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
Technical Report for

Environmental Process Control
MRI Well

Accutest Job Number: D31715

Sampling Date: 02/07/12

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.

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

Total Metals Analysis

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<th>RL</th>
<th>Units</th>
<th>DF</th>
<th>Prep</th>
<th>Analyzed By</th>
<th>Method</th>
<th>Prep Method</th>
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(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

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

Client Sample ID: MRI WELL
Lab Sample ID: D31715-1
Matrix: DW - Drinking Water

Date Sampled: 02/07/12
Date Received: 02/08/12
Percent Solids: n/a

General Chemistry

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<th>DF</th>
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<th>By</th>
<th>Method</th>
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<td>EPA 300</td>
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(a) Elevated detection limit due to matrix interference.

MCL = Maximum Contamination Level (40 CFR 141)
# TABLE I. TEM WATER SAMPLE ANALYTICAL RESULTS

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<tr>
<th>Client ID Number</th>
<th>Lab ID Number</th>
<th>Dilution Factor **</th>
<th>clients</th>
<th>TOTAL Asbestos Structures Detected</th>
<th>Analytical Sensitivity</th>
<th>TOTAL Asbestos Concentration</th>
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<td>EM</td>
<td>861781</td>
<td>5</td>
<td>ND</td>
<td>0.53</td>
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NA = Not Analyzed  
ND = None Detected  
BAS = Below Analytical Sensitivity

ND = None Detected  
Trem-Act = Tremolite-Actinolite
Environmental Process Control (EPC)

<table>
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<th>Gross Alpha M900.0</th>
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<td><strong>Parameter</strong></td>
<td><strong>Measure Date</strong></td>
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<tr>
<td>Gross Alpha</td>
<td>02/20/12 16:00</td>
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| Radium 226 M903.1 |

| **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 |

| **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        |

ACZ Sample ID: L93089-01
Date Sampled: 02/07/12 13:15
Date Received: 02/08/12
Sample Matrix: Drinking Water

* Please refer to Qualifier Reports for details.
Environmental Process Control (EPC)

**Sample ID:** MRI WELL

**ACZ Sample ID:** L93089-01

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<th>EPA Method</th>
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<th>XQ</th>
<th>Units</th>
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<th>Analyst</th>
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**Metals Analysis**

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<th>PQL</th>
<th>Date</th>
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</table>
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

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
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<td>PWS ID</td>
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</tr>
<tr>
<td>Sample Location</td>
<td>WELL</td>
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</table>

**Sample Taken**

- **Date:** 1-25-12
- **Time:** 10:30 AM
- **Name of Supply:** WELL

**County:** SNOWMASS

**Sampler:** UNION

**Chlorine Residual:** 0 MG/L

**( ) Community Supply ( ) Routine Distribution System Supply ( ) Non Community ( ) Check Sample ( ) Other Public ( ) Ground ( ) Surface ( ) Private ( ) Special Purpose Sample**

**Note:** If all information is not supplied, the sample will be discarded.

**Remarks:**

- **Phone:** 470-963-8393
- **Address:** Box 492
- **City-State:** Snowmass Co, CO 81615

### Results

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<tr>
<td>E.Coli</td>
<td>Absent</td>
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</table>

**Notes:**

- **DO NOT WRITE IN THIS SPACE**
- **Results greater than one Coliform per 100 mL indicates non-compliance with minimum drinking water standards**
- **Bottle #:** 1

**Analyst/Start:** [Signature]

**Analyst/Finish:** [Signature]

**Returns to:** Box 492

**Address:** Snowmass Co, CO 81615
24-hr Well Test Results

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<th>Inches</th>
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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 Signature(s) of the new owner. Date
William W. Rice William Rice 10/22/03
Manager

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.

