District Court, Water Division 1, State of Colorado Court Address: 901 9th Ave P. O. Box 2038 Greeley, CO 80632	
CONCERNING THE APPLICATION FOR WATER RIGHTS OF: **TOWN CENTER METROPOLITAN DISTRICT** **IN DENVER COUNTY**	**▲COURT USE ONLY▲**
	Case No. 04CW28

NOTICE OF REFEREE RULING

Douglas Sinor
1120 Lincoln St., Ste. 1600
Denver, CO 80203

David Hill
1712 Pearl St.
Boulder, CO 80302

Richard Mehren
PO Box 1440
Boulder, CO 80306

John Dingess
3600 So. Yosemite St., Ste. 500
Denver, Co 80237-1829

Division Engineer

State Engineer

The Water Court Referee for Water Division No. 1 has instructed me to forward a copy of this Ruling. Please check the Ruling carefully. If any errors are found, notify the Water Clerk's Office immediately. If you have any questions regarding this matter, please direct them to the Water Referee at (970) 351-7300, ext. 5405 or by e-mail to john.cowan@judicial.state.co.us

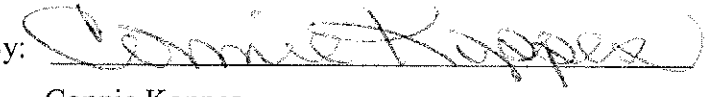
You have twenty days after the above mailing to file with the Water Clerk any pleading in protest to or in support of the Referee's Ruling. Any such pleading must be filed on or before

September 3, 2009, plus any additional time allowed by Rule 6(e) C.R.C.P. In the absence of any pleading, the Judge of the Water Court will enter the Referee's Ruling as a Decree the day after **September 3, 2009**.

Certificate of Service

I hereby certify that I served via LexisNexis File & Serve, a true and correct copy of the foregoing Ruling to the parties listed above.

Dated: August 14, 2009

By: 

Connie Koppes
Water Clerk, Water Division 1

This ruling was filed electronically pursuant to Rule 121, §1-26. The original is in the Court's file.

DISTRICT COURT, WATER DIVISION 1, COLORADO Court Address: 901 9th Avenue Greeley, CO 80632	
CONCERNING THE APPLICATION FOR WATER RIGHTS OF TOWN CENTER METROPOLITAN DISTRICT, **IN DENVER COUNTY, COLORADO**	COURT USE ONLY
	Case Number: **2004CW28**
FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF WATER REFEREE, JUDGMENT AND DECREE	

This matter is before the Court on the application for water rights and approval of plan for augmentation filed on February 13, 2004, by Town Center Metropolitan District. The matter was referred to the Water Referee, and the Water Referee, being fully advised in the premises, enters the following Findings of Fact, Conclusions of Law and Ruling:

FINDINGS OF FACT

1. Name, address and telephone number of applicant:

Town Center Metropolitan District ("Town Center")
c/o Charles Foster
District Manager
5600 S. Quebec, #255C
Greenwood Village, CO 80111
303 740-7440

2. Notice and Jurisdiction. Timely and adequate notice of the Application herein was given in accordance with law. The Court has jurisdiction over the subject matter of this proceeding and over all persons and property affected hereby, irrespective of whether those persons or property owners have appeared. None of the lands, wells, or water rights involved in this case are within the boundaries of any designated groundwater basin.

3. Statements of Opposition. The time for filing statements of opposition has expired. Timely statements of opposition were filed to the application by the City of Englewood, City of Aurora, and South Adams County Water and Sanitation District ("South Adams"). Town Center has entered into a stipulation with the City of Englewood, dated June 26, 2006, a stipulation with the City of Aurora, dated September 6, 2007, and a stipulation with South Adams dated July 24, 2008.

4. Summary of Consultation. The Division Engineer for Water Division No. 1 filed a Summary of Consultation dated July 18, 2004.

Conditional Underground Water Rights

5. Name of well:
   a. Green 15 Pond Well (Well permit no. 61812-F).
   b. Green Valley Ranch Alluvial Well #1.
   c. Green Valley Ranch Alluvial Well #2.
   d. Green Valley Ranch Alluvial Well Field: up to four proposed wells in the alluvial aquifer of First Creek, subject to the conditions of paragraph13.c below.

6. Legal description of wells:
   a. Green 15 Pond Well: An existing unlined pond located in the NE 1/4 of the SE1/4 of Section 15, T3S, R66W, 6th P.M., City and County of Denver, Colorado, the center of which is located at a point approximately 2,750 feet from the North section line and 1,090 feet from the East section line of said Section 15.
   b. Green Valley Ranch Alluvial Well #1: A proposed well to be located in the NW 1/4 of the NW 1/4 of Section 15, T3S, R66W, 6th P.M., City and County of Denver, Colorado, within 200 feet of a point 1,050 feet from the West line and 1,100 feet from the North line of said Section 15.
   c. Green Valley Ranch Alluvial Well #2: A proposed well to be located in the SW 1/4 of the NE 1/4 of Section 15, T3S, R66W, 6th P.M., City and County of Denver, Colorado, within 200 feet of a point 2,240 feet from the East line and 2,315 feet from the North line of said Section 15.

d. Green Valley Ranch Alluvial Well Field: Up to four additional wells are proposed to be located in the Green Valley Ranch North development, which is located in Sections 14, 15, 22 and 23 T3S, R66W, 6th P.M., City and County of Denver, Colorado.

7. Source: For all wells: Alluvial ground water tributary to First Creek, tributary to the South Platte River.

8. Depth:

a. Green 15 Pond Well: approximately 8 feet.

b. Green Valley Ranch Alluvial Well #1 and #2, and Green Valley Ranch Alluvial Well Field: unknown.

9. Date of Appropriation:

a. Green 15 Pond Well: February 1, 2003.

b. Green Valley Ranch Alluvial Well #1 and #2, and Green Valley Ranch Alluvial Well Field: February 13, 2004.

10. How appropriation was initiated:

a. Green 15 Pond Well: By formation of intent to appropriate together with initiation of construction of the Green 15 Pond.

b. Green Valley Ranch Alluvial Well #1 and #2, and Green Valley Ranch Alluvial Well Field: By formation of intent to appropriate together with field and engineering work and the filing of the application in this matter.

11. Amount claimed:

a. Green 15 Pond Well: 500 gpm, 1.1 cfs, conditional, not to exceed 450 acre-feet per year.

b. Green Valley Ranch Alluvial Well #1 and #2: 200 gpm, 0.45 cfs, each, not to exceed a total of 450 acre-feet per year, conditional.

c. Green Valley Ranch Alluvial Well Field: Each well will have a maximum pumping rate of 200 gpm, 0.45 cfs, conditional. The total combined maximum

pumping rate for all wells described in paragraph 11.b and 11.c will be 1,200 gpm, 2.7 cfs, conditional, not to exceed 450 acre-feet per year.

12. Proposed use: For all wells: Irrigation of the Green Valley Ranch Golf Course and surrounding trails, parks, green belts, schools and streetscapes within the Green Valley Ranch North development; recreation; fish and wildlife propagation; replacement of evaporation and seepage; augmentation and replacement by direct use or storage. The Green Valley Ranch Golf Course and the Green Valley Ranch North development are located in Sections 14, 15, 22 and 23, T3S, R66W, 6th P.M., City and County of Denver, Colorado.

Plan for Augmentation

13. Names of structures to be augmented:

a. Green 15 Pond Well.

b. Green Valley Ranch Alluvial Well #1 and #2.

c. Green Valley Ranch Alluvial Well Field: Town Center may petition the Court in the future to add any of the four proposed Green Valley Ranch Alluvial Well Field wells described in paragraph 6.d as structures to be augmented pursuant to the terms and conditions of this decree. The petition shall specify the location of the well(s) to be added and the aquifer parameters and depletion factors for each well and demonstrate that out-of priority depletions for each well will be replaced so as to prevent injury to other water rights. Town Center will provide notice in writing to the parties in this case of the filing of any such petition. The parties shall have 60 days from the date of the notice to file an objection to the petition. If any party files an objection, Town Center shall have the burden of proving that the addition of the proposed wells will not cause injury to other water rights. If no objection is timely filed, the Court shall grant the petition and the proposed wells shall be added to the plan for augmentation and be governed by the terms and conditions of this decree.

d. No other water rights are or will be diverted from these structures.

14. Previous decree for water rights to be used for augmentation: Town Center will use the direct discharge of nontributary ground water to First Creek and return flows from nontributary ground water in the Upper Arapahoe, Lower Arapahoe and Laramie-Fox Hills aquifers as augmentation sources. The augmentation sources are described more fully as follows:

a. Date Decree entered: April 29, 1987.

b. Case No.: Consolidated Case Nos. 82CW488 and 84CW030.

c. Court: District Court in and for Water Division No. 1

d. Type of water right: Nontributary ground water in the Denver Basin to be withdrawn from eight wells known as TCMD Well Nos. 1 through 8 (collectively, the "TCMD Wells"). Town Center reserves the right to construct additional nontributary wells to be used for augmentation in accordance with the decree entered in consolidated Case Nos. 82CW488 and 84CW030.

e. Description of nontributary wells (location, aquifer and permitted amounts):

i. TCMD Well No. 1: (Lower Arapahoe Aquifer)(Permit no. 65704-F (prior Permit no. 53881-F)); SW 1/4 of the NW 1/4 of Section 14, T3S, R66W, 6th P.M., City and County of Denver, Colorado, at a point 1,770 feet from the North line and 760 feet from the West line of said Section 14. Average annual withdrawal of 282 acre-feet in combination with TCMD Well Nos. 3 and 8.

ii. TCMD Well No. 2: (Upper Arapahoe Aquifer) (Permit no. 65705-F (prior Permit no. 53883-F)); SW 1/4 of the NW 1/4 of Section 14, T3S, R66W, 6th P.M., City and County of Denver, Colorado, at a point 1,790 feet from the North line and 750 feet from the West line of said Section 14. Average annual withdrawal of 219 acre-feet in combination with TCMD Well Nos. 4 and 5.

