

**DISTRICT COURT, WATER DIVISION 1, COLORADO
FEBRUARY 2020 WATER RESUME PUBLICATION**

TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN WATER DIV. 1

Pursuant to C.R.S. 37-92-302, you are notified that the following is a resume of all water right applications and certain amendments filed in the Office of the Water Clerk during the month of **FEBRUARY 2020** for each County affected.

20CW6, (12CW305) Thomas James and Jill B. De Cino, 28964 Mangy Moose Trail, Pine, CO 80470, (303) 816-0997, Application for Finding of Reasonable Diligence in JEFFERSON COUNTY. Structure: Wells 2, 3 and 4 located NE1/4, NW1/4, S27, T7S, R71W, 6th PM. Date of original decree 11/07/2013 in case 12CW305, WD1. Source: ground water. Appropriation date: 11/07/13. Amount: 15 gpm, conditional, per well. Use: Domestic or ordinary household uses, watering domestic animal, irrigation of lawns and gardens, fire protection.

20CW7, Roger Duke and Shonna Mangeris, P.O. Box 1546, Idaho Springs, CO 80452, (303) 945-1111, (303)319-5563, Application for Absolute/Conditional Water Storage Right in CLEAR CREEK COUNTY. Unnamed structure located NE1/4, SW1/4, S19, T3S, R73W, 6th PM at a distance of 1760 ft. from S and 1835 ft. from W. Street address: 635 Mill Creek Road. Subdivision: Happy Thoughts; Lot: 10. Source: Mill Creek. Amount: .385 af conditional, .40 af absolute. Use: Wildlife and aesthetics.

20CW8, Chris Q. Conrad, 30258 County Road 35, Wray, CO 80758, (970)332-5098, Application for Conditional Water Storage Right in YUMA COUNTY. Structure: Conrad Stock Tank, UTM Easting 746802 Northing 4439330, Zone 13, NE1/4, SW1/4, S7, T1N, R42W, 6th PM at a distance 2541 ft. from S. and 2233 ft. from W. Source: Conrad Springs collects in a draw tributary to the Republican River. Conrad Stock Tank will be constructed in Conrad Gulch to collect the water. Date of appropriation: January 1912. How appropriation was initiated: Ice was harvested from springs. Livestock watering. Amount claimed: 500 gallons conditional, filled at approximately 3 gpm. Uses: Livestock watering, ice harvesting for drinking water. Total capacity of reservoir: 500 gallon stock tank.

20CW9 Melissa A. Fisher, 10710 Tomichi Drive, Franktown, CO 80116. 303-814-1433. Application for Underground Water Rights in the Denver Basin Aquifers in DOUGLAS COUNTY. Applicant seeks to adjudicate the well, permit 124801, and to adjudicate the non tributary and not nontributary Denver Basin groundwater underlying a 7.08 acre tract of land lying in the NW1/4, SE1/4, S20, T8S, R65W of the 6th PM, including the Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers.

20CW10 Sparr and Susan Sapyta, 1814 Santa Fe Mountain Road, Evergreen, CO 80439. 843-367-5722 or 843-367-6224. Application for Absolute Underground Water Right for an Exempt Well Pursuant to § 37-92-602(4), C.R.S. in CLEAR CREEK COUNTY. Home Well, permit 231120, located NW1/4, NE1/4, S4, T4S, R72W of the 6th PM at a distance 4200 ft. from S and 1600 ft from E. UTM coordinates Easting 461566.3, Northing 4398183.4, Zone 13. Saddleback Ridge Estates, Lot 1, Block 5. Date of appropriation: 1-19-01. Date water applied to beneficial use: 1-19-01. Source: Groundwater. Depth of Well; 601 ft. Amount: 15 gpm Absolute. Use: Home, single dwelling.

20CW11 Pitcher Living Trust % Jill K. Pitcher and Roper Living Trust % Lesley J. Roper, 45795 Coal Creek Dr., Parker, CO 80138. 303-243-0988 or 303-551-4560. Application for Underground Water Rights in the Denver Basin Aquifers in ELBERT COUNTY. Applicant seeks to adjudicate the well, permit 139974, and to adjudicate the non tributary and not nontributary Denver Basin groundwater underlying a 8.303 acre tract of land lying in the NW1/4, NE1/4, S13, T6S, R65W of the 6th PM, including the Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers.

20CW3015, Nicholas and Sarah Gandzjuk, 2233 Ponderosa Road, Franktown, CO 80116-9210, (714) 329-4697, and Zerrel and Talitha Appel, 2195 Ponderosa Road, Franktown, CO 80116, (970) 978-8184, Applicants Serve all pleadings on: Matthew Machado, Kara N. Godbehere, Carey S. Smith V, Lyons Gaddis Kahn Hall Jeffers Dworak & Grant, P.C., Attorneys for Applicants, P.O. Box 978, Longmont, CO 80502-0978, Telephone: (303) 776-9900, mmachado@lyonsgaddis.com; kgodbehere@lyonsgaddis.com; csmith@lyonsgaddis.com. APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT NONTRIBUTARY SOURCES AND FOR APPROVAL OF PLAN FOR AUGMENTATION IN THE NONTRIBUTARY LOWER DAWSON, DENVER, UPPER ARAPAHOE AND LARAMIE-FOX HILLS AND THE NOT NONTRIBUTARY UPPER DAWSON AQUIFERS IN DOUGLAS COUNTY. Please send all correspondence to: Kara N. Godbehere Lyons Gaddis Kahn Hall Jeffers Dworak & Grant, P.C. P.O. Box 978, Longmont, CO 80502-0978 2. Well Permits: Well permits will be applied for prior to construction of the wells. 3. Legal Description of Wells and Subject Properties: The properties which are the subject of this application are two residential lots in the Flintwood Hills Subdivision, 2nd Addition, which lots are generally located in part of the SW1/4 SE1/4 of Section 33, T7S, R65W of the 6th P.M., as more particularly described and shown on Attachment A affixed hereto ("Subject Property"). The Subject Property consists of approximately 3.9 acres, of which approximately 2.05 acres are owned by the Gandzjuks (the "Gandzjuk Parcel") and approximately 1.85 acres of which are owned by the Appels (the "Appel Parcel"), also as shown on Attachment A. There is an existing exempt Upper Dawson well with Permit No. 313228 on the Gandzjuk Parcel, and an existing exempt Upper Dawson well with Permit No. 241296 on the Appel Parcel. The Applicants are the owners of the Subject Property as described herein, and the owners of the water underlying their respective parcels. 4. Source of Water Rights: The source for the groundwater to be withdrawn from the Lower Dawson, Denver, Upper Arapahoe and Laramie-Fox Hills aquifers is nontributary groundwater as described in 37-90-103(10.5), C.R.S. The groundwater to be withdrawn from the Upper Dawson aquifer is not nontributary groundwater as defined in Sections 37-90-103(10.7) and 37-90-137(9)(c.5), C.R.S. 5. Estimated Amounts and Rates of Withdrawal: The wells on the Subject Properties will withdraw the subject amounts of groundwater at rates of flow necessary to efficiently withdraw the entire decreed amounts. Applicants will withdraw the subject groundwater through wells to be located at any location on the Subject Properties. Applicants waive any 600 foot spacing rule as described in Section 37-90-137(2), C.R.S. for wells located on the Subject Properties. The estimated average annual amounts of withdrawal available from the subject aquifers as indicated below, are based upon the Denver Basin Rules, 2 C.C.R. 402-6. Applicants estimate the following annual amounts are representative of the Dawson, Denver, Upper Arapahoe and Laramie-Fox Hills aquifers underlying the Subject Properties:

<u>Aquifer</u>	<u>Saturated Thickness</u>	<u>Annual Amount</u>
Upper Dawson	142.3 feet	1.1 acre-feet
Lower Dawson	70.0 feet	0.5 acre-feet
Denver	185.9 feet	1.2 acre-feet
Upper Arapahoe	250.9 feet	1.6 acre-feet
Laramie-Fox Hills	202.5 feet	1.2 acre-feet