State Engineer

By Date

11-3-03
1. **WELL PERMIT NUMBER**: Q53266-F

2. **OWNER NAME(S)**: MICON REALTY LLC, ROBERT DAmY

   Mailing Address: 6621 115th St.
   City, St. Zip: GLENWOOD SPRINGS, CO 81601
   Phone: (970) 945-7418

3. **WELL LOCATION AS DRILLED**: SE 1/4 SW 1/4, Sec. 35 Twp. 7 S, Range 88° W
   - Distance from Sec. Lines: 665 ft. from South, 1130 ft. from East
   - Subdivision: LOT, BLOCK, FILING
   - Street Address at Well Location:

4. **PUMP DATA**:
   - **Type**: Submersible
   - **Manufacturer**: STA-RITE
   - **Installation Completed**: 2/18/00
   - **Pump Model No.**: 100416-3N-03
   - **Design GPM**: 10 at RPM 3450, 3/4 HP, 230V, Full Load Amps: 2.6
   - **Pump Intake Depth**: 12.0 feet, Drop/Column Pipe Size: 1", Kind: SCH 50 PVC

   **Additional Information for Pumps Greater Than 50 GPM**:
   - Turbine Driver Type: [ ] Electric [ ] Engine [ ] Other
   - Design Head ______ feet, Number of Stages ______, Shaft size ______ inches.

5. **OTHER EQUIPMENT**:
   - **Airline Installed**: [ ] Yes [ ] No, Office Depth ft. ______
   - **Monitor Tube Installed**: [ ] Yes [ ] No, Depth ft. ______
   - **Flow Meter Mfg.**: ______
   - **Flow 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**: 2/18/00
   - **Static Level**: 29'-6 1/2" Time: 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.

**Mailing Address**: P.O. Box 297 GLENWOOD SPRINGS, CO 81602

**Phone**: (970) 945-6309 [ ]

**Lic. No.**: 1050

**Name/Title** (Please type or print): RAUN SAMUELSON PRES.

**Signature**:

**Date**: 3/19/00
**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**: SE 1/4 of the SE 1/4, Sec. 35, Twp. 7
   - **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, 2000**

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 X Square feet,
   - described as: SW1/4 SE1/4
   - 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 Mele,
   - **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**
- **Filing/Unit**: 1095
- **Date**: 5-24-00

**Court Case No.**
- **Div.**: 5
- **By**: Co. 23 WD 38 Basin MD

---

**RECEIVED**
- **APR 06 2000**
- **WALES, COLO.**
- **STATE ENGINEER**
### Pump Installation and Test Report

**State of Colorado, Office of the State Engineer**

**1. Well Permit Number**

   053266-F

**2. Owner Name(s)**

   MIACON REALTY LLC, ROBERT DUNAWAY

   **Mailing Address**

   Box 215

   **City, St. Zip**

   GLENWOOD SPRINGS, CO 81601

   **Phone** (970) 945-7148

**3. Well Location as Drilled**

   **Section** 1/4

   **Township** 7

   **Range** 5

   **Direction** W

   **Distance from Sec. Lines**

   665 ft. from South Sec. line and 1130 ft. from East Sec. line.

   **Subdivision**

   **Lot** BLOCK __________ __________

   **Street Address at Well Location**

   ________________________________

**4. Pump Data**

   **Type** SUBMERSIBLE

   **Installation Completed** 2/18/00

   **Pump Manufacturer** STA-RITE

   **Pump Model No.** 10104 NY-14-03

   **Design GPM** 10

   **Design RPM** 2450

   **Design HP** 3/4

   **Volts** 230

   **Full Load Amps** 2.6

   **Pump Intake Depth** 120 ft.

   **Column Pipe Size** 1" inches, **Kind** SCH SO PVC

   **Additional Information for Pumps Greater Than 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.**

   **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** 2/18/00

   **Total Well Depth** 140'

   **Static Level** 29'-63/4"

   **Rate (GPM)** 6

   **Pumping Lvl.** 31'-103/4"

   **Date Measured** 2/18/00

   **Beginning Reading**

   **Month** 1

   **Year** 1

   **Gallon**

   **Disinfection**

   **Type** CLOROX

   **Amt. Used** 1 GAL

   **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 81601

**Name/Title (Please type or print)** RAUN SAMUELSON

**Signature** __________________________

**Date** 3/19/00
STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

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 8, □ 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, 2000
(Do not report a date which is before the issue 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,
described as: SW 1/4 SE 1/4
(Legal Description)
or as ________________________________
Subdivision Lot(s) Block Filing/Unit

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

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

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

FOR OFFICE USE ONLY

State Engineer Court Case No. Div. By Co. WD Basin MD Date Use
1. WELL PERMIT NUMBER: 053266-F

2. OWNER NAME(S): MINCON REALTY LLC & ROBERT DUNNY
    Mailing Address: 297 W. RIGGS, GLENWOOD SPRINGS, CO 81601
    Phone: (970) 945-7148

3. WELL LOCATION AS DRILLED: SE 1/4, SE 1/4, Sec. 35, Twp. 7 S, Range 58 W
   DISTANCES FROM SEC. LINES:
   - 665 ft. from SOUTH Sec. line.
   - 1130 ft. from EAST Sec. line.