iii. TCMD Well No. 3: (Lower Arapahoe Aquifer) (Permit no. 65706-F (prior Permit no. 53882-F); NE 1/4 of the SW 1/4 of Section 14, T3S, R66W, 6th P.M., City and County of Denver, Colorado, at a point 2,040 feet from the South line and 1,550 feet from the West line of said Section 14. Average annual withdrawal of 282 acre-feet in combination with TCMD Well Nos. 1 and 8.

iv. TCMD Well No. 4: (Upper Arapahoe Aquifer) (Permit no. 65707-F (prior Permit no. 53884-F); NE 1/4 of the SW 1/4 of Section 14, T3S, R66W, 6th P.M., City and County of Denver, Colorado, at a point 2,020 feet from the South line and 1,550 feet from the West line of said Section 14. Average annual withdrawal of 219 acre-feet in combination with TCMD Well Nos. 2 and 5.

v. TCMD Well No. 5: (Upper Arapahoe Aquifer) (Permit no. 65708-F (prior Permit no. 55266-F); SW 1/4 of the NE 1/4 of Section 14, T3S, R66W, 6th P.M.,

City and County of Denver, Colorado, at a point 2,250 feet from the North line and 1,730 feet from the East line of said Section 14. Average annual withdrawal of 219 acre-feet in combination with TCMD Well Nos. 2 and 4.

vi. TCMD Well No. 6: (Laramie-Fox Hills Aquifer) (Permit no. 65709-F (prior Permit no. 55863-F); SW 1/4 of the NE 1/4 of Section 14, T3S, R66W, 6th P.M., City and County of Denver, Colorado, at a point 2,210 feet from the North line and 1,770 feet from the East line of said Section 14. Average annual withdrawal of 399 acre-feet in combination with TCMD Well No. 7.

vii. TCMD Well No. 7: (Laramie-Fox Hills Aquifer) (Permit no. 59200-F); SE 1/4 of the NE 1/4 of Section 15, T3S, R66W, 6th P.M., City and County of Denver, Colorado, at a point 2,530 feet from the North line and 740 feet from the East line of said Section 15. Average annual withdrawal of 399 acre-feet in combination with TCMD Well No. 6.

viii. TCMD Well No. 8: (Lower Arapahoe Aquifer) (Permit no. 60703-F); NW 1/4 of the SW 1/4 of Section 15, T3S, R66W, 6th P.M., City and County of Denver, Colorado, at a point 1,400 feet from the South line and 785 feet from the West line of said Section 15. Average annual withdrawal of 282 acre-feet in combination with TCMD Well Nos. 1 and 3.

f. Source: Nontributary ground water in the Denver Basin in the Upper Arapahoe, Lower Arapahoe and Laramie-Fox Hills aquifers as noted above.

g. Amount: Town Center owns the rights to a total average annual withdrawal of 380 acre-feet of nontributary ground water in the Upper Arapahoe, Lower Arapahoe and Laramie-Fox Hills aquifers decreed in consolidated Case Nos. 82CW488 and 84CW030.[1] Town Center may purchase additional rights to nontributary ground water decreed in consolidated Case Nos. 82CW488 and 84CW030 and may use such additional nontributary ground water rights for the augmentation plan described herein.

Decreed uses: All beneficial uses including augmentation and replacement, and including the right to use 98% of the amount withdrawn to extinction by reuse, successive use and disposition. Water returned after use to First Creek from the nontributary groundwater diversions may be used for augmentation and replacement. The method for determining the amount of such return flows is set forth in this decree.

[1] Town Center may withdraw up to a total of 380 acre-feet of water on an average annual basis from the above-referenced aquifers in any combination, subject to the limitations of the permits for the TCMD Wells.

15. Statement of plan for augmentation:

a. Location of depletions. The Green 15 Pond Well, Green Valley Ranch Alluvial Well #1 and #2 and the Green Valley Ranch Alluvial Well Field wells will deplete First Creek at or above the point where First Creek crosses the west Section line of Section 15, T3S, R66W of the 6th P.M.

b. Timing of depletions. Town Center shall employ a "Glover" analysis to determine monthly depletion factors for Green 15 Pond Well, Green Valley Ranch Alluvial Well #1 and #2, and any Alluvial Well Field well added to the plan for augmentation pursuant to paragraph 13.c. Although there are various methods for applying a Glover analysis, the method to be used in this case shall represent a no-flow boundary which requires the following parameters: (i) a boundary condition for the alluvial aquifer indicating that the boundary constitutes a "no-flow" condition; (ii) the width of the aquifer on the side of the river where the well is located, commonly referred to as "W"; (iii) the distance from the river to the location of the well, commonly referred to as "X"; (iv) the transmissivity of the aquifer between the well and the river, commonly referred to as harmonic "T"; and (v) the specific yield of the aquifer, commonly referred to as "S". The aquifer parameters for the Green 15 Pond and Green Valley Ranch Alluvial Well #1 and #2 are set forth in Table 1 below.

Table 1 - Glover Analysis - Town Center Pond 15 Well and Alluvial Wells 1 and 2

Data

Parameter	*Alluvial Wells 1 and 2*	*Pond 15 Well*	*Comments*
Dist to Stream (ft)	100	265	Distance less than 100 ft for Alluvial Wells 1 and 2, used 100 ft; used centroid distance for Pond 15 Well
Dist to Bound (ft)	2300	2000	Based upon LRE alluvial aquifer mapping
Transmisivity (gpd/ft)	25000	15000	Based upon LRE interpretation of alluvial well pumping test and LRE aquifer thickness mapping
Specific Yield	0.2	0.2	

Depletion Patterns

Month	Alluvial Wells 1 and 2		Pond 15 Well	
	Monthly Depletion Factor	Cumulative Depletion (%)	Monthly Depletion Factor	Cumulative Depletion (%)
1	0.872	87.2	0.5400	54.00
2	0.086	95.8	0.2500	79.00
3	0.017	97.5	0.0600	85.00
4	0.01	98.5	0.0300	88.00
5	0.008	99.3	0.0300	91.00
6	0.007	100	0.0200	93.00
7			0.0100	94.00
8			0.0200	96.00
9			0.0100	97.00
10			0.0100	98.00
11			0.0100	99.00
12			0.0100	100.00

Table 1 also sets forth the monthly depletion factors for pumping and evaporation from the Green 15 Pond, and for pumping from the Green Valley Ranch Alluvial Well #1 and #2, calculated using the Glover analysis and the aquifer parameters in Table 1. Pumping from Green 15 Pond Well, Green Valley Ranch Alluvial Well #1 and #2, and any Alluvial Well Field well added to the plan for augmentation pursuant to paragraph 13.c, will be metered. The monthly depletive effect of pumping the wells and pond evaporation from the Green 15 Pond, as set forth in

Paragraph 12.c. below, will be lagged to First Creek using the depletion factors in Table 1.

c. Evaporative depletions from Green 15 Pond. The Green 15 Pond is approximately 1.2 surface acres in size. Evaporation from the Green 15 Pond is estimated to average 4.5 acre-feet per year. Monthly evaporation amounts are calculated to be as follows (in acre-feet):

Month	Green 15 Pond Evaporation
	(5)
January	0.14
February	0.16
March	0.25
April	0.41
May	0.54
June	0.65
July	0.68
August	0.61
September	0.45
October	0.32
November	0.18
December	0.14
	4.50

d. Replacement of depletions: The withdrawal and use of water from the Green 15 Pond Well, Green Valley Ranch Alluvial Well #1 and #2, and any Alluvial Well Field well added to the plan for augmentation pursuant to paragraph 13.c, and the evaporative losses from the Green 15 Pond will result in delayed depletions to First Creek that must be replaced when the depletions are out of priority. Under the plan for augmentation, Town Center will replace out-of-priority depletions in time, location and amount. 100% of the water pumped from the wells and 100% of the evaporative losses from the pond will be considered to be the depletions to First Creek. The lagged depletions will be determined by multiplying the amount of water pumped from each of the wells and the evaporative losses from the pond by the depletion factors for the respective structure set forth in Table 1. When out-of-priority, the depletions will be replaced with nontributary and alluvial water return flows from irrigation of the Green Valley Ranch Golf Course and from irrigation of the streetscape within the Green Valley Ranch North development. Any remaining out-of-priority depletions will be replaced with

nontributary water pumped from the TCMD Wells to First Creek at or above the point where First Creek crosses the west section line of Section 15, T3S, R66W of the 6th P.M. The amount of nontributary water pumped from the TCMD Wells and delivered directly to First Creek for augmentation shall be metered and accounted for separately from water that is pumped from the TCMD Wells for irrigation or other decreed uses by Town Center.

e. Timing and Amount of Golf Course Irrigation Return Flow: Water applied to the Green Valley Ranch Golf Course for irrigation will be measured with meters. Water applied to golf course irrigation that is not consumed will return to First Creek. Under this plan for augmentation, the amount of golf course irrigation return flows to First Creek shall be determined by multiplying the amount of golf course irrigation water applied times the calculated annual return flow percentage. Town Center shall determine the current annual return flow percentage by calculating the average percentage of the previous three years. Irrigation water applied is assumed to be 95% of irrigation water pumped (5% spray loss). [2]Total water applied will be calculated as the sum of irrigation water applied plus effective precipitation measured at the Denver Stapleton Airport climate station. The modified Blaney-Criddle method will be used to calculate the potential consumptive use of the lawn grass with climatological data from the Denver Stapleton Airport station, six inch root depth, 45 degree mean temperature for start and end growth dates, and the following growth factors[3]:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
0.00	0.00	0.00	1.65	1.35	1.25	1.00	1.00	1.25	1.30	0.00	0.00

Total potential consumptive use for each month will be determined by multiplying the irrigated area times the monthly potential consumptive use.

