. <u>William Rice</u>	Date <u>10/22/03</u> <u>10/22/03</u>
--	---	--

It is the responsibility of the new owner of this well to complete and sign the form. Signatures of agents are acceptable if an original letter of agency signed by the owner is attached to the form upon its receipt.

For Office Use Only  
ACCEPTED AS A CHANGE IN OWNERSHIP AND/OR MAILING ADDRESS.  
Hal D. Simpson State Engineer  
A. [Signature] By  
11-3-03 Date



PUMP INSTALLATION AND TEST REPORT STATE OF COLORADO, OFFICE OF THE STATE ENGINEER

For Office Use only

RECEIVED

MAR 29 2000

WATER RESOURCES STATE ENGINEER COLO

1. WELL PERMIT NUMBER 053266-F

2. OWNER NAME(S) MIDCON REALTY LLC % ROBERT DELANEY Mailing Address Box 2115 City, St. Zip GLENWOOD SPRINGS, CO-81602 Phone (970) 945-7148

3. WELL LOCATION AS DRILLED: SE 1/4 SE 1/4, Sec. 35 Twp. 7 S, Range 88 W DISTANCES FROM SEC. LINES: 665 ft. from SOUTH Sec. line. and 1130 ft. from EAST Sec. line. SUBDIVISION: LOT BLOCK FILING(UNIT) STREET ADDRESS AT WELL LOCATION:

4. PUMP DATA: Type SUBMERSIBLE Installation Completed 2/28/00 Pump Manufacturer STA-RITE Pump Model No. 10P4D2H-03 Design GPM 10 at RPM 3450, HP 3/4, Volts 230V, Full Load Amps 26 Pump Intake Depth 120' Feet, Drop/Column Pipe Size 1" inches, Kind SCH 80 PVC

ADDITIONAL INFORMATION FOR PUMPS GREATER THAT 50 GPM:

TURBINE DRIVER TYPE: Electric Engine Other Design Head feet, Number of Stages Shaft size inches.

5. OTHER EQUIPMENT: Airline Installed Yes No, Orifice Depth ft. Monitor Tube Installed Yes No, Depth ft. Flow Meter Mfg. Meter Serial No. Meter Readout Gallons, Thousand Gallons, Acre feet, Beginning Reading

6. TEST DATA: Check box if Test data is submitted on Supplemental Form. Date 2/28/00 Total Well Depth 140' Time Static Level 29'-6 1/2" Rate (GPM) 6 GPM Date Measured 2/28/00 Pumping Lvl. 31'-10 3/4"

7. DISINFECTION: Type CLOROX Amt. Used 1 GAL

8. Water Quality analysis available. Yes No

9. Remarks

10. I have read the statements made herein and know the contents thereof, and that they are true to my knowledge. [Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]

CONTRACTOR SAMUELSON PUMP Co. Inc. Phone (970) 945-6309 Lic. No. 1050 Mailing Address P.O. Box 297 GLENWOOD SPRINGS, CO. 81602

Name/Title (Please type or print) Signature Date RAUN SAMUELSON PRES. 3/19/00

FORM NO.  
GWS-10  
03/92

STATE OF COLORADO  
OFFICE OF THE STATE ENGINEER  
815 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203  
(303) 688-3581

For Office Use only

RECEIVED

APR 06 2000

WATER DIVISION  
STATE ENGINEER  
COLO.

FOR INSTRUCTIONS, SEE REVERSE SIDE

STATEMENT OF BENEFICIAL USE

WELL PERMIT NUMBER 053266F

1. WELL OWNER

NAME(S) Midcon Realty LLC  
Mailing Address P.O. Box 2115  
City, St Zip Glenwood Springs, CO 81602  
Phone (970) 945-7148

2. WELL LOCATION: COUNTY Garfield OWNER'S WELL DESIGNATION Well #2-A  
(Address) (City) (State) (Zip)  
SE 1/4 of the SE 1/4, Sec. 35 Twp. 7  N. or  S., Range 88  E. or  W. 6th P.M.  
Distances from Section Lines 665 Ft. from  N. or  S. Line, 1130 Ft. from  E. or  W. Line.

3. The well is being used for the following purpose(s): Drinking/sanitary, irrigation of landscape, stone cutting, polishing, truck washing

4. Water from the well was first used beneficially under this permit number, for the above described purposes on February 28 ~~at~~ 2000  
(Do not report a date which is before the issued date of this permit)

5. The pumping rate claimed is 7-8 gallons per minute.

6. The average annual amount of water diverted is 1.5 acre feet.

7. The land area irrigated (watered) by water from this well is: 22,500  Acres or  Square feet,  
(Number)  
described as: SW1/4SE1/4 (Legal Description)  
or as  Subdivision Lot(s)  Block  Filing/Unit

8. Well drilled by: Shelton Drilling Lic. No: 1095  
Pump installed by: Samuelson Pump Lic. No: 1050

9. Meter Mfg. by Master Melel Serial No.: 2387699 Date Installed: 2/28/00

I (we) have read the statements made herein, know the contents thereof, and state that they are true to my (our) knowledge. [Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a Class 1 misdemeanor.]

10. Name/Title (Please type or print) Robert Delaney Signature Robert Delaney Date 3/20/00  
Manager

FOR OFFICE USE ONLY

Hal D. Simpson State Engineer Date 5-24-00  
A. Tuley Court Case No. Div. 5 Co. 23 WD 38 Basin MD Use

PUMP INSTALLATION AND TEST REPORT  
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER

For Office Use only

RECEIVED  
APR 06 2000  
WATER DIVISION  
STATE ENGINEER  
COLORADO

1. WELL PERMIT NUMBER 053266-F

2. OWNER NAME(S) MIDCON RENTLY LLC % ROBERT DELANEY  
 Mailing Address Box 2115  
 City, St. Zip GLENWOOD SPRINGS, CO. 81602  
 Phone (970) 945-7148

3. WELL LOCATION AS DRILLED: SE 1/4 SE 1/4, Sec. 35 Twp. 7 S Range 88 W  
 DISTANCES FROM SEC. LINES:  
665 ft. from SOUTH Sec. line. and 1130 ft. from EAST Sec. line.  
(north or south) (east or west)  
 SUBDIVISION: \_\_\_\_\_ LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ FILING(UNIT) \_\_\_\_\_  
 STREET ADDRESS AT WELL LOCATION: \_\_\_\_\_

4. PUMP DATA: Type SUBMERSIBLE Installation Completed 2/28/00  
 Pump Manufacturer STA-RITE Pump Model No. 1004D02H-03  
 Design GPM 10 at RPM 3450, HP 3/4, Volts 230V, Full Load Amps 2.6  
 Pump Intake Depth 120' Feet, Drop/Column Pipe Size 1" inches, Kind SCH 80 PVC

ADDITIONAL INFORMATION FOR PUMPS GREATER THAT 50 GPM:  
 TURBINE DRIVER TYPE:  Electric  Engine  Other \_\_\_\_\_  
 Design Head \_\_\_\_\_ feet, Number of Stages \_\_\_\_\_, Shaft size \_\_\_\_\_ inches.

5. OTHER EQUIPMENT:  
 Airline Installed  Yes  No, Orifice Depth ft. \_\_\_\_\_ Monitor Tube Installed  Yes  No, Depth ft. \_\_\_\_\_  
 Flow Meter Mfg. \_\_\_\_\_ Meter Serial No. \_\_\_\_\_  
 Meter Readout  Gallons,  Thousand Gallons,  Acre feet,  Beginning Reading \_\_\_\_\_

6. TEST DATA:  Check box if Test data is submitted on Supplemental Form.  
 Date 2/28/00  
 Total Well Depth 140' Time \_\_\_\_\_  
 Static Level 29'-6 1/2" Rate (GPM) 6 GPM  
 Date Measured 3/28/00 Pumping Lvl. 31'-10 3/4"

7. DISINFECTION: Type CLOROX Amt. Used 1 GAL

8. Water Quality analysis available.  Yes  No

9. Remarks \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

10. I have read the statements made herein and know the contents thereof, and that they are true to my knowledge. [Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]

CONTRACTOR SAMUELSON PUMP Co. Inc. Phone (970) 945-6309 Lic. No. 1050  
 Mailing Address P.O. Box 297 GLENWOOD SPRINGS CO. 81602

Name/Title (Please type or print) <u>RAUN SAMUELSON PRES.</u>	Signature <u>Raun Samuelson</u>	Date <u>3/19/00</u>
--	------------------------------------	------------------------

FORM NO. GWS-10 03/92

STATE OF COLORADO  
OFFICE OF THE STATE ENGINEER  
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203  
(303) 866-3581

For Office Use only  
RECEIVED

MAR 31 2000

WATER RESOURCES  
STATE ENGINEER  
COLO

FOR INSTRUCTIONS, SEE REVERSE SIDE

STATEMENT OF BENEFICIAL USE

WELL PERMIT NUMBER 053266F

1. WELL OWNER

NAME(S) Midcon Realty LLC  
Mailing Address P.O. Box 2115  
City, St. Zip Glenwood Springs, CO 81602  
Phone (970) 945-7148

2. WELL LOCATION: COUNTY Garfield OWNER'S WELL DESIGNATION Well #2-A

(Address) (City) (State) (Zip)  
SE 1/4 of the SE 1/4, Sec. 35 Twp. 7  N. or  S., Range 88  E. or  W. 6th P.M.  
Distances from Section Lines 665 Ft. from  N. or  S. Line, 1130 Ft. from  E. or  W. Line.

3. The well is being used for the following purpose(s): Drinking/sanitary, irrigation of landscape, stone cutting, polishing, truck washing

4. Water from the well was first used beneficially under this permit number, for the above described purposes on February 28 ~~19~~ 2000  
(Do not report a date which is before the issued date of this permit)

5. The pumping rate claimed is 7-8 gallons per minute.

6. The average annual amount of water diverted is 1.5 acra feet.

7. The land area irrigated (watered) by water from this well is: 22,500  Acres or  Square feet,  
(Number)

described as: SW1/4SE1/4  
(Legal Description)  
or as \_\_\_\_\_ Subdivision Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Filing/Unit \_\_\_\_\_

8. Well drilled by: Shelton Drilling Lic. No: 1095

Pump installed by: Samuelson Pump Lic. No: 1050

9. Meter Mfg. by Master Melel Serial No.: 2387699 Date Installed: 2/28/00

I (we) have read the statements made herein, know the contents thereof, and state that they are true to my (our) knowledge. [Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a Class 1 misdemeanor.]

10. Name/Title (Please type or print)  
Robert Delaney  
Manager

Signature  
*Robert Delaney*

Date  
3/20/00

FOR OFFICE USE ONLY

State Engineer \_\_\_\_\_ By \_\_\_\_\_ Date \_\_\_\_\_  
Court Case No. Div. Co. WD Basin MD Use

PUMP INSTALLATION AND TEST REPORT  
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER

For Office Use only

RECEIVED  
MAR 31 2000  
WATER RESOURCES  
STATE ENGINEER  
COLO.

