

SPECIAL IMPROVEMENT DISTRICT NO. 4 OF THE
RIO GRANDE WATER CONSERVATION DISTRICT

ANNUAL REPLACEMENT PLAN
2026 PLAN YEAR

Prepared

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By

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2015CW3024 -- Rules Governing the Withdrawal of Groundwater in Water Division No. 3 (the Rio Grande Basin) and Establishing Criteria for the Beginning and End of the Irrigation Season in Water Division No. 3 for All Irrigation Water Rights

Rule 11 Subdistrict's Proposed ARP

11.1. A Subdistrict with an approved Groundwater Management Plan must submit to the State and Division Engineers a proposed ARP that includes the following:

11.1.1 A database of all Wells to be covered by the ARP, which will be updated annually. The database of Subdistrict Wells will be provided in hard copy or electronic format, at the reasonable discretion of the State and Division Engineers and will include:

11.1.1.1 The structure identification number (WDID)

11.1.1.2 If no structure identification number has been assigned to a Subdistrict Well, the Subdistrict will furnish the following information: (See language in Rules court document).

11.1.1.3 A separate list of Subdistrict Wells with Plans for Augmentation

11.1.1.4 The total combined projected annual diversion for all Subdistrict Wells

11.1.1.5 The expected method(s) of irrigation, the combined projected number of acres irrigated by Wells included in the ARP, and the total projected acreage by each irrigation method

11.1.1.6 For non-irrigation Subdistrict Wells, a calculation of all projected withdrawals and projected Net Groundwater Consumptive Use

11.1.1.7 Any other data the Subdistrict deems necessary to support its projected Stream Depletions

11.1.1.8 Any other information required by the State and Division Engineers and reasonably necessary to evaluate the proposed ARP

11.1.2 The Subdistrict will submit projected Stream Depletions from the Wells covered by an ARP, in time, location, and amount based on the applicable Response Functions under Rule 7.3, along with the Response Functions or approved alternative methodology that complies with Rules 7.5 and 7.6.

11.1.3 The Subdistrict will submit a detailed description of how Injurious Stream Depletions from groundwater withdrawals by Wells included in the ARP will be replaced or Remedied, including:

11.1.3.1 The source, sufficiency, availability, and amounts of replacement water the Subdistrict will use to replace Injurious Stream Depletions during the term of the ARP and the Subdistrict's plan to replace or Remedy Injurious Stream Depletions occurring after the term of the ARP

11.1.4 The Subdistrict will also list and provide copies of any voluntary contractual arrangements among water users, water user associations, water conservancy districts, Subdistricts, and/or the Rio Grande Water Conservation District pursuant to which:

11.1.4.1 Water is added to the stream system to assist in meeting the Rio Grande Compact delivery schedules

11.1.4.2 Water is added to the stream system to replace or Remedy Injurious Stream Depletions resulting from the use of underground water

11.1.4.3 Subject to section 37-92-501(4)(a)(I)-(III), C.R.S., injury to senior surface water rights resulting from the use of underground water is Remedied by means other than by providing water to replace Injurious Stream Depletions

11.1.5 Information to document progress towards achieving and maintaining a Sustainable Water Supply, including:

11.1.5.1 Water levels, pressure levels, and/or groundwater withdrawals as appropriate

11.1.5.2 A listing of any irrigated acres proposed to be fallowed, whether those acres are temporarily or permanently fallowed, and the water rights associated with those proposed fallowed irrigated acres

11.1.5.3 A listing of water rights proposed to be temporarily or permanently retired and historical operations of each water right

11.1.5.4 Other proposed actions to be taken as applicable

Contents

INTRODUCTION	1
11.1.1 DATABASE OF ALL WELLS TO BE COVERD BY THE ARP	2
1. STRUCTURE IDENTIFICATION NUMBER (WDID).....	2
2. OTHER WELL INDENTIFICATION INFORMATION.....	2
3. SUBDISTRICT WELLS WITH PLANS FOR AUGMENTATION	2
4. TOTAL PROJECTED ANNUAL DIVERSION FOR ALL SUBDISTRICT ARP WELLS.....	3
5. EXPECTED METHODS OF IRRIGATION, THE COMBINED PROJECTED NUMBER OF ACRES IRRIGATED AND THE TOTAL PROJECTED ACREAGE BY EACH IRRIGATION METHOD	3
6. NON-IRRIGATION SUBDISTRICT WELLS – CALCULATION OF ALL PROJECTED WITHDRAWALS AND PROJECTED NET GROUNDWATER CONSUMPTIVE USE.....	3
7. OTHER DATA NECESSARY TO SUPPORT THE PROJECTED STREAM DEPLETIONS.....	4
8. OTHER INFORMATION REQUIRED BY THE STATE AND DIVISION ENGINEERS AND REASONABLY NECESSARY TO EVALUATE THE PROPOSED ARP.....	4
11.1.2 PROJECTED STREAM DEPLETIONS FROM THE WELLS COVERED BY THE ARP BASED ON THE APPLICABLE RESPONSE FUNCTIONS OR APPROVED ALTERNATIVE METHOD	4
1. 2026 STREAM FLOW FORECASTS – SAGUACHE AND NORTH CRESTONE CREEKS.....	4
2. PROJECTED PLAN YEAR STREAM DEPLETIONS.....	5
11.1.3 DESCRIPTION OF HOW INJURIOUS STREAM DEPLETIONS FROM GROUNDWATER WITHDRAWALS BY WELLS INCLUDED IN THE ARP WILL BE REPLACED OR REMEDIED	11
1. AMOUNTS AND SOURCES OF REPLACEMENT WATER FOR PLAN YEAR.....	11
2. AFTER ACQUIRED SOURCES OF REMEDY.....	12
3. OPERATION OF THE 2026 ANNUAL REPLACEMENT PLAN.....	12
4. ANTICIPATED FUNDING FOR PLAN YEAR	14

11.1.4 CONTRACTUAL ARRANGEMENTS AMONG WATER USERS, WATER USER ASSOCIATIONS, WATER CONSERVANCY DISTRICTS, SUBDISTRICTS, AND/OR THE RIO GRANDE WATER CONSERVATION DISTRICT..... 15