The average annual amounts available for withdrawal from the subject aquifers will depend on the hydrogeology and the legal entitlement of the Applicants and this application represents a claim to all nontributary and not nontributary groundwater underlying the Subject Properties. Applicants reserve the right to continue using the existing wells with Permit Nos. 313228 and 241296, subject to compliance with the terms of its existing or subsequently issued permit(s) and the terms and conditions of any decree ultimately entered in this case. 6. Well Fields: Applicants request that this Court determine that Applicants have the right to withdraw all of the legally available groundwater lying below the Subject Properties, through the wells requested herein (including the existing wells with Permit Nos. 313228 and 241296), which may be located anywhere on the Subject Properties, and any additional wells which may be completed in the future as Applicants' well fields. As additional wells are constructed, applications will be

filed in accordance with 37-90-137(10), C.R.S. 7. Proposed Use: The water will be used, reused, successively used, leased, sold, or otherwise disposed of for the following beneficial purposes: domestic, industrial, commercial, irrigation, livestock watering, recreational, fish and wildlife, and fire protection uses. Said water will be produced for immediate application to said uses, both on and off the property, for storage and subsequent application to said uses, for exchange purposes, for replacement of depletions resulting from the use of water from other sources, and for augmentation purposes. 8. Jurisdiction: The Water Court has jurisdiction over the subject matter of this application pursuant to 37-92-302(2), and 37-90-137(6), C.R.S. The application is filed pursuant to Section 37-92-302(5), C.R.S. which states that persons alone or in concert may initiate and implement plans for augmentation. 9. Description of Plan For Augmentation: A. Groundwater to be augmented: All of the Upper Dawson aquifer groundwater requested herein over a 100-year period. Applicants reserve the right to increase or decrease this amount without amending this application or republishing the same. B. Water rights to be used for augmentation: Return flows from the use of not nontributary and nontributary groundwater and direct discharge of nontributary ground water. C. Statement of plan for augmentation: Applicants may use the Upper Dawson water to serve the Subject Properties over a 100-year period through the existing wells or new wells at rates of flow necessary to withdraw the entire annual amount. For purposes of this application, in-house use will require approximately 0.3 acre-feet per year, per lot, and irrigation and/or stockwatering use will require approximately 0.2 acre-feet per year, per lot. Applicants may also use the water for commercial use. Applicants reserve the right to amend these values without amending or republishing the same. Sewage treatment for in-house use will be provided by a non-evaporative septic system and return flows from in-house and irrigation use will be approximately 90% and 15% of those uses, respectively. Stockwatering uses will be considered to be 100% consumptively used. Before any other type of sewage treatment is proposed in the future, including incorporation of the lot into a central sewage collection and treatment system, Applicants, or successors and assigns, will amend this decree prior to such change and thereby provide notice of the proposed change to other water users by publication procedures required by then existing law. During pumping from wells completed into the Upper Dawson aquifer, Applicants will replace actual depletions to the affected stream system pursuant to 37-90-137(9)(c.5), C.R.S. Applicants estimate that depletions from such pumping may occur to the Cherry Creek stream system. Return flows from use of the subject water rights via that stream system will accrue to the South Platte River system, and those return flows are sufficient to replace actual depletions while the subject groundwater is being pumped. D. After the entire amount decreed herein has been withdrawn or after pumping ceases, Applicants will demonstrate that any depletions which may occur to the stream systems are non-injurious and need not be replaced. However, if the court finds that such depletions need to be replaced, Applicants will reserve an adequate amount of nontributary groundwater underlying the Subject Properties to meet augmentation requirements. 10. Remarks: A. Applicants claim the right to withdraw more than the average annual amounts estimated in paragraph 5 above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7. B. Although Applicants have estimated the amounts of water available for withdrawal from the subject aquifers based on estimates of relative values for specific yield and saturated thickness, Applicants request the right to revise the estimates upward or downward, based on better or revised data, without the necessity of amending this application or republishing the same. WHEREFORE, Applicants pray that this Court enter a Decree: 11. Granting the application herein and awarding the water rights claimed herein as final water rights; 12. Specifically determining that: A. Applicants have complied with 37-90-137(4), C.R.S., and water is legally available for withdrawal by the wells proposed herein; B. The groundwater underlying the Subject Properties in the Lower Dawson, Denver, Upper Arapahoe and Laramie-Fox Hills aquifers is nontributary groundwater and the groundwater in the Upper Dawson aquifer is not nontributary; C. Vested or conditionally decreed water rights of others will not be materially injured by the withdrawals of groundwater and the plan for augmentation proposed herein; and D. No findings of diligence are required to maintain these water rights. FURTHER, Applicants pray that this court grant such other relief as seems proper in the premises. RESPECTFULLY submitted this 6th day of February, 2020. (The Application is 7 pages with 1 Exhibit).

20CW3016 The City and County of Denver, acting by and through its Board of Water Commissioners (“Denver Water” or “Applicant”), 1600 West 12th Avenue, Denver, Colorado 80204, Telephone: 303-628-6460. Jessica R. Brody, General Counsel, Casey S. Funk, Daniel J. Arnold, James M. Wittler, Andrew J. Hill. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE, CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE CITY AND COUNTY OF DENVER ACTING BY AND THROUGH ITS BOARD OF WATER COMMISSIONERS, IN WELD COUNTY,** Application twelve (12) pages. 2. Description of conditional water right: A. Name of Water Right: The Lupton Lakes Complex Storage Right (“Subject Water Right”) B. Description of Lupton Lakes Reservoir Complex: The Lupton Lakes Reservoir Complex (“Lupton Lakes Complex”) consists of two gravel pits, the North Cell and South Cell, that are currently being reclaimed for water storage. A map of the Lupton Lakes Complex and the proposed point of diversion is attached hereto as **Exhibit A**. C. Case Number and Court: 2007CW322, District Court, Water Division No. 1. D. Date of Original Decree: February 21, 2014. E. Legal Description of Lupton Lakes Complex: (1) North Cell: The North Cell is located in the East Half of Section 18, Township 1 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado, as more particularly described in **Exhibit A**. (2) South Cell: The South Cell is located in the East Half of Section 19, Township 1 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado, as more particularly described in **Exhibit A**. F. Legal Description of Proposed Point of Diversion: The Proposed Point of Diversion shall be located in the Northwest 1/4 of Section 19, Township 1 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado. The final design and location of the proposed diversion facility has not been finalized to provide distance from section lines and may change to Section 18. Denver Water may, without amending the Decree, supplement the correct section (18 or 19), and distance and section lines in a decree to be entered during the earliest diligence proceeding when this information becomes available as provided in paragraph 38.D of the Decree entered for the Subject Water Right in Case No. 07CW322. G. Source: South Platte River and its tributaries. H. Appropriation Date: December 28, 2007. I. Capacity. The Lupton Lakes Complex is projected to have the following capacities: (1) Surface Area of the High Water Line: 250 acres. (2) Total Capacity of Lupton Lakes Complex in Acre-feet: 11,400 acre-feet. (3) Active Capacity: 11,400 acre-feet. (4) Dead Storage: 0 acre-feet. J. Amount: (1) Storage Volume: 11,400 acre-feet CONDITIONAL, with the right to refill an additional 11,400 acre-feet CONDITIONAL, subject to the terms and conditions of the Decree in Case No. 07CW322. (2) Rate of Diversion: 50 cfs, CONDITIONAL. K. Use: All municipal uses, including but not limited to, domestic, mechanical, manufacturing, industrial, power generation, fire protection, sewage treatment, street sprinkling, irrigation of parks, lawns and grounds, recreation, piscatorial, maintenance and preservation of wildlife and aesthetic values, replacement of lake and reservoir evaporation, augmentation and/or replacement, with the right to fully consume water stored under the Subject Water Right either directly, by reuse, successive use, or exchange, subject to the terms and conditions of the Decree in Case No. 07CW322. L. Place of Use: The water diverted and stored under the Subject Water Right will be placed to beneficial use wherever Denver may, now or in the future, legally serve water. The place of use is limited to Denver Water’s service area, including those areas where Denver Water has fixed amount contracts, as it exists now as approximately shown on the map attached hereto as **Exhibit B** or as it may exist in the future, within Denver, Arapahoe, Douglas, Jefferson, Adams, and Broomfield Counties, Colorado. M. Plan and Intent: The Lupton Lakes Complex Storage Right will supplement Denver Water’s reusable return flows that Denver Water would otherwise capture and store, when those return flows are not available for diversion. Water stored under the Subject Water Right will be used to replace out-of-priority diversions from Denver Water’s Water Recycling Plant pursuant to a separate exchange decree in 2001CW287 WD1; as a substitute supply under Denver Water’s exchange decree in 2009CW123 WD1; as a substitute supply under exchanges, which Denver may apply for in the future to be adjudicated with a priority date of December 28, 2007 or later; for release and diversion into pipelines being constructed by the City of Aurora and the East Cherry Creek Valley Water and Sanitation District for uses by Denver Water and WISE participants, pursuant to subsequent exchange decree if such diversions are upstream of the applicable outlet from the