The deep percolation as a percent of water applied will be calculated using the relationships for computing deep percolation developed by Spronk (see Figure 1 attached hereto). The quantity of deep percolation will be calculated by multiplying the ratio of deep percolation to total water applied times the amount of irrigation water applied. Deep percolation will then be reduced by the amount of tree canopy area. As an alternative to calculating the annual return flow percentage as described above, Town Center may annually elect to assume that 15% of the irrigation water applied to Green Valley Ranch Golf Course is not consumed and returns to First Creek on an annual basis. The monthly

[2] Five percent spray loss is considered appropriate for sprinkler irrigation in Case numbers 89CW198, 93CW033, and 93CW110.

[3] Growth factors derived by Spronk Water Engineers, Inc. for Arapahoe Water and Sanitation District and Hi Plains Land and Cattle Company in 1986.

accretions to First Creek from golf course irrigation return flows will be lagged according to the following lagging pattern based on a Glover analysis of 20 independent irrigation areas of the golf course (18 fairways, one par three executive course, and one practice area).[4]

Table 2: Glover Analysis Cumulative Accretion Pattern of Golf Course IRFs to First Creek

	Year 1												Year 2	Year 3
Month	1	2	3	4	5	6	7	8	9	10	11	12	24	36
Cumulative Accretion %	42	63	72	77	81	84	86	88	90	91	92	93	98	100

In the event of an expansion or reconfiguration of the Green Valley Ranch Golf Course, the irrigation return flow accretion pattern for any additional or reconfigured areas will be recalculated using a Glover analysis to incorporate the revised lagged return flow pattern.

f. Timing and Amount of Streetscape Irrigation Return Flow Calculation: Water applied to streetscape within the Green Valley Ranch North development will be measured with meters. The streetscape is bordered by streets and gutters and typically includes right-of-way landscaping and medians. Two percent of the water applied for irrigation of streetscape is estimated to return to First Creek within the same month in the form of surface runoff. Therefore, under this plan for augmentation, monthly surface return flows from such irrigation will be calculated by multiplying the amount of water pumped for such irrigation in a given month times 0.02. For purposes of this decree, the Court finds that it is reasonable to assume that 15 percent of the water applied to streetscape within the Green Valley Ranch North development for irrigation is not consumed and returns to First Creek as subsurface return flows. Under this plan for augmentation, the amount of subsurface return flows to First Creek for streetscape irrigation within the Green Valley North development will be calculated by multiplying 0.15 times the amount of the water pumped for such irrigation. The monthly accretions to First Creek from streetscape irrigation return flows will be lagged according to the following lagging pattern based on a Glover analysis of 14 irrigation areas weighted by irrigation area.[5] If water is applied to parks, schools or trails, the same methodology will be used to calculate lagged

[4] Exhibit 1 attached hereto shows the aquifer parameters and the lagged accretion patterns for each irrigation area used to derive the cumulative accretion pattern shown in Table 2.
[5] Exhibit 2 attached hereto shows the aquifer parameters and the lagged accretion patterns for each irrigation area used to derive the cumulative accretion pattern shown in Table 3.

accretions.

Table 3: Glover Analysis Cumulative Accretion Pattern of Streetscape IRFs to First Creek

	Year 1												Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8
Month	1	2	3	4	5	6	7	8	9	10	11	12	24	36	48	60	72	84	96
Cumulative Accretion %	13	27	35	41	47	51	55	58	61	64	66	68	82	89	93	96	98	99	100

g. Two percent relinquishment: Town Center will relinquish two percent of the nontributary water withdrawn from the TCMD Wells to First Creek.

CONCLUSIONS OF LAW

16. The foregoing findings of fact are incorporated herein to the extent they constitute conclusions of law.

17. This court has jurisdiction over the subject matter of these proceedings and over all who may be affected thereby, whether they have appeared or not. Sections 37-92-302 and 37-92-304(6), C.R.S.

18. Timely and adequate notice of the pendency of this action was given in the manner provided by law. Section 37-92-302(3), C.R.S.

19. No injury will occur to any owners of or persons entitled to use water under a vested or decreed conditional water right as a result of the plan for augmentation approved herein. Section 37-92-305, C.R.S.

20. The Applicant has fully complied with all requirements and met all standards and burdens of proof, including but not limited to those in Sections 37-92-103(3)(a), 37-92-103(4), 37-92-103(6), 37-92-103(9), 37-92-302, 37-92-303, 37-92-304 and 37-92-305, C.R.S., and is, therefore, entitled to this decree confirming conditional underground water rights for the Green 15 Pond Well, Green Valley Ranch Alluvial Well #1 and #2, and the Green Valley Ranch Alluvial Well Field and approving the plan for augmentation described herein.

RULING OF WATER REFEREE, JUDGMENT AND DECREE

21. The foregoing findings of fact and conclusions of law are incorporated herein.

22. The Application in this case is hereby granted, subject to the terms and conditions set

forth herein.

23. Pursuant to C.R.S. § 37-92-305(8), the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not replaced pursuant to the augmentation plan approved herein so as to prevent injury to vested water rights.

24. In order to prevent injury to other decreed water rights, the following terms and conditions shall apply to the plan for augmentation approved herein:

a. Depletions and accretions to First Creek will be calculated in accordance with the methodologies described in paragraph 15 above. When the depletions from the Green 15 Pond and Well, Green Valley Ranch Alluvial Well #1 and #2, and any Green Valley Ranch Well Field well added to this plan for augmentation pursuant to paragraph 13.c occur when there is a call senior to February 13, 2004, such out-of-priority depletions shall be replaced as provided in this decree by Town Center in time, location and amount according to the calculations described above with the nontributary water or return flows described above, at or above the point where First Creek crosses the West Section line of Section 15, T3S, R66W of the 6th P.M.

b. The amount diverted from the Green 15 Pond Well, Green Valley Ranch Alluvial Well #1 and #2, and any Alluvial Well Field well added to the plan for augmentation pursuant to paragraph 13.c, will be measured weekly. The amount of depletion from the Green 15 Pond Well and the Green Valley Ranch Alluvial Well #1 and #2 is equivalent to the amount diverted from the wells after the depletion factors set forth herein are applied. The amount of evaporative depletion from the Green 15 Pond is equivalent to the amount of evaporation from the pond after the depletion factors set forth herein are applied. All depletions resulting from diversions of the Green 15 Pond Well, Green Valley Ranch Alluvial Well #1 and #2, and any Alluvial Well Field well added to the plan for augmentation pursuant to paragraph 13.c, and all depletions resulting from evaporation from the Green 15 Pond, will be replaced when out of priority.

c. Town Center shall install and maintain any meters, gauges, or other measuring devices and report at reasonable times to the Division Engineer the readings of such meters, gauges, or other measuring devices as deemed necessary by the State Engineer/Division Engineer for administration of the plan for augmentation and water rights decreed herein.

d. Except as provided in subsection e of this paragraph 24, Town Center shall perform monthly accounting and maintain accounting records of its water use

under this decree, including water pumped from the nontributary TCMD Wells. Town Center shall submit this accounting information to the Division Engineer monthly. The accounting shall include pumping, evaporation, lagged depletions, amount and location of replacement water. On an annual basis, Town Center shall submit to the Division Engineer either a statement that it elects to assume a Golf Course irrigation return flow percentage of 15% or a calculation of the annual return flow percentage in accordance with the terms of paragraph 15.e of this decree. A sample return flow percentage calculation form is attached hereto as Exhibit 3.

e. During the months of July, August and September, Town Center shall perform weekly accounting of out-of-priority depletions and replacements and monthly reporting. During these three months, out of priority depletions will be balanced on a weekly basis to within 0.5 acre-feet and fully balanced on a monthly basis.

f. Town Center will provide copies of accounting sheets to objectors in this case upon written request and payment of reasonable copying charges by the objector. An accounting form has been prepared and is attached hereto as Exhibit 4. The Court finds that such accounting form is adequate to properly account for the water diverted under this decree. Town Center may without Court consent in the future propose additional or alternate accounting methods that are satisfactory to the Office of the State Engineer provided, in such event, that Town Center will provide written notice to all Objectors in this case and the Objectors shall be provided with an opportunity to comment on additional or alternative accounting methods. In the event that any Objector disagrees with the additional or alternative accounting methods, any Objector in this case may file a written objection with the Court, and the Court shall set a hearing to resolve the dispute. In any such hearing, Town Center shall have the burden to prove the additional or alternative accounting methods are necessary and adequate to properly account for the water diverted under this decree.

g. Town Center will relinquish and not consume two percent of the nontributary water withdrawn from the TCMD Wells to First Creek.

h. Town Center may not divert alluvial ground water from the Green 15 Pond Well, Alluvial Well #1 or Alluvial Well #2 until it has installed the facilities needed to deliver the nontributary augmentation water directly to First Creek.

i. When applicable, Town Center shall bear such transit loss as may be reasonably and lawfully assessed by the Division Engineer for the carriage of water through stream reaches in the same manner as for other water users.

25. Approval of the plan for augmentation described herein is subject to the retained jurisdiction of the court for reconsideration of the question of injury to the vested rights of others for a period of ten years from the date the decree herein is entered. The Court's retained jurisdiction may be invoked by any party by filing a proper petition with the Court and serving the non-petitioning parties. The petition for reconsideration shall be made in good faith, under oath, and shall set forth with particularity the factual basis upon which the requested reconsideration is premised, together with proposed decretal language. The party who files such a petition shall have the initial burden of establishing that material injury will occur to their water rights by operation of the plan for augmentation. Upon such a showing of injury, the burden of showing non-injury shifts to the Applicant, and the Court may require additional or modified protective conditions to prevent injury. Such additional or modified conditions may, if adequately proved, be more restrictive than the terms and conditions of this decree. Except to the extent the Court has retained jurisdiction this judgment and decree is final. The ten year period of retained jurisdiction described above may be extended upon further decision by the water judge that the nonoccurrence of injury shall not have been conclusively established.