- 1. SUBDISTRICT NO. 5 MEMORANDUM OF UNDERSTANDING..... 15
- 2. WELL INJURY PAYMENT AGREEMENTS 15

11.1.5 DOCUMENTATION OF PROGRESS TOWARDS ACHIEVING AND MAINTAINING A SUSTAINABLE WATER SUPPLY 15

- 1. WATER LEVELS, PRESSURE LEVELS, AND/OR GROUNDWATER WITHDRAWALS..... 16
- 2. LISTING OF IRRIGATED ACRES PROPOSED TO BE TEMPORARILY OR PERMANENTLY FALLOWED AND ASSOCIATED WATER RIGHTS.... 16
- 3. LISTING OF WATER RIGHTS PROPOSED TO BE TEMPORARILY OR PERMANENTLY RETIRED AND HISTORICAL OPERATIONS OF EACH WATER RIGHT 16
- 4. OTHER PROPOSED ACTIONS TO BE TAKEN AS APPLICABLE 17

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Tables

- 1.1 Historical Subdistrict ARP Well Metered Pumping
- 1.2 Stream Flow Forecasts
- 2.1 Estimated Net Groundwater Consumptive Use
- 2.2 Estimated Historical and Projected Net Stream Depletions from Groundwater Withdrawals in Subdistrict No. 4
- 2.3 Estimated Historical and Projected Stream Depletions from Groundwater Withdrawals in Subdistrict No. 4
- 2.4 Subdistrict No. 4 Post-Plan Stream Depletions
- 3.1 Amounts and Sources of Replacement Water Acquired by Subdistrict No. 4
- 4.1 Subdistrict No. 4 Assessments to Fund ARP Operations

Appendices

- Appendix A Tabulation of Subdistrict ARP Wells
- Appendix B Contract Wells Documentation
- Appendix C NRCS Forecasts
- Appendix D Instruction Sheets: “How to Use the Application Workbook for a Subset (individual/group) of Wells” 9/23/2015) and “How to Adjust the Application Workbook for use with a Subset of Wells” (10/15/2015)
- Appendix E Well Injury Payment Agreements
- Appendix F Five Year Average Groundwater Withdrawals in Confined Aquifer Response Areas in Division No. 3; July 2024 Requirement of Division Groundwater Rules Section 8.1.5
- Appendix G Water Levels of Wells Used to Generate San Luis Creek Response Area Composite Water Head
- Appendix H Land and Water Rights Proposed to be Retired

Abbreviations

ARP Annual Replacement Plan

DWR	State of Colorado, Division of Water Resources
NRCS	Natural Resources Conservation Service
Plan Year	The period May 1, 2026 through April 30, 2027
PWM	Plan of Water Management
Response Functions	RFApplication_E_SanLuisCreek_6P98_V1.1
RGDSS	Rio Grande Decision Support System
RGWCD	Rio Grande Water Conservation District
Rule or Rules	Rules Governing the Withdrawal of Groundwater in Water Division No. 3 (the Rio Grande Basin) and Establishing Criteria for the Beginning and End of the Irrigation Season in Water Division No. 3 for All Irrigation Water Rights (2015CW3024)
SEO	State Engineer's Office
Subdistrict No. 4	Special Improvement District No. 4 of the Rio Grande Water Conservation District
Subdistrict Wells	Wells Benefitting Subdistrict No. 4 lands
SWSP	Substitute Water Supply Plan
WDID	Water District Structure Identification Number

INTRODUCTION

The purpose of this report is to satisfy the requirements for an ARP for the Plan Year under the provisions of the PWM for Subdistrict No. 4, approved without objection on March 13th, 2020. Further, the ARP has been prepared in accordance with the requirements of the State Engineer and the Rules Governing the Withdrawal of Groundwater in Water Division No. 3 (the Rio Grande Basin) and Establishing Criteria for the Beginning and End of the Irrigation Season in Water Division No. 3 for All Irrigation Water Rights (Groundwater Rules).

As required by the Groundwater Rules, this report includes information necessary for the State Engineer and Subdistrict No. 4 staff to project stream depletions attributable to Subdistrict No. 4 Wells and Contract Wells (ARP Wells), as those terms are defined in the PWM, and information to assess progress toward other PWM objectives. This ARP includes a series of tables prepared by Subdistrict No. 4 staff utilizing the most current version of the Response Functions to tabulate the location and quantities of stream depletions resulting from Subdistrict No. 4 ARP Well groundwater withdrawals.

This ARP describes a plan to replace or otherwise remedy injurious stream depletions caused by the withdrawal of groundwater from Subdistrict No. 4 ARP Wells and includes details of the portfolio to be used to replace or otherwise remedy those injurious stream depletions as identified by the DWR for the Plan Year.

11.1.1 DATABASE OF ALL WELLS TO BE COVERED BY THE ARP

1. STRUCTURE IDENTIFICATION NUMBER (WDID)

A comprehensive ARP Well List identifies the wells the Subdistrict is including in the ARP (“ARP Wells”) which are permitted to continue operating in accordance with the PWM and the Groundwater Rules. This ARP Well List is necessary for DWR to identify which wells the Subdistrict has included. Further, the ARP Well List is a required input into the RGDSS Groundwater Model and Response Functions.

Appendix A is the most current tabulation of the WDID for each well in the ARP Well List and the groundwater withdrawals of each ARP Well for the previous Water Administration Year. Each year, as Subdistrict Members report information for their farm plans, and additional data is accumulated from other sources regarding well use and ownership, the ARP Well List will be updated. Any reported changes are incorporated into the ARP Well List, if appropriate. Following the court’s approval of the Subdistrict, wells have been added, replaced or removed from the Subdistrict’s ARP Well List.

Appendix A lists **154** ARP Wells for 2026, the majority included in the Subdistrict by petition when the Subdistrict was formed July 21, 2017. The ARP Well List has been updated for 2026. One contract and well approved by the Subdistrict has been removed from the well list after being removed by the owner. This well is WDID 2505183. One WDID, 2605980, was included in some of the 2024 ARP tables by mistake, this WDID has been removed from all tables. There are five wells that were previously contracted in the Subdistrict, but were removed, these are WDIDs 2505217, 2505222, 2505511, 2505537, and 2505183. The historic groundwater withdrawals from these wells are still included in the ARP response function calculations up to the year they were removed. Two additional wells (WDIDs 2505044 and 2505045) which are decreed solely as Alternate Points of Diversion for surface water rights were petitioned into the Subdistrict. These wells are included in the list of ARP wells. However, their metered withdrawals are not included in the Response Function calculations. A table with further details about each well which has an approved Subdistrict Participation Contract or Inclusion Agreement is included as Appendix B.

