

WATER EXCHANGE AGREEMENT MINOR USERS 0.69 ACRE-FEET TO 20 ACRE-FEET

Any and all prior agreements by PRID concerning the structure described herein are superseded and replaced by this Agreement. This Water Exchange Agreement is entered between the PINE RIVER IRRIGATION DISTRICT whose address is 13029 COUNTY ROAD 501, BAYFIELD, CO 81122 (hereafter the District), and Board of County Commissioners of La Plata County, whose mailing address is 1365 S. Camino del Rio, Durango CO 81303 and property address is See attached list of diversion points
Contact Person: Michael Canterbury (970)382-6414 (hereafter the Water User).

The District is willing to provide exchange water from the Vallecito Reservoir to the Water User for out of priority diversions as provided herein. THIS AGREEMENT IS ENTERED BY THE WATER USER TO SATISFY THE REQUIREMENTS OF THE DIVISION OF WATER RESOURCES, AND THE CONTRACT BETWEEN THE DISTRICT AND THE UNITED STATES, NO. 06-WC-40-710 (CONTRACT), AND IS A SERVICE PROVIDED TO THE WATER USER BY THE DISTRICT AND IS NOT A REQUIREMENT OF THE DISTRICT.

Type of structure: domestic well ___ commercial well ___ Per Well Permit: pond ___ surface area of pond ___ pump ___ Other (describe) See attached list of diversion points, water used for maintenance of county roads.

Permit# _____ Decree# _____

The property where the water is to be used is located in the ___ 1/4 ___ 1/4 of Section ___ Township ___ (N/S) Range ___ (N/) Subdivision ___ Lot No. ___ Parcel No. ___ Tax Account No. _____

This Agreement shall commence on the date that the Pine River Irrigation District signs and seals such Agreement. This Agreement shall automatically be renewed from year to year unless terminated in writing by the Water User prior to April 1 of any year or terminated by the District for failure to pay on a timely basis.

The water to be released under this Agreement shall not exceed nine (9.00) acre-feet of firm water per year and 0.00 acre-feet standby water per year. The releases shall be made to the Pine River as directed by the Division of Water Resources. Any water not released by November 1 of any year shall revert to the District and shall not be carried over to the next water year.

The Water User agrees to pay for the total firm water specified at the rate of three hundred fifty dollars (\$350.00) per acre-foot per year and fifty-two dollars (\$52.00) per acre-foot for specified standby water per year (as defined in the contract), plus a surcharge of 15% of the total cost of the firm and standby water which the District must pay to the United States. The fee for specified water shall be paid regardless of whether any water is actually used from the structure in any water year. Firm Municipal and Industrial water may be increased but not decreased if available. Standby Municipal and Industrial water may be increased or decreased if available. If it is determined by August 1 of the year the Water User will not use any or part of the Standby Water the District may use the Water for other purposes. On January 1 of the preceding water year, the District shall bill Water User the amount due, and the amount due shall be due upon receipt. In the event the amount due is not paid by April 1, then this Agreement may be terminated by the District and the Division of Water Resources shall be notified of the termination. The District may adjust the annual fee, minimum fee, and acre-foot fee with notice to the Water User prior to the beginning of any water year.

The Water User is responsible for obtaining any required permits and other approvals to construct the structure and to divert or to use water from the structure. The Division of Water Resources will require a meter on all wells and a measuring device on other structures. The Water User shall be required to read the meter and report water usage as required by the Division of Water Resources and the District. Failure to provide required meter reading shall result in the imposition of a meter-reading fee. In the event the Division of Water Resources requires the manual reading of meters by the District, then the Water User shall pay an annual meter-reading fee.

The Water User agrees not to hold the District responsible for any loss or damage incurred as a result of the District's inability to perform due to causes outside the control of the District, including, but not limited to, acts of God, natural disasters, drought, major equipment failure or malfunction, or changes in Colorado or federal law or policy which make the operation of the Agreement impractical or impossible.

The application fee is one hundred fifty dollars (\$150.00) and the transfer fee is one hundred dollars (\$100.00).

