

**DISTRICT COURT, WATER DIVISION I, STATE
OF COLORADO**

Court Address: 901 9TH Avenue, PO Box 2038
Greeley, CO 80632

DATE FILED: December 15, 2015 1:52 PM

Plaintiff: THE JIM HUTTON EDUCATIONAL
FOUNDATION, a Colorado non-profit corporation

v

Defendants: DICK WOLFE, in his capacity as the Colorado
State Engineer; DAVID NETTLES, in his capacity as
Division Engineer in and for Water Division No. 1, State
of Colorado; COLORADO DIVISION OF WATER
RESOURCES; COLORADO PARKS AND WILDLIFE,
and YUMA COUNTY WATER AUTHORITY

v

Defendant-Intervenor: Yuma County Water Authority

▲ COURT USE ONLY ▲
Case No. 15 CW 3018

Alvin R. Wall, Attorney for David L. Dirks, Julie Dirks
and Dirks Farms LTD.

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Atty Reg No: 5953

ANSWER TO COMPLAINT

David L. Dirks, Julie Dirks and Dirks Farms LTD., by and through their attorney, Alvin R. Wall, hereby answer the Complaint in this matter as follows:

1. David L. Dirks, Julie Dirks and Dirks Farms LTD. own ten (10) wells in the Northern High Plains Designated Basin. The wells are identified as follows:

David and Julie Dirks:

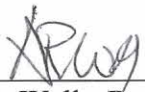
- a. Well Permit Number: 15333-FP
- b. Well Location: NE/NW/22/9N/43W/S Phillips County
- c. Number of irrigated acres: 135

Dirks Farms LTD.:

- a. Well Permit Number: 19856-FP
 - b. Well Location: NE 24/5N/44W/S Yuma County
 - c. Number of irrigated acres: 130
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- a. Well Permit Number: 20173-FP
 - b. Well Location: NW/NW/18/9N/43W/S Sedgwick County
 - c. Number of irrigated acres: 154
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- a. Well Permit Number: 198855-FP
 - b. Well Location: NW/24/5N/44W/S Yuma County
 - c. Number of irrigated acres: 130
-
- a. Well Permit Number: 20174-FP
 - b. Well Location: SW/SW/18/9N/43W/S Sedgwick County
 - c. Number of irrigated acres: 130
-
- a. Well Permit Number: 24340-FP
 - b. Well Location: SW/SW/18/5N/43W/S Yuma County
 - c. Number of irrigated acres: 165
-
- a. Well Permit Number: 24341-FP
 - b. Well Location: NE/NE/13/5N/44W/S Yuma County
 - c. Number of irrigated acres: 130
-
- a. Well Permit Number: 19757-FP
 - b. Well Location: SE/NW/18/5N/43W/S Yuma County
 - c. Number of irrigated acres: 240
-
- a. Well Permit Number: 18665-FP
 - b. Well Location: NE/SE/6/9N/43W/S Sedgwick County
 - c. Number of irrigated acres: 135
-
- a. Well Permit Number: 20512-FP, 34155-FP
 - b. Well Location: SW/SE/18/9N/43W/S Sedgwick County
 - c. Number of irrigated acres: 130

2. David L. Dirks, Julie Dirks and Dirks Farms LTD. received notice of the pending matter through publication.
3. Pursuant to the published notice, the deadline for filing an answer or response is December 16, 2015.
4. David L. Dirks, Julie Dirks and Dirks Farms LTD. adopt the answers filed in this matter by the State of Colorado and the Yuma County Water Authority. To the extent that those answers do not fully admit or deny an allegation in the Complaint, David L. Dirks, Julie Dirks and Dirks Farms LTD deny the same.
5. David L. Dirks, Julie Dirks and Dirks Farms LTD. adopt the defenses claimed in this matter by the State of Colorado and the Yuma County Water Authority.

Dated: December 15, 2015

by 
Alvin R. Wall - Reg. No. 5953
Attorney for David L. Dirks, Julie Dirks and
Dirks Farms LTD.

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of December, 2015 a true and accurate copy of the above and foregoing Answer to Complaint was efiled via ICCES for service upon the following:

Karen Leigh Henderson, Esq.
Steven J. Bushong, Esq.
Porzak Browning & Bushong LLP
For Plaintiff

Katie L. Wiktor, Esq.
Timothy J. Monahan, Esq.
For Colorado Parts and Wildlife

Preston V. Hartman Esq.
Ema I. G. Schultz, Esq.
For Colorado Department of Natural Resources

Preston V. Hartman, Esq.
Ema I. G. Schultz, Esq.
For Division of Water Resources

Preston V. Hartman, Esq.
Ema I. G. Schultz, Esq.
For Davd Nettles

Preston V. Hartman, Esq.
Ema I.G. Schultz, Esq.
For Dick Wolfe

State Engineer

Division 1 Engineer

Steven O. Sims, Esq.
For Yuma County Water Authority