2. OTHER WELL IDENTIFICATION INFORMATION

The ARP Well List included with this ARP provides a WDID for all wells the Subdistrict has accepted as part of this ARP and, therefore, no additional well identification information is required by Rule 11.1.1.

3. SUBDISTRICT WELLS WITH PLANS FOR AUGMENTATION

Subdistrict No. 4’s ARP Well List may include wells that have court approved Plans for Augmentation. These wells are included in the Subdistrict’s ARP Well List, and their legally decreed groundwater withdrawals are not being remedied by an individual plan for augmentation. These wells are subject to Subdistrict No. 4 fees and Subdistrict No. 4 will remedy injurious stream depletions and post-plan injurious stream depletions attributable to the well’s

total groundwater withdrawals as part of this ARP.

4. TOTAL PROJECTED ANNUAL DIVERSION FOR ALL SUBDISTRICT ARP WELLS

The 2024 Water Administration Year metered groundwater withdrawals reported to DWR as of April 10, 2026, for all wells included in the ARP Well List are **8,715** acre-feet.

Table 1.1
Historical Subdistrict ARP Well Metered Pumping
 (units in acre-feet)

2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
12,893	13,491	11,748	13,135	9,236	11,151	12,027	12,014	9,682	10,079	10,324	7,889
2023	2024										
11,198	8,715										

The projection of 2026 ARP Well groundwater withdrawals was made by reviewing past years with actual stream flows comparable to those being forecast for 2026 and considering the management of Subdistrict wells in those years. ARP Well groundwater withdrawals in those years were also reviewed. The stream flows and antecedent conditions in 2023 in the northern San Luis Valley were comparable to the 2026 forecast. The groundwater withdrawals in 2023 were greater than other recent years, and that year was chosen. In that year, Subdistrict ARP Wells withdrew an estimated 11,198 acre-feet. Using this comparison, the Subdistrict ARP Well groundwater withdrawals in 2026 are projected to be **11,198** acre-feet.

5. EXPECTED METHODS OF IRRIGATION, THE COMBINED PROJECTED NUMBER OF ACRES IRRIGATED AND THE TOTAL PROJECTED ACREAGE BY EACH IRRIGATION METHOD

It is projected that the vast majority of metered groundwater withdrawals in the Plan Year will be used for irrigation through center pivot sprinklers. Approximately 11 percent and 13 percent of groundwater withdrawals from ARP Wells will be applied to flood irrigation and other uses, respectively.

Wells included in the ARP Well List are projected to irrigate approximately 12,000 acres during the Plan Year. Of the total projected irrigated acres, it is estimated 8,000 acres will be irrigated by center pivot sprinklers and 4,000 acres will be irrigated by flood application in the San Luis Creek Response Area. This estimate is made based on a review of the breakdown of acres in the Rio Grande Water Conservation District’s annual Irrigated Ag Census and a review of the wells being included by Participation Contracts or Inclusion Agreements.

6. NON-IRRIGATION SUBDISTRICT WELLS – CALCULATION OF ALL PROJECTED WITHDRAWALS AND PROJECTED NET GROUNDWATER CONSUMPTIVE USE

Included in the ARP Well List are a number of wells with beneficial uses other than irrigation. The Subdistrict utilized information provided by DWR to calculate the consumptive use rates used in the RGDSS Model to calculate stream impacts and returns. Beneficial uses include municipal, domestic, commercial, industrial and fish. A spreadsheet was prepared by the Subdistrict to calculate the composite Consumptive Use Ratio that is a necessary input in the Response Functions. A spreadsheet of the calculation prepared for use in the 2026 ARP will be submitted with this ARP.

7. OTHER DATA NECESSARY TO SUPPORT THE PROJECTED STREAM DEPLETIONS

No additional data is being provided.

8. OTHER INFORMATION REQUIRED BY THE STATE AND DIVISION ENGINEERS AND REASONABLY NECESSARY TO EVALUATE THE PROPOSED ARP

The Subdistrict will provide the DWR with an electronic copy of the Response Functions used in this ARP at the same time they submit the ARP for review and approval.

Additional supplemental information that is generally used by DWR in their evaluation of the ARP is also being included with the submission. The supplemental information being provided to the State Engineer includes:

1. Resolution from RGWCD approving the Subdistrict 2026 ARP.
2. The list of Subdistrict Wells included in the 2026 ARP in spreadsheet format matching the list presented in Appendix A
3. Spreadsheet of the Subdistrict's breakdown of "Other" wells used to calculate the composite Consumptive Use Ratio in the Response Functions.

11.1.2 PROJECTED STREAM DEPLETIONS FROM THE WELLS COVERED BY THE ARP BASED ON THE APPLICABLE RESPONSE FUNCTIONS OR APPROVED ALTERNATIVE METHOD

The purpose of this section is to present the data utilized to project stream depletions to San Luis and Crestone Creeks as a result of the groundwater withdrawals from Subdistrict No. 4 ARP Wells for the Plan Year. The Response Functions' outputs identify total projected stream depletions for the Plan Year, a breakdown of the monthly stream depletions for the Plan Year for each of the reaches on San Luis and Crestone Creeks and a projection of the Post-Plan Stream Depletions calculated as a result of the predicted Plan Year groundwater withdrawals from Subdistrict No. 4 ARP Wells. Subdistrict No. 4 was directed by DWR to use the current 6P98 Response Functions to calculate projected stream depletions for this ARP.

1. 2026 STREAM FLOW FORECASTS – SAGUACHE AND NORTH CRESTONE

CREEKS

The stream flows for Saguache Creek and North Crestone Creek are used in the Response Function to determine stream depletions caused by ARP Wells. The April-September flows are used for Saguache Creek and the January-December flows are used for North Crestone Creek. The NRCS's April 1, 2026 Water Supply Forecast for Saguache Creek is 19,900 acre-feet from April to September at the 50% chance of exceedance level. For North Crestone Creek, a comparison of the percent of the median streamflow between 1991-2020 and the percent of median forecast for Saguache Creek was used. The forecast for Saguache Creek was at 71% of median, which resulted in a projected stream flow of 5,800 acre-feet for North Crestone Creek. This information was utilized in the Response Functions to project stream depletions caused by groundwater withdrawals from Subdistrict ARP Wells for the Plan Year.