PINE RIVER IRRIGATION DISTRICT: PRID Account ID #1259
WATER USER (S):
Signed: Philip W. Brown Signed: Mat Dahl
Board of County Commissioners of La Plata County
Date: 3-14-2022 Date: 4/12/2022

Diversion locations for District-V (Dayfield)

Ditch/Location Name	Roads Served	Gallons	General Location	IMG #	UTM's
Vallecho Reservoir (Boat Deck)	CR 501	100,000	501 East side of Vallecho	0	273332 4141901
Transit Loss %	0	100,000			
Thompson Epperson	CR 505 CR 502 CR 504 CR 503 Vista Lane High View	100,000 158,000 53,000 46,000 20,000 72,000	CR 502-505 Intersection	1	268104 4117095
Transit Loss %	0.05	449,000 471,450			
King Ditch	CR 510 CR 511 CR 512 CR 513	277,000 39,000 39,000 105,000	CR 510-511 Intersection	2	362349 4120287
Transit Loss %	0.10	450,000 506,000			
Morrison Ditch	CR 509 CR 509-A	145,000 13,000	CR 509-509-A Intersection	3	266308 4117070
Transit Loss %	0.10	158,000 173,800			
Morrison Ditch	CR 514 CR 515 CR 520	108,000 40,000 40,000	CR 515- Highway 172 Intersection	4	361074 4117075
Transit Loss %	0.15	278,000 319,700			
Pine River	CR 526 CR 506	53,000 40,000	Bayfield Park/ Highway 160	5	268668 4123512
Transit Loss %	0	93,000			
Pine River	CR 527	105,000	Bayfield Arena	6	268950 4122715
Transit Loss %	0	105,000			
Coronado Diversion & Pump	CR 245 CR 503	198,000 238,000	CR 502/243 (Lama Ranch)	7	267097 4134626
Transit Loss %	0	436,000			

Diversion locations for District-III (Ignacio)

Morrison Ditch	CR 311	238,000	South of CR 311-314 Intersection	6	258835 4112870
Transit Loss %	0.15	238,000 273,700			
Morrison Ditch	CR 314 CR312 CR 313 CR 316 CR 317 CR 310	79,000 10,000 20,000 40,000 1,000 40,000	South of CR 316- Highway 172 Intersection 1/4 Mile west of CR 316 on CR 315 1/4 Mile west of CR 316 on CR 315	3	265482 4116719
Transit Loss %	0.15	190,000 216,500			

Gal	ACFT
325851	1

Name /LEGAL DESCRIPTION of POD	
SW1/4,SW1/4, Sect 6, Township 38N, R9W 3 Feet from West Section Line, 324 Feet from South Section Line	0.31 ACF
T&E POD	
SE1/4,NE1/4, Sect 34, Township 32N, R7W, N14PM 222 Feet from East Section Line, 1300 Feet from North Section Line	1.38 ACF
	1.45 ACF
King POD	
NE1/4,NE1/4, Sect 34U, Township 34N, R9W, N14PM 69 Feet from East Section Line, 551 Feet from North Section Line	1.41 ACF
	1.55 ACF
Robert M. POD 1	
SE1/4,SW1/4, Sect 30, Township 34N, R7W, N14PM 2651 Feet from West Section Line, 543 Feet from South Section Line	0.48 ACF
	0.53 ACF
Robert M. POD 3	
SE1/4, SW1/4, Sect 23, Township 34N, R9W, N14PM 1307 Feet from West Section Line, 95 Feet from South Section Line	0.85 ACF
	0.98 ACF
Pine River POD 1	
SE1/4, NW1/4, Sect 11, Township 34N, R7W, N14PM 2652 Feet from West Section Line, 2453 Feet from the North Section Line	0.29 ACF
Pine River POD 2	
SW1/4, SE1/4, Sect 11, Township 34N, R7W, N14PM 2343 Feet from East Section Line, 261 Feet from South Section Line	0.32 ACF
Coronado POD	
NW1/4, SW1/4, Section 3, Township 33N, R7W, N14PM 1370 Feet from West Section Line, 2389 Feet from South Section Line	1.34 ACF
Total District V w/ Transit Loss	6.77 ACF
Robert M. POD 4	
NW1/4, SW1/4, Section 3, Township 33N, R9W, N14PM 22 Feet from West Section Line, 2550 Feet from South Section Line	0.73 ACF
	0.84 ACF
Robert M. POD 2	
NE1/4, NE1/4, Section 30, Township 34N, R7W, N14PM 15 Feet from East Section Line, 656 Feet from North Section Line	0.58 ACF
Ignacio Creek, yearly flows due to spring fed, Flows increase during Irrigation season. (waste water)	0.67 ACF
Total District III w/ Transit Loss	1.51 ACF
TOTAL BOTH DISTRICTS W/ TRANSIT LOSS	8.28 ACF
Typical Firm Exchange water cost with PRID is \$402.50/ACFT	