26. The Court also specifically retains jurisdiction perpetually over this Decree to review the availability of the nontributary ground water described in paragraph 14, above, as a source of replacement water in this plan for augmentation.

27. The application in this case was filed in 2004, and the priorities awarded to water rights described in this decree shall be administered as having been filed in that year, and shall be junior to all priorities filed in previous years. As between water rights filed in the same calendar year, priorities shall be determined by the dates of appropriation for said water rights, and shall not be affected by the date of entry of decree for said water rights.

28. If Town Center wishes to maintain the conditional water rights confirmed in this matter, it shall file an application for finding of reasonable diligence or to make the conditional water rights absolute on or before the last day of the month of September, 2015.

29. A copy of this decree shall be filed with the Division Engineer and the State Engineer.

30. The State and Division Engineer shall administer this decree in accordance with the terms and conditions set forth herein.

31. There was no trial in this matter and no factual issues were litigated. The findings of fact, conclusions of law and decree were completed as the result of substantial discussions, negotiations and compromises by, between and among the Applicant and the Objectors pertaining to all parts of the findings, conclusions and decree. It is specifically

understood and agreed by the parties hereto, and found and concluded by the Court, that the acquiescence of the parties to a stipulated decree under the specific factual and legal circumstances of this contested matter and upon the numerous and interrelated compromises reached by the parties shall never give rise to any argument, claim, defense or theory of acquiescence, waiver, bar, merger, *stare decises*, *res judicata*, estoppel, laches, or otherwise, nor to any administrative or judicial practice or precedent, by or against any of the parties hereto in any other matter, case or dispute, nor shall testimony concerning such acquiescence of any party to a stipulated decree herein be allowed in any other matter, case or dispute by or against any of the parties hereto. All parties stipulate and agree that they do not intend the findings, conclusions and decree to have the effect of precedent or preclusion on any factual or legal issue in any other matter. The parties further stipulate and agree that they each reserve the right to propose or to challenge any legal or factual position in any other plan for augmentation or other matter filed in this or any other court without limitation by these findings of fact, conclusions of law and decree.

Dated: August 14, 2009.

John Cowan
Water Referee
Water Division No. 1

THE COURT DOTH FIND THAT NO PROTEST WAS FILED IN THIS MATTER, THEREFORE, THE FOREGOING RULING IS CONFIRMED AND APPROVED, AND IS HEREBY MADE THE JUDGMENT AND DECREE OF THIS COURT.

Dated: 9-8-09

By the Court:

James F. Hartmann
Water Judge
Water Division No. 1

APPENDIX D (Revised 9/28/05): Glover analysis of Green Valley Ranch Golf Course irrigation return pattern weighted by Fairway AND Glover analysis of Green 15 Pond depletion pattern

Parameters

Fairway #	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	Par 3	Practice
Distance to stream (ft)	450	250	850	2250	1720	600	400	130	60	150	330	1000	1600	1100	250	90	100	400	900	450
Distance to boundary (ft)	2100	1400	500	10000	10000	500	1600	3700	3700	1900	1300	500	1	550	1800	2100	2400	5300	3600	4100
Thickness	20	15	15	5	5	15	20	20	20	20	15	10	5	10	15	25	25	25	15	15
Alpha	0.155	0.11625	0.11625	0.03875	0.03875	0.11625	0.155	0.155	0.155	0.155	0.11625	0.0775	0.03875	0.0775	0.11625	0.19375	0.19375	0.19375	0.11625	0.11625
Area (acres)	3.7	10.1	6.5	3.8	2.9	4.9	5.1	0.6	9.8	3.3	4.4	6.7	1.4	3.3	3.9	3.7	1.6	9.0	8.7	9.0
Use?	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
ki(ft/sec)	0.00155	0.00155	0.00155	0.00113	0.00134	0.00155	0.00155	0.00155	0.00155	0.00155	0.00155	0.00155	0.00155	0.00155	0.00155	0.00155	0.00155	0.00155	0.00155	0.00155
Sy	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2

Pond
265
2000
15
0.11625
0.00155
0.2

CUMULATIVE RETURNS BY FAIRWAY

Month	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	Par 3	Practice	% Total Cummulative	% TOTAL RETURNS incremental (monthly)
1	1.506969	5.635012	0.79692	1.54E-07	4.06E-05	1.1993	2.904737	0.443363	8.437946	2.391652	2.035751	0.247317	0.000121	0.050493	2.160012	3.093035	1.28948	4.367089	0.89239	3.135793	40.01741952	40.02
2	2.479477	7.797009	2.67982	0.000369	0.006829	2.911591	3.59604	0.517371	9.151657	2.851261	3.116767	1.355636	0.012269	0.523624	2.983272	3.428157	1.442245	6.497171	2.895834	5.571099	59.6183967	19.80
3	2.747049	8.351114	3.930477	0.006695	0.046154	3.763607	3.966869	0.530091	9.250398	2.94119	3.433398	2.387967	0.067851	0.979483	3.170739	3.485124	1.467045	7.012844	3.942754	6.2881	67.76904879	7.95
4	2.980583	8.717553	4.755538	0.029343	0.116073	4.220169	4.209915	0.536666	9.301349	2.998455	3.644879	3.214498	0.156077	1.359823	3.280986	3.522094	1.481993	7.283366	4.563989	6.671157	72.96651482	5.20
5	3.01426	8.99095	5.30107	0.070366	0.204899	4.465042	4.394337	0.540882	9.334036	3.042004	3.802033	3.875586	0.254371	1.676069	3.36421	3.549899	1.493367	7.457171	4.98568	6.919378	76.73561017	3.77
6	3.10723	9.19786	5.661807	0.125253	0.294855	4.596376	4.5373	0.543922	9.357675	3.076102	3.920205	4.404349	0.351303	1.939012	3.431997	3.571235	1.50253	7.581061	5.295834	7.097128	79.59303475	2.86
7	3.185785	9.354697	5.900348	0.18869	0.382315	4.66682	4.64845	0.546302	9.376262	3.102925	4.009173	4.827273	0.44244	2.157635	3.488301	3.587649	1.510001	7.675231	5.536482	7.2326	81.81937698	2.23
8	3.252815	9.473601	6.058085	0.25654	0.464949	4.704601	4.734898	0.54828	9.391793	3.124041	4.076164	5.165542	0.526416	2.339409	3.535289	3.600279	1.516108	7.750123	5.730582	7.340466	83.59008055	1.77
9	3.310178	9.563747	6.16239	0.325987	0.542009	4.724865	4.802138	0.549997	9.405323	3.140864	4.126606	5.436102	0.60311	2.490544	3.574548	3.609999	1.521103	7.811807	5.892378	7.429281	85.02277303	1.43
10	3.359309	9.63209	6.231363	0.385223	0.613471	4.735733	4.854438	0.55153	9.417432	3.153752	4.164588	5.652505	0.672873	2.616206	3.607357	3.617478	1.525188	7.864102	6.030583	7.504449	86.19967095	1.18
11	3.4014	9.683903	6.276972	0.463136	0.679625	4.741562	4.895118	0.552924	9.428451	3.164055	4.193188	5.825592	0.736217	2.720887	3.634779	3.623235	1.528529	7.909539	6.151399	7.569577	87.17988722	0.98
12	3.437461	9.723188	6.307131	0.529071	0.740884	4.744688	4.926759	0.554204	9.438577	3.172167	4.214723	5.964034	0.793686	2.807567	3.657697	3.627664	1.531261	7.949849	6.259064	7.627154	88.00682075	0.83
13	3.468358	9.75297	6.327074	0.592669	0.797689	4.746365	4.95137	0.555389	9.447936	3.178554	4.230939	6.074764	0.845804	2.879785	3.676853	3.631073	1.533496	7.986242	6.356563	7.67894	88.71285376	0.71
14	3.49483	9.775549	6.340262	0.65376	0.850467	4.747266	4.970513	0.55649	9.456615	3.183552	4.243149	6.16333	0.893085	2.93984	3.692863	3.633693	1.535325	8.019574	6.446109	7.726198	89.32248025	0.61
15	3.51751	9.792688	6.348881	0.712294	0.899612	4.747747	4.985403	0.557514	9.464678	3.18754	4.252343	6.234168	0.935913	2.989772	3.706244	3.635715	1.53682	8.050457	6.529201	7.769842	89.85442216	0.53
16	3.536943	9.805646	6.354748	0.768296	0.945483	4.748006	4.996984	0.558469	9.472177	3.190657	4.259266	6.290827	0.974762	3.031288	3.717427	3.637269	1.538043	8.079334	6.605997	7.810541	90.3231615	0.47
17	3.553592	9.815485	6.358561	0.821835	0.988399	4.748145	5.005992	0.559359	9.479156	3.19311	4.264479	6.336144	1.009384	3.065806	3.726775	3.638464	1.539043	8.106526	6.680333	7.848789	90.73997763	0.42
18	3.567857	9.822945	6.361083	0.873007	1.028642	4.748219	5.012999	0.56019	9.485653	3.195042	4.268404	6.372392	1.041918	3.094506	3.734587	3.639384	1.539861	8.13227	6.749835	7.884951	91.11374361	0.37
19	3.580079	9.828601	6.36275	0.921923	1.066464	4.748258	5.018448	0.560966	9.491703	3.196563	4.271359	6.401383	1.070869	3.118369	3.741117	3.640092	1.54053	8.156743	6.81587	7.919303	91.45148884	0.34
20	3.590551	9.832868	6.363852	0.968697	1.102087	4.74828	5.022687	0.56169	9.497337	3.19776	4.273585	6.424571	1.097117	3.138209	3.746575	3.640637	1.541077	8.180081	6.879098	7.952054	91.7588324	0.31
21	3.599523	9.836139	6.364584	1.013447	1.135706	4.748292	5.025985	0.562366	9.502583	3.198703	4.27526	6.443118	1.120914	3.154705	3.751136	3.641056	1.541525	8.202387	6.939496	7.983365	92.04029089	0.28
22	3.60721	9.838604	6.365054	1.056288	1.167497	4.748298	5.028549	0.562998	9.50747	3.199445	4.276522	6.457953	1.142489	3.168422	3.754948	3.641376	1.541991	8.223744	6.987385	8.013364	92.29951783	0.26
23	3.613796	9.840472	6.365383	1.097331	1.197613	4.748301	5.030544	0.563587	9.512021	3.200029	4.277472	6.469818	1.16206	3.179826	3.758135	3.641627	1.54219	8.244218	7.052942	8.04215	92.53950315	0.24
24	3.619439	9.841889	6.365594	1.136661	1.226193	4.748305	5.032095	0.564138	9.516259	3.200489	4.278188	6.479308	1.179784	3.189308	3.760798	3.641818	1.542435	8.263863	7.106314	8.069807	92.76270319	0.22
25	3.624274	9.842963	6.365733	1.174437	1.253359	4.748304	5.033302	0.564652	9.520287	3.200851	4.278726	6.486899	1.195852	3.197191	3.763024	3.641965	1.542635	8.282727	7.157625	8.096402	92.97113928	0.21
26	3.628416	9.843777	6.365826	1.210693	1.279222	4.748305	5.034241	0.565132	9.523884	3.201136	4.279132	6.492971	1.210439	3.203746	3.764884	3.642078	1.542792	8.30085	7.206982	8.121995	93.16650778	0.20
27	3.631966	9.844394	6.365887	1.245536	1.303881	4.748305	5.034971	0.56558	9.527308	3.201361	4.279437	6.497824	1.223651	3.209196	3.766439	3.642165	1.542933	8.318267	7.254479	8.146634	93.33021661	0.18
28	3.635006	9.844862	6.365923	1.279052	1.327424	4.748306	5.035539	0.565999	9.530498	3.201537	4.279668	6.501707	1.235635	3.213728	3.767738	3.642232	1.543043	8.33501	7.3002	8.170366	93.52347203	0.17
29	3.637612	9.845217	6.365953	1.311313	1.349932	4.748306	5.035981	0.566389	9.533468	3.201676	4.279841	6.504816	1.246498	3.217496	3.768825	3.642284	1.543133	8.35111	7.344221	8.193229	93.68729821	0.16
30	3.639844	9.845486	6.36597	1.342391	1.371477	4.748302	5.036324	0.566754	9.536235	3.201786	4.279971	6.507301	1.256346	3.220628	3.769732	3.642323	1.543206	8.366592	7.386613	8.215261	93.84254405	0.16
31	3.641757	9.84569	6.365982	1.372352	1.392126	4.748305	5.036591	0.567095	9.538812	3.201872	4.280069	6.509288	1.265275	3.223233	3.770491	3.642354	1.543266	8.381483	7.427441	8.236495	93.98997627	0.15
32	3.643395	9.845845	6.365989	1.401259	1.411935	4.748305	5.0368	0.567413	9.541212	3.20194	4.280143	6.510878	1.27337	3.225399	3.771125	3.642377	1.543315	8.395806	7.466767	8.256963	94.1302356	0.14
33	3.644799	9.845962	6.365994	1.429169	1.430963	4.748305	5.036961	0.567711	9.543447	3.201994	4.280199	6.512149	1.280709	3.227197	3.771655	3.642395	1.543355	8.409583	7.504648	8.276693	94.26388784	0.13
34	3.646002	9.846051	6.365997	1.456135	1.449257	4.748305	5.037087	0.567988	9.545529	3.202036	4.280241	6.513166	1.287363	3.228696	3.772098	3.642409	1.543388	8.422836	7.541139	8.295714	94.39143611	0.13
35	3.647033	9.846118	6.365999	1.482207	1.466863	4.748304	5.037185	0.568247	9.547468	3.202069	4.280272	6.513979	1.293395	3.229941	3.772489	3.64242	1.543415	8.435585	7.576293	8.314052	94.51331437	0.12
36	3.647916	9.846169	6.366007	1.507432	1.483824	4.748308	5.037261	0.568489	9.549274	3.202095	4.280296	6.514629	1.298864	3.230975	3.772778	3.642425	1.543437	8.44785	7.61016	8.331733	94.62992514	0.12