1. WELL PERMIT NUMBER 053266-F

2. OWNER NAME(S) MIDCON RENTLY LLC % ROBERT DEANEY  
Mailing Address Box 2115  
City, St. Zip GLENWOOD SPRINGS, CO. 81602  
Phone (970) 945-7148

3. WELL LOCATION AS DRILLED: SE 1/4 SE 1/4, Sec. 35 Twp. 7 S, Range 88 W  
DISTANCES FROM SEC. LINES:  
665 ft. from SOUTH Sec. line. and 1130 ft. from EAST Sec. line.  
(north or south) (east or west)  
SUBDIVISION: \_\_\_\_\_ LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ FILING(UNIT) \_\_\_\_\_  
STREET ADDRESS AT WELL LOCATION: \_\_\_\_\_

4. PUMP DATA: Type SUBMERSIBLE Installation Completed 2/28/00  
Pump Manufacturer STA-RITE Pump Model No. 10104D02H-03  
Design GPM 10 at RPM 3450, HP 3/4, Volts 230V, Full Load Amps 2.6  
Pump Intake Depth 120' Feet, Drop/Column Pipe Size 1" Inches, Kind SCH 80 PVC

ADDITIONAL INFORMATION FOR PUMPS GREATER THAT 50 GPM:

TURBINE DRIVER TYPE:  Electric  Engine  Other \_\_\_\_\_  
Design Head \_\_\_\_\_ feet, Number of Stages \_\_\_\_\_, Shaft size \_\_\_\_\_ inches.

5. OTHER EQUIPMENT:

Airline Installed  Yes  No, Orifice Depth ft. \_\_\_\_\_, Monitor Tube Installed  Yes  No, Depth ft. \_\_\_\_\_  
Flow Meter Mfg. \_\_\_\_\_ Meter Serial No. \_\_\_\_\_  
Meter Readout  Gallons,  Thousand Gallons,  Acre feet,  Beginning Reading \_\_\_\_\_

6. TEST DATA:  Check box if Test data is submitted on Supplemental Form.

Date 2/28/00  
Total Well Depth 140' Time \_\_\_\_\_  
Static Level 29'-6 1/2" Rate (GPM) 6 GPM  
Date Measured 2/28/00 Pumping Lvl. 31'-10 3/4"

7. DISINFECTION: Type CLOROX Amt. Used 1 GAL

8. Water Quality analysis available.  Yes  No

9. Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. I have read the statements made herein and know the contents thereof, and that they are true to my knowledge.  
[Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]

CONTRACTOR SAMUELSON PUMP Co. INC. Phone (970) 945-6309 Lic. No. 1050  
Mailing Address P.O. Box 297 GLENWOOD SPRINGS CO. 81602

Name/Title (Please type or print) RAVN SAMUELSON PRES. Signature [Signature] Date 3/19/00

**WELL CONSTRUCTION AND TEST REPORT**  
**STATE OF COLORADO, OFFICE OF THE STATE ENGINEER**

FOR OFFICE USE ONLY  
**RECEIVED**

**MAR 13 2000**

WATER RESOURCES  
 STATE ENGINEER  
 COLO.

APPROVAL # GWS31-01-03 *18686-F*

1. **WELL PERMIT NUMBER** 053266-F

2. **Owner Name(s) :** Midcon Realty LLC  
**Mailing Address :** P.O. Box 2115  
**City, St. Zip :** Glenwood Springs, Co. 81602  
**Phone :** (970) 945-7148

3. **WELL LOCATION AS DRILLED:** SE 1/4 SE 1/4 Sec. 35 Twp. 07S Range 88W  
**DISTANCES FROM SEC. LINES:**  
 665 ft. from South Sec. line. and 1130 ft. from East Sec. line. OR  
**SUBDIVISION :** LOT BLOCK FILING(UNIT)  
**STREET ADDRESS AT WELL LOCATION :**

4. **GROUND SURFACE ELEVATION** ft. **DRILLING METHOD** Air Rotary  
**DATE COMPLETED** 02/16/00 **TOTAL DEPTH** 151 ft. **DEPTH COMPLETED** 142 ft.

5. GEOLOGIC LOG :		6. HOLE DIAM. (In)	FROM (ft)	TO (ft)
Depth	Type of Material (Size, Color, and Type)	9.0	0	34
000-010	Topsoil, Rocks	6.5	34	142
010-151	Eagle Valley Formation	5.	142	151

7. PLAIN CASING					
OD (In)	Kind	Wall Size	From (ft)	To (ft)	
7.0	Steel	0.240	-1	34	
5.5	Steel	.188	27	50	
5.5	Steel	.188	60	130	
PERF. CASING : Screen Slot Size :					
5.5	Steel	.188	50	60	
5.5	Steel	.188	130	140	

WATER LOCATED : 55 + REMARKS :	8. Filter Pack		9. Packer Placement		
	Material :		Type :		
	Size :		Depth :		
10. GROUTING RECORD :					
Material	Amount	Density	Interval	Placement	
cement	3 sks	16 gal	10-30	poured	

11. **DISINFECTION :** Type : HTH Amt. Used : 3 oz.

12. **WELL TEST DATA :**  Check Box If Test Data is Submitted On Supplemental Form.  
**TESTING METHOD :** Air Compressor  
**Static Level :** 28 ft. **Date/Time Measured :** 02/16/2000 **Production Rate :** 8 gpm.  
**Pumping Level :** Total ft. **Date/Time Measured :** 02/16/2000 **Test Length :** 2 hrs.  
**Remarks :**

13. I have read the statements made herein and know the contents thereof, and that they are true to my knowledge. (Pursuant to Section 24-4-104 (15)(a) CRS, the making of false statements constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.)

**CONTRACTOR :** Shelton Drilling Corp. **Phone :** (970) 927-4182  
**Mailing Address :** P.O. Box 1059 Basalt, CO. 81621 **Lic. No.** 1095  
**Name / Title (Please Type or Print)** **Signature** **Date** 02/18/00  
 Wayne Shelton / President *Wayne Shelton*

**ORIGINAL**

THIS FORM MUST BE SUBMITTED  
WITHIN 90 DAYS OF COMPLETION  
OF THE WORK DESCRIBED HERE-  
ON. TYPE OR PRINT IN BLACK  
INK.

COLORADO DIVISION OF WATER RESOURCES

300 Columbine Bldg., 1845 Sherman St.  
Denver, Colorado 80203

RECEIVED

2 APR 10 '75

WATER RESOURCES  
STATE ENGINEER  
COLO.

WELL COMPLETION AND PUMP INSTALLATION REPORT

PERMIT NUMBER ~~018686-F~~  
53210-F

WELL OWNER Mid-Continent Coal & Coke Co. SE ¼ of the SE ¼ of Sec. 35

ADDRESS Appondale Colo. T. 7 S. R. 88 W. 6th P.M.

DATE COMPLETED 3-19, 19 75

HOLE DIAMETER

7 in. from 0 to 85 ft.

\_\_\_\_\_ in. from \_\_\_\_\_ to \_\_\_\_\_ ft.

\_\_\_\_\_ in. from \_\_\_\_\_ to \_\_\_\_\_ ft.

DRILLING METHOD Rotary Air

CASING RECORD: Plain Casing

Size 7 & kind 22# from 0 to 65 ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

Perforated Casing

Size 7 & kind 22# from 65 to 85 ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

GROUTING RECORD

Material Cement

Intervals 10-36

Placement Method Mix

GRAVEL PACK: Size \_\_\_\_\_

Interval \_\_\_\_\_

TEST DATA

Date Tested 3-19, 19 75

Static Water Level Prior to Test 54 ft.

Type of Test Pump Air

Length of Test 6 hrs

Sustained Yield (Metered) 30 GPM

Final Pumping Water Level 67

WELL LOG

From	To	Type and Color of Material	Water Loc.
0	36	Overburden	
36	57	Gravel sand + clay	
57	72	sand + clay	4 1/2
72	85	Gray shale	1/2
TOTAL DEPTH		<u>85</u>	

Use additional pages necessary to complete log.



**PUMP INSTALLATION REPORT**

Pump Make \_\_\_\_\_

Type \_\_\_\_\_

Powered by: \_\_\_\_\_ HP \_\_\_\_\_

Pump Serial No. \_\_\_\_\_

Motor Serial No. \_\_\_\_\_

Date Installed \_\_\_\_\_

Pump Intake Depth \_\_\_\_\_

Remarks Unknown

**WELL TEST DATA WITH PERMANENT PUMP**

Date Tested \_\_\_\_\_

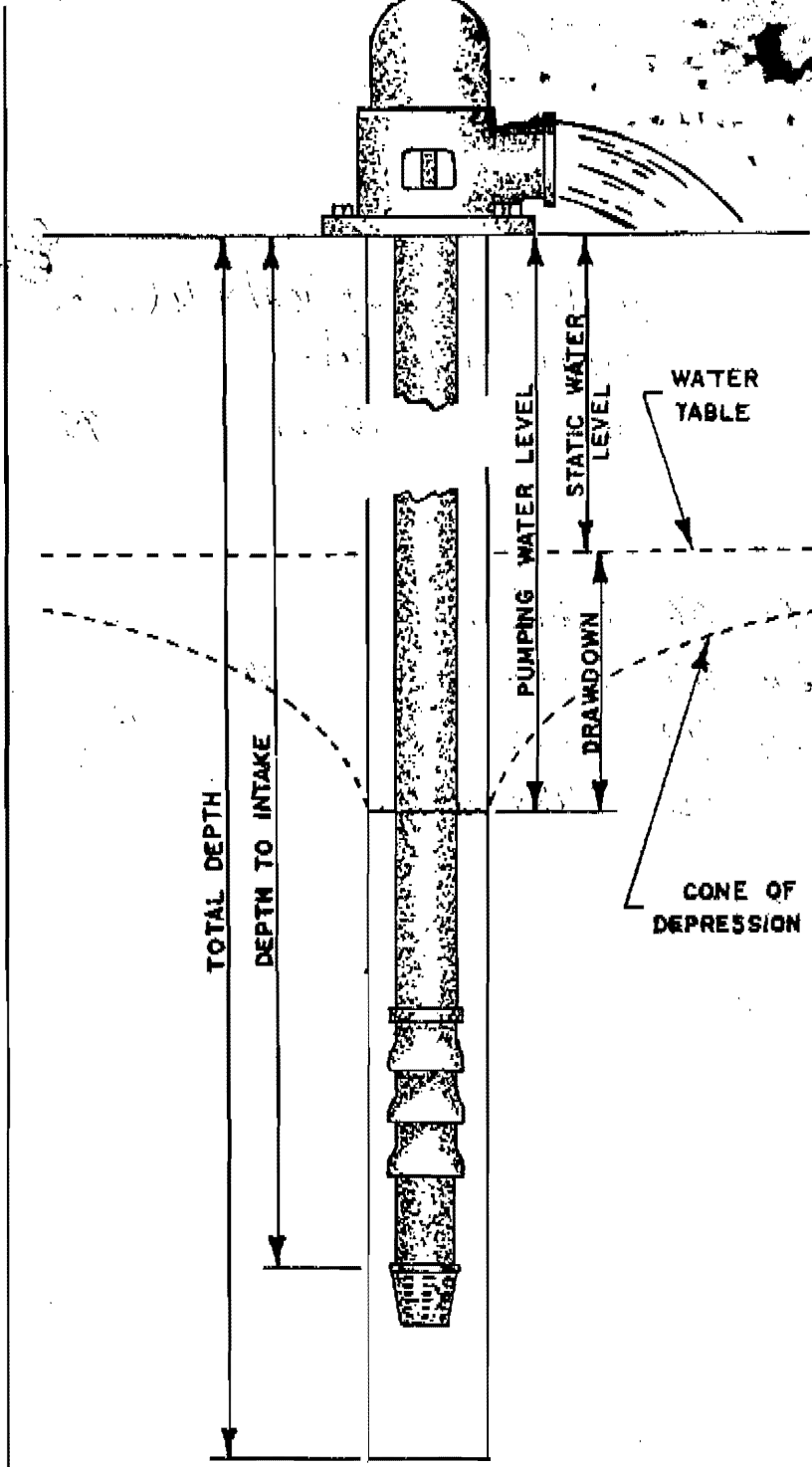
Static Water Level Prior to Test \_\_\_\_\_