4. PUMP DATA:
   - Type: SUBMERSIBLE
   - Installation Completed: 3/18/00
   - Pump Manufacturer: STA-RIE
   - Design GPM: 10
   - at RPM: 2450
   - HP: 3/4
   - Volts: 230V
   - Full Load Amps: 2.6
   - Pump Intake Depth: 120 ft.
   - Feet, Drop/Column Pipe Size: 1" inches, Kind: SCH 40 PVC

5. OTHER EQUIPMENT:
   - Airline Installed: Yes
   - Orifice Depth ft.: 
   - Monitor Tube Installed: Yes
   - 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: 3/18/00
   - Total Well Depth: 140 ft.
   - Static Level: 29'-6/2" ft.
   - Rate (GPM): 6 GPM
   - Date Measured: 3/18/00
   - Pumping Lvl: 31'-10 3/4" ft.

7. DISINFECTION:
   - Type: 
   - Amt. Used: 1 GAL

8. Water Quality analysis available: Yes

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.
Mailing Address: P.O. Box 397, GLENWOOD SPRINGS, CO 81602
Phone: (970) 945-6309, Lic. No. 1050

Name/Title (Please type or print) RAUN SAMUELSON PRES.
Signature: 
Date: 3/19/00
# WELL CONSTRUCTION AND TEST REPORT

**STATE OF COLORADO, OFFICE OF THE STATE ENGINEER**

## 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

<table>
<thead>
<tr>
<th>SE</th>
<th>1/4</th>
<th>SE</th>
<th>1/4</th>
<th>Sec.</th>
<th>Twp.</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>07S</td>
<td>88W</td>
</tr>
</tbody>
</table>

### Distances from Sec. Lines:

- 665 ft. from South Sec. line
- 1130 ft. from East Sec. line

### SUBDIVISION

LOT BLOCK FILING(UNIT)

### STREET ADDRESS AT WELL LOCATION

P.O. Box 2115

### CITY, ST. ZIP

Glenwood Springs, CO 81602

### PHONE

(970) 945-7148

## 4. GROUND SURFACE ELEVATION

<table>
<thead>
<tr>
<th>55+</th>
<th>DRILLING METHOD</th>
<th>Air Rotary</th>
</tr>
</thead>
</table>

### DATE COMPLETED

02/16/00

### TOTAL DEPTH

151 ft.

### DEPTH COMPLETED

142 ft.

## 5. GEOLOGIC LOG

<table>
<thead>
<tr>
<th>Depth</th>
<th>Type of Material (Size, Color, and Type)</th>
<th>9.0</th>
<th>0</th>
<th>34</th>
</tr>
</thead>
<tbody>
<tr>
<td>000-010</td>
<td>Topsoil, Rocks</td>
<td>6.5</td>
<td>34</td>
<td>142</td>
</tr>
<tr>
<td>010-151</td>
<td>Eagle Valley Formation</td>
<td>5.5</td>
<td>142</td>
<td>151</td>
</tr>
</tbody>
</table>

## 6. HOLE DIAM. (In)

<table>
<thead>
<tr>
<th>FROM (ft)</th>
<th>TO (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>34</td>
</tr>
<tr>
<td>27</td>
<td>34</td>
</tr>
<tr>
<td>60</td>
<td>130</td>
</tr>
<tr>
<td>50</td>
<td>60</td>
</tr>
<tr>
<td>8</td>
<td>29</td>
</tr>
<tr>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>10-30</td>
<td>Poured</td>
</tr>
</tbody>
</table>