% DEPLETIONS incremental (monthly)
55.30
22.50
5.15
2.86
2.08
1.69
1.43
1.23
1.06
0.91
0.79
0.68
0.59
0.51
0.44
0.38
0.33
0.28
0.24
0.21
0.18
0.16
0.14
0.12

EXHIBIT 1

Appendix E (Revised 9/28/05): Glover analysis of Green Valley Ranch Streetscape irrigation return pattern weighted by Irrigation Area

Parameters

Irrigated Area	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Area 7	Filing 31	Filing 35	Filing 36	Filing 40	Filing 46	Filing 47	Filing 50	
Distance to stream (ft)	1900	2600	750	1800	1400	1800	1800	450	400	900	2500	2300	3500	2900	
Distance to boundary (ft)	3100	2500	4500	400	750	10000	1	3600	3600	350	10000	10000	10000	10000	
Thickness	20	20	20	15	15	4	5	15	15	5	4	5	4	5	
Alpha	0.155	0.155	0.155	0.11625	0.11625	0.0218	0.03875	0.11625	0.11625	0.03875	0.0164	0.027	0.004	0.02575	Total Acres
Area (acres)	4.0	2.5	4.0	5.7	4.0	4.0	2.9	10.3	2.9	3.2	4.0	1.3	1.7	2.2	52.9
Use?	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
k(ft/sec)	0.00155	0.00155	0.00155	0.00155	0.00155	0.00109	0.00155	0.00155	0.00155	0.00155	0.00082	0.00108	0.0002	0.00103	
Sy	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	