Length of Test \_\_\_\_\_ Hours

Sustained yield (Metered) \_\_\_\_\_ GPM

Pumping Water Level \_\_\_\_\_

Remarks Unknown



**CONTRACTORS STATEMENT**

The undersigned, being duly sworn upon oath, deposes and says that he is the contractor of the well or pump installation described hereon; that he has read the statement made hereon; knows the content thereof, and that the same is true of his own knowledge.

Signature William D. [unclear] Bobie Collins License No. 639

State of Colorado, County of Garfield SS

Subscribed and sworn to before me this 9<sup>th</sup> day of April, 1976.

My Commission expires: 10-5, 1976.

Notary Public Bernadette Newell

WFOJ 72  
**COLORADO DIVISION OF WATER RESOURCES**

300 Columbine Bldg., 1845 Sherman St.  
 Denver, Colorado 80203

RECEIVED  
 2 APR 10 75

THIS FORM IS NOT TO BE USED FOR THE COMPLETION OF THE WORK DESCRIBED HEREON. TYPE OR PRINT IN BLACK INK.

**WELL COMPLETION AND PUMP INSTALLATION REPORT**

PERMIT NUMBER 58210-F

com  
 684  
 3-9-74

WATER RESOURCE  
 STATE ENGINEER  
 COLO.

WELL Best Copy Available Cent Coal & Coke Co. SE 1/4 of the SE 1/4 of Sec. 32  
 ADDRESS 2 Colo. T. 7 S. R. 88 W. 64E  
 DATE COMPLETED 3-19, 19 75

HOLE DIAMETER 7 in. from 0 to 85 ft.

**WELL LOG**

From	To	Type and Color of Material	Water Loc.
0	36	Overburden	
36	57	Gravel sand + clay	
57	72	sand + clay	4 1/2 / 72
72	85	Gray shale	
TOTAL DEPTH <u>85</u>			

in. from \_\_\_\_\_ to \_\_\_\_\_ ft.  
 in. from \_\_\_\_\_ to \_\_\_\_\_ ft.

DRILLING METHOD Rotary Air

CASING RECORD: Plain Casing

Size 7 & kind 22# from 0 to 65 ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

**Perforated Casing**

Size 7 & kind 22# from 65 to 85 ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

**GROUTING RECORD**

Material Cement

Intervals 10-36

Placement Method Mix

GRAVEL PACK: Size \_\_\_\_\_

Interval \_\_\_\_\_

**TEST DATA**

Date Tested 3-19

Static Water Level Prior to Test 54 ft.

Type of Test Pump Air

Length of Test 6 hrs

Sustained Yield (Metered) 30 GPM

Final Pumping Water Level 67

Use additional pages necessary to complete log.

COLORADO DIVISION OF WATER RESOURCES

300 Columbine Bldg., 1845 Sherman St.  
Denver, Colorado 80203

RECEIVED

2 APR 10 1975

WATER RESOURCES  
STATE ENGINEER  
COL.

THIS FORM MUST BE SUBMITTED  
WITHIN 60 DAYS OF COMPLETION  
OF THE WORK DESCRIBED HERE-  
ON. TYPE OR PRINT IN BLACK  
INK.

WELL COMPLETION AND PUMP INSTALLATION REPORT

PERMIT NUMBER ~~918286-F~~  
53266-F

cm  
634  
2-9-74

Best Copy Available

WEL mineral coal + coke Co. SE 1/4 of the SE 1/4 of Sec. 35

ADDRESS Capbouditz Colo. T. 7 S, R. 88 W, 6th P.M.

DATE COMPLETED 3-19, 19 75 HOLE DIAMETER

7 in. from 0 to 85 ft.

\_\_\_\_\_ in. from \_\_\_\_\_ to \_\_\_\_\_ ft.

\_\_\_\_\_ in. from \_\_\_\_\_ to \_\_\_\_\_ ft.

DRILLING METHOD Rotary Air

CASING RECORD: Plain Casing

Size 7 & kind 22# from 0 to 65 ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

Perforated Casing

Size 7 & kind 22# from 65 to 85 ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

GROUTING RECORD

Material Cement

Intervals 10-36

Placement Method Mix

GRAVEL PACK: Size \_\_\_\_\_

Interval \_\_\_\_\_

TEST DATA

Date Tested 3-19, 19 75

Static Water Level Prior to Test 54 ft.

Type of Test Pump Air

Length of Test 6 hrs.

Sustained Yield (Metered) 30 GPM

Final Pumping Water Level 67

WELL LOG

From	To	Type and Color of Material	Water Loc.
0	36	Overburden	
36	57	GRAVEL SAND + CLAY	4 1/2 / 1 1/2
57	72	SAND + CLAY	
72	85	GRAY SHALE	
TOTAL DEPTH <u>85</u>			

Use additional pages necessary to complete log.

APPLICANT

WELL PERMIT NUMBER 053266 F  
DIV. 5    WD 38    DES. BASIN    MD

MIDCON REALTY, LLC  
% ROBERT DELANEY, MANAGER  
BOX 2115  
GLENWOOD SPRINGS, CO 81602-

(970) 945-7148

APPROVED WELL LOCATION

GARFIELD COUNTY  
SE 1/4 SE 1/4 Section 35  
Township 7 S Range 88 W Sixth P.M.

DISTANCES FROM SECTION LINES

665 Ft. from South Section Line  
1130 Ft. from East Section Line

PERMIT TO CONSTRUCT A WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT  
CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-90-137(2) for the construction of a well, appropriating ground water tributary to the Roaring Fork River, as an alternate point of diversion to the Basalt Conduit, on the condition that the well shall be operated only when the Basalt Water Conservancy District's substitute water supply plan, approved by the State Engineer, is in effect and when a water allotment contract between the well owner and the Basalt Water Conservancy District for the release of replacement water from Ruedl Reservoir is in effect, or under an approved plan for augmentation. BWCD contract #3.3.5.291.
- 4) The old well constructed under permit no. 18686-F (expired) must be plugged and abandoned in accordance with Rule 15 of the Water Well Construction Rules. A Well Abandonment Report form must be submitted within sixty (60) days after construction of the new well, affirming that the old well was plugged and abandoned.
- 5) The use of ground water from this well is limited to drinking and sanitary uses associated with an office building, the irrigation of not more than 22,500 square feet of landscape, and commercial/industrial uses associated with a stone cutting/polishing facility. All use of this well will be curtailed unless the water allotment contract or a plan for augmentation is in effect.
- 6) The maximum pumping rate of this well shall not exceed 15 GPM.
- 7) The average annual amount of ground water to be appropriated shall not exceed 1.5 acre-feet.
- 8) The owner shall mark the well in a conspicuous place with well permit number(s), name of the aquifer, and court case number(s) as appropriate. The owner shall take necessary means and precautions to preserve these markings.
- 9) This well shall be constructed not more than 200 feet from the location specified on this permit and not less than 600 feet from any existing well, not owned by the applicant.
- 10) A totalizing flow meter must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (recorded at least annually) and submitted to the Division Engineer upon request. *JD 2-7-2000*

APPROVED  
JD2

*Hal D. Simpson*  
State Engineer

Receipt No. 0420264A

DATE ISSUED **FEB 07 2000**

By *Jeff Dea*  
EXPIRATION DATE **FEB 07 2001**

**GENERAL PURPOSE**

(Please note: other forms are available for specific uses including - residential, livestock, monitoring/observ., gravel pits, registration of old wells)  
**Review instructions prior to completing form** **Must be completed in black ink or typed**

<b>1. APPLICANT INFORMATION</b>				<b>6. USE OF WELL</b> (please attach detailed description)			
Name of applicant  MIDCON REALTY LLC				<input checked="" type="checkbox"/> INDUSTRIAL <input type="checkbox"/> OTHER: <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> MUNICIPAL                      SEE ATTACHED <input type="checkbox"/> IRRIGATION <input type="checkbox"/> FEED LOT - number of head :			
Mailing Address 1001 Grand Ave., Suite 106 P. O. Box 2115				<b>7. WELL DATA</b>			
City Glenwood Springs		State Colorado		Zip Code 81602		Maximum pumping rate 15 gpm	
Annual amount 1.5 acre-feet		Total depth 50-75 feet		Aquifer river gravels			
Telephone number (include area code) (970) 945-7148				<b>8. LAND ON WHICH GROUND WATER WILL BE USED</b>			
<b>2. TYPE OF APPLICATION</b> (check applicable box(es))				A. LEGAL DESCRIPTION (may be provided as an attachment):  SEE ATTACHED			
<input type="checkbox"/> Construct new well <input type="checkbox"/> Use existing well <input checked="" type="checkbox"/> Replace existing well <input checked="" type="checkbox"/> Change or Increase Use <input type="checkbox"/> Change (source) Aquifer <input type="checkbox"/> Reapplication (expired permit) <input type="checkbox"/> Other:				(If used for crop irrigation, attach scaled map that shows irrigated area.)			
<b>3. REFER TO</b> (if applicable):				B. # acres 98+		C. Owner MidconRealty LLC	
Water court case # N/A		Permit # 018686-F		D. List any other wells or water rights used on this land: Standby Well #1, 021337-F also, Well #3, #31594			
Emergency Verbal # -VE-		Monitoring hole acknowledgment # MH-		<b>9. PROPOSED WELL DRILLER</b> (optional)			
Well name or # Midcon Well #2-A				Name Shelton Drilling Co		License number 1095	
<b>4. LOCATION OF WELL</b>				<b>10. SIGNATURE</b> of applicant(s) or authorized agent			
County Garfield		Quarter/quarter SE ¼		Quarter SE ¼		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.	
Section 35		Township N or S 7 <input type="checkbox"/> <input checked="" type="checkbox"/>		Range E or W 88 <input type="checkbox"/> <input checked="" type="checkbox"/>		Principal Meridian 6th	
Distance of well from section lines 665 ft from <input type="checkbox"/> N <input checked="" type="checkbox"/> S    1130 ft from <input checked="" type="checkbox"/> E <input type="checkbox"/> W				Must be original signature <i>Robert DeLanty</i>			
Well location address, if different from applicant address (if applicable) Midcon Industrial Park 1058 100 Road, Carbondale, CO				Title Manager		Date 1-19-00	
For replacement wells only - distance and direction from old well to new well 100 feet northwest direction				<b>OPTIONAL INFORMATION</b>			
<b>5. TRACT ON WHICH WELL WILL BE LOCATED</b>				USGS map name Carbondale		DWR map no. 46-B	
A. LEGAL DESCRIPTION (may be provided as an attachment):  Please see attached				Surface elev.		Office Use Only	
B. STATE PARCEL ID# (optional):				Receipt # 420264-A		DIV <u>5</u>	
C. # acres in tract 98+		D. Owner Midcon Realty LLC		CO <u>23</u>		WD <u>38</u>	
E. Will this be the only well on this tract? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (if other wells are on this tract, see detailed inst.)				USE(S)		BA _____	
						MD _____	