Table 1.2
Stream Flow Forecasts

Stream	Forecast Source	Analysis Date	Apr-Sep Forecast (acre-feet)	% of med	Chance of Exceedance
Saguache Creek	NRCS	Apr 1, 2026	19,900	71	50%
North Crestone Creek	RGWCD	Apr 10, 2026	5,800		

A copy of the NRCS April 1, 2026 Forecast is attached as Appendix C.

2. PROJECTED PLAN YEAR STREAM DEPLETIONS

Subdistrict No. 4 staff were instructed by the State Engineer's Office to predict stream depletions to the affected streams caused by groundwater withdrawals from ARP Wells utilizing the response functions developed for the San Luis Creek Response Area under the RGDSS Groundwater Model Phase 6P98. For the Plan Year, stream depletions attributable to the groundwater withdrawals from ARP Wells were calculated using these Response Functions.

The Response Functions spreadsheet was built to be used for the whole Response Area. Two instruction sheets were prepared by DWR for additional inputs to the Response Functions when there is a need to use it for individual or a group of wells. The instruction sheet, "How to Use the Application Workbook for a Subset (individual/group) of Wells" (9/23/2015), describes how to adjust the spreadsheet inputs to stream reaches that have been modeled with point source returns to streams. The instruction sheet, "How to Adjust the Application Workbook for use with a Subset of Wells" (10/15/2015), describes how to use the "Ratio Method" for Response Areas where it is necessary to apply this method. Both instruction sheets are included as Appendix D.

The first step in using the current 6P98 Response Functions is to input data for the whole Response Area, i.e., historical groundwater withdrawals for sprinkler irrigation, flood irrigation, "other" pumping with corresponding "other" consumptive use ratios for the years 2011 through 2024. The Subdistrict currently consists of nearly, if not all, 100% of the wells operating in the Response Area and the ARP Well List withdrawals were used for the whole Response Area.

The San Luis Creek Response Area requires adjustments for point source return flows and the stream ratios, as listed below.

- San Luis Creek Response Area - Reach 2 (Crestone Creek) from the Town of Crestone and the Baca Water and Sanitation District
- San Luis: Reach 1 Calculations Ratio and Reach 2 Calculations Ratio

Using the whole Response Area results, adjustments are made on appropriate pages of the Response Function spreadsheet. The Subdistrict ARP Wells do include the Town of Crestone and the Baca Water and Sanitation District point source return flows, therefore, point source return flows were not adjusted in the spreadsheet.

The next step was to calculate stream depletions by updating the Response Functions table contained in Table 2.1 to derive the annual net groundwater consumptive use. The consumptive use ratios for sprinkler and flood irrigation used in the RGDSS Model are standard factors of 83% and 60%, respectively. The consumptive use ratio for “other” wells is specific to the uses of those wells and can vary widely. The “Other Consumptive Use Ratio” for the whole Response Area is a composite derived from the individual well withdrawals and consumptive uses. The Subdistrict prepared a separate spreadsheet of “other” wells included in the Subdistrict ARP Well List to show the individual well groundwater withdrawals and consumptive use factors used to explain how the composite ratios were determined for the subset of wells represented in Table 2.1 of the ARP.

Historical groundwater withdrawal values for wells included in the ARP Well List were entered in Table 2.1 for years 2011 through 2024. Projected groundwater withdrawal values were used for 2026. The Subdistrict has no Recharge that Offsets Groundwater for calculation of the Net Groundwater Consumptive Use.

Notes at the bottom of Table 2.1 provide a description of the calculations within this table.

**Table 2.1
Estimated Net Groundwater Consumptive Use
(Units in acre-feet)**

Year	ARP Well Groundwater Withdrawals					Recharge that Offsets Groundwater				Net Groundwater Consumptive Use
	Irrigation Withdrawals to Center Pivots	Irrigation Withdrawals to Flood Irrigation	Other Withdrawals	Other Consumptive Use Ratio	Groundwater Consumption	Recharge Source 1	Recharge Source 2	Other Recharge Offsets	Total	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
2011	9,743	1,499	1,651	60.1%	9,977	0	0	0	0	9,977
2012	10,097	1,497	1,897	59.4%	10,406	0	0	0	0	10,406
2013	8,664	1,205	1,879	70.7%	9,243	0	0	0	0	9,243
2014	9,537	1,908	1,690	59.8%	10,070	0	0	0	0	10,070
2015	6,426	1,220	1,591	60.3%	7,025	0	0	0	0	7,025

2016	8,382	1,160	1,609	61.5%	8,643	0	0	0	0	8,643
2017	9,618	898	1,512	61.9%	9,457	0	0	0	0	9,457
2018	9,378	1,241	1,395	60.9%	9,378	0	0	0	0	9,378
2019	7,052	1,040	1,590	60.0%	7,431	0	0	0	0	7,431
2020	7,885	1,030	1,163	61.8%	7,882	0	0	0	0	7,882
2021	8,272	862	1,200	63.5%	8,144	0	0	0	0	8,144
2022	5,018	1,274	1,340	66.6%	5,822	0	0	0	0	5,822
2023	8,605	1,213	1,380	60.5%	8,705	0	0	0	0	8,705
2024	6,704	952	1,059	63.6%	6,809	0	0	0	0	6,809
2025	8,605	1,213	1,380	60.5%	8,705					8,705
Avg	8,266	1,214	1,489	0.62	8,513	0	0	0	0	8,513

Explanation of Columns

- (1) Calendar Year
- (2) Determined from metered groundwater withdrawals
- (3) Determined from metered groundwater withdrawals
- (4) Determined from metered groundwater withdrawals
- (5) Estimated based on operations metered in Col4
- (6) Calculated as $0.83 \times \text{Col2} + 0.60 \times \text{Col3} + \text{Col4} \times \text{Col5}$
(0.83 and 0.60 are the consumptive use ratios of total groundwater withdrawals associated with sprinkler and flood irrigation practices, respectively)
- (7) - (9) Not applicable to the Rio Grande Alluvial Response Area
- (10) Calculated as $\text{Col7} + \text{Col8} + \text{Col9}$
- (11) Calculated as $\text{Col6} - \text{Col10}$

Wells that are added or deleted to the ARP Well List affect historical groundwater withdrawals figures as follows:

- Any wells that are added to the ARP will have their historical groundwater withdrawals included
- Any wells that are deleted from the ARP will have their historical groundwater withdrawals included in the groundwater withdrawals until the year that the wells are deleted
- If any wells that were deleted from a previous ARP list are added back in, any historical groundwater withdrawals from the years they were not included will have to be included in the groundwater withdrawals

The projected Net Groundwater Consumptive Use for the Plan Year is **8,705 acre-feet** as shown in Table 2.1.