## 7. PLAIN CASING

<table>
<thead>
<tr>
<th>OD (in)</th>
<th>Kind</th>
<th>Wall Size</th>
<th>From (ft)</th>
<th>To (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.0</td>
<td>Steel</td>
<td>0.240</td>
<td>-1</td>
<td>34</td>
</tr>
<tr>
<td>5.5</td>
<td>Steel</td>
<td>0.188</td>
<td>27</td>
<td>50</td>
</tr>
<tr>
<td>5.5</td>
<td>Steel</td>
<td>0.188</td>
<td>60</td>
<td>130</td>
</tr>
</tbody>
</table>

### PERF. CASING: Screen Slot Size

| 5.5 | Steel | 0.188 | 50  | 60  |
| 5.5 | Steel | 0.188 | 130 | 140 |

## 8. Filter Pack

### Material

WATER LOCATED: 55+

### Size

Interval:

### Remarks

## 10. GROUTING RECORD

<table>
<thead>
<tr>
<th>Material</th>
<th>Amount</th>
<th>Density</th>
<th>Interval</th>
<th>Placement</th>
</tr>
</thead>
<tbody>
<tr>
<td>cement</td>
<td>3 sks</td>
<td>16 gal</td>
<td>10-30</td>
<td>poured</td>
</tr>
</tbody>
</table>

## 11. DISINFECTION

<table>
<thead>
<tr>
<th>Type</th>
<th>Amount Used</th>
</tr>
</thead>
<tbody>
<tr>
<td>HTH</td>
<td>3 oz.</td>
</tr>
</tbody>
</table>

## 12. WELL TEST DATA

<table>
<thead>
<tr>
<th>TESTING METHOD</th>
<th>Static Level</th>
<th>Date/Time Measured</th>
<th>Production Rate</th>
<th>Pumping Level</th>
<th>Date/Time Measured</th>
<th>Test Length</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Compressor</td>
<td>28 ft.</td>
<td>02/16/2000</td>
<td>8 gpm.</td>
<td>Total ft.</td>
<td>02/16/2000</td>
<td>2 hrs.</td>
<td></td>
</tr>
</tbody>
</table>

### Notes

- 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) C.R.S., the making of false statements constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.)

### CONTRACTOR

Shelton Drilling Corp

### Mailing Address

P.O. Box 1059
Basalt, CO 81621

### Phone

(970) 927-4182

### Lic. No.

1096

### Name / Title

Wayne Shelton / President

### Date

02/18/00

### SIGNATURE
**WELL LOG**

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Type and Color of Material</th>
<th>Water Loc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>36</td>
<td>Overburden</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>57</td>
<td>Gravel, sand + clay</td>
<td></td>
</tr>
<tr>
<td>57</td>
<td>72</td>
<td>sand + clay</td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>85</td>
<td>Gray shale</td>
<td></td>
</tr>
</tbody>
</table>

**HOLE DIAMETER**

- **7 in. from 0 to 85 ft.**
- **7 in. from _____ to _____ ft.**
- **7 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 - 26
- **Placement Method:** Mix

**GRAVEL PACK:**

- **Size _____**
- **Interval _____**

**TEST DATA**

- **Date Tested:** 3-19 1975
- **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 ft.

*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

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

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 License No.
State of Colorado, County of SS
Subscribed and sworn to before me this day of , 19
My Commission expires: , 19
Notary Public

FORM TO BE MADE OUT IN QUADRUPPLICATE: WHITE FORM must be an original copy on both sides and signed. WHITE AND GREEN copies must be filed with the State Engineer. PINK COPY is for the Owner and YELLOW COPY is for the Driller.
**WELL LOG**

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Type and Color of Material</th>
<th>Water Loc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>36</td>
<td>Overburden</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>57</td>
<td>Gravel, sand + clay</td>
<td>41/4</td>
</tr>
<tr>
<td>57</td>
<td>72</td>
<td>Sand + clay</td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>85</td>
<td>Clay shale</td>
<td></td>
</tr>
</tbody>
</table>

**HOLE DIAMETER**
- 3 in. from 0 to 85 ft.
- 3 in. from ______ to ______ ft.
- 3 in. from ______ to ______ ft.

**DRILLING METHOD:** Rotary Air

**CASING RECORD:** Plain Casing
- Size 7 & kind 2AP from 0 to 85 ft.
- Size ______ & kind ______ from ______ to ______ ft.
- Size ______ & kind ______ from ______ to ______ ft.
- Perforated Casing
  - Size 7 & kind 2AP from 65 to 85 ft.
  - Size ______ & kind ______ from ______ to ______ ft.
  - Size ______ & kind ______ from ______ to ______ ft.