Water User: MID-CONTINENT RESOURCES  
 Analysis Date: MARCH 7, 1987  
 District Area: A  
 Source Series: 1  
 Maximum Demand: (GPM) (CFS)  
 30 0.067

BASALT WATER CONSERVANCY DISTRICT

WATER REQUIREMENTS  
 (acre feet)

Month	(1) Domestic In-house		(2) Commercial or Other		(3) Total Demand		(4) Crop Irrigation		(5) Livestock		(6)* TOTAL		Consumptive Use			(12)* TOTAL	(13) Source of Aug/Replace	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(7)	(8)	(9)			(10)
January	0.000	0.125	0.000	0.000	0.000	0.131	0.000	0.000	0.000	0.000	0.000	0.000	0.019	0.000	0.000	0.000	0.020	RUE
February	0.000	0.125	0.000	0.000	0.000	0.131	0.000	0.000	0.000	0.000	0.000	0.000	0.019	0.000	0.000	0.000	0.020	RUE
March	0.000	0.125	0.000	0.000	0.000	0.131	0.000	0.000	0.000	0.000	0.000	0.000	0.019	0.000	0.000	0.000	0.020	RUE
April	0.000	0.125	0.053	0.000	0.000	0.187	0.000	0.000	0.000	0.000	0.000	0.000	0.019	0.042	0.000	0.000	0.064	RUE
May	0.000	0.125	0.253	0.000	0.000	0.398	0.000	0.000	0.000	0.000	0.000	0.000	0.019	0.202	0.000	0.000	0.232	RUE
June	0.000	0.125	0.313	0.000	0.000	0.459	0.000	0.000	0.000	0.000	0.000	0.000	0.019	0.250	0.000	0.000	0.282	RUE
July	0.000	0.125	0.289	0.000	0.000	0.445	0.000	0.000	0.000	0.000	0.000	0.000	0.019	0.239	0.000	0.000	0.271	RUE
August	0.000	0.125	0.196	0.000	0.000	0.337	0.000	0.000	0.000	0.000	0.000	0.000	0.019	0.157	0.000	0.000	0.185	RUE
September	0.000	0.125	0.167	0.000	0.000	0.308	0.000	0.000	0.000	0.000	0.000	0.000	0.019	0.133	0.000	0.000	0.160	RUE
October	0.000	0.125	0.061	0.000	0.000	0.195	0.000	0.000	0.000	0.000	0.000	0.000	0.019	0.049	0.000	0.000	0.071	RUE
November	0.000	0.125	0.000	0.000	0.000	0.131	0.000	0.000	0.000	0.000	0.000	0.000	0.019	0.000	0.000	0.000	0.020	RUE
December	0.000	0.125	0.000	0.000	0.000	0.131	0.000	0.000	0.000	0.000	0.000	0.000	0.019	0.000	0.000	0.000	0.020	RUE
TOTALS -	0.000	1.500	1.341	0.000	0.000	2.863	0.000	0.000	0.000	0.000	0.000	0.000	0.225	1.073	0.000	0.000	1.363	

(1) NUMBER OF RESIDENCES: 0  
 # persons/residence: 4  
 # gallons/person/day: 80

(2) Commercial/Other Demand (af): 1.500

(3) Sq. Ft. of Lawn Irrigated: 22500  
 Lawn Application Rate (af/ac): 2.806

(4) Acres of Crop Irrigated: 0.00  
 Crop Application Rate (af/ac): 0.000

(5) # of Livestock @ 11 gals/day: 0

(7) % CU for Domestic/Commercial: 15

(8) % Lawn Irrig. Efficiency: 80  
 Consumption of Irrig. (af/ac): 2.085

(10) % Crop Irrig. Efficiency: 80  
 Consumption of Irrig. (af/ac): 2.000

(9-10) Elevation (feet): 5200

(12) Total includes 5% Transmitt Loss

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 STATE ENGINEER  
 COLO.

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**BASALT WATER CONSERVANCY DISTRICT  
WATER ALLOTMENT CONTRACT NO. ~~193~~  
Pursuant to C.R.S. 1973, 37-45-101**

29 JAN 25 '00

WATER RESOURCES  
STATE ENGINEER  
GREENWOOD

JAN 28 2000

COPY

Mid Continent Resources, Inc. (hereinafter "Applicant") has applied to the Basalt Water Conservancy District (hereinafter the "District"), a political subdivision of the State of Colorado, organized pursuant to and existing by virtue of Colorado Revised Statutes, 1973, 37-45-101, et seq., for an allotment Contract for beneficial use of water rights owned, leased, or hereafter acquired by the District. By execution of this Contract, Applicant agrees to the following terms and conditions:

1. QUANTITY: In consideration of the covenants and conditions herein contained, Applicant shall be entitled to receive and apply to beneficial use .067 cubic feet of water per second from the District's direct flow rights and 3.0 acre feet per year of storage water owned or controlled by the District.

2. SOURCE OF ALLOTTED WATER: Water rights allotted pursuant to this Contract shall be from the District's water rights decreed to the Basalt Conduit, Landis Canal, Stockman's Ditch Extension, or other decrees or water rights hereafter acquired by the District, including the District's contractual right to receive storage water from Ruedi Reservoir. The District shall have the right to designate the water right or Decree of the District from which the Applicant's allotted rights shall be obtained. The Applicant's use of any of the District's water rights shall be subject to any and all terms and conditions imposed by the Water Court on the use of the District's said rights. Exchange releases made from the District's storage rights in Ruedi Reservoir or other works and facilities of the District shall be delivered to the Applicant at the outlet works of said storage facility and release of water at such outlet works shall constitute full performance of the District's delivery obligation. Delivery of water from the District's storage rights in Ruedi Reservoir shall be subject to the District's lease Contract with the United States Bureau of Reclamation and any rules and regulations promulgated pursuant thereto.

3. PURPOSE AND LOCATION OF USE: Applicant will use the waters herein granted for beneficial purposes limited to the augmentation of existing and future wells and other water sources, within or through facilities or upon lands owned, operated, or served by Applicant, which lands are described on Exhibit "A" attached hereto; provided that the location and purpose of Applicant's use of said water shall be legally recognized and permitted by the applicable governmental authority having jurisdiction over the property served. Applicant's contemplated usage for the water allotted hereunder is for the following use or uses:

Domestic/Municipal  Industrial/Commercial  Agricultural  
Other \_\_\_\_\_

Applicant acknowledges that usage of the District's water rights as herein contemplated shall be in lieu of or supplemental to Applicant obtaining or adjudicating, on its own, the right to use certain waters. It is acknowledged that certain locations within the District may not be



JAN 28 2000

susceptible to service solely by the District's water rights allotted hereunder or the District's said water rights may not satisfy Applicant's needs and purposes. To the extent that service cannot be achieved by use of the District's allotted water rights, or in the event said service is inadequate, Applicant may, utilize such other water rights, by way of supplementing the District's water rights, or otherwise, as is necessary to assure water service sufficiently reliable for Applicant's intended purpose or purposes. All lands, facilities and areas served by water rights allotted hereunder shall be situated within the boundaries of the District. The District reserves the exclusive right to review and approve any conditions which may be attached to judicial approval of Applicant's use of the District's water rights allotted hereunder. Applicant agrees to defray any out-of-pocket expenses incurred by the District in connection with the allotment of water rights hereunder, including, but not limited to, reimbursement of legal and engineering costs incurred in connection with any water rights adjudication necessary to allow Applicant's use of such allotted water rights; provided, however, in the event any such adjudication involves more of the District's water rights than are allotted pursuant to this Contract, Applicant shall bear only a pro-rata portion of such expenses. Applicant shall be solely responsible for providing works and facilities, if any, necessary to utilize the District's water rights allotted hereunder for Applicant's beneficial use.

Water service provided by the District shall be limited to the amount of water available in priority at the original point of diversion of the District's applicable water right and neither the District, nor those entitled to utilize the District's decrees, may call on any greater amount at new or alternate points of diversion. The District shall request the Colorado State Engineer to estimate any conveyance losses between the original point and any alternate point and such estimate shall be deducted from this amount in each case. The District, or anyone using the District's decrees, may call on any additional sources of supply that may be available at an alternate point of diversion, but not at the original point of diversion, only as against water rights which are junior to the date of application for the alternate point of diversion.

In the event the Applicant intends to develop an augmentation plan and institute legal proceedings for the approval of such augmentation plan to allow the Applicant to utilize the water allotted to Applicant hereunder, the Applicant shall give the District written notice of such intent. In the event the Applicant develops and adjudicates an augmentation plan to utilize the water allotted hereunder, Applicant shall not be obligated to bear or defray any legal or engineering expense of the District incurred by the District for the purpose of developing and adjudicating a plan of augmentation for the District. In any event, the District shall have the right to approve the Applicant's augmentation plan and the Applicant shall provide the District copies of such plan and of all pleadings and other papers filed with the Water Court in the adjudication thereof.

4. PAYMENT: Applicant shall pay annually for the water service described herein at a price to be fixed annually by the Board of Directors of the District for such service. Payment of the annual fee shall be made, in full, within fifteen (15) days after the date of a notice from the District that the payment is due. Said notice will advise the Applicant, among other things, of the water delivery year to which the payment shall apply and the price which is applicable to that year. If a payment is not made by the due date, written notice thereof will be sent by the District to the Applicant at Applicant's address set forth below. If payment is not

made within thirty (30) days after said written notice, the District may, at its sole option, elect to terminate all of the Applicant's right, title, or interest under this Contract, in which event the water right allotted hereunder may be transferred, leased or otherwise disposed of by the District at the discretion of its Board of Directors.