The Net Groundwater Consumptive Use for 2026 derived in Table 2.1 above is then input into the Response Function table contained in Table 2.2 in Column 3 in the row for 2026 to calculate projected stream depletions for the current Plan Year and into the future. The projected annual stream depletions resulting from the groundwater withdrawals of the wells included in the ARP Well list for the respective reaches and the total are shown in Columns 4 through 7.

Table 2.2
Estimated Historical and Projected Net Stream Depletions from
Groundwater Withdrawals in Subdistrict No. 4
(Units in acre-feet)

Year	Saguache Creek near Saguache (Apr-Sep) (3)	Net Groundwater Consumptive Use (Jan-Dec)	San Luis Creek below Arthur Young and	Crestone Creek	Total

			Kerber Creek		
(1)	(2)	(3)	(4)	(5)	(6)
1970	54,768	7,318	792	136	928
1971	23,383	6,864	684	-2	682
1972	22,122	7,830	656	-1	655
1973	45,059	6,141	794	109	903
1974	16,475	8,177	659	0	659
1975	39,192	6,308	758	128	886
1976	27,709	6,975	832	101	933
1977	12,714	7,992	677	-17	660
1978	18,966	7,236	670	1	671
1979	46,767	7,879	782	135	917
1980	36,905	7,981	857	128	985
1981	13,833	7,409	664	128	792
1982	36,492	7,176	845	126	971
1983	50,337	6,877	805	137	942
1984	59,158	8,212	814	139	953
1985	55,074	7,530	822	144	966
1986	44,028	7,396	823	133	956
1987	67,461	7,940	840	144	984
1988	22,346	7,835	717	127	844
1989	20,759	8,053	687	8	695
1990	27,182	7,434	855	146	1,001
1991	28,418	7,363	850	133	983
1992	26,244	6,547	851	142	993
1993	37,099	7,348	881	143	1,024
1994	21,628	8,430	697	143	840
1995	48,385	7,151	839	125	964
1996	19,036	8,142	687	8	695
1997	34,547	7,701	881	148	1,029
1998	36,625	11,375	921	158	1,079
1999	46,358	9,339	927	147	1,074
2000	21,953	12,163	812	28	840
2001	39,690	10,491	1,020	181	1,201
2002	7,687	12,028	890	63	953
2003	16,142	8,095	885	235	1,120
2004	25,585	7,524	854	247	1,101
2005	29,294	7,833	1,098	156	1,254
2006	21,283	7,754	871	20	891
2007	39,634	7,776	989	189	1,178
2008	31,611	8,579	1,020	168	1,188
2009	30,123	7,618	987	171	1,158
2010	27,043	8,500	993	154	1,147
2011	20,719	9,977	793	-3	790
2012	15,267	10,406	798	4	802

2013	19,646	9,243	788	121	909
2014	35,942	10,070	1,000	136	1,136
2015	47,499	7,025	952	175	1,127
2016	47,628	8,643	967	179	1,146
2017	40,692	9,457	995	165	1,160
2018	11,761	9,378	832	14	846
2019	50,913	7,431	991	125	1,116
2020	16,713	7,882	796	11	807
2021	27,464	8,144	986	114	1,100
2022	24,593	5,822	747	1	748
2023	34,598	8,705	908	107	1,015
2024	28,529	6,809	934	95	1,029
2025	19,900	8,705	672	35	707
2026			749	209	958
2027			643	180	823
2028			551	154	705
2029			464	131	595
2030			374	107	481
2031			298	85	383
2032			212	65	277
2033			127	40	167
2034			38	18	56
2035			0	0	0
2036			0	0	0
2037			0	0	0
2038			0	0	0
2039			0	0	0
2040			0	0	0
Avg 2001-2015	27,144	8,861	930	118	1,047
Avg 2001- 2010	26,809	8,620	961	133	1,094
Post Plan			5,062	1,119	6,181

a) Estimated net stream depletions shown in this table are greater than the stream depletions that potentially cause injury to surface water rights.

Explanation of Columns

- (1) Year
- (2) Saguache Creek near Saguache Gage streamflow in acre-feet for the NRCS streamflow forecast period of April through September.
- (3) Net Groundwater Consumptive Use (NetGWCU) for January through December. NetGWCU values for 2001 through 2010 were taken from the RGDSS Groundwater Model output. NetGWCU values for 2011 through 2024 were calculated using well meter data.
- (4) Net Stream Depletions in San Luis Creek below the Arthur Young Ditch and Kerber Creek for the plan year (May through April) in acre-feet.
- (5) Net Stream Depletions in Crestone Creek for the plan year (May through April) in acre-feet.
- (6) Total Net Stream Depletions columns (4+5) in acre-feet.

Table 2.3 is an output from the Response Functions that calculates the annual total stream depletions and monthly replacement obligations for San Luis and Crestone Creeks. This table lists the Plan Year stream depletions as required under the Groundwater Rules.

Table 2.3
Subdistrict No. 4 Monthly Stream Depletions for Plan Year

(Units in acre-feet)

Stream Reach	San Luis Creek Response Area Total												
	2026								2027				Total
	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
San Luis Creek below Arthur Young and Kerber Creek	29.8	5.1	1.5	1.4	1.5	1.6	19.5	108.0	148.7	123.1	124.5	107.0	671.7
Crestone Creek	-6.4	-11.6	-13.9	-4.3	6.3	9.7	-11.1	-4.9	22.5	23.0	19.8	5.4	34.6
	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
Total	23.3	-6.5	-12.4	-2.9	7.8	11.3	8.4	103.1	171.2	146.1	144.4	112.4	706.2

Explanation of Columns

- (1) Stream reach
- (2) - (13) Monthly Stream Depletions in acre-feet
- (14) Total Plan Year Stream Depletions in acre-feet

As indicated in the lower right-hand corner of Table 2.3, the Response Functions calculated total stream depletions to San Luis and Crestone Creeks during the Plan Year, due to both past ARP Well groundwater withdrawals and the Plan Year ARP Well groundwater withdrawals, are **706.2** acre-feet. The Response Functions calculated total stream depletions to the San Luis Creek are **671.7** acre-feet and to Crestone Creek are **34.6** acre-feet. The locations of the stream depletions and monthly quantities are also tabulated in Table 2.3.