Lupton Lakes Complex; for replacement of augmentation requirements; for delivery of 5,000 acre-feet to certain end users under an August 31, 1999 Agreement with the Farmers Reservoir and Irrigation Company and as amended on September 8, 2006. In addition, Denver Water will reuse, successively use, and make a disposition of the water stored under the Subject Water Right for the above-described purposes by direct use, storage, and exchange of return flows from the first use of the Subject Water Right returning to the stream in the form of effluent and lawn irrigation return flows. N. Case No. 2001CW287 WD1: The Decree in Case No. 07CW322 does not authorize use of the Lupton Lakes Complex as an exchange-from point for the exchanges decreed in Division 1 Case No. 2001CW287. Any use of the Subject Water Right as a source of supply for the 2001CW287 exchange shall only occur if such water is delivered to the South Platte River at one of the exchange-from points or upstream substitute supply release points listed in paragraph 12(b)(ii) and (iii) of the 2001CW287 decree. **CLAIM FOR FINDING OF REASONABLE DILIGENCE 3. Detailed Outline of Activities Taken to Complete the Appropriation and to Beneficially Use the Subject Water Right:** During the diligence period, Denver Water initiated or completed the following activities in furtherance of maintaining and fully developing the Subject Water Right. A. Lupton Lakes Complex: (1) In 2014, RJH Consultants, Inc. evaluated potential barrier wall options to provide a lined underground water reservoir and reduce potential impacts to adjacent properties from dewatering associated with the ongoing mining and future liner construction. The total project cost was approximately \$54,000. (2) In 2015, Mac-Bestos, Inc. completed abatement work for a house located within the boundary of the Lupton Lakes Complex South Cell prior to demolition. The total project cost was approximately \$8,000. (3) In 2015, Maptek conducted LIDAR field scanning to capture updated topography at the Lupton Lakes Complex for a total project cost of approximately \$8,000. (4) In 2016, Denver Water acquired a temporary easement for construction related operations, activities, and access to the Lupton Lakes Complex property for a total cost of approximately \$5,000. (5) In 2016, RJH Consultants, Inc. provided Owner’s Consultant services for the groundwater cutoff walls project at the Lupton Lakes Complex. The total project cost was approximately \$334,000. (6) In 2016, Denver Water purchased 100 acre-feet of storage capacity in the Lupton Lakes Complex from the City of Fort Lupton (“Ft. Lupton”). The storage capacity had previously been gifted to Ft. Lupton by Denver Water’s predecessor-in-interest. The total cost of purchase was \$200,000. (7) In 2016, Denver Water conveyed property for use as public rights-of-way to satisfy an Annexation Agreement with Ft. Lupton. (8) In 2016, Concrete Works of Colorado, Inc. constructed a new access road for continued mining activity at the Lupton Lakes Complex. The total project cost was approximately \$119,000. (9) Since 2015, Denver Water has contributed towards the cost of dewatering of offsite wells required by on-going mining activities at the Lupton Lakes Complex. The total amount spent to date is approximately \$981,000. (10) In 2016 and 2017, the design-build team of Deere and Ault Consultants, Inc. and Great Lakes Environmental & Infrastructure designed and constructed the groundwater cutoff wall and interior reservoir slopes for the North Cell of the Lupton Lakes Complex. The total project cost was approximately \$9,873,000. (11) In 2017, the Colorado Division of Water Resources approved the groundwater cutoff wall installed in the North Cell at the Lupton Lakes Complex as meeting the design standard. (12) In 2018 and 2019, the design-build team of Deere and Ault Consultants, Inc. and Great Lakes Environmental & Infrastructure designed and constructed the groundwater cutoff wall for the South Cell of the Lupton Lakes Complex. The total amount spent is approximately \$5,148,000. (13) Denver Water maintains compliance with the Division of Reclamation, Mining, and Safety through annual permitting for the active mining operations at the Lupton Lakes Complex. B. Downstream Reservoir Water Storage Project: The following work describes Denver Water’s effort to maintain and fully develop the remainder of the Downstream Reservoir Water Storage Program (“DRWSP”), which includes the North Reservoir Complex and South Reservoir Complex. Water stored in the Lupton Lakes Complex may be exchanged upstream pursuant to other Denver Water decrees. (1) The South Reservoir Complex (“South Complex”): i. In 2014, Western States Reclamation completed reclamation work on the outer dam embankment of Bambei-Walker Reservoir for approximately \$234,000. ii. In 2014, Denver Water and South Adams County Water and Sanitation District entered into an Intergovernmental Agreement (“IGA”) which addressed a wide range of complex issues regarding joint use of downstream reservoirs, including: allocation and repayment of costs,

near-term and long-term operations, a water rights peace pact, temporary treated water connections, and conveyance of jointly acquired property interests. Denver Water's total costs were approximately \$6,199,000. iii. In 2016, Denver Water acquired a permanent easement for access, construction, maintenance, repair, relocation, and replacement of utilities for a total cost of approximately \$13,000. iv. In 2017, the design-build team of Brown and Caldwell and J.R. Filanc Construction Company designed and constructed aeration systems and infrastructure at the South Complex to mitigate water quality issues. The total project cost was approximately \$1,404,000. (2) The North Reservoir Complex ("North Complex"): i. Howe-Haller A and B Reservoirs: a. In 2015, Kumar & Associates performed a geotechnical engineering study and developed a final design for the repair of reservoir bank slopes impounding the Howe-Haller A and B Reservoirs. The total project cost was approximately \$70,000. b. In 2015, Alden Research Laboratory provided hydraulic and structural engineering for the new spillway/rundown structure at Denver Water's Howe-Haller A Reservoir. The total project cost was approximately \$46,000. c. In 2016, Environmental Logistics completed property fencing around Howe-Haller A, B, and Hazeltine Reservoirs. The total project cost was approximately \$528,000. d. In 2016, Tezak Heavy Equipment Co., Inc. regraded and reconstructed the reservoir slopes damaged during 2013 and 2015 flooding. A new concrete rundown and spillway structure was also constructed to pass future flood flows from First Creek safely into Howe-Haller A Reservoir. The total project cost was approximately \$1,267,000. e. In 2016, Olsson Associates provided engineering related to identifying potential locations for rundown structures to protect slopes from flooding damage at Howe-Haller A and B. The total project cost was approximately \$27,000. f. In 2018, RE Monks Construction Company, LLC completed repair of the Hazeltine/Howe-Haller B Reservoirs temporary platform fill slope. The total project cost was approximately \$533,000. ii. Dunes Dam and Reservoir: a. In 2015, AECOM Technical Services Inc. provided inundation mapping for Dunes Reservoir for a total project cost of approximately \$32,000. b. In 2017, United Power Inc. completed a new electric service for the Dunes Reservoir water valve connection vault. The total project cost was \$26,000. c. Denver Water began filling Dunes Reservoir by gravity from the Fulton Ditch in February 2018. iii. Hazeltine Reservoir. a. In 2014, Rodney Hunt Company produced a slide gate for the Hazeltine outlet structure to control the flows from Dunes and Tanabe Reservoirs. The total project cost was approximately \$26,000. b. In 2015, Envirocon, Inc. completed the installation of 1,840 linear feet of soil bentonite barrier, 140 linear feet of slurry wall structural cap, and site restoration. The total project cost was approximately \$491,000. c. In 2018, Shannon & Wilson, Inc. completed geotechnical field exploration work at Hazeltine and Howe-Haller B Reservoirs. The total project cost was approximately \$19,000. iv. Tanabe Reservoir: a. In 2017, Environmental Logistics completed installation of property fencing for Tanabe Reservoir and removal of the previously existing mining fence. The total project cost was approximately \$54,000. b. Denver Water began filling Tanabe Reservoir by gravity from the Fulton Ditch in February 2018. v. General North Complex Work: a. In 2014, Olsson Associates, Inc. provided engineering services to identify impacts on floodplain related to construction of berms, options for armoring the slopes for protection during future flood events and repairing slopes to previous dimensions. The total project cost was approximately \$59,000. b. In 2014, Concrete Works of Colorado, Inc. constructed the outlet for the North Complex. The total project cost was approximately \$2,085,000. c. In 2016, Burns & McDonnell Engineering Company, Inc. completed the first phase of the North Complex electrical, instrumentation, and control project for a total cost of approximately \$5,533,000. d. In 2017, the design-build team of Brown and Caldwell and J.R. Filanc Construction Company designed and constructed aeration systems and infrastructure at the North Complex to mitigate water quality issues. The total project cost was approximately \$1,987,000. e. In 2018, Denver Water acquired a share in the Fulton Ditch Irrigating Company. f. Denver Water continues to maintain active sand and gravel mining permits through the Division of Reclamation, Mining, and Safety on an annual basis for the mining operations remaining at the North Complex. C. Recycling Plant: The following work describes Denver Water's effort to maintain and fully develop the Recycling Plant and recycle distribution system, which will be used to treat and deliver exchanged water from the DRWSP—including Lupton Lakes Complex: (1) In 2014, Hatch Mott MacDonald created an up-to-date conformed set of two-dimensional as-built drawings and a base drawing for the Recycling WTP. The total project cost was