In the event water deliveries hereunder are made by or pursuant to agreement with some other person, corporation, quasi-municipal entity, or governmental entity, and in the event the Applicant fails to make payments as required hereunder, the District may, at its sole option and request, authorize said person or entity to curtail the Applicant's water service pursuant to this Contract, and in such event neither the District nor such persons or entity shall be liable for such curtailment.

5. APPROPRIATION OF FUNDS: The Applicant agrees that so long as this Contract is valid and in force, Applicant will budget and appropriate from such sources of revenues as may be legally available to the Applicant the funds necessary to make the annual payments in advance of water delivery pursuant to this Contract. The Applicant will hold harmless the District and any person or entity involved in the delivery of water pursuant to this Contract, for discontinuance in service due to the failure of Applicant to maintain the payments herein required on a current basis.

6. BENEFIT OF CONTRACT: The water right allotted hereunder shall be beneficially used for the purposes and in the manner specified herein and this Contract is for the exclusive benefit of the Applicant and shall not inure to the benefit of any successor, assign, or lessee of said Applicant without the prior written approval of the Board of Directors of the District.

In the event the water right allotted hereunder is to be used for the benefit of land which is now or will hereafter be subdivided or otherwise held or owned in separate ownership interest by two (2) or more uses of the water right allotted hereunder, the Applicant may assign the Applicant's rights hereunder only to a homeowners association, water district, water and sanitation district or other special district properly organized and existing under and by virtue of the laws of the State of Colorado and then only if such association or special district establishes to the satisfaction of the Basalt Water Conservancy District that it has the ability and authority to assure its performance of the Applicant's obligations under this Contract. In no event shall the owner of a portion, but less than all, of the Applicant's property to be served under this Contract, have any rights hereunder, except as such rights may exist through a homeowners association or special district as above provided. Any assignment of the Applicant's rights under this Contract shall be subject to and must comply with such requirements as the District may hereafter adopt regarding assignment of Contract rights and the assumption of Contract obligations by assignees and successors, provided that such requirements shall uniformly apply to all allottees receiving District service. The restrictions on assignment as herein contained shall not preclude the District from holding the Applicant, or any successor to the Applicant, responsible for the performance of all or any part of the Applicant's covenants and agreements herein contained.

JAN 28 2000

7. OTHER RULES: Applicant's rights under this Contract shall be subject to the Water Service Plan as adopted by the District and amended from time to time, provided that such Water Service Plan shall apply uniformly throughout the District among water users receiving the same service from the District. Applicant shall also be bound by the provisions of the Water Conservancy Act of the State of Colorado, the Rules and Regulations of the Board of Directors of the District, the plumbing advisory, water conservation, and staged curtailment regulations, if any, applicable within the County in which the water allotted hereunder is to be used, together with all amendments of and supplements to any of the foregoing.

8. CURTAILMENT OF USE: The water service provided hereunder is expressly subject to the provisions of that certain Stipulation in Case No. 80 CW 253 on file in the District Court in Water Division 5 of the State of Colorado, which Stipulation provides, in part, for the possible curtailment of out-of-house municipal and domestic water demands upon the occurrence of certain events and upon the District giving notice of such curtailment, all as more fully set forth in said Stipulation.

9. OPERATION AND MAINTENANCE AGREEMENT: Applicant shall enter into an "Operation and Maintenance Agreement" with the District if and when the Board of Directors finds and determines that such an agreement is required by reason of additional or special services requested by the Applicant and provided by the District or by reason of the delivery or use of water by the Applicant for more than one of the classes of service which are defined in the Rules and Regulations of the Board of Directors of said District. Said agreement may contain, but not be limited to, provision for water delivery at times or by means not provided within the terms of standard allotment contracts of the District and additional annual monetary consideration for extension of District services and for additional administration, operation and maintenance costs, or for other costs to the District which may arise through services made available to the Applicant.

10. CHANGE OF USE: The District reserves the exclusive right to review and approve or disapprove any proposed change in use of the water right allotted hereunder. Any use other than that set forth herein or any lease or sale of the water or water rights allotted hereunder without the prior written approval of the District shall be deemed to be a material breach of this Contract.

11. PRIOR RESOLUTION: The water service provided hereunder is expressly subject to that certain Resolution passed by the Board of Directors of the District on September 25, 1979, and all amendments thereto, as the same exists upon the date of this application and allotment Contract.

12. NO FEE TITLE: It is understood and agreed that nothing herein shall give the Applicant any equitable or legal fee title interest or ownership in or to any of the water or water rights of the District, but that Applicant is entitled to the right to use the water right allotted hereunder, subject to the limitations, obligations and conditions of this Contract.

13. CONSERVATION PRACTICES: Applicant shall implement and use commonly accepted conservation practices with respect to the water and water rights allotted hereunder and

shall be bound by any conservation plan hereafter adopted by the District, as the same may be amended from time to time.

14. **WELL SPACING REQUIREMENTS:** Applicant must comply with the well-spacing requirements set forth in C.R.S. §37-90-137, as amended, if applicable. Compliance with said statutory well-spacing criteria shall be an express condition of the extension of service hereunder, and the District shall in no way be liable for an Applicant's failure to comply.

15. **RECORDING OF MEMORANDUM:** In lieu of recording this Water Allotment Contract, a Memorandum of Water Allotment Contract will be recorded with the Garfield County Clerk and Recorder's Office. The costs of recording the Memorandum shall be paid by Applicant.

APPLICANT:  
MID CONTINENT RESOURCES, INC.

By: Robert Delaney  
Robert Delaney, Vice-President

Applicant's Address:

C/O Robert Delaney  
P.O. Box 790  
Glenwood Springs, CO 81602  
Telephone: (970) 945-6546

RECEIVED

JAN 28 2000

WATER RESOURCES  
STATE ENGINEER  
COLO.

STATE OF COLORADO             )  
   )  
   )       ss.  
COUNTY OF GARFIELD         )

Subscribed and sworn to before me this 12<sup>th</sup> day of May, 199~~8~~<sup>7</sup>,  
by Robert Delaney, Vice-President, Mid Continent Resources, Inc.

WITNESS my hand and official seal.  
My commission expires: June 24, 1997

Robert T. Arborey  
Notary Public  
818 Colorado  
Glenwood Spgs CO



4. Any and all conditions imposed upon the release and diversion of water allotted hereunder in any water rights plan of augmentation or other water rights decree of the Water Court for Water Division No. 5 shall be incorporated herein as a condition of approval of this contract. Granting of this allotment contract does not constitute the District's representation that the Applicant will receive a well permit or water rights decree for the land to be benefitted hereby.

5. If Applicant intends to divert water through a well or wells, Applicant shall provide the District a copy of Applicant's valid well permit for each such well before the District is obligated to deliver water for the benefit of Applicant hereunder. Applicant must comply with the well-spacing requirements set forth in C.R.S. §37-90-137, as amended, if applicable. Compliance with said statutory well-spacing criteria shall be an express condition of the extension of service hereunder, and the District shall in no way be liable for an Applicant's failure to comply.

6. The Applicant has acknowledged that the land to be benefitted by the attached Contract is described on Exhibit "A" attached hereto and incorporated herein by this reference.

Approved this 14th day of April, 1997.

BASALT WATER CONSERVANCY DISTRICT

Attest:

By: Barbara Mick  
Barbara Mick - Secretary

By: Art L. Bunker

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STATE ENGINEER  
COLO

JAN 28 2000

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## PARCEL 17

## DESCRIPTION OF CARBONDALE RAILROAD TRACT

WATER RESOURCES  
COLORADOWATER RESOURCES  
STATE ENGINEER  
COLORADO

A Tract of land comprising all of Lot 14 and parts of Lots 12, 13 and 15, Section 35, all of Lot 24 and part of Lot 15, Section 36, Township 7 South, Range 88 West of the 6th P.M., part of Lot 4, Section 1 and parts of Lots 1 and 2, Section 2, Township 8 South, Range 88 West of the 6th P.M., described as follows:

Beginning at a point in the center of the D&RGWRR whence the Witness Corner to Sections 35 and 36, Township 7 South, Range 88 West of the 6th P.M., and Sections 1 and 2, Township 8 South, Range 88 West of the 6th P.M., bears S. 78°57' E. 2034.1 feet;

thence S. 0°46' E. 1056.0 feet;

thence S. 54°0' E. 125.0 feet;

thence S. 88°38' E. 736.9 feet;

thence S. 87°15' E. 347.5 feet;

thence S. 75°46' E. 376.8 feet;

thence N. 82°49' E. 191.6 feet;

thence N. 68°36' E. 185.7 feet;

thence N. 72°44' E. 300.9 feet;

thence N. 80°33' E. 365.1 feet;

thence S. 50°18' E. 253.3 feet;

thence S. 55°0' E. 168.0 feet;

thence S. 80°0' E. 447.5 feet to the East line of said Lot 4,

Section 1;

thence North 1357.0 feet along the East line of said Lot 4 and the East line of said Lot 24 to the center of said D&RGWRR;

thence Westerly along the center of said D&RGWRR to the point of beginning, including land described in Book 277 at Page 175, Garfield County Clerk's office.

EXCEPTING the Northerly 50 feet of the above described tract of land said 50 feet being the Southerly 50 feet of said D&RGWRR right of way.

ALSO including the part of Lot 15, Section 36, Township 7 South, Range 88 West, 6th P.M., located Southerly of the D&RGW Railroad right of way which is included in Deed, recorded in Book 277 at Page 175, Garfield County Clerk and Recorder's office.

That part of Lots 11 and 12, Section 35, Township 7 South, Range 88 West of the 6th P.M., located Southerly of the right-of-way of the D&RGWRR, and Lots 15 and 16, Section 35, Township 7 South, Range 88 West of the 6th P.M., and Lot 2, Section 2, Township 8



JAN 28 2000

## PARCEL 17 (CONTINUED) - PAGE TWO OF THREE PAGES

WATER RESOURCES  
STATE ENGINEER  
COLO.

South. Range 88 West of the 6th P.M., excepting portions thereof included in Tract 3.1-A.

COUNTY OF GARFIELD  
STATE OF COLORADO

A Parcel of land situated in lot 17, Section 35, Township 7 South, Range 88 West of the 6th P.M., situated South of and paralleling the Denver & Rio Grande Western Railroad right-of-way, more particularly described as follows:

From the witness quarter corner located and in place on the North-South line between Lots 11 and 12, Section 35, Township 7 South, Range 88 West of the 6th P.M.;

thence West 2112.5 feet;

thence North to the South line of the said D.&R.G.W.R.R. right-of-way to the point of beginning;

thence Southerly 150 feet at a right angle to the South line of said D.&R.G.W.R.R. right-of-way;

thence Easterly approximately 1300 feet more or less, on a curve to the left and parallel to the South line of said D.&R.G.W.R.R. right-of-way 150 feet therefrom to the East line of said Lot 17, the East line of said Lot 17 being 812.46 feet West of the said Witness Quarter Corner;

thence North along the East line of said Lot 17 to the South line of said D.&R.G.W.R.R. right-of-way;

thence Westerly and on a curve to the right along and upon the South right-of-way line of the said D.&R.G.W.R.R. to the point of beginning.

