Exhibit B
Chapter 3 (Municipal and Industrial Water Projects)
Submission Requirements

(1) A completed application form;

See attached Special Use Application.

(2) An abstract of the proposal indicating the scope and need for the development;

See attached Special Use Application.

(3) Preliminary review and comment on the proposal by the appropriate agency of the Colorado Department of Natural Resources and/or the Colorado Department of Public Health & Environment, as applicable;

N/A.

(4) For the purpose of assisting in evaluation of the applicant's selected development alternative only, a listing of alternative site locations and general degree of feasibility of each or, at the option of the applicant, the environmental analyses, assessments and statements developed under any required review pursuant to the National Environmental Policy Act (NEPA);

Colorado Dairy Partners reviewed several locations for the dairy and this is the only site in close proximity to the irrigated farmland necessary to support the forage needs that was available and in the right price range.

(5) Proponents of proposal:

Colorado Dairy Partners, LLC
7991 Shaffer Parkway, Suite 200
Littleton, CO 80127

(b)

Karl Nyquist
7991 Shaffer Pkwy, Suite 200
Littleton, CO 80127

(6) A detailed report on the proposed municipal or industrial water project to include:

(a) Location and scope of the proposed project;

A. See attached application for special use:
The Dairy is located just north of the Fort Lyon Canal between county road 14 and 15. The legal
description is as follows:

TOWNSHIP 22 SOUTH, RANGE 51 WEST OF THE SIXTH PRINCIPAL
MERIDIAN SECTION 8: S½, EXCEPT THE FOLLOWING DESCRIBED TRACT
OF LAND, TO-

WIT:

THE NORTH 120 FEET OF THE S1/2 OF SECTION 8 AND
THE SOUTH

384.42 FEET OF THE NORTH 504.42 FEET OF THE WEST 400.0
FEET OF SAID S½ OF SECTION 8; EXCEPT A 50 FEET N-S STRIP
ALONG WEST SIDE AND A 30 FEET N-S STRIP ALONG EAST
SIDE FOR RIGHTS-OF-WAY,

i. SECTION 17: NW1/4 AND E¼E½ LYING NORTH OF THE CENTERLINE OF
THE FORT LYON CANAL AND W½E½ LYING NORTH OF THE CENTERLINE
OF THE FORT LYON CANAL, COUNTY OF BENT, STATE OF COLORADO

II. New CDP Augmented Structures

CDP will use LAWMA Shares to augment pumping from up to 4 new wells, all of which will be
located on the subject property in Bent County.

(b) Current and future needs for such development;

See Special Use Application.

CDP Water Use

As described above, CDP’s will drill up to four new wells to provide water for the dairy. CDP
will use LAWMA shares to augment the pumping of these wells as required by the State of
Colorado. The wells will be Dakota and Cheyenne wells. The water will be used to water the
cows and clean the premises. We estimate that annual usage will be 400 acre feet.

(c) Inventory of existing water projects presently serving the municipality or area in
question and excess service capacity of each project;

N/A

(d) Population trends, projections and growth rates (if a municipal project);
(e) Primary source of proposed water resources;

Water for the Project will come from up to 4 new wells drilled into the Dakota and/or Cheyenne aquifers and augmented with LAWMA shares. We estimate annual pumping to be approximately 400 acre feet.

(6) Describe the relationship, if any, of the proposed project to formally adopted regulations and policies of federal, state, regional or county governments, which regulations or policies would govern the use of land or water resources impacted by the project;

N/A

(7) Describe proposed methods of insuring efficient and beneficial use of water resources within the municipality or area to which the water is proposed to be delivered. Such methods should consider metering of all users, examination of rate structure to discourage waste and recycling of water for reuse where permissible by Colorado water law;

N/A

(8) Provide a description and detailed engineering plans and specifications of the proposed construction of structures, buildings, and improvements associated with the project and the financial and environmental impacts thereof on the community or surrounding areas;

Please refer to attached application for special use permit.

(9) Provide assurance that the proposed municipal or industrial water project is capable of supplying water of a quality acceptable to the Colorado Department of Public Health & Environment;

N/A.

(10) Identify and locate on a map of an appropriate scale any of the following features present in the source development area and detail the potential impact of the municipal or industrial water project upon each feature:

N/A

(a) Marshlands and wetlands
The development will not affect marshlands or wetlands.

(b) Aquifer recharge areas,

The development will not affect existing groundwater recharge areas as all pumping will be augmented with LAWMA shares as required by the State of Colorado.

(c) Potential natural hazards

The development will not affect potential natural hazards.

(d) Forests and woodlands

The development will not affect forests or woodlands.

(e) Critical wildlife habitat or other wildlife protection areas

See attached application for special use permit.

(f) Public, outdoor recreation areas

The development will not affect public outdoor recreation areas.

(g) Unique areas of geological, historic and archeological importance

The development will not affect unique areas of geological, historical, or archeological importance.

(h) Critical aquatic life habitat;

The development will not affect critical aquatic life habitat.

(i) Agricultural areas;

The development will not affect agricultural areas with in the county other than adding a market for the crops grown in the County to be sold.

(12) Describe the potential adverse effects of the diversions of water upon plant and animal life dependent upon the water resources in question;

N/A.

(13) Describe and indicate on an appropriate map surface water bodies (streams, lakes, reservoirs (existing or proposed), etc.) and aquifer recharge areas in the source
development area and their uses. Describe the effects of the diversion of water for the municipal or industrial water project on the above-described water feature(s) including the effects on present water quality, current and foreseeable uses. Include a detailed statement of the impacts of the proposed project upon water quality standards including, but not limited to anti-degradation standards, and all applicable basic or numeric standards for physical, biological, organic, inorganic, and metals pollutants;

N/A

(14) Describe the present zoning of the land in the source development area;

Currently, the farm is designated as Agricultural Zoning in Bent County. This will not change after the project is completed.

(15) Describe the agricultural productivity capability of the land in the source development area (NRCS classification) and describe the potential effects of the diversion of water for the municipal or industrial water project on that agricultural productivity capability;

Currently the farm is primarily pasture ground with a small portion of CRP.

(16) Increased domestic and/or municipal water treatment costs and/or wastewater treatment costs:

As a result the Application will not result in additional costs to County municipalities operating water and wastewater treatment plants.

(17) Any demographic data needed to fulfill the requirements of these Regulations shall be consistent with those used for the applicable 208 area-wide waste treatment management plan;

N/A

(18) The benefits of the project, both in natural and socioeconomic terms, and the degree to which benefits, both within the County and to the applicant, outweigh the adverse impacts of the project within the County.

Please see the Fiscal Impact analysis performed by BBC.

(19) For each alternative site or expansion area for which a permit is being sought by the applicant, the information specified in subsections (1) through (18) of this Section. An application need not meet the identified submission requirements for other than the particular development alternative for which a permit is being sought in order for such application to be considered complete.
N/A