approximately \$155,000. (2) In 2015, Innovative Power Systems, Inc. replaced a motor at a pump station within the recycle distribution system for a total cost of approximately \$67,000. (3) In 2015, CH2M Hill Engineers, Inc. conducted an evaluation of the chlorination system at the recycling WTP for a total project cost of approximately \$45,000. (4) In 2015, Denver Water and the Park Creek Metropolitan District established the Stapleton North Recycled Water Infrastructure Agreement which provided terms and conditions for the completion of recycled water infrastructure within the Stapleton North portion of the Park Creek Metropolitan District. (5) In 2015, T Lowell Construction, Inc. furnished and installed approximately 7,700 feet of 24-inch diameter recycled water pipeline and appurtenances in the Stapleton North area. The total project cost was approximately \$3,010,000. (6) In 2015, Carollo Engineers, Inc. provided professional services regarding recycled water demand management. The total project cost was approximately \$53,000. (7) In 2016, Denver Water and Denver Public Schools (“DPS”) entered into a Memorandum of Understanding (“MOU”) regarding the conversion of DPS facilities to recycled water for irrigation. Denver Water provided matching funds for a DPS grant for these conversions at a total cost of \$20,000. (8) In 2017, Stantec Consulting Services, Inc. provided technical support during the triennial review process of Regulation 84 with the Colorado Department of Public Health and Environment for new uses of reclaimed water. The total project cost was approximately \$115,000. (9) In 2017, Denver Water and Sand Creek Metropolitan District (“SCMD”) entered into a MOU outlining permit requirements for recycled water provided to SCMD lakes.

4. Names and Addresses of Landowners Where Structures are Located: The following list includes the names and addresses of owners of the land upon which any new diversion or storage structure or modification to any existing diversion or storage structure or existing storage pool is or will be constructed or upon which water is or will be stored. Denver Water is providing notice to the following entities because this application relates to certain structures and property in which the following entities may have a property interest. A. Hunt Brothers Properties Inc. c/o Asphalt Specialties Company Inc. 10100 Dallas Street Henderson, CO 80640-8491 B. City of Aurora 15151 East Alameda Parkway Aurora, CO 80012 C. Colorado Department of Transportation 4201 East Arkansas Avenue Denver, CO 80222-3406

20CW3017 (12CW72) (99CW125) (90CW108). City of Lafayette, c/o City Administrator, 1290 South Public Road, Lafayette, Colorado 80026. Copies of all pleadings to David F. Bower, #39405, Johnson & Repucci LLP, 850 W. South Boulder Road, Suite 100, Louisville, Colorado 80027; Phone: (303) 546-5608; E-Mail: dfbower@j-rlaw.com. **APPLICATION TO MAKE ABSOLUTE IN PART AND FOR FINDING OF REASONABLE DILIGENCE IN BOULDER COUNTY.** Overview. By this application, Lafayette seeks to make absolute and to continue certain conditional exchanges on Coal Creek, Boulder Creek, Dry Creek, and South Boulder Creek, involving reclaimable return flows from the water rights changed in Case No. 90CW108. These reclaimable return flows are or will be diverted by exchange at (a) the Lafayette Ditch No. 1 and the Lafayette Ditch No. 4 on Coal Creek; (b) the Lower Boulder Ditch and the Lafayette Boulder Creek Pipeline No. 1 on Boulder Creek; (c) the Goodhue Ditch, the South Boulder and Bear Creek Ditch, the point where the New Dry Creek Carrier branches from South Boulder Creek, and Gross Reservoir on South Boulder Creek; and (d) the Enterprise Ditch and the Leyner-Cottonwood Ditch on Dry Creek. If not needed for immediate use, the water can be stored in reservoirs which fill using the above described diversion facilities. A map of the subject structures is attached to the application as Exhibit A. Name and Descriptions of Conditional Water Rights. Original and Subsequent Decrees. The exchanges were conditionally decreed on August 5, 1993, in Case No. 90CW108, Water Division 1. Decrees making portions of some of the exchanges absolute and awarding findings of diligence for the remainder were entered on March 1, 2006, in Case No. 99CW125, Water Division 1, and on February 7, 2014, in Case No. 12CW72, Water Division 1. Description of Exchange Termini. The reaches of the stream system affected by the exchanges can be described as follows: Coal Creek. The upstream point is the Lafayette Ditch No. 1, located approximately 50 feet west of the East Section line and 2,580 feet south of the North Section line of Section 10, Township 1 South, Range 69 West, of the 6th P.M. The downstream point is the confluence of Coal Creek and Boulder Creek, located in the SE1/4 NE1/4 of Section 1,

Township 1 North, Range 69 West, of the 6th P.M. Boulder Creek. The upstream point is the confluence of South Boulder Creek and Boulder Creek, located near the Southeast Corner of the NE1/4 SW1/4 of Section 22, Township 1 North, Range 70 West, of the 6th P.M. The downstream point is the confluence of Boulder Creek and Coal Creek, as described above. South Boulder Creek. The upstream point is Gross Reservoir, which is an on-stream reservoir located in Sections 19, 20, 21, 29, and 30, Township 1 South, Range 71 West, of the 6th P.M. The downstream point is the confluence of South Boulder Creek and Boulder Creek, as described above. Dry Creek a/k/a the Dry Creek Carrier and the New Dry Creek Carrier. The upstream point is the confluence of the New Dry Creek Carrier with South Boulder Creek, located in the SW1/4 SW1/4 of Section 3, Township 1 South, Range 70 West, of the 6th P.M. The downstream point is the confluence of Dry Creek with Boulder Creek, located in the NE1/4 SW1/4 of Section 17, Township 1 North, Range 69 West, of the 6th P.M. Legal Description of Diversion Structures. The locations of the structures where the exchanged water can be diverted and in which water is or will be stored by Lafayette are described as follows: Lafayette Ditch No. 1. The Lafayette Ditch No. 1 diverts water from Coal Creek at a point approximately 50 feet west of the East Section line and 2,580 feet south of the North Section line of Section 10, Township 1 South, Range 69 West, of the 6th P.M. Lafayette Ditch No. 4. The Lafayette Ditch No. 4 diverts water from Coal Creek at a point approximately 500 feet west of the East Section line and 1,000 feet north of the South Section line of Section 36, Township 1 North, Range 69 West, of the 6th P.M. Lower Boulder Ditch. The Lower Boulder Ditch diverts water from Boulder Creek in the SW1/4 SW1/4 of Section 16, Township 1 North, Range 69 West, of the 6th P.M. The Lower Boulder Ditch diverts water from Boulder Creek by means of a dam, a water conveyance channel, and headworks. The diversion dam is constructed across Boulder Creek at a point approximately 1,300 feet north and 150 feet east of the Southwest Corner of Section 16, and operates to deflect normal stream flow into the water conveyance channel and toward the headworks of the Lower Boulder Ditch. The headworks are located at a point approximately 1,100 feet north and 600 feet east of the Southwest corner of Section 16. The headworks consist of a dam across the water conveyance channel, with control gates and an overflow section, and headgates at right angles to the flow in the channel which divert water into the main ditch. Any water not diverted through the headgates returns to Boulder Creek unused. Lafayette Boulder Creek Pipeline No. 1. The Lafayette Boulder Creek Pipeline No. 1 diverts water from the following alternate intake points. The first, decreed in Case No. 80CW467, is located at a point on the south bank of Boulder Creek in the SE1/4 SE1/4 of Section 17, Township 1 North, Range 69 West, of the 6th P.M., located approximately 1,300 feet north and 100 feet west of the Southeast Corner of said Section 17. The second, also decreed in Case No. 80CW467, is located at a point on the south bank of Boulder Creek in the SW1/4 SW1/4 of Section 16, Township 1 North, Range 69 West, of the 6th P.M., located approximately 1,300 feet north and 100 feet east of the Southwest Corner of said Section 16. The third, decreed in Case No. 99CW191, is located at any point along the diversion channel which extends from the first intake point to the Lower Boulder Ditch headworks as described above. The fourth, decreed in Case No. 2001CW100, is located at a point on the south bank of Boulder Creek in the SW1/4 NE1/4 of Section 13, Township 1 North, Range 70 West, of the 6th P.M., located approximately 2,476 feet south of the North section line and 2,500 feet west of the East section line of said Section 13, as well as up to 50 feet upstream and 60 feet downstream of said point. Goodhue Ditch. The Goodhue Ditch diverts water at a point on the south bank of South Boulder Creek in the SE1/4 NE1/4 of Section 20, Township 1 South, Range 70 West, of the 6th P.M., located approximately 2,250 feet south and 250 feet west of the Northeast Corner of said Section 20. South Boulder and Bear Creek Ditch. The South Boulder and Bear Creek Ditch diverts water at a point on the north bank of South Boulder Creek in the SE1/4 NE1/4 of Section 20, Township 1 South, Range 70 West, of the 6th P.M., located approximately 200 feet west and 1,550 feet south of the Northeast Corner of said Section 20. New Dry Creek Carrier. The New Dry Creek Carrier is a natural branch from South Boulder Creek located on the east bank of South Boulder Creek in the SW1/4 SW1/4 of Section 3, Township 1 South, Range 70 West, of the 6th P.M., at a point approximately 450 feet east and 70 feet north of the Southwest Corner of said Section 3. Enterprise Ditch. The Enterprise Ditch diverts water at a point on the north bank of the New Dry Creek Carrier in the SW1/4 SW1/4 of Section 3, Township 1 South, Range 70 West, of the 6th P.M.,