COUNTY OF GARFIELD  
STATE OF COLORADO

A Tract of land situated in Lot 23, Section 36, Township 7 South, Range 88 West of the 6th P.M., more fully described as follows:

Beginning at a point on the North line of said Lot 23 whence the witness corner for the South Quarter Corner of said Section 36 bears S. 69°45' E. 961.91 feet;

thence S. 89°10' W. 483.91 feet along the North line of said Lot 23 to the Northwest Corner of said Lot 23;

thence South 707.62 feet along the West line of said Lot 23 to the Southwest Corner of said Lot 23;

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PARCEL 17 (CONTINUED) - PAGE THREE OF THREE PAGES

JAN 28 2000

WATER RESOURCES  
STATE ENGINEER  
COLO.

thence South 89°24'40" E. 661.35 feet along the South line of said Lot 23;  
thence North 632.72 feet;  
thence S. 66°14' W. 31.76 feet;  
thence S. 82°30' W. 52.93 feet;  
thence N. 79°14' W. 97.63 feet;  
thence North 90.13 feet to the North line of said lot 23, the point of beginning.

COUNTY OF GARFIELD  
STATE OF COLORADO

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JAN 28 2000

JAN 25 2000

**ASSIGNMENT OF ALLOTMENT CONTRACT**  
**BASALT WATER CONSERVANCY DISTRICT**  
**MID CONTINENT RESOURCES, INC. / MIDCON REALTY, LLC**

WATER RESOURCES  
 AND POWER  
 CO. CO.

WATER RESOURCES  
 AND POWER  
 CO. CO.

FOR VALUE RECEIVED, Mid Continent Resources, Inc. ("Assignor"), hereby sells, assigns, transfers, and sets over to MidCon Realty, LLC ("Assignee") all of Assignor's right, title, and interest in and to that certain Water Allotment Contract with the Basalt Water Conservancy District dated April 14, 1997, which Contract allots 3.00 acre feet of water per year for use on that real property described on Exhibit "A" attached hereto and incorporated herein by this reference.

This Assignment is conditioned upon the consent thereto by the Basalt Water Conservancy District as hereinbelow provided. Assignee hereby assumes and agrees to pay and perform all of the obligations of the Allottee under said Contract.

This Assignment shall be effective upon Assignor's(s)' conveyance of the above described property to Assignee(s).

Dated this 20 day of January, 1999.

Mid Continent Resources, Inc.

By: Robert DeLaney  
 Robert DeLaney, Vice President, Assignor

MidCon Realty, LLC

By: Robert DeLaney  
 Robert DeLaney, Manager, Assignee

Assignee's Mailing Address:

P.O. Box 1298  
 Glenwood Springs, CO 81602

Telephone No. 970 945 0703

or 970 945 7148

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JAN 28 2000

**CONSENT TO ASSIGNMENT**

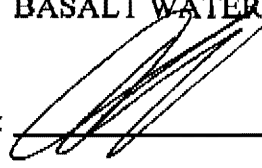
WATER RESOURCES  
STATE ENGINEER  
COLO.

The Basalt Water Conservancy District hereby consents to the foregoing Assignment subject to the terms of and conditions of said Contract and the District's receipt of all charges related thereto.

Dated this 8<sup>th</sup> day of January, 1999.

**BASALT WATER CONSERVANCY DISTRICT**

By: \_\_\_\_\_

A handwritten signature in black ink, consisting of several overlapping loops and strokes, is written over a horizontal line.

**MAP  
PLACE  
HOLDER**

OFFICE OF GENERAL COUNSEL  
MID-CONTINENT RESOURCES, INC.

P. O. DRAWER 790  
818 COLORADO AVENUE  
GLENWOOD SPRINGS, COLORADO 81602

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AUG 25 1997

WATER RESOURCES  
STATE ENGINEER  
COLO.

FAX  
AREA CODE 303  
945-2303

TELEPHONE  
AREA CODE 303  
945-6546

August 21, 1997

Colorado Division of Water Resources  
Department of Natural Resources  
1313 Sherman Street, Room 818  
Denver, Co 80203

Gentlemen:

I enclose herewith Water Well Permit Application on "Stand by Well", Permit No. 021337-F and a second Application for a "Mid-Continent Well No. 2", Permit No. 018686-F together with check for \$120.

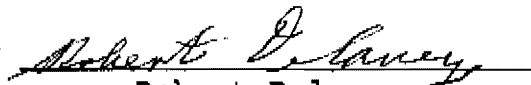
Also enclosed is copy of Water Allotment Contract No. 293 between Mid-Continent Resources, Inc., the Applicant, and Basalt Water Conservancy District, No. 3.3.5.293. Would you please issue well permits.

If there are other requirements, would you please let me know.

Sincerely,

MID-CONTINENT RESOURCES, INC.

BY

  
Robert Delaney  
Vice President

RD/lta  
Enclosures

# STATE OF COLORADO

## OFFICE OF THE STATE ENGINEER

Division of Water Resources  
Department of Natural Resources  
1313 Sherman Street, Room 818  
Denver, Colorado 80203  
Phone (303) 866-3581  
FAX (303) 866-3589



December 11, 1997

Roy Romer  
Governor

James S. Lochhead  
Executive Director

Hal D. Simpson  
State Engineer

MID CONTINENT RESOURCES, INC  
C/O ROBERT DELANEY  
P O BOX 790  
GLENWOOD SPRINGS, CO 81601

RE: Application Receipt Nos. 420264-A, & -B

Dear Mr. Delaney:

A preliminary review of the subject applications indicates that the proposed wells may be within 600 feet of one or more existing wells. The provisions of Colorado Revised Statute 37-90-137(2) prohibit the issuance of a permit for a well to be located within 600 feet of any existing well, unless the State Engineer finds that circumstances so warrant after a hearing held in accordance with the procedural rules in 2CCR 402-5. Our well database indicates that the following well(s) may be within 600 feet of the proposed location for these wells:

<u>Permit No.</u>	<u>Owner of Record</u>
90379	Dan & Suzanne Baxter
30343-F	Michael & Julie Kennedy
31594	Morrison Knudsen
39741	Carbondale Roping Club

Information from the water rights tabulation indicates the following wells may be within 600 feet of the proposed wells:

<u>Case No.</u>	<u>Structure Name</u>	<u>Permit no. (if indicated)</u>
W-351	Mick Well	31266

If you believe there are no other existing wells within 600 feet of these wells, you should resubmit the subject applications along with an affidavit verifying that there are no other existing wells within 600 feet of these proposed wells. If you desire assistance in determining which wells (if any) are within 600 feet, please contact the Division 5 office at (303) 945-5665.

If there are existing wells within 600 feet, please identify the wells (permit number and owner's name) and confirm the approximate distance between those wells and your wells. Once this information is submitted, the required notice and hearing process will be initiated. If you are able to obtain statements from owners of all wells within 600 feet, verifying that they have no objection to these wells being located within 600 feet of their wells, the required notice and hearing process may be avoided. These waiver statements should be submitted when the original application forms are returned to this office. A sample waiver form is enclosed for your use. If a hearing is required, please return the original applications at the conclusion of the hearing process.



Additionally, please attach a detailed description of the proposed industrial and commercial uses and include an estimate of the annual diversions (In acre-feet) associated with each use.

All corrections/changes made to the application forms must be typed or printed in **BLACK INK** and dated and initialed by the applicant, or the authorized agent of the applicant. An original letter of authorization, signed by the applicant, is required if someone other than the applicant will make the changes. Thank you for your cooperation. If you have any questions, please contact this office and reference this letter and the above receipt numbers.

Sincerely,



Jeff Deatherage  
Water Resource Engineer

/jd  
Enclosure(s)

cc: Dwight Whitehead, Division 5

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600 FOOT WELL SPACING STATEMENT

RECEIVED

JAN 25 00

JAN 28 2000

WATER RESOURCES  
STATE ENGINEER  
COLO.

I(we) MidCon Realty, LLC

state as follows:

WATER RESOURCES  
STATE ENGINEER  
COLO.

1. I(we) own real property described as MidCon Industrial Park in  
the SW 1/4 of the SE 1/4, Section 35, Township 7 S., Range 88 W  
6th P.M., Garfield County, Colorado. Located on our property are the following well(s):

Well #1, #021337-F

(USE PERMIT NO. IF KNOWN)

2. I(we) have been apprised that MidCon Realty, LLC  
present owners of a parcel of land in the SE 1/4 of the SE 1/4, Section 35  
Township 7 S., Range 88 W., 6th P.M., desire to drill a new  
well or the extend the use of an existing well. I(we) also understand that the purpose of such well is set  
forth in the well permit application, and that I(we) have reviewed the application that was  
submitted to the State Engineer and receipted by him under receipt no. 920264-A

3. The proposed location for the subject well will be less than 600 feet from one or more of my(our) wells.

4. By this statement I (we) are specifically waiving any objection to the issuance of a well permit for the  
subject well, as set forth in the referenced application, and would request that permit issuance not be  
postponed or denied because of any concerns by the Division or others that the proposed well will  
materially affect my(our) well(s) or water right(s). I(we) also specifically waive any right (I)we may have  
to participate in a hearing before the State Engineer pursuant to Section 37-90-137(2), C.R.S.

Dated this 24 day of January, ~~19~~ 2000

By Robert Delaney  
Robert Delaney, Manager -MidCon LLC

12/27/91

J. A. REEVES  
P.O. BOX 2001  
GLENWOOD SPRINGS, COLORADO 81602

RECEIVED

JAN 25 '00

Jan 20, 2000

RECEIVED

JAN 28 2000

WATER RESOURCES  
STATE ENGINEER  
COLO.

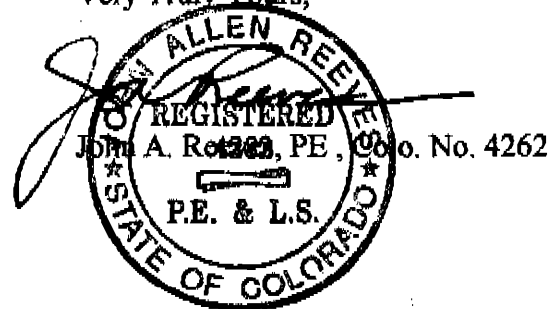
Mr. Robert Delaney, President  
Mid-Con Realty, LLC  
P. O. Box 2115  
Glenwood Springs, CO 81602

Dear Mr. Delaney:

In reference to the proposed replacement well, Mid-Con # 2-A, you plan to install at the Carbondale Load-out Area located in the SE 1/4 of the SE 1/4 of Sec. 35, R 88 W, T 7 S in the vicinity of the office and the rail road tracks, I have found the distance measured from this proposed drill site and the well located north of the Carbondale Roping area to be in excess of 600 feet. The actual distance is approximately 710 feet.