According to the RGDSS Groundwater Model, if the wells included in the Subdistrict’s ARP Well List were shut off today, there would be a continuing depletion to the river for approximately 10 years. This is the calculated time required to recover to conditions that existed before groundwater withdrawals started. The volume of water required to replace stream depletions during this recovery period is called Post-Plan Stream Depletions. Based on predictions from the Response Functions, Table 2.4 shows there would be a total of **4,596** acre-feet of Post-Plan Stream Depletions. The portion of the total Post-Plan Stream Depletions impacting each of the two designated reaches of the creeks are also included in the table.

Table 2.4
Subdistrict No. 4 Post-Plan Stream Depletions
(Units in acre-feet)

Years (May-Apr)	San Luis Creek below Arthur Young and Kerber Creek	Crestone Creek			Total
2027-2044	3,456	989			4,445

11.1.3 DESCRIPTION OF HOW INJURIOUS STREAM DEPLETIONS FROM GROUNDWATER WITHDRAWALS BY WELLS INCLUDED IN THE ARP WILL BE REPLACED OR REMEDIED

1. AMOUNTS AND SOURCES OF REPLACEMENT WATER FOR PLAN YEAR

Table 3.1 shows the amounts and sources of replacement water that will be available to replace injurious stream depletions as directed by the Division Engineer of Water Division No. 3.

**Table 3.1
Amounts and Sources of Replacement Water Acquired by Subdistrict No. 4**

San Luis Creek Replacement Sources					
On Call-Irrigation Season					
Well Injury Payment Agreements	Agreement Limits (1)	Expected Yield	Source of Diversion		Special Conditions
Wells Kerber Ditch	No limit		Kerber Creek		
Wells North Ditch	No Limit		Kerber Creek		
San Luis Co Ditch	No limit		San Luis Creek		
Schultz Dittrich Ditch	No limit		San Luis Creek		
Schultz Dittrich Ditch No. 2	No limit		San Luis Creek		
Dittrich Steel Ditch	No limit		San Luis Creek		Pending Signature
Steel Ditch No. 2	No limit		San Luis Creek		Pending Signature
Clayton Ditch F and G	No limit		Kerber Creek		
Schultz Dittrich No. 14 Ditch	No limit		San Luis Creek		Pending Signature
Clayton Ditch D	No limit		Kerber Creek		
Clayton Old Channel Ditch	No limit		Kerber Creek		
Cody Ditch	No limit		Kerber Creek		
Greer Ditch No. 1	No limit		San Luis Creek		
Daniels Fish Arroya Ditch	No limit		Kerber Creek		
Kennedy Ditch	No limit		San Luis Creek		
Squires Ditch	No limit		San Luis Creek		
Greer Ditch No. 2	No limit		San Luis Creek		
Tobler Ditch	No limit		San Luis Creek		
Tobler Rominger Ditch	No limit		San Luis Creek		
Greer Ditch No. 3	No limit		San Luis Creek		
Clayton Ditch ABC	No limit		Kelly Creek		
Clayton Ditch ABC ALT	No limit		Kelly Creek		
Goodwin Hamby Ditch	No limit		Kerber Creek		
Daniels Fish Ditch No. 4	No limit		Kerber Creek		
White Ditch	No limit		Kerber Creek		
Schilling Ditch	No Limit		San Luis Creek		
Hall Ditch No. 1	No Limit		Kerber Creek		

1920 Ditch	No Limit		Kerber Creek		
On Call Water-Irrigation Season		>147.9			

Crestone Creek Replacement Sources					
On Call-Irrigation Season					
Well Injury Payment Agreements	Agreement Limits (1)	Expected Yield	Source of Diversion		Special Conditions
Cedars Ditch	No Limit		N. Crestone Creek		
Charles Ditch	No Limit		N. Crestone Creek		
Gash Ditch	No Limit		N. Crestone Creek		
Allen Ditch	No Limit		N. Crestone Creek		
Allen Ditch No. 1	No Limit		N. Crestone Creek		
Baca Grant No. 4 Irrigating Ditch No. 10	No Limit		N. Crestone Creek		
Baca Grant No. 4 Irrigating Ditch No. 11	No Limit		N. Crestone Creek		
Baca Grant No. 4 Irrigating Ditch No. 12	No Limit		N. Crestone Creek		
Baca Grant No. 4 Irrigating Ditch No. 13	No Limit		N. Crestone Creek		
Baca Grant No. 4 Irrigating Ditch No. 3	No Limit		N. Crestone Creek		
Baca Grant No. 4 Irrigating Ditch No. 4	No Limit		S. Crestone Creek		
Baca Grant No. 4 Irrigating Ditch No. 5	No Limit		N. Crestone Creek		
Baca Grant No. 4 Irrigating Ditch No. 6	No Limit		N. Crestone Creek		
Baca Grant No. 4 Irrigating Ditch No. 7	No Limit		N. Crestone Creek		
Baca Grant No. 4 Irrigating Ditch No. 8	No Limit		S. Crestone Creek		
Baca Grant No. 4 Irrigating Ditch No. 9	No Limit		N. Crestone Creek		
On Call Water-Irrigation Season		>21.4			

2. AFTER ACQUIRED SOURCES OF REMEDY

Although Subdistrict No. 4 acknowledges that DWR cannot consider sources or remedy acquired after the submission of this ARP in evaluating the adequacy of the ARP, the Subdistrict will continue to work to acquire additional sources of remedy and/or Well Injury Payment Agreements, and may, with approval from the Division Engineer, use those sources to remedy injury under this ARP.