located approximately 900 feet east and 70 feet north of the Southwest Corner of said Section 3. Leyner-Cottonwood Ditch. The Leyner-Cottonwood Ditch diverts water at a point on the east bank of Dry Creek in the SW1/4 NW1/4 of Section 30, Township 1 North, Range 69 West, of the 6th P.M., located approximately 900 feet east and 2,500 feet south of the Northwest Corner of said Section 30. Henry Waneka Reservoir. The Henry Waneka Reservoir is located in Section 4, Township 1 South, Range 69 West, of the 6th P.M. Baseline Reservoir. Baseline Reservoir is located in Sections 2 and 3, Township 1 South, Range 70 West, and in Sections 34 and 35, Township 1 North, Range 70 West, of the 6th P.M. Lafayette-Goose Haven Reservoir Complex. The Lafayette-Goose Haven Reservoir Complex is located in Sections 15, 16, 21, and 22, Township 1 North, Range 69 West, of the 6th P.M. Gross Reservoir. Gross Reservoir is an on-stream reservoir on South Boulder Creek located in Sections 19, 20, 21, 29, and 30, Township 1 South, Range 71 West, of the 6th P.M. Source. The source of water is the consumptive use portion of return flows associated with diversions under the water rights changed in Case No. 90CW108. Appropriation Date. May 15, 1990. Amount. The rate of exchange that was originally decreed for the reclaimable return flows in Case No. 90CW108 was 8.0 cfs, conditional. In Case No. 99CW125, the following exchanges were recognized as absolute: (a) up Coal Creek, to the Lafayette Ditch No. 1, at a rate of 0.33 cfs; (b) up Boulder Creek and South Boulder Creek, to the New Dry Creek Carrier, to the Enterprise Ditch, and up Boulder Creek and Dry Creek, to the Enterprise Ditch, at a rate of 3.16 cfs; and (c) up Boulder Creek and South Boulder Creek, to the New Dry Creek Carrier, to the Leyner-Cottonwood Ditch, at a rate of 3.11 cfs. In Case No. 12CW72, the exchange up Boulder Creek to the Lafayette Boulder Creek Pipeline No. 1 was recognized as absolute at a rate of 2.34 cfs. The remainder of the exchanges were continued in their entirety. Decreed Uses. The exchanged water is utilized by Lafayette for municipal, domestic, irrigation, commercial, industrial, replacement, exchange, augmentation, recreational, piscatorial, and wildlife propagation purposes. The water is treated for distribution to customers of the municipal utility system, or the water is used without treatment for the irrigation of city owned land and other greenbelt areas within the municipal service area. The water is also stored for use at later times. Claim to Make Absolute in Part. Since the decree was entered in Case No. 12CW72, Lafayette has made absolute an additional portion of the exchange up Boulder Creek to the Lafayette Boulder Creek Pipeline No. 1. On February 13, 2020, reclaimable return flows from water changed in Case No. 90CW108 was released into Coal Creek from Lafayette's wastewater treatment plant, and exchanged from the confluence of Coal Creek and Boulder Creek, up Boulder Creek, to the Lafayette Boulder Creek Pipeline No. 1, at a rate of 4.06 cfs. Therefore, the exchange up Boulder Creek to the Lafayette Boulder Creek Pipeline No. 1 should be recognized as absolute for a total of 4.06 cfs, with 2.34 cfs already made absolute in Case No. 12CW72 and an additional 1.72 cfs recognized as absolute by this matter. Attached to the application as Exhibit B is an excerpt from Lafayette's accounting records showing the operation of the subject exchange for the amount claimed. Claim for Finding of Reasonable Diligence. Lafayette seeks to continue as conditional the remainder of the exchange up Coal Creek that is not recognized as absolute as requested above, as well as all of the other conditional exchanges originally decreed in Case No. 90CW108 that were not recognized as absolute in Case Nos. 99CW125 and 12CW72. Besides operating the subject exchange as set forth 4 above, during the subject diligence period from February 7, 2014 through February 29, 2020, the following activities have been performed to put the subject water rights to beneficial use, and also show that Lafayette continues to have a need for the conditional exchange rights: A. Lafayette prosecuted an application in Case No. 2011CW298 which involved the Lafayette Boulder Creek Pipeline No. 1, (Second Filing). The decree was entered on June 15, 2014. B. Lafayette prosecuted an application in Case No. 2015CW3009, which involved the Goose Haven Reservoir Complex. A portion of the storage right was made absolute and the conditional status of the remainder was extended through May of 2022. The decree was entered on May 18, 2016. C. Lafayette prosecuted applications in Case Nos. 2018CW3035 and 19CW3020, which involved other conditional exchange rights in Coal Creek, Boulder Creek, Dry Creek, and South Boulder Creek. The decrees were entered on April 16, 2019, and October 13, 2019, respectively. In addition, Lafayette is prosecuting a third application for similar exchanges in Case No. 19CW3201, which application was filed on October 30, 2019. D. The storage capacity of the Goose Haven Reservoir Complex

is in the process of being expanded. E. Repairs have been made to Baseline Reservoir and Waneka Reservoir. F. Approximately 5,800 feet of treated water mains have been designed and have been installed or are in the process of being installed. G. As a result of the flood in 2013, Lafayette's raw water intake on South Boulder Creek in Eldorado Springs Canyon, and a portion of the water line extending from the intake, were rebuilt. H. Special Use Permits were obtained from Boulder County in conjunction with the construction of raw water and treated water lines located outside of Lafayette's city limits. I. A raw water line extending from Coal Creek to the Lafayette Goose Haven Reservoir Complex has been designed and is the process of being constructed. J. Lafayette has coordinated with the City of Boulder on a water storage application for the Gross Reservoir Environmental Pool as envisioned in Intergovernmental Agreements with the City and County of Denver, acting by and through its Board of Water Commissioners, and the City of Boulder. That application is being prosecuted in Case No. 17CW3212. K. Lafayette has continued its participation in the Windy Gap Firing Project and the Northern Integrated Supply Project, including the acquisition of two units of Windy Gap water. L. Lafayette has participated as an opposer in Water Court matters to ensure that the exchanges described herein are not injured. M. Lafayette has incurred significant expenditures on the above referenced activities. 10 pages.

