Exhibit 12

Procedure for Lower Laramie River Basin Acreage Accounting

Exhibit A: Wyoming Irrigation Original Supply Well Permits as of 12/31/00 in the Lower Laramie River Basin

NPDC Charter – Exhibit 12

Procedure for Lower Laramie River Basin

Acreage Accounting

I. Introduction, Purpose and Background

The Modified Decree limits the number of acres that can be intentionally irrigated within the Lower Laramie River basin, exclusive of the area within the Wheatland Irrigation District. The purpose of this procedure is to outline the general criteria and processes that Wyoming will follow in completing the annual identification and accounting of irrigated acres.

This procedure will guide Wyoming's annual identification and reporting of intentionally irrigated acreage. This procedure may be modified as deemed appropriate by the NPDC.

II. Acreage Limitation

Wyoming will limit irrigated acreage in the Lower Laramie River basin, exclusive of the area within the Wheatland Irrigation District, so that the total number of intentionally irrigated acres does not exceed 39,000 acres.

III. Accounting

A. Definitions

1. Area of Administration – Lower Laramie River basin downstream of the

Wheatland Irrigation District's tunnel #2 exclusive of the area within the Wheatland Irrigation District. Wheatland Irrigation District's tunnel #2 is located in the vicinity of Section 36, Township 23 North, Range 72 West. The Laramie River Decree between Colorado and Wyoming is not to be affected by the implementation of this procedure or future amendments to this procedure.

2. Acreage Inspector- One of the individuals on the staff of the Wyoming State Engineer's Office who makes the observations and determinations of actual irrigated acreage.

3. Acreage Reporter- The person on the staff of the Wyoming State Engineer's Office who collects the acreage information from the inspectors and compiles a report for the State Engineer.

4. Irrigated Acreage Map-The base map used for all acreage delineations will be the map described in Section B below.

5. Irrigated Polygon- The irrigated acreage polygon that represents a tract of land identified as irrigated land for the purposes of this procedure. The borders of the irrigated polygon will be established using the field observations and Global Positioning Systems, or other similar mapping techniques, as described in this procedure.

6. Irrigated Lands - Lands that in any

year are intentionally irrigated through the efforts of man using a ditch delivery system or pump from a surface water, hydrologically connected groundwater or reservoir storage source.

B. Base Map

1. A USGS topographic quadrangle or map with a scale of 1:24000 will be used as the base map for all irrigated acreage mapping. Electronic versions of these maps may also be used to simplify the identification, analysis, and reporting.

2. The Wyoming State Engineer's Office may also reference, on an on-going basis, available aerial photographs, digital ortho-photo quarter quads and other imagery to assist with the field observations, identification and mapping efforts for this procedure.

3. The base map will be developed beginning the first year and refined over the next five years after court approval of the Modified Decree and Final Settlement Stipulation.

4. At least every five years, the base map will be reviewed by Wyoming to ensure all irrigated areas are accurately shown as irrigated polygons on the base map.

C. Field Review, Observations and Accounting

1. Mapping Update from Prior Year: Each acreage inspector will be provided with a copy of the base map and the irrigated land maps from the previous years for their area. These maps will be used by the inspector for the current year's observations, identification, and map updating work.

2. Observations and Identification: Acreage inspectors, who often are also water administration officials (hydrographers or water commissioners), will make visual observations and keep notes of the occurrence of irrigated activity on lands within their respective water districts during the irrigation season. Irrigated acreage observations will be completed by walking or driving the ditch or observing from a nearby hill overlooking the irrigated acreage. If less than the entire irrigated polygon has been irrigated at any time during the year, the acreage inspector may delineate the irrigated lands on the map for that year using observations and Global Positioning Systems or other similar mapping techniques, as described in this procedure. While observations are made throughout the early runoff and diversion season, the final inspections and identifications will be made generally during the July through September time period each irrigation season.

3. Annual Irrigated Acreage Maps: As the final observations and inspections are made each year, the acreage inspectors will

delineate the irrigated areas on the work copy of the irrigated acreage map or associated mapping product.