If you have any questions regarding this matter do not hesitate to call me. I have enclosed an enlargement of U.S.G.S. Map which shows the approximate location of this well for your information.

Very Truly Yours,



enclosure: Map

RECEIVED

RECEIVED

JAN 25 00

JAN 28 2000

A previously drilled well, Well #1, No. 021337-F, may be within 600' of the proposed drill site. This well is located on property owned by MidContinent Realty, L.L.C. Please see attached form indicating change in ownership. A waiver is enclosed.

Upon receiving permission to drill the replacement well, we propose to employ Shelton Drilling Co., Licence No. 1095.

I've also enclosed Water Allotment Contract No. 293, between Mid-Continent Resources, Inc. and the Basalt Water Conservancy District, No. 3.3.5.293, together with a copy of assignment from Mid-Continent Resources, Inc. to MidCon Realty, LLC.

We would greatly appreciate an expedited review of this request. Please call me at the number below if I can provide further information.

Thank you for your assistance.

Yours truly,

By   
MidCon Realty, L.L.C.

W/enclosures

**DIANE DELANEY**

**Attorney at Law**

RECEIVED

1001 Grand Ave., #106  
P.O. Box 2115  
Glenwood Springs, CO 81602

Phone: (970) 945-7148  
Fax: (970) 945-2303  
E-mail: didel@midcon.com  
MAR 31 2000  
WATER RESOURCES  
ENGINEER  
COLO.

March 20, 2000

Colorado Division of Water Resources  
Department of Natural Resources  
1313 Sherman Street, Room 818  
Denver, CO 80203

Mr. Dwight Whitehead  
Colorado Division of Water Resources  
Division 5  
P. O. Box 396  
Glenwood Springs, CO 81602

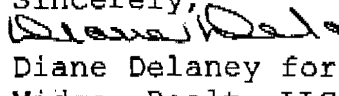
Re: Well Completion. Permit 053266-F

Dear Sirs:

Midcon Realty LLC submits the following reports concerning the well which has been completed at the Midcon Industrial Park, near Carbondale, Colorado and is identified by Well Permit No. 053266-F:

- Statement of Beneficial Use.
- Statement of Abandonment.
- Well Construction and Test Report.
- Pump Installation Report.

These reports are submitted in compliance with conditions of the permit, issued February 7, 2000. Would you please advise me if any further information is needed.

Sincerely,  
  
Diane Delaney for  
Midcon Realty LLC

DD/lta  
Enclosures

**DIANE DELANEY** RECEIVED  
Attorney at Law

1001 Grand Ave., #106  
P.O. Box 2115  
Glenwood Springs, CO 81602

APR 06 2000

Phone: (970) 945-7148  
Fax: (970) 945-2303  
E-mail: didel@rof.net

WATER RESOURCES  
STATE ENGINEER  
COLO.

March 20, 2000

RECEIVED

MAR 29 00

WATER RESOURCES  
STATE ENGINEER  
GLENWOOD

Colorado Division of Water Resources  
Department of Natural Resources  
1313 Sherman Street, Room 818  
Denver, CO 80203

Mr. Dwight Whitehead  
Colorado Division of Water Resources  
Division 5  
P. O. Box 396  
Glenwood Springs, CO 81602

Re: Well Completion. Permit 053266-F

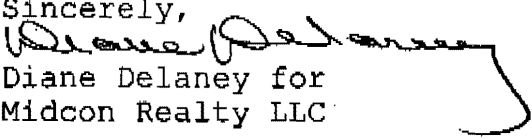
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Diane Delaney for  
Midcon Realty LLC

DD/lta  
Enclosures

RECEIVED

**MIDCON REALTY LLC**

JAN 25 00

PHONE  
(970) 945-7148

P.O. Box 2115  
1001 Grand Avenue, Suite 106  
Glenwood Springs, Colorado 81602

RECEIVED  
WATER RESOURCES  
STATE ENGINEER  
GLENWOOD-PAX  
(970) 945-2303

JAN 28 2000

WATER RESOURCES  
STATE ENGINEER  
COLO.

January 24, 2000

Dwight Whitehead  
Colorado Division of Water Resources  
Division 5  
P.O. Box 396  
Glenwood Springs, CO 81602

Dear Mr. Whitehead:

MidCon Realty, LLC requests permission to drill an alternate well, as replacement for a well which has gone dry, on property we own, known as the MidCon Industrial Park, which is situated approximately 1 mile east of Carbondale. The permit number of the existing well is 018686-F. We propose to drill a replacement well approximately 100 feet northwest of the existing well.

A previous application, Receipt #420264-A, was submitted in 1997 by Mid-Continent Resources, Inc., requesting approval for an expansion/change of use of water from the well, to include industrial/commercial uses. Please see attached. Specifically, these would be washing trucks and equipment at the site, and cutting/polishing stone which is processed on-site. The present use of the water for the sanitary needs of the office building, watering the lawn and shrubbery, would continue. MidCon is the successor in ownership of the well. Please see attached form.

The Division, in its review of the previously submitted application, identified wells which might be within 600' (see attached letter). We asked Resource Engineering, Inc., to conduct a field investigation to determine whether there were any wells within 600' and they identified only one well, potentially within that range. That well is identified as belonging to the Carbondale Roping Club. Please see attached letter.

John Reeves, P.E., surveyed the distance between the proposed drill site and the Roping Club well, and found the distance between to be more than 700'. Please see attached certification and map.

Best Copy Available

# MIDCON REALTY LLC

PHONE  
(970) 945-7148

P.O. Box 2115  
1001 Grand Avenue, Suite 106  
Glenwood Springs, Colorado 81602

RECEIVED

FAX  
(970) 945-2303

JAN 28 2000

WATER RESOURCES  
STATE ENGINEER  
COLORADO

January 24, 2000

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Colorado Division of Water Resources  
Division 5  
P.O. Box 396  
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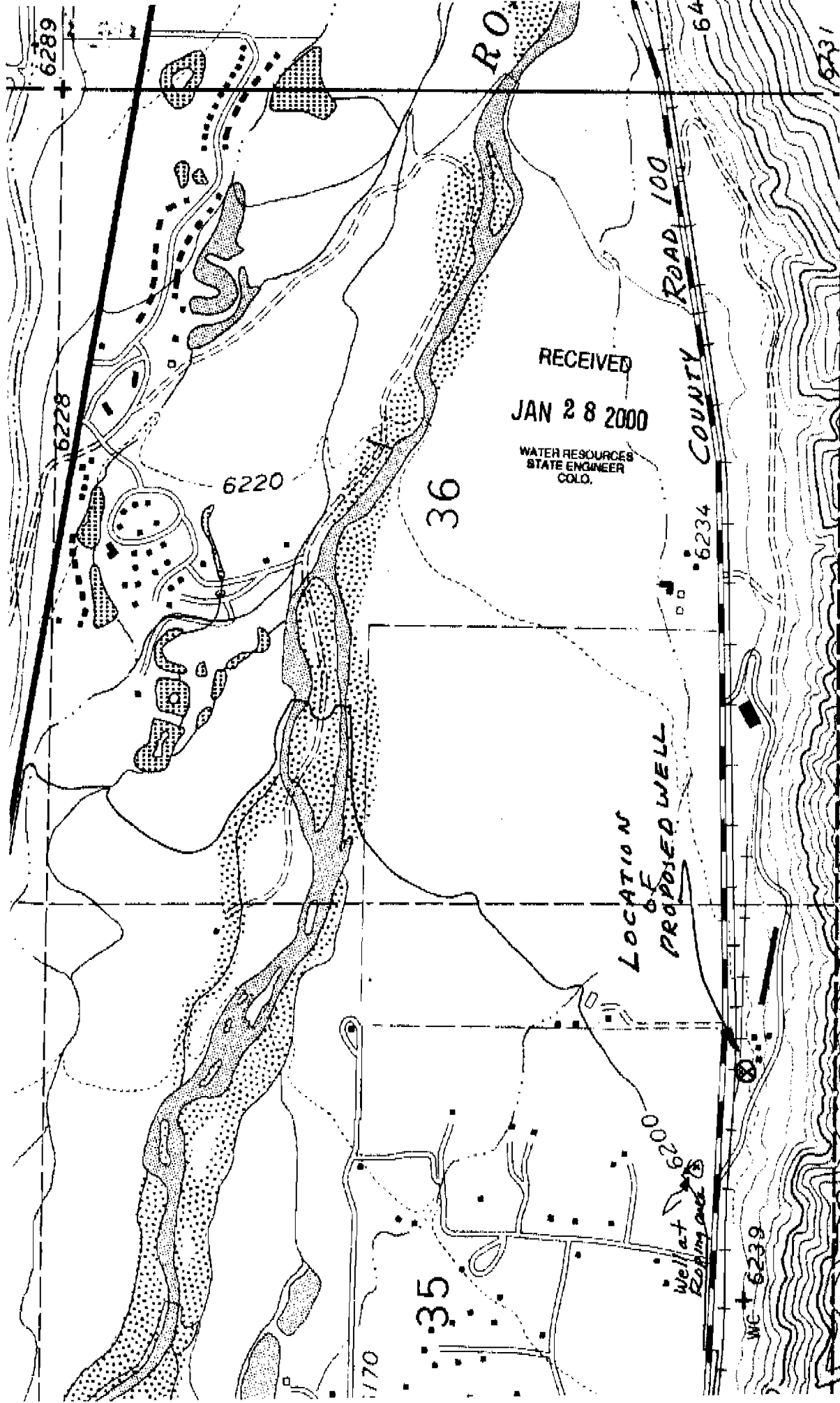
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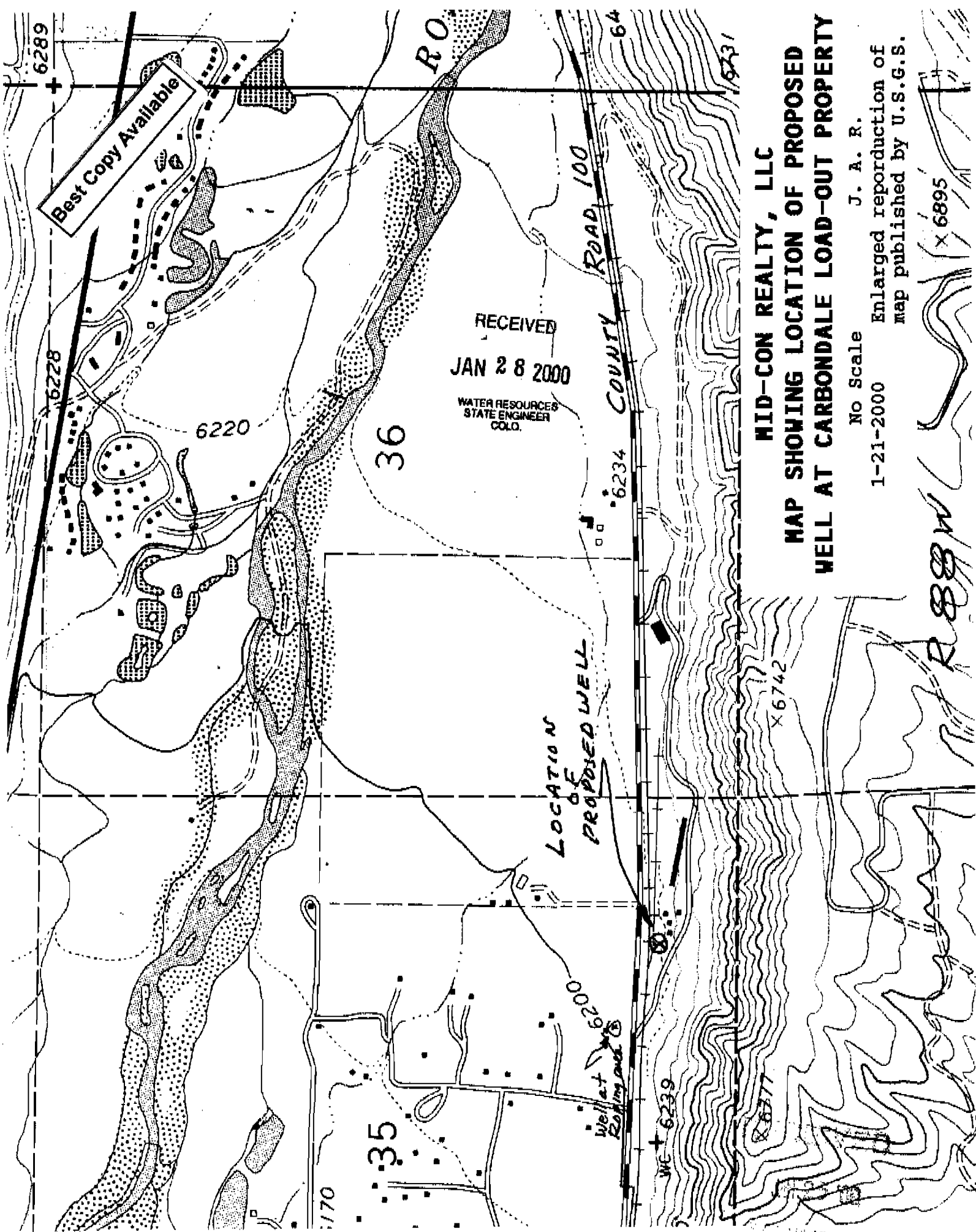
**MID-CON REALTY, LLC**  
**MAP SHOWING LOCATION OF PROPOSED**  
**WELL AT CARBONDALE LOAD-OUT PROPERTY**