20CW3018 Dittmer Farm LLC, 13408 County Road 4, Brighton, CO 80603. Phone: (303) 548-4974; and Blue Pill, LLC, 1550 Larimer Street, Suite 227, Denver, CO 80202. Please send correspondence and pleadings to: Bradley C. Grasmick and Wesley S. Knoll, Lawrence Jones Custer Grasmick LLP, 5245 Ronald Reagan Blvd., Suite 1, Johnstown, CO 80534. (970) 622-8181; brad@ljcgllaw.com and wes@ljcgllaw.com. **APPLICATION FOR CONDITIONAL UNDERGROUND WATER RIGHT, in WELD COUNTY.** 2. Applicants seek a Decree approving a new conditional water right for domestic and commercial uses on the W1/2 NE1/4 NW1/4, E1/2 NW1/4 NW1/4, and the East 15 feet of the W1/2 NW1/4 NW1/4, E1/2 NE1/4 NW1/4 of Section 32, Township 1 North, Range 66 West of the 6th P.M., Weld County, Colorado or commercial camping sites, agritourism, event center use, indoor commercial greenhouse use, and indoor use for classroom and domestic caretaker facilities. 3. Name of Wells and Permit and Registration Numbers: 3.1. Name of Well: Dittmer Well No. 1991 ("the Well") 3.2. Permit Number: 1991-R 3.3. WDID: 0205933 4. Previous Decrees: 4.1. Case No. W-1316, Division One Water Court, entered by the Division One Water Judge on November 5, 1975. 4.1.1. Source: Groundwater 4.1.2. Date of Appropriation: July 31, 1932 4.1.3. Amount of Water: 1.33 cfs 4.1.4. Use: Irrigation 5. Legal Description of the Well: 5.1. Location: The NW1/4 of the NW1/4 of Section 32, Township 1 North, Range 66 West of the 6th P.M., Weld County, Colorado, at a point approximately 495 feet South and 653 feet East of the NW Corner of said Section 32. 6. Source of Water: Groundwater tributary to the South Platte River 7. Depth of Well (Completed): 35 feet 8. Date of Appropriation: Date of filing of this Application. 8.1. How appropriation was initiated: Formation of intent to appropriate and the filing of this Application. 8.2. Date water applied to beneficial use: N/A. 9. Withdrawal of Tributary Groundwater: 9.1. Amount claimed in cubic feet per second: 1.33 10. Augmentation Plan: 10.1. Applicant is a member of the Augmentation Plan operated by the Groundwater Management Subdistrict of the Central Colorado Water Conservancy District ("GMS"), Case No. 02CW335 and is authorized to pump the well for the claimed uses under Contract No. 1236. All out-of-priority depletions from the Well shall be replaced pursuant to the Plan. A corresponding new water court application to add the new water right to the Well in GMS Case No. 02CW335 was filed contemporaneously with this Application. 11. Proposed Uses: 11.1. Commercial and Domestic Uses on 60 acres in Section 32, Township 1 North, Range 66 West of the 6th P.M. 12. Names and addresses of owner(s) or reputed owners of the land upon which any new or existing diversion or storage structure is or will be constructed: Applicant is the owner of all lands that are the subject of this Application. The original format of this application is five pages in length.

20CW3019 MEC LIVING TRUST, 35778 Elkridge Run, Elizabeth, CO 80107, PH: 303-646-1455 (Please send all correspondence and pleadings to David M. Shohet of Monson, Cummins & Shohet, LLC, 13511 Northgate Estates Dr., Ste. 250, Colorado Springs, CO 80921, (719) 471-1212). Application for

Underground Water Rights and Adjudication of Denver Basin Groundwater in **ELBERT COUNTY**. Name of Well: Crystal Well. Legal Description: The Crystal Well is located in the Northeast Quarter of the Northeast Quarter of Section 5, Township 8 South, Range 64 West of the 6th P.M., Elbert County, Colorado, approximately 700 feet from the north section, and 940 feet from the east section line. The location of the Crystal Well is generally shown on the attached Exhibit A map. Date of Initiation of Appropriation: April 6, 2000. How Appropriation Was Initiated: Appropriation was initiated by the issuance by the Office of the State Engineer of an exempt domestic well permit no. 224804, which is attached as Exhibit B, together with an intent to appropriate the water from the well and apply the water to beneficial use. Date Water Applied to Beneficial Use: April 27, 2001. Amount Claimed: Up to 15 g.p.m. absolute. Use: Ordinary household purposes inside one single family dwelling, the watering of four large domestic animals, and the irrigation of not more than 6,000 square feet of home, gardens and lawns. Land Ownership: The land upon which the Crystal Well is located is owned by the Applicant. Remarks: The well which is the subject of this Application is an exempt well issued pursuant to C.R.S. § 37-92-602(3)(b)(I) and a decree for this exempt well is sought pursuant to C.R.S. § 37-92-602(4). Application for Denver Basin Groundwater Rights. Legal Description. Applicant owns an approximately 2.67 acre property (“Applicant’s Property”), located at 35778 Elkridge Run, Elizabeth, CO 80107, and more particularly described as Lot No. 25 of the Saddlewood Subdivision. The Property is generally shown on the attached Exhibit A map. Not-Nontributary. Groundwater withdrawn from the Upper Dawson aquifer underlying the Applicant’s Property is not-nontributary. Nontributary. The groundwater withdrawn from the Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying the Applicant’s Property is nontributary. Estimated Rates of Withdrawal. The pumping rates for any well will vary according to aquifer conditions and well production capabilities. The Applicant requests the right to withdraw groundwater at rates of flow necessary to withdraw the entire decreed amounts. The actual depth of each well to be constructed within the respective aquifers will be determined by topography and actual aquifer conditions. Estimated Average Annual Amounts of Ground Water Available. Applicant requests a vested right for the withdrawal of all legally available groundwater in the Denver Basin aquifers underlying the Applicant’s Property. Said amounts might be withdrawn over the 300-year life of the aquifers as required by Elbert County, Colorado Land Development Code which may be more stringent than the State of Colorado’s 100-year life requirement under C.R.S. §37-90-137(4). Applicant estimates that the following values and average annual amounts are representative of the Denver Basin aquifers underlying Applicant’s Property:

AQUIFER	Annual Avg. Withdrawal 100 Years (Acre Feet)
Upper Dawson	1.0
Lower Dawson	0.5
Denver	1.2
Arapahoe	1
Laramie Fox	0.8

Decreed amounts may vary from the above table to conform with the State’s Determination of Facts. The actual depth of any well to be constructed within the respective aquifers will be determined by topography and actual aquifer conditions. Requested Uses. The Applicant requests the right to use the groundwater for beneficial uses upon the Applicant’s Property consisting of domestic, commercial, irrigation, stock water, recreation, wildlife, wetlands, fire protection, replacement, and also for storage, augmentation and exchange purposes associated with such uses. The Applicant also requests that the nontributary water may be used, reused, and successively used to extinction, both on and off the Applicant’s Property subject, however, to the requirement of C.R.S. §37-90-137(9)(b), that no more than 98% of the amount withdrawn annually shall be consumed. The Applicant may use such water by immediate application or by storage and subsequent application to the beneficial uses and purposes stated herein. Well Fields. Applicant

requests that it be permitted to produce the full legal entitlement from the Denver Basin aquifers underlying Applicant’s Property through any combination of wells. Applicant requests that these wells be treated as a well field. Averaging of Withdrawals. Applicant requests that it be entitled to withdraw an amount of groundwater above the average annual amount decreed to the aquifers beneath the Applicant’s Property, so long as the sum of the total withdrawals from all the wells in the aquifers does not exceed the product of the number of years since the date of issuance of the original well permit or the date of entry of a decree herein, whichever comes first, multiplied by the average annual volume of water which the Applicant is entitled to withdraw from the aquifers underlying the Applicant’s Property. Owner of Land Upon Which Wells are to Be Located. The Applicant owns the land upon which all wells will be located.

20CW3020 THE MICHAEL & AUDREY STEFFAN TRUST, 41550 Vista Ridge Road, Parker, CO 80138. (Please send all correspondence and pleadings to David M. Shohet of Monson, Cummins & Shohet, LLC, 13511 Northgate Estates Drive, Ste. 250, Colorado Springs, CO 80921 (719) 471-1212). Application for Adjudication of Denver Basin Groundwater in **ELBERT COUNTY**. Legal Description. Applicant owns an approximately 4.02 acre property (“Applicant’s Property”), located at 41536 Vista Ridge Road, Parker, Colorado 80138, and more particularly described as follows: A Tract of land located in the Northeast Quarter of the Northeast Quarter of Section 1, Township 7 South, Range 65 West of the 6th P.M., Elbert County, Colorado, known as Lot # 39 Vista Del Sol Subdivision. The Property is generally shown on the attached Exhibit A map. Not-Nontributary. Groundwater withdrawn from the Upper and Lower Dawson aquifers underlying the Applicant’s Property is not-nontributary. Nontributary. The groundwater withdrawn from the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying the Applicant’s Property is nontributary. Estimated Rates of Withdrawal. The pumping rates for any well will vary according to aquifer conditions and well production capabilities. The Applicant requests the right to withdraw groundwater at rates of flow necessary to withdraw the entire decreed amounts. The actual depth of each well to be constructed within the respective aquifers will be determined by topography and actual aquifer conditions. Estimated Average Annual Amounts of Ground Water Available. Applicant requests a vested right for the withdrawal of all legally available groundwater in the Denver Basin aquifers underlying the Applicant’s Property. Said amounts might be withdrawn over the 300-year life of the aquifers as required by Elbert County, Colorado Land Development Code which may be more stringent than the State of Colorado’s 100-year life requirement under C.R.S. §37-90-137(4). Applicant estimates that the following values and average annual amounts are representative of the Denver Basin aquifers underlying Applicant’s Property:

