

DISTRICT COURT, WATER DIVISION NO. 1, COLORADO 9 th Street & 9 th Avenue P.O. Box 2038 Greeley, CO 80632		DATE FILED: October 31, 2016 7:38 PM FILING ID: 2EF6EC18D452B CASE NUMBER: 2016CW3150
CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE TOWN OF MILLIKEN, IN WELD COUNTY.	<input type="checkbox"/> COURT USE ONLY <input type="checkbox"/>	
Kim R. Lawrence, #8366 Lawrence Jones Custer Grasmick LLP 5245 Ronald Reagan Blvd, Suite 1 Johnstown, CO 80534 (970) 622-8181 kim@ljcglaw.com	Case No. 16CW_____	

**APPLICATION FOR WATER RIGHTS AND TO ADD WELLS TO AUGMENTATION
PLAN**

1. Name, Address and Telephone Number of Applicant. Town of Milliken, Town Administrator, 1101 Broad Street, P. O. Box 290, Milliken, Colorado 80543. Telephone: (970) 660-5047.

Application for Water Rights

2. Name of Structure. FBC Park Well.
 - 2.1. Location. In the SE¹/₄, NE¹/₄ Section 10, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado approximately 2303 feet south and 620 feet west of the northeast corner of said section, which is also UTM Coordinates Easting 511054.9, Northing 4464121, Zone 13, NAD83. See Figure 1.
 - 2.2. AWAS Parameters. The AWAS parameters are X = 5,392 feet, W = 3,339 feet, T = 50,000 gpd/ft, S = 0.2.
 - 2.3. Appropriation date. July 27, 2016. Appropriation initiated by authorization of the Town Board of Milliken.

2.4. Amount claimed. 100 g.p.m., conditional.

2.5. Source. Groundwater tributary to the Big Thompson River.

2.6. Use. Irrigation within the Town of Milliken Service area as it now exists or may exist in the future and fire protection.

3. Name of Structure. Florence Park Well.

3.1. Location. In the NE¼, SE¼ Section 10, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado approximately 2123 feet north and 630 feet west of the southeast corner of said section, which is also UTM Coordinates Easting 511051.2, Northing 4463851, Zone 13, NAD83. See Figure 1.

3.2. AWAS Parameters. The AWAS parameters are X = 5,420 feet, W = 2,464 feet, T = 50,000 gpd/ft, S = 0.2.

3.3. Appropriation date. July 27, 2016. Appropriation initiated by authorization of the Town Board of Milliken.

3.4. Amount claimed. 100 g.p.m., conditional.

3.5. Source. Groundwater tributary to the Big Thompson River.

3.6. Use. Irrigation within the Town of Milliken Service area as it now exists or may exist in the future and fire protection.

4. Name of Structure. Fittnes Park Well.

4.1. Location. In the SE¼, SE¼ Section 10, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado approximately 816 feet north and 560 feet west of the southeast corner of said section, which is also UTM Coordinates Easting 511071.5, Northing 4463542, Zone 13, NAD83. See Figure 1.

4.2. AWAS Parameters. The AWAS parameters are X = 5,357 feet, W = 1,148 feet, T = 50,000 gpd/ft, S = 0.2.

4.3. Appropriation date. July 27, 2016. Appropriation initiated by authorization of the Town Board of Milliken.

4.4. Amount claimed. 100 g.p.m., conditional.

4.5. Source. Groundwater tributary to the Big Thompson River.

4.6. Use. Irrigation within the Town of Milliken Service area as it now exists or may exist in the future and fire protection.

5. Name of Structure. Watson Well.

5.1. Location. In the SW¼, SW¼ Section 12, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado approximately 656 feet north and 150 feet east of the southwest corner of said section, which is also UTM

Coordinates Easting 512907.5, Northing 4463370, Zone 13, NAD83. See Figure 1.

- 5.2. AWAS Parameters.** The AWAS parameters are X = 6,639 feet, W = 9,129 feet, T = 78,000 gpd/ft, S = 0.2.
- 5.3. Appropriation date.** July 27, 2016. Appropriation initiated by authorization of the Town Board of Milliken.
- 5.4. Amount claimed.** 100 g.p.m., conditional.
- 5.5. Source.** Groundwater tributary to the Big Thompson River.
- 5.6. Use.** Irrigation within the Town of Milliken Service area as it now exists or may exist in the future and fire protection.

Application to Add Wells to Augmentation Plan

- 6. Augmentation Plan.** Milliken operates an augmentation plan (plan) decreed in Case No. 02CW339 (Decree). ¶20 of the Decree allows the addition of wells to the plan subject to notice and terms and conditions. Milliken seeks to add FBC Park Well, Florence Park Well, Fittnes Park Well and Watson Well (Wells) to the plan. The diversion of groundwater from the Wells for the uses described will cause out-of-priority depletions. The out-of-priority depletions caused by the uses described will be replaced on terms and conditions at least as restrictive as those contained in the Decree. The depletions from the Wells accrue to the Big Thompson River.

- 6.1. Diversions from the Wells will measured by totalizing flow meters.** Total pumping from the Wells will be lagged to the Big Thompson River using the AWAS parameters for each of the Wells described above.
- 6.2. The consumptive use for irrigation will be 15% as determined in the Decree.**
- 6.3. Replacement water for any out-of-priority depletions caused by diversions from the Wells will be provided by the 14 shares of Consolidated Hillsborough Ditch changed to augmentation use pursuant to the Decree.** Currently only 11.5 of the 14 shares are needed and used in the augmentation plan operations. The 02CW339 accounting and projections will be modified to include the Wells.

- 7. Names and Addresses of Owners of the Structures:** All structures are owned by Milliken.

LAWRENCE JONES CUSTER GRASMICK LLP

Kim Lawrence

Digitally signed by Kim Lawrence
Date: 2016.10.31 19:31:19 -06'00'

Kim R. Lawrence, #8366
Attorneys for Applicant

STATE OF COLORADO)
)ss.
COUNTY OF WELD)

Forrest Leaf, P.E., being first duly sworn upon oath, deposes and states that he is the Water Engineering Consultant for the Town of Milliken, that he has read the foregoing and that the contents contained therein are true and correct to the best of his information, knowledge and belief.

Forrest Leaf

Forrest Leaf

SUBSCRIBED AND SWORN TO before me this 31 day of October, 2016, by
Forrest Leaf.

MOANA M THADEN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19914013017
MY COMMISSION EXPIRES 09-27-2019

Moana M Thaden

Notary Public

My commission expires: _____

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