4. Measurements and Tabulation: When the final acreage inspections are completed, all work maps and related materials will be returned to the Acreage Reporter. The new or modified acreage polygons will be plotted, then digitized, and the irrigated areas identified. The final maps for the current year will then be printed, filed with the State Engineer's Office in Cheyenne and a copy will be distributed to the acreage inspectors, in preparation for the next irrigation season.

D. Criteria or Guidelines for Identifying Irrigated Acreage

1. Surface Water Diversion Irrigated Acreage

a. Surface Water Supply: Surface water diversion irrigated acreage is any land that has been intentionally irrigated through the efforts of man using an active and maintained ditch/delivery system or pump from a surface water source. This description includes delivery systems that transport water diverted from the surface water source at a maintained point of diversion, but are designed to spread water with little or no labor using a spreader ditch system. Any lands irrigated by diversions from

sources located outside of the Laramie River basin will not be counted.

b. Reservoir Supply: Tracts of land irrigated solely from stored irrigation water released from a reservoir, will be identified, reported and included in the acreage limitations.

c. Reported Acreage: The State Engineer will review the information and materials submitted by the Acreage Reporter and prepare a report of the acreage intentionally irrigated in that year from surface water or reservoir storage supplies.

2. Ground Water Irrigated Acreage

a. Initial List of Existing Hydrologically Connected Groundwater Wells: The existing groundwater rights for irrigation use in the area of administration that will be considered under the acreage limitation are attached in Exhibit A.

b. Hydrologically Connected Ground Water Well Determination: Each well identified in Exhibit A will be further screened to determine if the well is hydrologically connected. If the NPDC agrees that the well is not hydrologically connected, as defined herein, it will be removed from

Exhibit A. This will be accomplished for each well by reviewing available Statements of Completion filed with the Wyoming State Engineer's Office and other available geologic and aquifer information. A hydrologically connected groundwater well is one that is so located and constructed that if water were intentionally withdrawn by the well continuously for 40 years, the cumulative stream depletion would be greater than or equal to 28% of the total groundwater withdrawn by that well.

All future wells in the area of administration will be analyzed in the same manner described in Paragraph III.D.2.b. to determine if they are hydrologically connected. If the wells are determined not to be hydrologically connected, Wyoming wills submit the basis of their determination to the NPDC for concurrence.

c. Observations of Irrigated Lands from Ground Water: Each year the acreage inspectors will include in their seasonal observations, identification and mapping efforts, a delineation of those irrigated polygons that have been intentionally irrigated by hydrologically connected ground water wells and that are not otherwise identified as irrigated by

surface water diversions or reservoir water as described in Paragraph D.1. above. The hydrologically connected ground water wells included in these irrigated lands observations and mapping efforts will be those that have been identified as a result of the analysis in Paragraph D.2.b above. All intentionally irrigated acreage from these ground water wells will be included in the annual acreage accounting.

d. Reported Acreage: The report of the State Engineer provided in Paragraph D. 1.c. above, will also include the intentionally irrigated acreage from hydrologically connected ground water wells.

3. Transfers from Irrigation Use to a New Use – Acreage Accounting

a. Maintain List of Approved Transfers: The Wyoming State Engineer will maintain a list of all changes of use (from irrigation use to a new use) approved by the State Board of Control after January 1, 2001, from a surface water source or a hydrologically connected ground water well located within the area of administration.

b. Measurements and Data Collection: For each change of use,

the Wyoming State Engineer will collect the information needed to determine how much water is actually used for the new use each irrigation season under the Board of Control Order approving the change of use.

c. Determination of Equivalent Acreage: The actual amount of water used for the current year will be proportioned to (divided by) the total amount of use approved under the Board of Control change of use Order. The proportion will then be applied to the total number of actual irrigated lands taken out of production as a result of the approved transfer. The resulting number of acres will be accounted as equivalent acres and included in the annual irrigated acreage report of the Wyoming State Engineer.

d. Reported Acreage: The amount of equivalent acreage determined in Paragraph D.3.c. above will be included in the annual irrigated acreage report and included under the acreage limitation identified in Paragraph II above.

