

District Court, Water Division _____, Colorado Court Address: <hr/> CONCERNING THE APPLICATION FOR WATER RIGHTS OF Applicant: In the _____ River or its Tributaries In _____ COUNTY	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Case Number: _____ Division: _____ Courtroom: _____
APPLICATION FOR CHANGE OF WATER RIGHT	

A “change of water right” means a change in the type, place, or time of use, a change in the point of diversion, a change from a fixed point of diversion to alternate or supplemental points of diversion, a change from alternate or supplemental points of diversion to a fixed point of diversion, a change in the means of diversion, a change in the place of storage, a change from direct application to storage and subsequent application, a change from storage and subsequent application to direct application, a change from a fixed place of storage to alternate places of storage, a change from alternate places of storage to a fixed place of storage, or any combination of such changes. The term “change of water right” includes changes of conditional water rights as well as changes of [absolute] water rights. § 37-92-103(5), C.R.S.

An application for approval of a change of water right shall include a complete statement of such change, including a description of all water rights to be established or changed, a map showing the approximate location of historical use of the rights, and records or summaries of records of actual diversions of each right the applicant intends to rely on to the extent such records exist. § 37-92-302(2)(a), C.R.S.

If an applicant desires to apply for a simple change in surface point of diversion pursuant to § 37-92-305(3.5), C.R.S., please use form JDF 241W. If an applicant desires to apply for a correction for an established but erroneously described point of diversion pursuant to § 37-92-305(3.6), C.R.S., please use form JDF 240W.

It is the applicant’s responsibility to provide the location for each undecreed structure in this application. For structures that are already decreed, use the location from the most recent decree that adjudicated the location. UTM coordinates (for example from a GPS device), or measured distances in the field from known section lines are acceptable. The Division Engineer, the Water Referee, or the Water Judge, may order the applicant to confirm the location of any structure with UTM coordinates, a survey, or other method.

1. Name, mailing address, email address and telephone number of applicant(s) (if there are multiple applicants, and the space provided is not adequate to list all of the applicants, the names, addresses, telephone numbers and available email addresses must be provided as an attachment):

Name of Applicant	Mailing Address	Email address	Telephone Number

2. Decreed water right for which change is sought:

- A. Name of structure: _____
- B. Date of original and all relevant subsequent decrees: _____ Case No: _____
Court: _____

C. Legal description of structure as described in most recent decree that adjudicated the location:

Provide a verbatim legal description from the most recent decree that adjudicated the location. Mark the location of the structure on a USGS topographic map and attach to this application a legible 8 ½ x 11 inch copy of the applicable portion of the map.

- D. Decreed source of water: _____
- E. Appropriation Date: _____
- F. Total amount decreed to structure in gallons per minute (gpm) or cubic feet per second (cfs):
Conditional _____ Absolute _____
- G. Decreed use or uses: _____
- H. Amount of water that applicant intends to change:
Conditional _____ Absolute _____

3. Detailed description of proposed change:

- A. Complete statement of change, including a description of all water rights to be changed, a USGS topographic map showing the approximate location of historical use of the rights and proposed place of use, and records or summaries of records of actual diversions of each right the applicant intends to rely on to the extent such records exist. In addition, the applicant may submit a report by an engineer that includes this information. Please be aware that early in the proceedings, the applicant will be required to supply detailed information, such as the historical consumptive use on a monthly basis of the water rights the applicant proposes to change and an analysis of historical return flow patterns. The applicant is encouraged to provide such information with this application.

- B. If applicant is correcting the location of a well in an existing decree where the actual location of the well is more than 200 feet from the decreed location, or drilling a replacement well more than 200 feet from the

decreed location, provide legal description of decreed location in paragraph 2.C. above. Provide actual or new location of well:

Location information in UTM format (Preferred):

UTM Zone must be 12 or 13; Units must be Meters; Datum must be NAD83; and Units must be set to true North. Include the source of the UTM coordinates, for example: GPS device, a GIS system such as DWR AquaMap or CDSS MapViewer; scaled from USGS topographic map; or other source. In areas having generally recognized street addresses, also include street address, and if applicable, the lot, block, and subdivision. Attach a legible 8 ½ x 11 inch map to this application illustrating location of the structure.