**GROUTING RECORD**
- Material: Cement
- Intervals 10.26
- 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 BPM
- Final Pumping Water Level: 67 ft.

**Total Depth:** 85 ft.
**WELL LOG**

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Type and Color of Material</th>
<th>Water Loc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>36</td>
<td>Coalbed.2</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>57</td>
<td>Gravel and Clay</td>
<td></td>
</tr>
<tr>
<td>57</td>
<td>72</td>
<td>Sand and Clay</td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>85</td>
<td>Clay shale</td>
<td></td>
</tr>
</tbody>
</table>

**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: 18 - 36
- Placement Method: Mix

**GRAVEL PACK**: Size ___
- Interval ___

**TEST DATA**

- Date Tested: 3-19, 1976
- Static Water Level Prior to Test: 54 ft.
- Type of Test Pump: Air
- Length of Test: 6 hrs.
- Sustained Yield (Metered): 32 GPM
- Final Pumping Water Level: 67
OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80223
(303) 866-3581

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

APPLICANT

MIDCON REALTY, LLC
% ROBERT DELANEY, MANAGER
BOX 2115
GLENWOOD SPRINGS, CO 81602-
(970) 945-7148

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. 18888-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.

APPROVED
JD2
State Engineer
FEB 07 2000

Receipt No. 0420264A
DATE ISSUED

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**

**Department of**

**Phone Info:** (303) 866-3581

**State**

**COLORADO DIVISION OF WATER RESOURCES**

1313 SHERMAN ST., RM. 818, DENVER CO 80203

**Phone - Info:** (303) 866-3581

**RESIDENTIAL, LIVESTOCK, MUNICIPAL/IRRIGATION/OBSERV., GRAVEL PIT, REGISTRATION OF OLD WELLS**

Must be completed in black ink or typed

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**1. Applicant Information**

<table>
<thead>
<tr>
<th>Name of Applicant</th>
<th>MIDCON REALTY LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>1001 Grand Ave., Suite 106 P.O. Box 2115 Glenwood Springs, Colo 81602</td>
</tr>
<tr>
<td>City</td>
<td>Glenwood Springs</td>
</tr>
<tr>
<td>State</td>
<td>Colo</td>
</tr>
<tr>
<td>Zip Code</td>
<td>81602</td>
</tr>
<tr>
<td>Telephone number (include area code)</td>
<td>(970) 945-7148</td>
</tr>
</tbody>
</table>

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**2. Type of Application**

- Construct new well
- Use existing well
- Replace existing well
- Change (source) Aquifer
- Other: Replace (source) Aquifer

**3. Refer to (if applicable):**

<table>
<thead>
<tr>
<th>Water Court Case #</th>
<th>Permit #</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>018686-F</td>
</tr>
</tbody>
</table>

**4. Location of Well**

<table>
<thead>
<tr>
<th>County</th>
<th>Quarter/quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Garfield</td>
<td>SE 1/4 SE 1/4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section</th>
<th>Township N or S</th>
<th>Range E or W</th>
<th>Principal Meridian</th>
</tr>
</thead>
<tbody>
<tr>
<td>35</td>
<td>7</td>
<td>88</td>
<td>6th</td>
</tr>
</tbody>
</table>

Distance of well from section lines:

- 665 ft from N S
- 1130 ft from E W

**Well location address, if different from applicant's address (if applicable):**

Midcon Industrial Park 1058 100 Road, Carbondale, CO

For replacement wells only - distance and direction from old well to new well:

- 100 feet northeast direction

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**5. Tract on Which Well Will Be Located**

**A. Legal Description**

Please see attached

**B. State Parcel**

<table>
<thead>
<tr>
<th>ID# (optional):</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>C. # acres in tract</td>
<td>98+</td>
</tr>
<tr>
<td>D. Owner</td>
<td>Midcon Realty LLC</td>
</tr>
</tbody>
</table>