AQUIFER	Annual Avg. Withdrawal 100 Years (Acre Feet)
Upper Dawson	1.0
Lower Dawson	0.3
Denver	1.9
Arapahoe	2.2
Laramie Fox	1.1

Decreed amounts may vary from the above table to conform with the State’s Determination of Facts. The actual depth of any well to be constructed within the respective aquifers will be determined by topography and actual aquifer conditions. Requested Uses. The Applicant requests the right to use the groundwater for beneficial uses upon the Applicant’s Property consisting of domestic, commercial, irrigation, stock water, recreation, wildlife, wetlands, fire protection, replacement, and also for storage, augmentation and exchange purposes associated with such uses. The Applicant also requests that the nontributary water may be used, reused, and successively used to extinction, both on and off the Applicant’s Property subject,

however, to the requirement of C.R.S. §37-90-137(9)(b), that no more than 98% of the amount withdrawn annually shall be consumed. The Applicant may use such water by immediate application or by storage and subsequent application to the beneficial uses and purposes stated herein. Well Fields. Applicant requests that it be permitted to produce the full legal entitlement from the Denver Basin aquifers underlying Applicant's Property through any combination of wells. Applicant requests that these wells be treated as a well field. Averaging of Withdrawals. Applicant requests that it be entitled to withdraw an amount of groundwater above the average annual amount decreed to the aquifers beneath the Applicant's Property, so long as the sum of the total withdrawals from all the wells in the aquifers does not exceed the product of the number of years since the date of issuance of the original well permit or the date of entry of a decree herein, whichever comes first, multiplied by the average annual volume of water which the Applicant is entitled to withdraw from the aquifers underlying the Applicant's Property. Owner of Land Upon Which Wells are to Be Located. The Applicant owns the land upon which all wells will be located. 5 Pages

****Water Division 2 will publish resume****

20CW3021 (Water Div. 2 case no. 20CW3002) BLACK FOREST RANCH, LLC, c/o Donald and Sylvia McGrath, 8129 Foxtail Pine Place, Colorado Springs, CO 80927. (Please address all correspondence and pleadings to Ryan W. Farr and Emilie B. Polley of Monson, Cummins & Shoheit, LLC, 13511 Northgate Estates Dr., Ste. 250, Colorado Springs, CO 80921, 719-471-1212). Application for Adjudication of Denver Basin Groundwater and Plan for Augmentation **EL PASO COUNTY**. Applicant seeks to construct or utilize up to two (2) non-exempt wells (including existing well) to the not-nontributary Dawson aquifer to provide water service to one 9.77 acre lot. Applicant therefore seeks to quantify the Denver Basin groundwater underlying the Applicant's Property, and approval of a plan for augmentation for the use thereof. Application for Underground Water Rights. Legal Description of Wells. Property Description. The Applicant's approximately 10 acre property ("Applicant's Property") is located at 11420 and 11424 Black Forest Road, Colorado Springs, in El Paso County, Colorado, and more specifically described as the S1/2 N1/2 NE1/4 NE1/4 of Section 19, Township 12 South, Range 65 West of the 6th P.M., and depicted on the **Exhibit A** map. Existing Wells. There is an existing well on the Property. Well with Permit No. 309577 ("Black Forest Ranch Well No. 1") is located approximately 173 feet from the east section line and 550 feet from the north section line, UTM x being 525890.0 and UTM y being 4316464.0, based on CDSS data, permit attached as **Exhibit B**. Applicant intends for the well to be re-permitted for non-exempt uses upon entry of a decree approving the plan for augmentation requested herein. Proposed Wells. Applicant proposes that an additional well will be located on the Applicant's Property ("Black Forest Ranch Well No. 2"), to be constructed to the Dawson aquifer, for a total of up to two wells for the lot. Water Source. Not-Nontributary. The ground water to be withdrawn from the Dawson aquifer underlying the Applicant's Property is not-nontributary. Pursuant to C.R.S. §37-90-137(9)(c.5), the augmentation requirements for wells in the Dawson aquifer will require the replacement of actual stream depletions. Nontributary. The groundwater that will be withdrawn from the Denver, Arapahoe and Laramie-Fox Hills aquifers underlying the Applicant's Property is nontributary. Estimated Rates of Withdrawal. Pumping from the well will not exceed 100 g.p.m. The actual pumping rates for each well will vary according to aquifer conditions and well production capabilities. The Applicant requests the right to withdraw ground water at rates of flow necessary to withdraw the entire decreed amounts. The actual depth of any well to be constructed within the respective aquifers will be determined by topography and actual aquifer conditions. Estimated Average Annual Amounts of Ground Water Available. Applicant requests a vested right for the withdrawal of all legally available ground water in the Denver Basin aquifers underlying the Applicant's Property. Said amounts may be withdrawn over the 100-year aquifer life pursuant to C.R.S. §37-90-137(4). Applicant estimates that the following values and average annual amounts are representative of the Denver Basin aquifers underlying Applicant's Property:

Groundwater Quantification

Acres: 9.77		NE¼ NE ¼ Sec 19 T12S R65W 6th P.M.	
Denver Basin Aquifer	Net Sand (ft)	Total (AF)	100 Year (AF)
Dawson (NNT)	491.60	960.59	9.61
Denver (NNT)	514.30	854.20	8.54
Arapahoe (NNT)	238.70	396.46	3.96
Laramie Fox Hills (NT)	197.60	289.58	2.90

Decreed amounts may vary based upon the State’s Determination of Facts. Pursuant to C.R.S. §37-92-305(11), the Applicant further requests that the Court retain jurisdiction to finally determine the amount of water available for appropriation and withdrawal from each aquifer. Requested Uses. The Applicant requests the right to use the ground water for beneficial uses upon the Applicant’s Property consisting of domestic, irrigation, greenhouse, stock water, commercial, industrial, wildlife, fire protection, and also for storage and augmentation purposes associated with such uses. The Applicant also requests that the nontributary water may be used, reused, and successively used to extinction, both on and off the Applicant’s Property subject, however, to the requirement of C.R.S. §37-90-137(9)(b), that no more than 98% of the amount withdrawn annually shall be consumed. Applicant may use such water by immediate application or by storage and subsequent application to the beneficial uses and purposes stated herein. Provided, however, Applicant shall only be entitled to construct a well or use water from the not-nontributary Dawson aquifer pursuant to a decreed augmentation plan entered by this Court, covering the out-of-priority stream depletions caused by the use of such not-nontributary aquifer in accordance with C.R.S. §37-90-137(9)(c.5). Well Fields. Applicant requests that they be permitted to produce the full legal entitlement from the Denver Basin aquifers underlying Applicant’s Property through any combination of wells. Applicant requests that these wells be treated as a well field. Averaging of Withdrawals. Applicant requests that they be entitled to withdraw an amount of ground water in excess of the average annual amount decreed to the aquifers beneath the Applicant’s Property, so long as the sum of the total withdrawals from all the wells in the aquifers does not exceed the product of the number of years since the date of issuance of the original well permit or the date of entry of a decree herein, whichever comes first, multiplied by the average annual volume of water which the Applicant is entitled to withdraw from the aquifers underlying the Applicant’s Property. Owner of Land Upon Which Wells are to Be Located. The land and underlying groundwater upon which the wells are and will be located is owned by the Applicant. Application for Approval of Plan for Augmentation. Structures to be Augmented. The structures to be augmented are the Black Forest Ranch Wells Nos. 1 and 2, one of which is currently constructed to the not-nontributary Dawson aquifer underlying the Applicant’s Property, and as will be re-permitted pursuant to this plan for augmentation, as requested and described herein along with any replacement or additional wells associated therewith. Water Rights to be Used for Augmentation. The water rights to be used for augmentation during pumping are the return flows resulting from the pumping of the not-nontributary Dawson aquifer from the Black Forest Ranch Wells Nos. 1 and 2, together with water rights from the nontributary Laramie-Fox Hills aquifer for any injurious post pumping depletions. Statement of Plan for Augmentation. Applicant wishes to provide for the augmentation of stream depletions caused by pumping of the not-nontributary Dawson aquifer by two wells proposed herein. Water use criteria and their consumptive use component for replacement of actual depletions for the lots are estimated as follows: Use. The Black Forest Ranch Wells Nos. 1 and 2, will pump a maximum total of 2.0 acre feet of water, 1.0 acre feet per well, from the Dawson aquifer annually. Such use shall be a combination of household use, irrigation of lawn and garden, commercial, shed, and the watering of poultry or equivalent livestock. An example breakdown of this combination of use is household use at 0.50 acre feet, for two residences utilizing 0.25 acre feet annually, plus outdoor use including the watering of up to 16 chickens or equivalent livestock with a water use of 0.50 acre feet per year; irrigation

