



**PINE RIVER IRRIGATION DISTRICT-
VALLECITO RESERVOIR
SHORT TERM SPECIAL USE PERMIT-2026**

<u>Permit Holder:</u>
<u>Purpose:</u>
<u>Effective Date:</u>
<u>Application Fee:</u>
<u>Permit Fee:</u>

Permit Conditions

1. Permit Holder shall provide a certified check made out to Pine River Irrigation District (District) in the amount of \$1,000 in lieu of a performance bond, which check shall be retained by the District as security for the obligations herein and for the repair of damages (if any) that are caused, in whole or in part, by the activity authorized herein. The District may use the \$1,000 deposit for site restoration (which may include, but is not limited to, reseeding of the disturbed area), if the same is not promptly completed by Permit Holder. The District may also use said funds to repair any damages caused by Permit Holder, its contractors or its invitees. When the site restoration is complete and approved by a District representative, any funds remaining will be returned to Permit Holder. The \$1,000 deposit required herein is not a limitation on the amount of damages that the District may demand in the event that the damages caused, in whole or in part, by Permit Holder or the activity authorized herein, exceed \$1,000.
2. Permit Holder shall always maintain the Permitted Area (Exhibit A) in a safe and sanitary condition. Waste materials shall be disposed of promptly at an appropriate waste disposal site. Appropriate number of portable toilets and temporary handwashing station(s), as determined by San Juan Basin Health Department or one (1) toilet per 50 people, whichever is greater, shall be made available at the Permitted Area to accommodate the public. Disposal of all liquid, solid waste and trash produced during the event and restoration of the activity authorized herein shall be in an approved manner so that there is no impact the air, soil, water, vegetation, or wildlife.

3. No off-road vehicular access/use is permitted in accordance with Bureau of Reclamation's CFRs - Off Road Use restriction - PART 420—OFF-ROAD VEHICLE USE. § 420.2 General Closure.
4. Permit Holder is responsible for obtaining all permits, license, authorizations, and consents (if any) that are necessary and/or required for the activity authorized herein.
5. Permit Holder shall inform all those attending the activity authorized herein that permits are required for use of Vallecito Reservoir and the real property that is a part of the Pine River Project. During the duration of this permit, Permit Holder shall sell District use permits (Daily - \$6.00 and Annual - \$60.00, etc.). Permit Holder shall remit 90% of the permit fees to the District and may retain 10% of the fees collected from District permits.
6. Permit Holder shall, always, operate in a safe and responsible manner, shall comply with all regulations, ordinances, and laws applicable to Permit Holder's activities authorized herein, and shall not engage in any activities that endanger the safety of the general public or that violate any local, State or Federal law. If Permit Holder encounters any dangerous or unsafe conditions on Bureau of Reclamation's (Reclamation) property, it shall promptly notify the District and La Plata County Sheriff's Office.
7. Permit Holder shall carry public liability and property damage insurance at a minimum amount of \$1,000,000.00.
8. Permit Holder shall pay the cost to repair any and all damage to Reclamation and/or District property caused by Permit Holder or Permit Holder's employees, agents, customers, guests, and invitees.
9. During the term of this permit, Permit Holder shall be particularly alert to take all reasonable and necessary precautions to (minimize siltation and erosion, prevent, and suppress fires, and cooperate in watershed management practices) protect and preserve historic or prehistoric ruins and artifacts on or adjacent to the trail areas. If during ground disturbance actions cultural materials are uncovered the Reclamation archaeologist must be contacted immediately and activities in the immediate vicinity of the discovery must cease.
10. Permit Holder shall comply with all applicable Reclamation regulations that pertain to use of Reclamation property.
11. Permit Holder agrees that it and its employees will not discriminate against any person because of race, color, age, sex or national origin by refusing to furnish such person any accommodation, facility, service, or privilege offered to or enjoyed by the general public.
12. Permit Holder acknowledges that Vallecito Reservoir is a part of the Pine River Project and understands that use of Reclamation lands maybe restricted whenever Reclamation and the District determine such restriction is necessary in the interest of project operation, public safety, or national safety.
13. Permit Holder is prohibited from making any modifications, alterations, or improvements to Reclamation land at Vallecito Reservoir without prior written authorization.
14. This Permit is issued in accordance with the Memorandum of Agreement between the Bureau of Reclamation and the District. In the event of the termination of the Agreement between the United States and the Pine River Irrigation District, dated June 11, 1984, as amended, the United States shall not stand in the stead of the District as grantor for the remainder of the term of this permit; provided, however, in the

event of such termination, the United States at any time within 90 days thereafter may terminate the permit by giving to the permittee 30 days written notice thereof.

15. Through issuance of this permit, the United States, its officers, agents, employees, and assigns, including the District, do not assume any liability resulting from the granting of this permit or the exercise thereof. Permit Holder assumes all risks associated with exercising the rights under this permit.

16. Permit Holder, for Permit Holder and Permit Holder's guests and invitees, hereby indemnifies and holds harmless the United States, its employees, agents and assigns, and the District and its agents and employees, from any and all loss or damages and expenses (including legal fees), claims, liabilities, causes of action, and demands whatsoever arising out of or in any manner connected with activities authorized under this permit.

17. Permit Holder, for Permit Holder and Permit Holder's contractors, volunteers, guests and invitees, hereby releases the United States, its officers, employees, agents, or assigns, and the District and its agents, contractors, and employees, from any and all liability for any and all loss or damage of every description or kind whatsoever, which may result, in whole or in part, to Permit Holder, its employees, agents, guests, or invitees from the activities, associated with this permit, provided that nothing in this permit shall be construed as releasing the United States, its officers, agents, employees, and assigns, from liability for their own negligence.

18. The United States shall be liable for injury or damage resulting from the issuance of this permit to the extent that the United States is determined to be liable pursuant to the provisions of the Federal Tort Claims Act, Act of June 25, 1948, 62 Stat. 982 (28 U.S.C. '1346(b), 2671 et seq) or other applicable law.

19. The District shall be liable for injury or damage resulting from the issuance of this permit to the extent that the District is determined to be liable pursuant to the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, et seq.

If the terms and conditions herein are not followed, Reclamation or the District will revoke this permit. Reclamation or the District may also terminate this permit at any time if this permit conflicts with the current or future operation and management of Vallecito Reservoir or the Pine River Project. The granting of this permit does not obligate Reclamation or the District to grant further access or authorizations of any kind. **This permit has no precedential effect.**

Telephone/Cell Phone:	Email:
Event Description:	
Location of Use/Event (a map/drawing is required)	
Start and end dates: / / To: / /	
Actual Time of Event:	To:
(am/pm)	(am/pm)
Number of people attending:	Number of Vehicles:

Permit Holder Concurrence:

_____ Date: _____

(title)

Approving Official:

_____ Date: _____

David Hofmann
(Superintendent Pine River Irrigation District)