3. OPERATION OF THE 2026 ANNUAL REPLACEMENT PLAN

As shown in Table 3.1 above, Subdistrict No. 4 has implemented Well Injury Payment Agreements with a number of ditches located on Kerber, San Luis, and Crestone Creeks for the Plan Year. In its sole discretion, the Subdistrict will exercise these agreements, with the exception of those agreements that require the Subdistrict must honor the Well Injury Payment Agreement, if the Ditch is the calling right. The Subdistrict reviewed stream flows on the San Luis Creek system and Crestone Creek for the current and past years and used the peak and average flows to calculate the percent of priorities that have agreed to Well Injury Payment Agreements for the Plan Year within those stream flow ranges to determine the anticipated acre-feet that will be remedied by Well Injury Payment Agreements on each creek. Subdistrict No. 4 has secured Well Injury Payment Agreements with all of the water rights owners on Crestone

Creek with water rights senior to the wells. On the San Luis Creek system Well Injury Payment Agreements have been made for priority no.'s 1 through 36. Given the expected steam flows in 2026 and the historical administration of the creek, it is reasonable to assume the calling priority will be senior to Priority No. 36. Water diverted under Priority No. 33 in the San Luis Company Ditch cannot physically reach its decreed location of use, so a call on this priority would not be honored. Subdistrict No. 4 staff estimates, based on this analysis, these agreements will remedy a total of **147.9** acre-feet during the Plan Year.

After submittal of this ARP, Subdistrict No. 4 staff will work with DWR to establish an understanding as to the hierarchy for the use of individual sources of remedy by stream.

As specified in this ARP, several ditches have entered into Well Injury Payment Agreements with Subdistrict No. 4 to remedy injurious stream depletions during the Plan Year, if needed. Some of these same ditches may be approached to consider long-term or permanent Well Injury Payment Agreements for the future.

The Response Functions did not predict stream depletions caused by the withdrawal of groundwater by ARP Wells to streams other than San Luis and Crestone Creeks in amounts above the minimum threshold to reliably predict injury. Therefore, Subdistrict No. 4 is not required to make replacements to any stream other than San Luis and Crestone Creeks.

At times when there is a monthly, negative depletion in a stream reach, Subdistrict No. 4 anticipates they will make a request to the Division No. 3 Division Engineer that he allow Subdistrict No. 4 to aggregate that negative depletion amount in one reach, either upstream or downstream, against a positive depletion in another reach, when the opportunity exists under the protocol of DWR. Subdistrict No. 4 also anticipates they will make a request the Division No. 3 Division Engineer to allow Subdistrict No. 4 to aggregate a monthly, positive depletion with a negative depletion of another Subdistrict to offset the positive daily depletion Subdistrict No. 4 would otherwise have to replace or remedy when the opportunity exists under the protocol of DWR. A Memo of Understanding would be required before this offset could be allowed between subdistricts. The Subdistrict will not adopt any change until after approval by the Division No. 3 Division Engineer.

The Groundwater Rules require remedies sufficient to also remedy total Post-Plan Stream Depletions caused by current and past years' ARP Wells groundwater withdrawals that deplete the streams after the term of this ARP. Subdistrict No. 4 will continue to work diligently towards obtaining permanent and/or renewable supplies to remedy future injurious stream depletions caused by present or future groundwater withdrawals by Subdistrict ARP Wells.

The Response Functions utilized in the ARP demonstrate that post-plan impacts from past and present groundwater withdrawals by ARP Wells will fluctuate depending on climatic conditions effecting river flows on Saguache and Crestone Creeks. Section 4.1.5 of Subdistrict No. 4's PWM includes the provision, "the Subdistrict may continue to assess fees until all Post-Plan Injurious Stream Depletions caused by past groundwater withdrawals from Subdistrict Wells have been remedied." This allows Subdistrict No. 4 to provide a financial guarantee to assure that all Post-Plan Injurious Stream Depletions will be replaced or otherwise remedied if

Subdistrict No. 4 were to fail or otherwise not be allowed to continue groundwater withdrawals. Subdistrict No. 4 will continue to acquire replacement water for replacing current injurious stream depletions to the impacted streams and also for Post-Plan Injurious Stream Depletions as calculated by the RGDSS Groundwater Model and deemed necessary by DWR and other long-term or permanent remedies, as appropriate.

If Subdistrict No. 4 were to fail, the individual well owners in Subdistrict No. 4 would have to obtain plans for augmentation or take other measures to comply with the Groundwater Rules. Presumably, those plans would be required to replace these Post-Plan Injurious Stream Depletions into the future. In the interim, Subdistrict No. 4 or the Rio Grande Water Conservation District will remedy those Post-Plan Injurious Stream Depletions by supplying water or through agreements of the type contemplated by Colo. Rev. Stat. § 37-92-501(4)(b)(I)(B), pursuant to which injury to water rights is remedied by means other than providing water to replace stream depletions.

4. ANTICIPATED FUNDING FOR PLAN YEAR

Subdistrict No. 4 has approved the creation of a Water Activity Enterprise. The Subdistrict assesses two separate fees to those Subdistrict ARP Well owners that are benefited from the activities of Subdistrict No. 4. These fees are as follows:

- a. Administrative Fee: This fee is assessed to offset the cost of administering the PWM and ARP.
- b. Groundwater Withdrawal Fee: This fee is assessed in two parts per acre-foot of groundwater withdrawn from ARP Wells. This fee is set every year by the Board of Managers in an amount necessary to purchase replacement water or other sources of replacement to offset injury to those senior water rights caused by Subdistrict No. 4 ARP Wells groundwater withdrawals, to fund programs to comply with the sustainable water supply requirements of the Groundwater Rules, and to fund additional programs Subdistrict No. 4 may deem necessary to meet its goals and objectives.

The fees are set by the Board of Managers and certified in December of each year to the Saguache County treasurers to be included on their tax rolls. The county treasurers collect these fees and remit them to the Subdistrict on a monthly basis in the following calendar year.

