

WATER RESOURCES SERVICES PROJECT CAPSULES

1. New Water Right – Colorado Division 2

The Paragon team supported the filing and absolute adjudication of a new water right in Division 2, District 79 for a landowner. Services included historical call analysis on the stream and downstream rivers, preparation of stage-area-volume relationships for six ponds, calculation of expected consumptive use of the water for various operational scenarios, documenting "can and will" for the proposed water right, development of accounting forms, preparation of an engineering report, reviewing and commenting on the objector's expert reports, assisting with the deposition of an Objector expert witness, assisting with preparation of proposed decrees, interfacing with Objector experts, preparation of trial exhibits, development of trial questions for direct and cross examination, preparation for trial, and testifying at trial. The court awarded a new absolute water right with a futile-call clause.

2. Waterfowl Habitat Development with Wells – Colorado Division 1

Paragon assisted a hunting club on the South Platter River with adjudication of an augmentation plan associated with pumping from two augmented wells and a headgate well. Paragon developed a scheme whereby the well owner exchanges reservoir water rights for a series of monthly accretions throughout the year to offset out-of-priority depletions associated with the augmented wells. This exchange approach was a win-win situation since the ditch company stockholders have access to reservoir water, which is more useful than direct-flow water or accretions, and Paragon's client has an extremely flexible augmentation plan that meets their needs during and outside the irrigation season without having the expense associated with a typical change-of-use case. Services included historical call analysis on the stream, preparation of stage-area-volume relationships for nine ponds, calculation of expected consumptive use of the water for various operational scenarios, preparation of engineering reports, reviewing and commenting on the objectors' expert reports, documenting "can and will" for the proposed water right, development of accounting forms, interfacing with Objector experts, assisting with preparation of proposed decrees, and assisting with the negotiation of a final decree. The court awarded a new absolute water right with a futile-call clause.

3. Water-Rights Accounting – Colorado Division 1

Paragon has developed water-rights accounting systems and provides water-rights accounting services to agricultural water-rights owners as well as recreational water-rights owners. These accounting systems have been audited and approved by the Division of Water Resources. Paragon also prepares annual projections for a variety of augmentation plans and has provided

significant value by tailoring the projections to more closely reflect actual farming practices of clients thus freeing up accretions for exchange and/or lease in wetter years. Operational changes were implemented by a ditch company based on Paragon's recommendations to modify diversions to take better advantage of the decree and significantly increasing the ability to create more accretions to the river.

4. Objector Support – Colorado Division 1

Paragon has supported clients by reviewing water-rights applications and working with applicants to craft a decree that protects the clients' vested water rights. Particular services include, but are not limited to, providing an opinion regarding possible injury, reviewing proposed operational scenarios, evaluation of historical consumptive use analyses, critically reviewing and commenting on groundwater modelling efforts, preparation of engineering reports, reviewing and commenting on proposed exchange rights, participating in experts' meetings, and commenting on proposed augmentation and reservoir accounting.

5. Recharge Pond Design – Colorado Division 1

Paragon designed a system of recharge ponds for multiple uses by multiple parties during and outside the irrigation season. Services included site selections, design of the recharge ponds, design of the headgate and measuring station using two different weirs, gaining approval of the measuring device design from the Division of Water Resources, installation of telemetry on the measuring station for the various recharge pond users, and coordination of construction of the ponds and support structures.