IV. Implementation, Schedule and Reporting

A. Identification of Surface Water Diversion Irrigated Lands

The Wyoming State Engineer will, beginning in the first year following court approval of the Final Settlement Stipulation, and each year thereafter, submit an accounting of the intentionally irrigated lands from surface water sources as defined and identified in accordance with this procedure, by March 1st of the year following the irrigation season. This date may be modified by the NPDC.

B. Hydrologically Connected Ground Water Wells

The amount of intentionally irrigated acreage from hydrologically connected ground water wells will be included in the annual acreage identification report for the second full water year after court approval of the Modified Decree and Final Settlement Stipulation.

V. Record Keeping and Monitoring

A. Wyoming

Data and records supporting the annual intentionally irrigated acreage report will be maintained by the Wyoming State Engineer's Office.

B. Other Parties to the Decree

After providing reasonable notice to Wyoming and the NPDC, the parties will have the opportunity to review the records maintained by Wyoming documenting the intentionally irrigated acreage report. The parties will have the opportunity to monitor Wyoming's implementation of these procedures and to complete their own field review of

the acreage irrigated and contained in the annual report, or a joint review with representatives of Wyoming. In either case, these review efforts will be coordinated with the State of Wyoming's State Engineer's Office. If the other parties desire to make their own field reviews they will be responsible for securing the legal right of access to any private lands.

Any concerns or questions related to the identification report or field observations will be presented in writing to Wyoming and the NPDC.

C. NPDC

The NPDC may develop, review and approve additional procedures or modify this procedure as it deems appropriate for the monitoring of irrigated lands.

Exhibit A to the Procedure for Lower Laramie River Basin Acreage Accounting
Wyoming Irrigation Original Supply Well Permits as of 12/31/2000

TNS	RNG	SEC	QTR	PERMITNO	PRIORITY	YLDEST (gpm)	YLDACT (gpm)	WELLDEPTH (feet)	OS ADJ (acres)	OS non-ADJ (acres)
20	68	24	11	P389G	8/4/55		500	8	-	15
21	67	13	2	P7098W	11/25/70	1500	150	55	-	240
22	66	19	1	P32493W	3/24/76	2000	600	65	102.56	-
22	66	20	5	P890W	2/19/62	125	125	125	49	-
22	66	20	5	P1674W	5/23/66	300	300	130	32	-
22	70	27	4	P82802W	6/18/90	250	250	14	10	-
22	70	34	8	P536G	2/1/57		250	30	-	50
23	67	4	6	P5998W	6/29/70	1000	350	400	119	-
23	67	5	8	P2764W	2/14/69	1000	850	60	-	92
23	67	25	7	P68692W	7/26/83	1000	225	33	-	3
23	67	25	10	P68693W	7/26/83	1000	225	34	-	3
23	69	36	2	U.W. 25980	2/13/74	900	900	10	0	81.5
24	66	29	9	P33599W	6/4/76	400	400	390	-	160
24	66	29	12	U.W. 33600	6/4/76	100	312	450	0	160
24	67	1	15	P17036W	12/12/72	3000	1275	355	373.37	-
24	67	3	14	P39299W	1/26/77	1500	350	55	40.8	-
24	67	3	2	P15540W	10/5/72	325	325	30	40.2	-
24	67	3	2	U.W. 27694	4/9/74	0	0	500	15.3	0
24	67	14	7	U.W. 62603	8/20/82	0	0	600	69.7	0
24	67	15	7	P13238W	3/13/72	2500	700	68	668.7	-
24	67	16	16	U.W. 64370	5/22/78	0	0	36	8	0
24	67	16	3	U.W. 66703	10/5/83	2500	800	300	113.5	0
24	67	20	13	P21887W	5/23/73	1800			-	282
24	67	21	4	P13014W	2/16/72	1200	325	62	179.6	-
24	67	21	10	P76090W	6/10/85	350	350	40	0.8	-
24	67	21	13	U.W. 47537	2/7/78	0	0	70	128	0
24	67	30	13	P64305W	4/7/83	650	650	300	37	-
24	67	31	5	P64304W	4/7/83	850	850	300	96	-
24	67	31	14	U.W. 2713	6/13/69	500	500	57	0	162
24	67	31	14	U.W. 76103	12/10/80	0	0	150	0	6.3
24	67	32	14	P1500W	4/28/65	500	500	160	60.3	-
24	67	32	15	P1501W	4/28/65	1000	475	141	8.8	-
24	69	10	9	P408G	10/24/55		620	17	-	30
24	69	36	12	P1590W	9/21/65	180	180	365	88.8	-
24	69	36	16	P1591W	12/6/65	100	100	135	19	-
24	70	35	10	P55081W	1/9/81	1000	60	50	1.3	-
25	65	5	8	P766G	2/27/58		1250	70	48.4	-
25	65	7	6	P892W	6/20/62	1250	1250	51	114	-
25	65	11	8	P38189W	3/21/77	2000	2000	65	-	27
25	65	34	9	P54C	6/10/38		180	17	-	9
25	66	11	16	P462W	11/21/60	1050	1050	63	52.5	-
25	66	14	9	P373G	5/24/55		1300	50	-	25
25	66	15	13	P342W	6/14/60	200	100	40	-	5
25	66	20	6	P52286W	6/18/79	2500	900	195	124.04	-
25	66	30	5	P7090W	11/30/70	900	900	33	-	35.79