**E. Will this be the only well on this tract?**

- Yes [ ]
- No [ ]

---

**6. Use of Well**

(please attach detailed description)

- Industrial [ ]
- Other [ ]
- Commercial [ ]
- Municipal [ ]
- Irrigation [ ]
- Feed Lot - number of head:

**7. Well Data**

<table>
<thead>
<tr>
<th>Maximum pumping rate</th>
<th>Annual amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>15 gpm</td>
<td>1.5 acre-feet</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total depth</th>
<th>River gravels</th>
</tr>
</thead>
<tbody>
<tr>
<td>50-75 feet</td>
<td>river gravels</td>
</tr>
</tbody>
</table>

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**8. Land on Which Ground Water Will Be Used**

- A. Legal Description (may be provided as an attachment):

SEE ATTACHED

- If used for crop irrigation, attach scaled map that shows irrigated area.

- B. # acres

- 98+

- C. Owner

- Midcon Realty LLC

- D. List any other wells or water rights used on this land:

  Standby Well #1, 021337-F also, Well #3, #31594

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**9. Proposed Well Driller (optional)**

<table>
<thead>
<tr>
<th>Name</th>
<th>License number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shelton Drilling Co</td>
<td>1095</td>
</tr>
</tbody>
</table>

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**10. Signature of Applicant(s) or authorized agent**

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

Must be original signature

**Title**

Manager

**Date**

1-19-00

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**Optional Information**

<table>
<thead>
<tr>
<th>USE(S) Map Name</th>
<th>SWR Map No.</th>
<th>Surface Elev.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carbondale</td>
<td>46-B</td>
<td></td>
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</table>

**Office Use Only**

<table>
<thead>
<tr>
<th>Receipt #</th>
<th>420264-A</th>
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<tr>
<td>DIV 5</td>
<td></td>
</tr>
<tr>
<td>CO 23</td>
<td></td>
</tr>
<tr>
<td>WD 38</td>
<td></td>
</tr>
<tr>
<td>BA</td>
<td></td>
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Form GWS-45 (12/95)
<table>
<thead>
<tr>
<th>Month</th>
<th>Domestic In-House</th>
<th>Commercial or Other</th>
<th>Lawn Irrigation</th>
<th>Crop Irrigation</th>
<th>Livestock</th>
<th>TOTAL</th>
<th>Domestic In-House</th>
<th>Commercial or Other</th>
<th>Lawn Irrigation</th>
<th>Crop Irrigation</th>
<th>Livestock</th>
<th>TOTAL</th>
<th>Source of Aug/Replace</th>
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<tbody>
<tr>
<td>January</td>
<td>0.000</td>
<td>0.125</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
<td>0.131</td>
<td>0.000</td>
<td>0.019</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
<td>0.020</td>
<td>RUE</td>
</tr>
<tr>
<td>February</td>
<td>0.000</td>
<td>0.125</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
<td>0.131</td>
<td>0.000</td>
<td>0.019</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
<td>0.020</td>
<td>RUE</td>
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<tr>
<td>March</td>
<td>0.000</td>
<td>0.125</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
<td>0.131</td>
<td>0.000</td>
<td>0.019</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
<td>0.020</td>
<td>RUE</td>
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<tr>
<td>April</td>
<td>0.000</td>
<td>0.125</td>
<td>0.053</td>
<td>0.000</td>
<td>0.000</td>
<td>0.187</td>
<td>0.000</td>
<td>0.019</td>
<td>0.042</td>
<td>0.000</td>
<td>0.000</td>
<td>0.064</td>
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<td>0.233</td>
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<td>0.598</td>
<td>0.000</td>
<td>0.019</td>
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<td>0.313</td>
<td>0.000</td>
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<td>0.000</td>
<td>0.445</td>
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<td>0.239</td>
<td>0.000</td>
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<td>0.337</td>
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<td>0.157</td>
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<td>0.125</td>
<td>0.167</td>
<td>0.000</td>
<td>0.000</td>
<td>0.306</td>
<td>0.000</td>
<td>0.019</td>
<td>0.133</td>
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<td>0.000</td>
<td>0.160</td>
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<tr>
<td>October</td>
<td>0.000</td>
<td>0.125</td>
<td>0.061</td>
<td>0.000</td>
<td>0.000</td>
<td>0.165</td>
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<td>0.019</td>
<td>0.049</td>
<td>0.000</td>
<td>0.000</td>
<td>0.071</td>
<td>RUE</td>
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<tr>
<td>November</td>
<td>0.000</td>
<td>0.125</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
<td>0.131</td>
<td>0.000</td>
<td>0.019</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
<td>0.020</td>
<td>RUE</td>
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<tr>
<td>December</td>
<td>0.000</td>
<td>0.125</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
<td>0.131</td>
<td>0.000</td>
<td>0.019</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
<td>0.020</td>
<td>RUE</td>
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<tr>
<td>Totals</td>
<td>0.000</td>
<td>1.500</td>
<td>1.341</td>
<td>0.000</td>
<td>0.000</td>
<td>2.983</td>
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<td>0.225</td>
<td>1.073</td>
<td>0.000</td>
<td>0.000</td>
<td>1.363</td>
<td></td>
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</tbody>
</table>