For 2024, the Groundwater Withdrawal Fee was assessed in two parts: for every acre-foot of groundwater withdrawn by ARP Wells was assessed \$13.16 to fund Well Injury Payments and purchase or lease replacement water, each acre-foot of groundwater withdrawn by ARP wells was assessed an additional \$14.36 to fund sustainability programs of the Subdistrict. For 2024, the Administrative Fee was set at \$719.78 per well. The total 2024 Subdistrict No. 4 assessments which were invoiced and are to be collected in 2026 are:

Table 4.1

Subdistrict No. 4 Assessments to Fund ARP Operations

Fee Type	Amount of 2024 Assessments
Administrative Fees	\$ 92,131.85
Groundwater Withdrawal Fees	\$ 215,937.62

11.1.4 CONTRACTUAL ARRANGEMENTS AMONG WATER USERS, WATER USER ASSOCIATIONS, WATER CONSERVANCY DISTRICTS, SUBDISTRICTS, AND/OR THE RIO GRANDE WATER CONSERVATION DISTRICT

1. SUBDISTRICT NO. 5 MEMORANDUM OF UNDERSTANDING

Subdistrict No. 4 has signed a Memorandum of Understanding, whereby they have agreed to provide a remedy for injurious stream depletions to San Luis Creek for Subdistrict No. 5. Subdistrict No. 5 will be responsible for determining their monthly depletions to San Luis Creek. On days when the calling water right does not have a Well Injury Payment with the Subdistricts, Subdistrict No. 4 will be responsible for providing replacement water in an amount equal to the sum of depletions from Subdistrict No. 4 and Subdistrict No. 5.

2. WELL INJURY PAYMENT AGREEMENTS

Well Injury Payment Agreements have been reached with a multitude of ditches, copies of which are included in Appendix E along with a summary of the details of each agreement. Pursuant to section 37-92-501(4)(b)(I)(B), C.R.S., Subdistrict No. 4 has reached agreements with these ditches whereby they accept that, subject to the specific provisions of the forbearance agreement, injury to their water rights resulting from the use of groundwater by ARP Wells may be remedied by means other than providing water to replace stream depletions, when they are the calling right on the San Luis Creek system or Crestone Creek. The expected yield of these agreements is as shown above in Table 3.1. See Appendix E for documentation of these Well Injury Payment Agreements.

11.1.5 DOCUMENTATION OF PROGRESS TOWARDS ACHIEVING AND MAINTAINING A SUSTAINABLE WATER SUPPLY

Rule 8.1.7 of the Groundwater Rules includes provisions for meeting the requirements for achieving and maintaining a Sustainable Water Supply in the confined aquifer. Per the State Engineer's approval letter for the PWM, dated March 13th, 2020, the San Luis Creek Response Area five-year running average groundwater withdrawals were above the 1978-2000 average groundwater withdrawals for the San Luis Creek Response Area with a five-year average of 11,994 acre-feet (for the period 2014-2018). Per the July 1, 2024, memo from the State Engineer, Five Year Groundwater Withdrawals in Confined Aquifer Response Area in Division 3: July 2024 Requirement of Division 3 Groundwater Rules Section 8.1.5, the 2019-2023 five-year average groundwater withdrawals for the San Luis Creek Response Area was 10,351 acre-feet. It

is anticipated that the five-year average will decrease when the 2019 withdrawals of 10,203 acre-feet are removed and the lower Response Area withdrawals for 2024 are included. Although there will likely be a decrease, the five-year average for the San Luis Creek Response Area will still remain close to the 1978-2000 average groundwater withdrawals and be close to the average that was calculated at the time the Subdistrict's PWM was approved. The State Engineer's memo is included in Appendix F.

Subdistrict metered groundwater withdrawals account for approximately 99.6 percent of the total metered groundwater withdrawals annually over the period 2011-2024 in the San Luis Creek Response Area. Based on this calculation and the trends of both the San Luis Creek Response Area and the Subdistrict's five-year average, the Subdistrict will continue to monitor its progress towards reaching compliance with the Sustainable Water Supply Requirement of the Rules. To ensure the Subdistrict will be able to come into compliance with the Sustainable Water Supply Requirement of the Rules each acre-foot of groundwater withdrawals was assessed \$14.36 to fund sustainability programs.

1. WATER LEVELS, PRESSURE LEVELS, AND/OR GROUNDWATER WITHDRAWALS

Included as Appendix G is a chart which includes the water level measurements obtained in March of each year for the wells used by DWR to calculate the Composite Water Head for the San Luis Creek Response Area. Also included in Appendix G is the State Engineer's memo dated July 1, 2024, regarding the Composite Water Head for Confined Aquifer Response Area in Division 3: July 2024 Requirement of Division 3 Groundwater Rules Section 8.1.4.

2. LISTING OF IRRIGATED ACRES PROPOSED TO BE TEMPORARILY OR PERMANENTLY FALLOWED AND ASSOCIATED WATER RIGHTS

The Board of Managers included language in the PWM to continue to monitor groundwater withdrawals for the purpose of meeting the Sustainable Water Supply requirements in the Groundwater Rules and to propose remedies, if necessary, as part of the ARP process. However, the Board of Managers recognized the need to come into compliance with the Sustainable Water Supply Requirement of the Rules. For that reason, Subdistrict No. 4 purchased twelve center pivot irrigated quarter sections with the goal of permanently retiring them from irrigation. In 2023 and 2024, three quarters were planted into a permanent drought tolerant cover each year and in 2026 three more quarters will be planted. The retirement of these twelve quarters will be completed over the course of the next four years. It is anticipated that the cessation of irrigation on these twelve quarters will maintain the Subdistrict's groundwater withdrawals within the limits set by the Groundwater Rules. A description of these lands, water rights, and the retirement plan is included in Appendix H.

3. LISTING OF WATER RIGHTS PROPOSED TO BE TEMPORARILY OR PERMANENTLY RETIRED AND HISTORICAL OPERATIONS OF EACH WATER RIGHT

At this time, the Subdistrict has purchased water rights that are to be permanently retired.

However, the retirement of these water rights has not yet occurred. The water rights that will be retired are thirteen irrigation wells which have historically irrigated twelve center pivot sprinklers. These water rights are: (1) Well No. 4R, Case No. 90CW037; (2) Well No. 4A, Case No. 90CW037; (3) Well No. 1R, Case No. 90CW037; (4) Well No. 5R, Case No. W-3203; (5) Well No. 1A, Case No. W-3202; (6) Well No. 2R, Case No. 90CW037; (7) Well No. 3R, Case No. 90CW037; (8) Well No. 7R, Case No. 90CW037; (9) Well No. 2A, Case No. W-3202; (10) Well No. 6R, Case No. W-3203; (11) Well No. 2AA, Case No. W-3202; (12) Well No. 7A, Case No. W-3202; (13) Well No. 6A, Case No. W-3202. A description of these lands, water rights, and the retirement plan is included in Appendix H.

4. OTHER PROPOSED ACTIONS TO BE TAKEN AS APPLICABLE

The Subdistrict has no other proposed actions to be taken at this time.

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