Exhibit A to the Procedure for Lower Laramie River Basin Acreage Accounting
Wyoming Irrigation Original Supply Well Permits as of 12/31/2000

TNS	RNG	SEC	QTR	PERMITNO	PRIORITY	YLDEST (gpm)	YLDACT (gpm)	WELLDEPTH (feet)	OS ADJ (acres)	OS non-ADJ (acres)
26	65	32	12	P29881W	1/18/75	1000	1000	78	71.2	-
26	67	15	8	U.W. 30336	7/7/75	1200	800	600	167.6	0
26	67	20	2	P35552W	12/14/76	1000	1000	480	-	154
26	67	22	5	P3450W	11/3/69	1100	1100	593	189.2	-
26	67	29	1	P35555W	12/14/76	1000	1000	600	-	154
26	67	29	14	P36283W	12/14/76	1000	1000	580	-	160
26	67	31	8	P28182W	10/23/74	1500	850	348	160	-
26	67	32	7	P28513W	12/9/74	1500	825	348	152	-
26	67	32	7	U.W. 33400	12/29/75	0	0	348	12.4	0
26	68	5	1	U.W. 28475	11/21/74	3000	750	395	264	0
26	68	23	9	P6496W	1/14/70	1300	1300	1085	160	-
26	68	23	15	P5481W	5/7/70	1000	1000	606	160	-
26	68	23	6	P4852W	3/17/70	3200	800	688	-	141.5
26	68	23	15	U.W. 32204	1/30/75	0	0	600	13.55	0
26	68	23	9	U.W. 32206	1/30/75	0	0	400	69	0
26	68	24	4	P14970W	8/1/72	1200	525	408	26.4	-
26	68	26	15	P6497W	1/14/70	900	900	700	180	-
26	68	26	6	P6495W	1/14/70	5000	1100	623	-	160
26	68	26	6	P32205W	6/30/75	0	1100	623	-	25
26	68	26	3	P32203W	1/30/75	0	500	415	-	14
26	68	27	9	P15934W	10/19/72	1200	975	453	147.7	-
26	68	35	13	P15511W	9/21/72	800	800	371	160	-
26	68	35	7	P28506W	10/24/74	1100	975	477	140	-
26	68	35	13	P33405W	12/29/76	500	500	371	25.5	-
26	69	24	13	P14970W	8/1/72	1200	525	408	26.4	-
27	68	20	11	S.C. 67	11/19/47	1500	1200	22	12.4	0
27	68	20	10	U.W. 2529	4/22/69	1000	1000	331	51.1	0
27	68	20	10	U.W. 4067	1/13/70	2500	800	330	20.6	0
27	68	20	10	U.W. 32273	9/15/75	0	0	200	27.7	0
27	68	27	2	U.W. 82848	7/14/89	400	165	185	0	4.8
27	68	29	6	U.W. 2528	4/22/69	1000	975	295	62.9	0
27	68	29	6	U.W. 32272	9/15/75	0	0	200	13	0
								Total	7,979.7	2,897.0