(1) NUMBER OF RESIDENCES 0
(2) Commercial/Other Demand (af) 1.500
(3) Sq. Ft of Lawn Irrigated 22500
Lawn Application Rate (af/ac) 2.506
(4) Acres of Crop Irrigated 0.00
Crop Application Rate (af/ac) 0.000
(5) # of Livestock @ 11 gals/day 9
(6) % CU for Domestic/Commercial 15
(7) % Lawn Irrig. Efficiency Consumption of Irrig. (af/ac) 80
2.085
(8) % Crop Irrig. Efficiency Consumption of Irrig. (af/ac) 80
2.085
(9-10) Elevation (feet) 200
(11) Total includes 5% Transp Loss
(12) Total Resource Engineering, Inc. 033.7.0

MID-COHTEN RESOURCES
DATE: MARCH 7, 1997
DISTRICT AREA: A
SOURCE SERIES: 1
MAXIMUM DEMAND: (GPM) (CFS) 30 0.067
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
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 discretion 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.
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, Vice-President

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

STATE OF COLORADO

COUNTY OF GARFIELD

Subscribed and sworn to before me this 12th day of May, 1998, by Robert Delaney, Vice-President, Mid Continent Resources, Inc.

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

Notary Public

[Signature]
ORDER GRANTING APPLICATION FOR ALLOCATION CONTRACT
MID CONTINENT RESOURCES, INC.
CONTRACT NO. 293

Application having been made by or on behalf of Mid Continent Resources, Inc. and hearing on said Application having been duly held, it is hereby ordered that said Application be granted and that the attached Water Allotment Contract for 0.067 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 is hereby approved and executed by and on behalf of the Basalt Water Conservancy District, for the beneficial use of the water allotted in the attached Contract, upon the terms, conditions and manner of payment as therein specified and subject to the following specific conditions:

1. In the event of the division of the property served by this Contract into two (2) or more parcels owned, or to be owned, by different persons, the Applicant shall establish a Homeowners Association or other entity acceptable to the District for the ongoing payment of charges due under the approved Contract following subdivision of the property described in the Application on file with the District and the Applicant shall give notice to purchasers of all or any part of the subject property of the obligation of this Contract, and shall record such notice in the records of the Clerk and Recorder of Garfield County, Colorado. Applicant and his successors and assigns shall comply with all rules and regulations now existing or hereafter adopted by the District to enforce payment of charges due under the approved Contract by present and future owners of all or any part of the real property served under this Contract.

2. Applicant has represented to the District that the proposed use of the land to be benefitted by the water allotted hereunder has been approved by the applicable governmental authorities having jurisdiction over such land use and by executing the attached water allotment contract warrants to the District that the lot or parcel to be benefitted hereunder is legally subdivided.

