

## Lester, Steve

---

**From:** Lester, Steve  
**Sent:** Wednesday, March 26, 2008 3:01 PM  
**To:** 'Jeffrey C Fereday'  
**Subject:** RE: Revisions to M3 application

Jeff:

Changes look good with one exception. Item 4, beneficial uses etc. should include 4 entries instead of 1 entry plus narrative. Would expect to see: diversion to storage with rate & period of use, municipal storage with volume & period of use, municipal from storage with volume & period of use, along with municipal as already listed.

I hadn't thought of it before, but item 5, total uses ... 5b is generally reserved for total storage volume to be appropriated. Suggest listing that info in 5b (same total that is listed in item 6b "total reservoir capacity") instead of estimated total diversion volume, but can include an application remark for 6535 af/yr diversion volume.

I will be ready to go upon receiving the updated version. Please let me know if you need anything in this regard.

Also, your cooperation in having some extra copies available is appreciated. I don't expect much action in that regard, but it's good to be prepared.

Steve

-----Original Message-----

**From:** Jeffrey C Fereday [mailto:JeffFereday@givenspursley.com]  
**Sent:** Wednesday, March 26, 2008 9:55 AM  
**To:** Lester, Steve  
**Cc:** 'Ed Squires'; 'William Brownlee'  
**Subject:** Revisions to M3 application

Steve:

Thanks for calling this morning concerning your questions about a few elements of M3 Eagle's water right application form. As discussed, I have:

Made changes to section 4 noting that diversions to and from storage are involved; Added a note in section 6.b that the ponds are of the excavated type; Deleted the comments on section 8.b and e; Added to section 12 a comment about the water bearing zone that is our ground water target.

I also added a comment to 8.c to the effect that we anticipate this planned community will be annexed to Eagle.

I am attaching a draft of the application form with these corrections. I would appreciate your review before I send it via overnight mail to Mr. Brownlee for his signature. Please let me know if you have any further comments. As I noted, we are hoping that this can be advertised in the near future, and we will get the signed copy back to you as soon as possible.

Finally, this will confirm that, in response to your request, we will make available a reasonable number of copies of the application to interested parties, and will look to you to let us know who should receive them.

Jeff

Jeffrey C. Fereday  
Attorney at Law  
GIVENS PURSLEY LLP