	CUMULATIVE RETURNS BY STREETSCAPE AREA														% TOTAL RETURNS	
Month	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Area 7	Filing 31	Filing 35	Filing 36	Filing 40	Filing 46	Filing 47	Filing 50	% Total Cummulative	incremental (monthly)
1	0.062871	0.002969	1.617192	0.049835	0.156639	4.75828E-08	6.87E-05	6.956163	2.163947	0.070267	-9.11796E-15	1.20579E-10	0	5.23E-15	11.10	11.10
2	0.643812	0.094338	3.727845	0.733768	1.693394	0.000272396	0.016645	12.35843	3.640255	0.647265	1.26063E-09	6.73554E-06	-4.75741E-62	1.13E-08	22.96	11.86
3	1.377758	0.325373	4.534565	1.947817	2.083786	0.006729302	0.129519	13.94896	4.040794	1.400685	1.36968E-06	0.000367071	-7.12613E-41	5.11E-06	29.80	6.84
4	1.969028	0.587091	4.982401	3.171584	2.917651	0.034965524	0.35734	14.7987	4.253188	2.083819	5.31346E-05	0.002941545	-2.87767E-30	0.000126	35.16	5.36
5	2.431806	0.830344	5.277519	4.26476	3.622974	0.093045144	0.648534	15.34941	4.390393	2.674529	0.000499132	0.010235437	-6.81911E-24	0.000892	39.59	4.44
6	2.802011	1.046194	5.4909	5.211584	4.221436	0.177427977	0.961061	15.74415	4.488576	3.179608	0.002229689	0.023332959	-1.2325E-19	0.003282	43.35	3.76
7	3.106462	1.236829	5.654573	6.024639	4.729677	0.280613828	1.272159	16.04602	4.56362	3.610156	0.006471368	0.041875764	-1.3691E-16	0.008284	46.58	3.23
8	3.363634	1.406687	5.785504	6.721119	5.161405	0.395564289	1.57103	16.28821	4.623849	3.976864	0.014347298	0.064847988	-2.64935E-14	0.016545	49.39	2.81
9	3.58625	1.559969	5.893716	7.31732	5.528162	0.516880938	1.853087	16.49013	4.674123	4.289127	0.026607575	0.091117472	8.91792E-14	0.028298	51.85	2.47
10	3.783141	1.700065	5.985593	7.827577	5.83973	0.640751682	2.116841	16.66389	4.71746	4.55501	0.043583547	0.119672553	2.5769E-14	0.043461	54.04	2.18
11	3.96049	1.82956	6.065416	8.264254	6.104416	0.764599187	2.362292	16.81733	4.7558	4.781398	0.065262487	0.149690538	3.51383E-13	0.061752	55.98	1.95
12	4.122651	1.950381	6.136154	8.637955	6.329274	0.886734326	2.590121	16.95564	4.790418	4.974157	0.091394351	0.180534248	4.15631E-12	0.082792	57.73	1.75
13	4.272715	2.063949	6.199906	8.95776	6.520298	1.006085311	2.801304	17.08231	4.822165	5.138283	0.121587894	0.211724252	3.17337E-11	0.106169	59.30	1.58
14	4.412892	2.171321	6.258184	9.231443	6.682579	1.122002379	2.996913	17.19969	4.851614	5.278028	0.15538318	0.242906963	1.79072E-10	0.131481	60.73	1.43
15	4.54478	2.273284	6.31208	9.465655	6.82044	1.234121565	3.178024	17.30943	4.879161	5.397014	0.192300945	0.273825986	8.02063E-10	0.158356	62.04	1.30
16	4.669543	2.370438	6.362397	9.666085	6.937558	1.342270997	3.345675	17.41267	4.905083	5.498325	0.231873593	0.304298673	2.97779E-09	0.186462	63.23	1.19
17	4.788048	2.463241	6.409725	9.837613	7.037053	1.44640677	3.500848	17.51024	4.929577	5.584587	0.273663044	0.334197772	9.47189E-09	0.215508	64.33	1.10
18	4.90095	2.552054	6.454503	9.984402	7.121577	1.546569114	3.644481	17.60273	4.952791	5.658035	0.31726974	0.363437383	2.64871E-08	0.245244	65.34	1.01
19	5.008751	2.637168	6.497062	10.11002	7.193383	1.642852412	3.777392	17.69062	4.974837	5.720572	0.362335986	0.39196233	6.64536E-08	0.275458	66.28	0.94
20	5.111852	2.71852	6.537654	10.21752	7.254384	1.7353847	3.900406	17.77426	4.995802	5.77382	0.408545842	0.419740175	1.52045E-07	0.305973	67.15	0.87
21	5.210575	2.797211	6.576473	10.30952	7.306206	1.82431366	4.014251	17.85395	5.015759	5.819158	0.45562304	0.446755227	3.21468E-07	0.336838	67.97	0.81
22	5.305187	2.872513	6.613672	10.38825	7.35023	1.909797077	4.119611	17.92993	5.03477	5.85776	0.503327867	0.473004055	6.34912E-07	0.367331	68.73	0.76
23	5.395918	2.944878	6.649374	10.45562	7.38763	1.991996387	4.217117	18.0024	5.052888	5.890629	0.551453623	0.498492123	1.18189E-06	0.397949	69.44	0.71
24	5.482968	3.014441	6.683678	10.51328	7.419402	2.071072357	4.307356	18.07157	5.07016	5.918615	0.599823001	0.523231266	2.08909E-06	0.428408	70.10	0.67
25	5.566513	3.081326	6.716667	10.56262	7.446396	2.147182249	4.390868	18.13758	5.086629	5.942443	0.648284617	0.547237807	3.52833E-06	0.458639	70.73	0.63
26	5.646714	3.145647	6.748413	10.60484	7.469325	2.220478021	4.468155	18.20061	5.102335	5.962736	0.696709775	0.570531132	5.72408E-06	0.488587	71.33	0.59
27	5.723718	3.207509	6.778979	10.64099	7.488804	2.291105235	4.539681	18.26079	5.117315	5.980008	0.744989537	0.593132635	8.96025E-06	0.518207	71.89	0.56
28	5.797664	3.267011	6.808417	10.67191	7.505353	2.359202468	4.605875	18.31826	5.131603	5.994717	0.793032108	0.615064923	1.35857E-05	0.547465	72.42	0.53
29	5.868678	3.324248	6.836778	10.69837	7.519412	2.424901054	4.667136	18.37314	5.145232	6.007241	0.840760515	0.636351227	2.00186E-05	0.576333	72.92	0.50
30	5.936881	3.379308	6.864107	10.72102	7.531355	2.488325068	4.72383	18.42555	5.158234	6.017905	0.88811058	0.657014967	2.8749E-05	0.604789	73.40	0.48
31	6.002389	3.432276	6.890446	10.7404	7.541501	2.549591454	4.776298	18.4756	5.170636	6.026985	0.935029148	0.677079428	4.03395E-05	0.632819	73.85	0.45
32	6.065309	3.483232	6.915832	10.75699	7.550121	2.608810262	4.824856	18.5234	5.182467	6.034716	0.981472536	0.696567533	5.54255E-05	0.66041	74.28	0.43
33	6.125745	3.532255	6.940304	10.77118	7.557443	2.666084937	4.869795	18.56905	5.193753	6.041298	1.027405223	0.715501675	7.47123E-05	0.687555	74.70	0.41
34	6.183798	3.579417	6.963894	10.78333	7.563664	2.721512656	4.911363	18.61265	5.20452	6.046903	1.07279867	0.733903604	9.89719E-05	0.71425	75.09	0.39
35	6.23956	3.624791	6.986637	10.79372	7.568949	2.775184667	4.949865	18.6543	5.214791	6.051675	1.117630336	0.751794348	0.000129039	0.740493	75.47	0.38
36	6.293124	3.668443	7.008563	10.80262	7.573439	2.827186645	4.985484	18.69407	5.224589	6.055739	1.161882617	0.769194173	0.000165803	0.766284	75.83	0.36
37	6.344577	3.710441	7.029702	10.81023	7.577248	2.877599037	5.018447	18.73205	5.233937	6.059199	1.205543102	0.786122549	0.000210207	0.791626	76.18	0.35
38	6.394001	3.750846	7.050083	10.81675	7.580492	2.926497396	5.048954	18.76833	5.242854	6.062139	1.248601935	0.802598151	0.000263233	0.816521	76.51	0.33
39	6.441477	3.789719	7.069733	10.82233	7.583244	2.9739527	5.077186	18.80298	5.251361	6.064651	1.29105326	0.818638853	0.000325903	0.840975	76.83	0.32
40	6.487082	3.827119	7.088679	10.82708	7.585582	3.020031663	5.103314	18.83607	5.259476	6.066787	1.332893753	0.834261748	0.000399265	0.864992	77.13	0.31
41	6.53089	3.8631	7.106946	10.83118	7.587569	3.064797016	5.127494	18.86768	5.267218	6.068605	1.374122403	0.84948316	0.000484389	0.88868	77.43	0.29
42	6.572971	3.897718	7.124559	10.83467	7.589256	3.10830778	5.149872	18.89787	5.274603	6.070153	1.414740188	0.864318672	0.000582358	0.911745	77.71	0.28
43	6.613394	3.931024	7.141541	10.83766	7.59069	3.150619521	5.170582	18.9267	5.281649	6.071471	1.454749663	0.878783151	0.000694261	0.934494	77.98	0.27
44	6.652224	3.963067	7.157915	10.84022	7.591908	3.191784578	5.189748	18.95423	5.288371	6.072594	1.494154902	0.892890772	0.000821189	0.956835	78.25	0.26
45	6.689523	3.993895	7.173702	10.84241	7.592942	3.23185229	5.207485	18.98053	5.294783	6.073549	1.532961067	0.906655053	0.000964223	0.978777	78.50	0.25
46	6.725353	4.023555	7.188923	10.84428	7.593821	3.270869193	5.2239	19.00585	5.3009	6.074363	1.571174319	0.920088879	0.001124434	1.000326	78.74	0.24
47	6.759771	4.05209	7.2036	10.84589	7.594568	3.308879214	5.239092	19.02964	5.306735	6.075056	1.608801624	0.933204534	0.001302873	1.021493	78.98	0.24
48	6.792833	4.079544	7.217751	10.84726	7.595202	3.345923841	5.253151	19.05255	5.312302	6.075645	1.645850609	0.946013728	0.00150057	1.042283	79.21	0.23
49	6.824592	4.105958	7.231395	10.84844	7.595741	3.382042287	5.266162	19.07443	5.317613	6.076148	1.682329439	0.958527627	0.001718523	1.062707	79.43	0.22

EXHIBIT 2

Appendix E (Revised 9/28/05): Glover analysis of Green Valley Ranch Streetscape irrigation return pattern weighted by Irrigation Area

Parameters

Irrigated Area	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Area 7	Filing 31	Filing 35	Filing 36	Filing 40	Filing 46	Filing 47	Filing 50
Distance to stream (ft)	1900	2600	750	1800	1400	1800	1800	450	400	900	2500	2300	3500	2900
Distance to boundary (ft)	3100	2500	4500	400	750	10000	1	3600	3600	350	10000	10000	10000	10000
Thickness	20	20	20	15	15	4	5	15	15	5	4	5	4	5
Alpha	0.155	0.155	0.155	0.11625	0.11625	0.0218	0.03875	0.11625	0.11625	0.03875	0.0164	0.027	0.004	0.02575
Area (acres)	4.0	2.5	4.0	5.7	4.0	4.0	2.9	10.3	2.9	3.2	4.0	1.3	1.7	2.2
Use?	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
k(ft/sec)	0.00155	0.00155	0.00155	0.00155	0.00155	0.00109	0.00155	0.00155	0.00155	0.00155	0.00082	0.00108	0.0002	0.00103
Sy	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2