3. By acceptance of this Contract, Applicant acknowledges that within two years of the date hereof or such later date as the District may approve, the Applicant shall file with the Water Court of Water Division No. 5 a water rights plan of augmentation for utilization of water allotted hereunder at the location and for the purposes hereinabove set forth or the Applicant’s water allotment as provided in this Contract shall be included in a water rights plan of augmentation to be filed by the District with the expenses thereof to be shared prorata by the Contract holders included in such plan; provided that inclusion of the Applicant’s water allotment in the District’s plan of augmentation shall be at the District’s sole discretion. The District may establish an augmentation plan fee to be paid by the holder of any Contract to be included within a plan of augmentation to be filed by the District, which fee shall be payable in advance of the inclusion of such Contract in a District plan of augmentation and may be based on the District’s good faith estimate of the anticipated expense of such plan of augmentation. If such augmentation plan fee paid by a Contract holder exceeds the Contract holder’s prorata portion of the actual expenses incurred by the District in completing said plan of augmentation, the District shall refund such excess to the Contract holder.
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.

Attest:

Barbara Mick - Secretary

BASALT WATER CONSERVANCY DISTRICT

By: Art E. Bradeen

RECEIVED

JAN 28 2000

WATER RESOURCES
STATE ENGINEER
COLO
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. 1034.1 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°45' 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
PARCEL 17 (CONTINUED) - PAGE TWO OF THREE PAGES

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 17, Section 35, Township 7 South, Range 88 West of the 6th P.M.;
thence West 2122.5 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;
thenes South 89°24'40" E. 661.35 feet along the South line of said
Lot 23;
thenes North 632.72 feet;
thenes S. 66°14' W. 31.76 feet;
thenes S. 82°30' W. 52.93 feet;
thenes N. 79°14' W. 97.63 feet;
thenes North 90.13 feet to the North line of said lot 23, the point
of beginning.

COUNTY OF GARFIELD
STATE OF COLORADO
ASSIGNMENT OF ALLOTMENT CONTRACT

BASALT WATER CONSERVANCY DISTRICT

MID CONTINENT RESOURCES, INC. / MIDCON REALTY, LLC

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 herein below 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 conveyance of the above described property to Assignee(s).

Dated this 20th day of January, 1999.

Mid Continent Resources, Inc.

By: Robert DeLauney, Vice President, Assignor

MidCon Realty, LLC

By: Robert DeLauney, Assignee

Assignee's Mailing Address:

P.O. Box 1298
Glenwood Springs, CO 81602

Telephone No. 970-945-8703
CONSENT TO ASSIGNMENT

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 ___ day of January, 1999.

BASALT WATER CONSERVANCY DISTRICT

By: ____________________________
MAP
PLACE
HOLDER
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. 3.3.5.29. 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/1ta
Enclosures
December 11, 1997

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:

<table>
<thead>
<tr>
<th>Permit No.</th>
<th>Owner of Record</th>
</tr>
</thead>
<tbody>
<tr>
<td>90379</td>
<td>Dan &amp; Suzanne Baxter</td>
</tr>
<tr>
<td>30343-F</td>
<td>Michael &amp; Julie Kennedy</td>
</tr>
<tr>
<td>31594</td>
<td>Morrison Knudsen</td>
</tr>
<tr>
<td>39741</td>
<td>Carbondale Roping Club</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Structure Name</th>
<th>Permit no. (if indicated)</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-351</td>
<td>Mick Well</td>
<td>31266</td>
</tr>
</tbody>
</table>

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

cc: Dwight Whitehead, Division 5
600 FOOT WELL SPACING STATEMENT

I(we) MidCon Realty, LLC

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

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 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. 20246-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, 2000

By Robert Delaney

Robert Delaney, Manager - MidCon LLC

12/27/91
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
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 MidCon 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 [Signature]

MidCon Realty, L.L.C.

W/enclosures
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/ita
Enclosures
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

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Sincerely,

Diane Delaney for
Midcon Realty LLC

Enclosures
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.
January 24, 2000

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

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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 13th through February 23rd.

Sincerely,

RESOURCE ENGINEERING, INC.

[Signature]

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

PSB/mmm
639-1.0  nbwp.639
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Sincerely,

RESOURCE ENGINEERING, INC.

[Signature]

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

PSB/mmm
639-1.0  ndwp.639
Mr. Robert Delaney  
Mid Continent Resources, Inc.  
PO Drawer 790  
Glenwood Springs CO 81602

RE: Well Permit Applications

February 11, 1998

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 Standby 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 11th 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.
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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 11th letter.

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