UTM coordinates		
Easting _____ Northing _____		
<input type="checkbox"/> Zone 12 <input type="checkbox"/> Zone 13		
Street Address: _____		
Subdivision:	Lot	Block
Source of UTM's (for example, hand-held Garmin GPS):		
Accuracy of location displayed on GPS device (for example, accurate to within 200 feet):		

Legal Description Using the Public Land Survey System (PLSS) (Optional; Please include both UTM and PLSS descriptions if known): Include perpendicular distances from section lines, and indicate ¼ ¼, section number, township, range, meridian and county; mark the location of the structure on a USGS topographic map and attach to this application a legible 8 ½ x 11 inch copy of the applicable portion of the map. In areas where section lines have not been established, a bearing and distance to an established government monument is acceptable. Include the source of PLSS information, for example: GIS system such as DWR AquaMap or CDSS MapViewer; field survey; scaled from a USGS topographic map; or other source. In areas having generally recognized street addresses, also include street address, and if applicable, the lot, block, and subdivision.

Legal Description: County	_____ 1/4 of the	_____ 1/4	Section	Township _____ N or S <input type="checkbox"/> <input type="checkbox"/>	Range _____ E or W <input type="checkbox"/> <input type="checkbox"/>	Principal Meridian
Distance from section lines (not from property lines) _____ Feet from <input type="checkbox"/> N <input type="checkbox"/> S and _____ Feet from <input type="checkbox"/> E <input type="checkbox"/> W						
Source of PLSS information: _____						
Street Address: _____						
Subdivision:	Lot	Block				

- C. If a change in point of diversion, provide legal descriptions of decreed location and actual or new location of structure:

Location information in UTM format (Preferred):

UTM Zone must be 12 or 13; Units must be Meters; Datum must be NAD83; and Units must be set to true North. Include the source of the UTM coordinates, for example: GPS device, a GIS system such as DWR AquaMap or CDSS MapViewer; scaled from USGS topographic map; or other source. In areas having generally recognized street addresses, also include street address, and if applicable, the lot, block, and subdivision. Attach a legible 8 ½ x 11 inch map to this application illustrating location of the structure.

UTM coordinates		
Northing _____ Easting _____		
<input type="checkbox"/> Zone 12 <input type="checkbox"/> Zone 13		
Street Address: _____		
Subdivision:	Lot	Block
Source of UTM's (for example, hand-held Garmin GPS):		
Accuracy of location displayed on GPS device (for example, accurate to within 200 feet):		

Legal Description Using the Public Land Survey System (PLSS) (Optional, Please include both UTM and PLSS descriptions if known): Include perpendicular distances from section lines, and indicate ¼ ¼, section number, township, range, meridian and county; mark the location of the structure on a USGS topographic map and attach to this application a legible 8 ½ x 11 inch copy of the applicable portion of the map. In areas where section lines have not been established, a bearing and distance to an established government monument is acceptable. Include the source of PLSS information. for example: GIS system such as DWR AquaMap or CDSS MapViewer; field survey; scaled from a USGS topographic map; or other source. In areas having generally recognized street addresses, also include street address, and if applicable, the lot, block, and subdivision.

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Distance from section lines (not from property lines) _____ Feet from <input type="checkbox"/> N <input type="checkbox"/> S and _____ Feet from <input type="checkbox"/> E <input type="checkbox"/> W						
Source of PLSS information: _____						
Street Address: _____						
Subdivision:	Lot	Block				

4. Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool. The applicant must notify these persons that the applicant is applying for this water right, and certify to the Court that the applicant has done so.

Name of Owner	Mailing Address

Signature of Applicant(s) (if self-represented) or Attorney

Date

**VERIFICATION AND ACKNOWLEDGMENT OF APPLICANT OR OTHER PERSON HAVING
KNOWLEDGE OF THE FACTS STATED IN THIS APPLICATION**

I _____ being first duly sworn, hereby state that I have read this Application, that I have personal knowledge of the facts stated and, that I verify its contents to the best of my knowledge, information, and belief.

Signature

Date

The foregoing instrument was acknowledged before me in the County of _____, State of Colorado, this ____ day of _____, 20____, by the person whose signature appears above.

My Commission Expires: _____

Notary Public/Deputy Clerk

The person signing this verification is: Applicant Engineer Other (describe) _____

Verifications of other persons having knowledge of the facts may be attached to this application.

District Court, Water Division _____, Colorado Court Address: _____ <hr/> CONCERNING THE APPLICATION FOR WATER RIGHTS OF Applicant: _____ In the _____ River or its Tributaries In _____ COUNTY	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): _____ Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Case Number: _____ Division: _____ Courtroom: _____
Certificate of Notice	

I, _____ (insert name) hereby certify that I have provided a copy of the application filed on _____ (date) with the Court to the following owner(s) of the land upon which any new diversion or storage structure or modification to any existing diversion or storage structure or existing storage pool is or will be constructed or upon which water is or will be stored:

1. _____
2. _____
3. _____

The application was provided to the landowner(s) by Certified or Registered mail, return receipt requested, within 14 days after the application was filed with the Court.

Date: _____

Signature/Title