Total Acres
52.9

	CUMULATIVE RETURNS BY STREETSCAPE AREA															% TOTAL RETURNS
Month	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Area 7	Filing 31	Filing 35	Filing 36	Filing 40	Filing 46	Filing 47	Filing 50	% Total Cummulative	Incremental (monthly)
50	6.855099	4.13137	7.244551	10.84944	7.596198	3.417271644	5.278203	19.09533	5.322679	6.076575	1.718246706	0.976756878	0.001957703	1.082772	79.64	0.21
51	6.884404	4.155819	7.257235	10.8503	7.596587	3.451647016	5.289346	19.11529	5.327512	6.076939	1.753611341	0.982711638	0.002219043	1.102487	79.85	0.21
52	6.912555	4.179341	7.269466	10.85104	7.596925	3.485201652	5.299658	19.13436	5.332123	6.077248	1.788432527	0.994401596	0.00250344	1.121859	80.05	0.20
53	6.939596	4.201971	7.281258	10.85166	7.597208	3.517967063	5.309202	19.15256	5.336522	6.077512	1.822719638	1.005836	0.002811748	1.140897	80.24	0.19
54	6.965572	4.223744	7.292628	10.8522	7.597438	3.549973135	5.318034	19.16995	5.340718	6.077748	1.856482173	1.017023677	0.003144782	1.159609	80.42	0.19
55	6.990524	4.244691	7.303591	10.85266	7.597641	3.581248232	5.326207	19.18656	5.344721	6.07793	1.889729712	1.027973056	0.00350331	1.178001	80.60	0.18
56	7.014492	4.264845	7.314161	10.85308	7.597813	3.611819288	5.333805	19.20243	5.34854	6.078093	1.92247187	1.038692192	0.003888055	1.196082	80.78	0.18
57	7.037517	4.284234	7.324353	10.8534	7.597959	3.641711899	5.34078	19.21758	5.352183	6.078232	1.954718258	1.049188778	0.004299696	1.21386	80.95	0.17
58	7.059634	4.302889	7.33418	10.85369	7.598083	3.670950401	5.347259	19.23205	5.355658	6.07835	1.986478457	1.059470172	0.004738864	1.231341	81.11	0.16
59	7.080879	4.320836	7.343655	10.85394	7.598189	3.699557951	5.353255	19.24587	5.358974	6.078451	2.017761986	1.06954341	0.005206143	1.248533	81.27	0.16
60	7.101267	4.338104	7.352791	10.85415	7.598278	3.727556594	5.358805	19.25907	5.362137	6.078537	2.048578285	1.079415221	0.00570207	1.265442	81.43	0.16
61	7.120892	4.354716	7.3616	10.85433	7.598355	3.754967333	5.363941	19.27167	5.365154	6.07861	2.078936692	1.089092048	0.006227138	1.282076	81.58	0.15
62	7.139723	4.370699	7.370093	10.85449	7.598419	3.781810185	5.368694	19.28371	5.368033	6.078672	2.10884643	1.098580059	0.006781792	1.298441	81.73	0.15
63	7.157813	4.386076	7.378282	10.85462	7.598475	3.808104242	5.373092	19.29521	5.370779	6.078725	2.138316592	1.107885162	0.007366431	1.314543	81.87	0.14
64	7.175189	4.400871	7.386178	10.85473	7.598521	3.833867724	5.377163	19.3062	5.373398	6.07877	2.167356135	1.117013017	0.007981412	1.330388	82.01	0.14
65	7.191881	4.415104	7.393791	10.85483	7.598561	3.859118026	5.38093	19.31669	5.375898	6.078808	2.195973864	1.12596905	0.008527048	1.345984	82.14	0.13
66	7.207915	4.428798	7.401131	10.85491	7.598595	3.883871769	5.384417	19.3267	5.378282	6.078841	2.224178433	1.134758467	0.009303608	1.361335	82.27	0.13
67	7.223318	4.441973	7.408209	10.85499	7.598624	3.908144837	5.387644	19.33627	5.380556	6.078869	2.251978334	1.143386258	0.010011322	1.376448	82.40	0.13
68	7.238113	4.454649	7.415033	10.85505	7.598649	3.931952424	5.39063	19.34541	5.382726	6.078893	2.279381898	1.151857216	0.010750381	1.391328	82.52	0.12
69	7.252326	4.466844	7.421613	10.8551	7.59867	3.955309066	5.393394	19.35414	5.384796	6.078914	2.306397289	1.160175939	0.011520935	1.40598	82.65	0.12
70	7.265978	4.478576	7.427957	10.85514	7.598674	3.978228681	5.395951	19.36248	5.38677	6.078931	2.333032501	1.168346848	0.012323099	1.42041	82.76	0.12
71	7.279092	4.489865	7.434074	10.85518	7.5987	4.000724599	5.398318	19.37044	5.388654	6.078946	2.359295362	1.176374186	0.013158952	1.434623	82.88	0.11
72	7.29169	4.500725	7.439972	10.85522	7.598713	4.022809594	5.400509	19.37804	5.390451	6.078943	2.385193531	1.184262034	0.01402254	1.448624	82.99	0.11
73	7.303791	4.511173	7.445659	10.85525	7.598723	4.044495915	5.402536	19.3853	5.392165	6.078967	2.410734495	1.192014316	0.014919875	1.462418	83.10	0.11
74	7.315415	4.521226	7.451142	10.85527	7.598732	4.065796308	5.404413	19.39224	5.393801	6.078976	2.435925577	1.199634806	0.015848938	1.47601	83.20	0.11
75	7.326582	4.530897	7.456429	10.85525	7.59874	4.086719047	5.406149	19.39886	5.395361	6.078983	2.460773933	1.207127137	0.016809683	1.489404	83.31	0.10
76	7.337308	4.540202	7.461526	10.8553	7.598747	4.107277956	5.407756	19.40519	5.396849	6.07899	2.485286552	1.214494804	0.017802032	1.502604	83.41	0.10
77	7.347612	4.549154	7.466441	10.85532	7.598752	4.127482432	5.409244	19.41123	5.398269	6.078995	2.509470264	1.221741173	0.018825884	1.515616	83.51	0.10
78	7.357509	4.557767	7.47118	10.85533	7.598757	4.147342463	5.410621	19.41701	5.399624	6.079	2.533331738	1.228869489	0.019881111	1.528443	83.60	0.10
79	7.367017	4.566054	7.47575	10.85534	7.598761	4.166867655	5.411895	19.42252	5.400916	6.079004	2.556877483	1.235882877	0.020967562	1.541089	83.70	0.09
80	7.37615	4.574026	7.480155	10.85535	7.598764	4.186067242	5.413074	19.42778	5.402149	6.079007	2.580113856	1.242784348	0.022085063	1.553558	83.79	0.09
81	7.384923	4.581696	7.484403	10.85536	7.598767	4.204950112	5.414166	19.43281	5.403325	6.07901	2.603047061	1.249576809	0.023233419	1.565855	83.88	0.09
82	7.39335	4.589075	7.488499	10.85536	7.598769	4.223524817	5.415176	19.43761	5.404447	6.079012	2.625683153	1.256263082	0.024412416	1.577983	83.97	0.09
83	7.401445	4.596175	7.492448	10.85537	7.598771	4.241799593	5.416066	19.4422	5.405517	6.079014	2.648028041	1.262845811	0.025621821	1.589945	84.06	0.09
84	7.409221	4.603006	7.496256	10.85537	7.598773	4.259782374	5.416969	19.44658	5.406538	6.079016	2.670087492	1.269327666	0.026861385	1.601746	84.14	0.08
85	7.416691	4.609577	7.499927	10.85538	7.598774	4.277480805	5.417769	19.45077	5.407512	6.079018	2.691867132	1.275711148	0.02813084	1.613388	84.22	0.08
86	7.423867	4.6159	7.503467	10.85538	7.598775	4.294902254	5.418509	19.45476	5.408441	6.079019	2.713372452	1.281998691	0.029429907	1.624875	84.30	0.08
87	7.430759	4.621983	7.50688	10.85539	7.598776	4.31205383	5.419194	19.45858	5.409328	6.07902	2.734608807	1.288192647	0.030758291	1.63621	84.38	0.08
88	7.43738	4.627835	7.510171	10.85539	7.598777	4.328942386	5.419829	19.46222	5.410173	6.07902	2.755561426	1.29429529	0.032115684	1.647397	84.46	0.08
89	7.44374	4.633465	7.513344	10.85539	7.598777	4.34557454	5.420416	19.4657	5.41098	6.079021	2.776295407	1.300308817	0.033501768	1.658439	84.53	0.08
90	7.44985	4.638883	7.516404	10.85539	7.598778	4.361956679	5.420959	19.46903	5.41175	6.079021	2.796755727	1.308235353	0.034916213	1.669338	84.61	0.07
91	7.455719	4.644094	7.519354	10.85539	7.598801	4.378094969	5.421461	19.47221	5.412484	6.079021	2.81696724	1.312076956	0.036358678	1.680098	84.68	0.07
92	7.461356	4.649108	7.522198	10.85539	7.598782	4.39399537	5.421927	19.47524	5.413184	6.079022	2.836934684	1.317835613	0.037828817	1.69072	84.75	0.07
93	7.466773	4.653933	7.52494	10.85539	7.598782	4.409663638	5.422357	19.47814	5.413852	6.079045	2.856662681	1.32351325	0.039326273	1.70121	84.82	0.07
94	7.471974	4.658574	7.527585	10.85539	7.598782	4.425105339	5.422755	19.4809	5.41449	6.079025	2.87615574	1.329111732	0.040850682	1.711567	84.89	0.07
95	7.476971	4.663039	7.530134	10.85539	7.598783	4.440325855	5.423124	19.48354	5.415098	6.079026	2.895418273	1.334632865	0.042401674	1.721797	84.96	0.07
96	7.481771	4.667335	7.532592	10.85539	7.598783	4.45533039	5.423465	19.48607	5.415678	6.079026	2.914454565	1.340078396	0.043978873	1.7319	85.03	0.07

Exhibit 3: Sample Calculation of Percentage Deep Percolation on Rolling 3 Year Average
(example data shown)

Month	Gross Nontributary Water Supplied	Irrigation Water Applied (95% of Gross)	Average Effective Precip	Total Applied Water	Potential Consumptive Use of lawn grass	Water Consumed on Golf Course	Deep Perc of Irrigation Water	Return Flows (Deep Perc less Tree CU)
	1	2	3	4	5	6	7	8
	(AF)	(AF)	(AF)	(AF)		(AF)		(AF)
	input	95% x col1	input	col2+col3	calc	col5 x acres	calc	calc
Apr-06	35.02	33.269						
May-06	54.49	51.7655						
Jun-06	75.62	71.839						
Jul-06	51.62	49.039						
Aug-06	49.6	47.12						
Sep-06	38.07	36.1665						
Oct-06	15.4	14.63						
Total	**319.82**	**303.829**						
Apr-07	32.77	31.1315						
May-07	44.39	42.1705						
Jun-07	74.99	71.2405						
Jul-07	63.93	60.7335						
Aug-07	24.56	23.332						
Sep-07	65.39	62.1205						
Oct-07	33.18	31.521						
Total	**339.21**	**322.2495**						
Apr-08	17.08	16.226						
May-08	79.22	75.259						
Jun-08	36.3	34.485						
Jul-08	54.21	51.4995						
Aug-08	51.53	48.9535						
Sep-08	37.31	35.4445						
Oct-08	31.89	30.2955						
Total	**307.54**	**292.163**						

Year	Non-tributary Water Applied	Return Flows (Deep Perc less Tree CU)	Percent Return Flows
	1	2	3
	(AF)	(AF)	col2/col1
2006	304		
2007	322		
2008	292		
Average	306		