No Scale  
 J. A. R.  
 1-21-2000  
 Enlarged reproduction of  
 map published by U.S.G.S.

x 6895

R 88 W

7 7 5



**MID-CON REALTY, LLC**  
**MAP SHOWING LOCATION OF PROPOSED**  
**WELL AT CARBONDALE LOAD-OUT PROPERTY**

No Scale  
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 J. A. R.  
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 map published by U.S.G.S.

RECEIVED  
 JAN 28 2000

WATER RESOURCES  
 STATE ENGINEER  
 COLO.

LOCATION OF  
 PROPOSED WELL

Best Copy Available

745

R 8895

6289

Best Copy Available

RO

6228

6220

36

RECEIVED  
JAN 28 2000

WATER RESOURCES  
STATE ENGINEER  
COLO.

ROAD 100

COUNTY

6234

6231

LOCATION  
OF  
PROPOSED WELL

Well at  
Rocking and  
6200

6170

35

WE 6239

X 6742

X 6377

MID-CON REALTY, LLC

MAP SHOWING LOCATION OF PROPOSED

WELL AT CARBONDALE LOAD-OUT PROPERTY

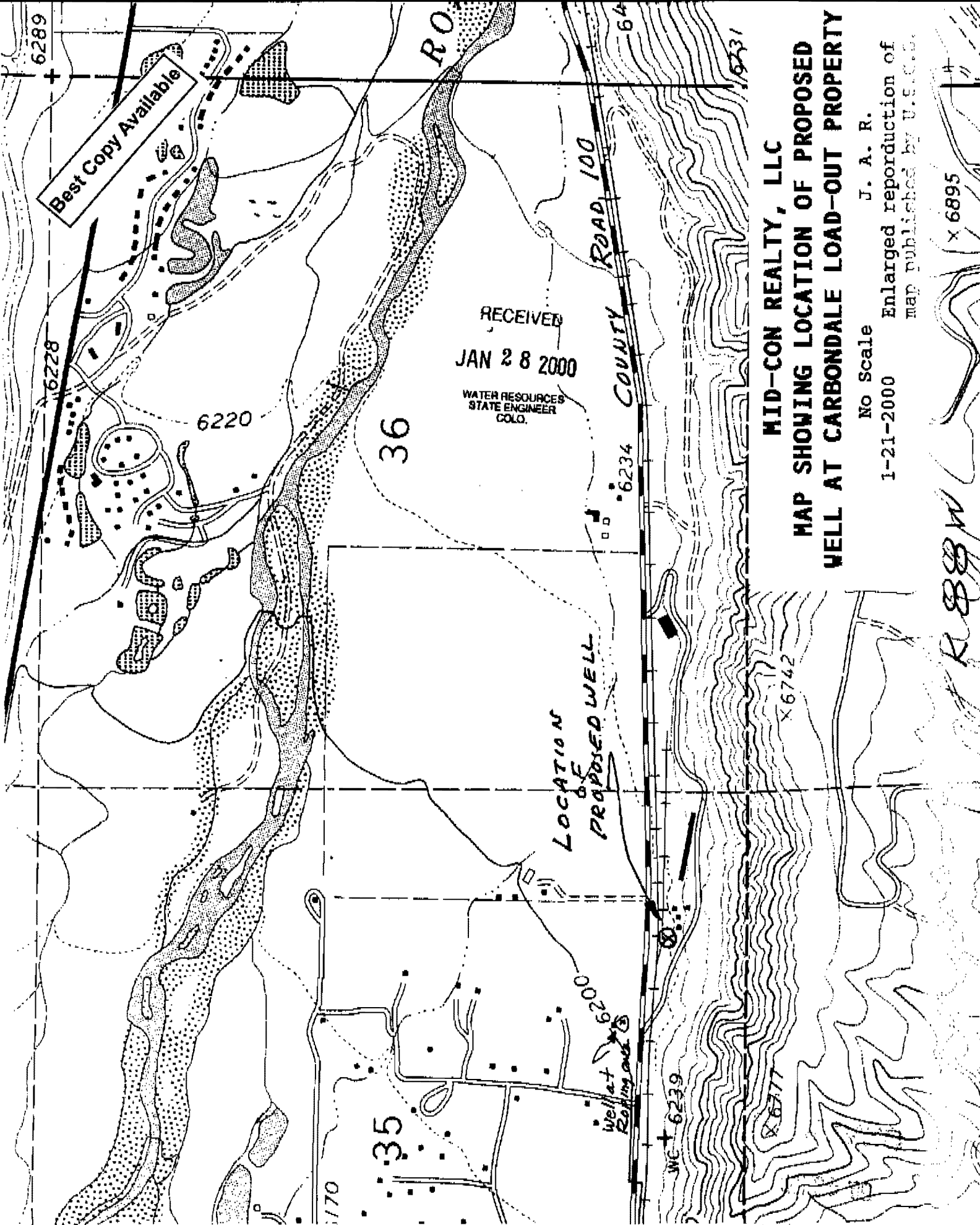
No Scale

J. A. R.

1-21-2000

Enlarged reproduction of  
map published by U.S.G.S.

775



**MID-CON REALTY, LLC**  
**MAP SHOWING LOCATION OF PROPOSED**  
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No Scale  
 1-21-2000  
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x 6895

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JAN 28 2000

WATER RESOURCES  
STATE ENGINEER  
COLO.

February 11, 1998

Mr. Robert Delaney  
Page 2

Also, if you want assistance in obtaining a waiver from the Roping Club or want to survey the wells please let us know. I will be out of town from February 13<sup>th</sup> through February 23<sup>rd</sup>.

Sincerely,

RESOURCE ENGINEERING, INC.



Paul S. Bussone, P.E.  
Water Resources Engineer

PSB/mmm  
639-1.0 rdwp.639

Best Copy Available

RECEIVED

JAN 28 2000

WATER RESOURCES  
STATE ENGINEER  
CD 10

February 11, 1998

Mr. Robert Delaney  
Page 2

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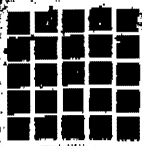
RESOURCE ENGINEERING, INC.



Paul S. Bussone, P.E.  
Water Resources Engineer

PSB/mmm

639-1.0 rdwp.839



# RESOURCE ENGINEERING INC.

RECEIVED

JAN 25 '98

Mr. Robert Delaney  
Mid Continent Resources, Inc.  
PO Drawer 790  
Glenwood Springs CO 81602

February 11, 1998

RECEIVED

JAN 28 2000

WATER RESOURCES  
STATE ENGINEER  
COLO

RE: Well Permit Applications

Dear Bob:

We have conducted a field investigation to determine if any other wells exist within 600 feet from the Standby Well and Mid Continent Well No. 2. We paid particular attention to those wells identified in the State's letter to you dated December 11, 1997.

### Standby Well

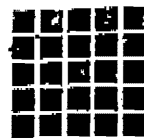
We found no wells within 600 feet of Standby Well. Baxter Well (permit No. 90379) would be within 600 feet if located at the location given on the permit. However no well exists at that location and the property owner, Mr. Dennis Gerbaz, has no knowledge of any Baxter Well. The nearest well to Sandby Well is the Carbondale Roping Club Well (permit No. 39741) and it is approximately 850 feet away.

### Mid Continent Well No. 2

There is only one well which may exist within 600 feet of Mid Continent Well No. 2 and that is the Carbondale Roping Club Well (permit No. 39741). It is located approximately 600 feet north of Well No. 2. A survey of the two wells would be required to obtain the exact separation, however, if a waiver can be obtained from the Roping Club the survey would be unnecessary. A waiver form was provided by the State in their December 11<sup>th</sup> letter.

In addition to the 600 foot spacing issue the State also requested a detailed description of the proposed commercial and industrial uses to be served by the wells along with an estimate of the annual diversions for each use. Your Basalt Water Conservancy District water allotment contract is for 3.0 acre feet of diversions annually and each well permit requests 1.50 acre feet. They apparently want a breakdown of the specific uses for each well.

Please call if we can help you in describing the uses in more detail (such as office, shops, warehouse, retail, etc.) and calculating the respective water use.



# RESOURCE

ENGINEERING INC.

Best Copy Available

Robert Colaney  
Mid Continent Resources, Inc.  
PO Drawer 790  
Glenwood Springs CO 81602

February 11, 1998

RE: Well Permit Applications

RECEIVED

JAN 28 2000

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WATER RESOURCES  
STATE ENGINEER  
COLORADO

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