

District Court, **Water Division 5**, Colorado
 Court Address: 109 8th Street, Suite 104
 Glenwood Springs, CO 81601
 (970)928-3065

CONCERNING THE APPLICATION FOR WATER RIGHTS OF Applicant:

IN COUNTY, COLORADO

▲ **COURT USE ONLY** ▲

Case Number:

**CHECKLIST FOR APPLICATION FOR SIMPLE CHANGE IN SURFACE POINT OF DIVERSION
 PURSUANT TO § 37-92-305(3.5), C.R.S.**

REQUIRED INFORMATION	COMPLETE	INCOMPLETE	ADDITIONAL INFORMATION NEEDED
1. Applicant contact information			
2. Description of each water right sought for correction			
A. Name of structure and type (a) well (b) spring (c) ditch (d) reservoir (e) other			
B. Date of original decree case number court			
C. Vebatim Legal Description (most recently decreed) Map of the structure(s) location (additional mapping may be requested as part of the ruling)			
D. Source of water			
E. Appropriation date			
F. Amount			
G. Uses			
3. A. Complete description regarding Simple Change			The Applicant must prove that this change qualifies for a simple change. The applicant also bears the burden to prove that the simple change in a surface point of diversion will not: (I) result in diversion of a greater flow rate or amount of water than has been decreed to the water right and, without requantifying the water right, is physically and legally available at

			the diversion point from which a change is being made; or (II) injuriously affect the owner of or persons entitled to use water under a vested water right or decreed conditional water right.
B. Legal Description of corrected point of diversion Map of the structure(s) location (additional mapping may be requested as part of the ruling)			
4. Name/address of landowners			
Applicant signature, notarized, verified by (a) Applicant (b) Engineer (c) Other			
Certificate of Notice to Landowners			

DETERMINATIONS AS TO WHETHER OR NOT THE INFORMATION PROVIDED IN THE APPLICATION IS COMPLETE OR INCOMPLETE ARE DETERMINATIONS AS TO **PUBLICATION OF THE APPLICATION ONLY** AND DOES NOT CONSTITUTE ANY ORDER FROM THE WATER COURT AS TO WHETHER OR NOT APPLICANT HAS MET THE BURDEN OF PROOF OR AS TO THE DISPOSITION OF THE APPLICATION.

_____ THE APPLICATION CONTAINS SUFFICIENT INFORMATION TO PROCEED TO PUBLICATION IN THE RESUME.

_____ THE APPLICATION DOES NOT CONTAIN SUFFICIENT INFORMATION TO PROCEED TO PUBLICATION AT THIS TIME. THE APPLICANT MUST HAVE PERMISSION TO COMBINE CASES, AS PROPOSED IN THE APPLICATION. APPLICANT SHALL FILE A MOTION TO COMBINE, PURSUANT TO RULE 3(C) WATER COURT RULES WITHIN.

IN THE EVENT THAT THE COURT DOES NOT RECEIVE THE REQUIRED INFORMATION BY, THE WATER REFEREE WILL PROMPTLY RE-REFER THIS CASE TO THE WATER JUDGE.

IF THE REFEREE RE-REFERS THE APPLICATION TO THE WATER JUDGE, THIS **APPLICATION WILL NOT BE PUBLISHED UNTIL DISPOSITION OF THE PUBLICATION ISSUE BY THE WATER JUDGE.** PURSUANT TO C.R.C.P. 90(C), IF THE WATER JUDGE FINDS THE APPLICATION DOES NOT PROVIDE SUFFICIENT INQUIRY NOTICE CONTEMPLATED BY RULE 3 AND THE STANDARD WATER COURT FORMS APPROVED BY THE WATER JUDGES, THE WATER JUDGE SHALL SET A DATE PURSUANT TO C.R.C.P. 41(B)(2) AND C.R.C.P.121 § 1-10, BY WHICH DATE THE APPLICATION SHALL BE DISMISSED UNLESS, PRIOR TO THAT DATE, A SUFFICIENT APPLICATION IS FILED. THE APPLICATION WILL RETAIN ITS ORIGINAL FILING DATE UNLESS AND UNTIL THE APPLICATION IS DISMISSED.

DATE