EXHIBIT 3

TABLE 12. Town Center Metropolitan District Water Use Accounting Sheet with Example Data
(Values in Acre-Feet)

YEAR		Nonpotable Water Demand				Existing Nontributary Wells							
Date	Cal.	Golf Course Irrigation	Streetscape Irrigation	Green 15 Pond Evaporation	Total	Well 1 Lower Arapahoe (#65704-F)	Well 2 Upper Arapahoe (#65705-F)	Well 3 Lower Arapahoe (#65706-F)	Well 4 Upper Arapahoe (#65707-F)	Well 5 Upper Arapahoe (#65708-F)	Well 6 Laramie Fox Hills (#65709-F)	Well 7 Laramie Fox Hills (#66000-F)	Well 8 Lower Arapahoe (#80703-F)
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
		input	input	input	[illegible]	input	input	input	input	input	input	input	input
1/1/2009	1/1/1995												
1/2/2009	1/1/1995												
1/3/2009	1/1/1995												
1/4/2009	1/1/1995												
1/5/2009	1/1/1995												
1/6/2009	1/1/1995												
1/7/2009	1/1/1995												
1/8/2009	1/1/1995												
1/9/2009	1/1/1995												
1/10/2009	1/1/1995												
1/11/2009	1/1/1995												
1/12/2009	1/1/1995												
1/13/2009	1/1/1995												
1/14/2009	1/1/1995												
1/15/2009	1/1/1995												
1/16/2009	1/1/1995												
1/17/2009	1/1/1995												
1/18/2009	1/1/1995												
1/19/2009	1/1/1995												
1/20/2009	1/1/1995												
1/21/2009	1/1/1995												
1/22/2009	1/2/1995												
1/23/2009	1/2/1995												
1/24/2009	1/2/1995												
1/25/2009	1/2/1995												
1/26/2009	1/2/1995												
1/27/2009	1/2/1995												
1/28/2009	1/2/1995												
1/29/2009	1/2/1995												
1/30/2009	1/2/1995												
1/31/2009	1/2/1995												
Total		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

YEAR		Water Supply										Replacement Obligations to First Creek				Replacement Credits to First Creek					
Date	Cal.	Nontributary water pumped	Alluvial Ground Water Pumped from Green 15 Pond	Alluvial Well 1 (future)	Alluvial Well 2 (future)	Alluvial Well 3 (future)	Alluvial Well 4 (future)	Alluvial Well 5 (future)	Alluvial Well 6 (future)	Alluvial Well-Fed Ground Water Pumped	Total Water Supply	Alluvial Depletions	2% Relinquishment of Non-Tributary Pumping	In priority depletions	Total Replacement Obligations	Total Golf Course Irrigation Return Flow Credits	Total Streetscape Irrigation Return Flow Credits	Direct Replacement to First Creek	Total Replacement Credits	Net Impact to the Stream
		(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)	(26)	(27)	(28)	(29)	(30)	(31)
		[illegible]	input	input	input	input	input	input	input	[illegible]	[illegible]	[illegible]	0.02 x col 13	input	[illegible]	[illegible]	[illegible]	input	[illegible]	[illegible]
1/1/2009	1/1/1995																			
1/2/2009	1/1/1995																			
1/3/2009	1/1/1995																			
1/4/2009	1/1/1995																			
1/5/2009	1/1/1995																			
1/6/2009	1/1/1995																			
1/7/2009	1/1/1995																			
1/8/2009	1/1/1995																			
1/9/2009	1/1/1995																			
1/10/2009	1/1/1995																			
1/11/2009	1/1/1995																			
1/12/2009	1/1/1995																			
1/13/2009	1/1/1995																			
1/14/2009	1/1/1995																			
1/15/2009	1/1/1995																			
1/16/2009	1/1/1995																			
1/17/2009	1/1/1995																			
1/18/2009	1/1/1995																			
1/19/2009	1/1/1995																			
1/20/2009	1/1/1995																			
1/21/2009	1/1/1995																			
1/22/2009	1/2/1995																			
1/23/2009	1/2/1995																			
1/24/2009	1/2/1995																			
1/25/2009	1/2/1995																			
1/26/2009	1/2/1995																			
1/27/2009	1/2/1995																			
1/28/2009	1/2/1995																			
1/29/2009	1/2/1995																			
1/30/2009	1/2/1995																			
1/31/2009	1/2/1995																			
Total		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Column Notes:

(1) Metered at golf course irrigation pumps, includes non-tributary ground water and alluvial ground water after system losses
(2) Metered at taps to streetscape irrigation system
(3) Green 15 Pond evaporation for 1.2 surface acres based on the average of years 1951-2003.
(4) Sum of nonpotable water demand
(5) to (12) Metered at the well heads for all uses including storage pond evaporation, system losses, streetscape irrigation, etc. Water pumped outside the irrigation season either goes to storage, or directly to First Creek for replacement purposes
(14) Metered pumping from Green 15 Pond.
(15) to (20) Metered pumping from proposed alluvial wells (not yet constructed)
(22) Sum of water supplies
(23) Lagged depletions accruing to First Creek
(24) Relinquishment requirement for all water pumped from the non-tributary wells. May be replaced less frequently than monthly with permission from the Water Commissioner
(25) Depletion amount from Column 23 that occur when the wells are in priority per the call that day
(26) Sum of lagged depletions to First Creek minus depletions in priority.
(27) Lagged irrigation return flow credits from current and past irrigation of golf course. DP% = % of irrigation on golf course deep percolating. It will be updated annually and be a rolling average of previous three years.
(28) Lagged streetscape irrigation return flow credits, includes 2% direct surface return, 15% of irrigation deep percolation less 10% to account for tree consumption
(29) Metered non-tributary water pumped directly to First Creek to cover stream debt when irrigation return flows are insufficient to meet return flow obligations.
(30) Sum of replacement credits
(31) Difference between stream credits and debits.

Contact person for this accounting form:

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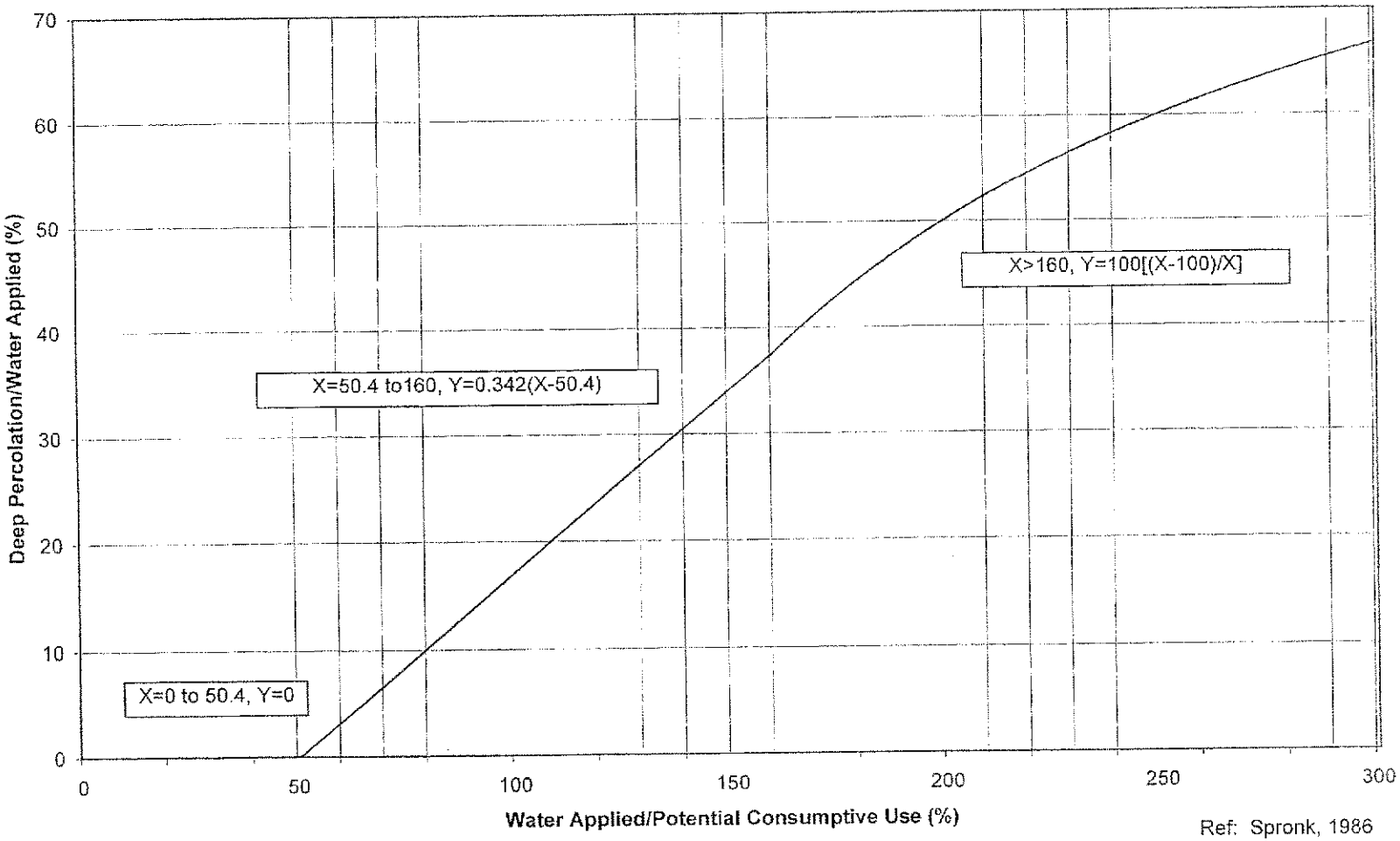
EXHIBIT 4

Figure 1 Relationship for Computing Deep Percolation



Ref: Spronk, 1986