of greenhouse, lawn, and garden of 0.65 acre feet per year (0.05 annual acre feet per 1000 sq. ft.), indoor commercial use of 0.25 acre feet per year, and a bathroom shed of 0.10 acre feet per year. Depletions. It is estimated that maximum stream depletions over the 100 year pumping period for the Dawson aquifer amounts to approximately 11.55% percent of pumping. Maximum annual depletions for total residential pumping from all wells is therefore 0.231 acre feet, in year 100. Should Applicant's pumping be less than the 2.0 acre feet described herein, resulting depletions will be correspondingly reduced. Augmentation of Depletions During Pumping. Pursuant to C.R.S. §37-90-137(9)(c.5), Applicant is required to replace actual stream depletions attributable to pumping of augmented wells to the Dawson aquifer. Depletions during pumping will be effectively replaced by residential return flows from non-evaporative septic systems, and depletions from irrigation will be adequately replaced by irrigation return flows. The annual consumptive use for non-evaporative septic systems is 10% per year per residence. At a household use rate of 0.25 acre feet per residence per year, for a total of two residences or 0.50 acre feet annually, 0.45 acre-feet is replaced to the stream system per year, assuming the use of a non-evaporative septic systems. Thus, during pumping, stream depletions will be adequately augmented. Augmentation for Post Pumping Depletions. For the replacement of any injurious post-pumping depletions which may be associated with the use of the Black Forest Ranch Wells Nos. 1 and 2, Applicant will reserve water from the nontributary Laramie-Fox Hills aquifer, less the amount of actual stream depletions replaced during the plan pumping period. Applicants also reserve the right to substitute other legally available augmentation sources for such post pumping depletions upon further approval of the Court under its retained jurisdiction. Even though this reservation is made, under the Court's retained jurisdiction, Applicants reserve the right in the future to prove that post pumping depletions will be noninjurious. The reserved nontributary Laramie-Fox Hills groundwater will be used to replace any injurious post-pumping depletions. Upon entry of a decree in this case, the Applicants will be entitled to apply for and receive a new well permit for the Black Forest Ranch Well Nos. 1 and 2, for the uses in accordance with this Application and otherwise in compliance with C.R.S. §37-90-137.

20CW3022 ((91CW50, 98CW008, 05CW90, 13CW3048), MICHAEL STALL, 823 Harbour Place, Sugarland, TX 77478, (Eric Trout, Petrock Fendel Poznanovic, P.C., 700 17th Street, #1800, Denver, CO 80202), APPLICATION FOR FINDING OF REASONABLE DILIGENCE, PARK COUNTY. Decree Information: Decreed on January 22, 1992, in Case No. 91CW050, District Court, Water Division 1. (Findings of diligence in Case Nos. 98CW008, 05CW90, and 13CW3048). Names of structures and location: Beaver Ridge Filing 4 Well No. 3, located in the SW1/4SW1/4 of Section 28, T9S, R77W of the 6th P.M., Park County, Colorado. Source of water: Groundwater tributary to Beaver Creek and the Middle Fork of the South Platte River. Date of appropriation: June 11, 1991. Amount: 15 gpm (conditional) . Uses: Domestic, irrigation of 250 square feet of lawns or 1000 square feet of gardens, and fire protection purposes. This Application for Finding of Reasonable Diligence is filed pursuant to the Water Right Determination and Administration Act of 1969, §37-92-302, C.R.S. Well 3 is located on Lot 3, Beaver Ridge Filing 4 and owned by Applicant. During this diligence period and in continuing the development of the conditional water right, Applicant has engaged in the legal defense and protection of said water rights, and has been diligent in the continued use and development of the water right involved. During this diligence period and due to economic considerations, Applicant has been unable to construct a cabin on Lot 3 which will require construction and use of the well. However, Applicant has continued in the repair, maintenance, and upkeep of Lot 3, and has continued in the planning for construction of a cabin on the lot. The well may also operate pursuant to an augmentation plan as also decreed in Case No. 91CW50, and Applicant has continued to maintain the right to operate the well under the augmentation plan. Further, Applicant prays that this Court grant the application and for such other relief as seems proper in the premises. (3 pages).

20CW3023, Merinda Jones and Carlos Washington, 11675 Steele Avenue, Franktown, CO 80106 (Eric Trout, Petrock Fendel Poznanovic, P.C., 700 17th Street, #1800, Denver, CO 80202), APPLICATION FOR AMENDMENT OF AUGMENTATION PLAN, DOUGLAS COUNTY. Decree for Which

Amendment is Sought: Case No. 12CW248, decreed on May 6, 2013, associated with 55.1 acres generally located in the S1/2SE1/4 of Section 33, Township 9 South, Range 65 West of the 6th P.M., Douglas County, Colorado, as shown on Attachment A ("Subject Property"). Applicants are the owners of approximately groundwater as decreed in Case No. 12CW248. Proposed Amendment: In the original decree, an augmentation plan was approved for use of 24.1 acre-feet per year of not nontributary Upper Dawson aquifer groundwater of which 18.6 acre-feet per year would be used for irrigation of home lawn and garden, pasture, hay and trees. By this application, Applicant requests By this application, Applicants request that the irrigation use be changed to irrigation use, including but not limited to home lawn and garden, pasture, hay, trees, and agricultural products, including inside use and in greenhouses. The actual depletion at 100 years of pumping is 13.43% of the annual amount withdrawn, and return flows from in-house and irrigation use are sufficient to replace the required actual depletion for 100 years. Depletions occur to Cherry Creek stream systems and return flows accrue to that stream system. No other provisions of the original decree will be changed. Further, Applicants pray that this Court grant the application and for such other relief as seems proper in the premises. (4 pages).

20CW3024, BWBAMC Family Trust, 14117 S. Perry Park Road, Larkspur, CO 80118 (Eric Trout, Petrock & Fendel, 700 17th Street, #1800, Denver, CO 80202), APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT NONTRIBUTARY SOURCES AND FOR APPROVAL OF PLAN FOR AUGMENTATION, IN THE NONTRIBUTARY LOWER DAWSON, DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AND THE NOT NONTRIBUTARY UPPER DAWSON AQUIFERS, **DOUGLAS COUNTY**. 6.7 acres being Lot 1, Griffis Exemption, located in the NE1/4NW1/4 of Section 29, T10S, R67W of the 6th P.M., Douglas County, as shown on Attachment A hereto ("Subject Property"). Source of Water Rights: The Dawson aquifer is not nontributary as described in Sections 37-90-103(10.7), C.R.S., and the Denver, Arapahoe and Laramie-Fox Hills aquifers are nontributary as described in Section 37-90-103(10.5), C.R.S. Estimated Amounts: Dawson: 5.4 acre-feet, Denver: 4.3 acre-feet, Arapahoe: 4.4 acre-feet, Laramie-Fox Hills: 1.8 acre-feet. Proposed Use: Domestic, commercial, irrigation, livestock watering, fire protection, and augmentation purposes, including storage, both on and off the Subject Property. Groundwater to be augmented: 1.3 acre-feet per year of Dawson aquifer groundwater as requested herein. Water rights for augmentation: Return flows from the use of not nontributary and nontributary groundwater and direct discharge of nontributary ground water. Statement of plan for augmentation: The Dawson aquifer water will be used on the Subject Property, including through existing well Permit No. 159625, for in house use in up to three residences of varying sizes (0.7 acre-feet total), irrigation of 10,000 square-feet of lawn, garden, and trees (0.5 acre-feet), and stockwatering of up to 8 large domestic animals (0.1 acre-feet). Applicant reserves the right to amend the amounts and values without amending the application or republishing the same. Sewage treatment for in house use will be provided by non-evaporative septic systems and return flow from in house and irrigation use will be approximately 90% and 15% of that use, respectively. During pumping Applicant will replace actual depletions to the affected stream system pursuant to Section 37-90-137(9)(c.5), C.R.S. Depletions occur to the East Plum Creek stream system. Return flows accrue to the South Platte River via East Plum Creek and those return flows are sufficient to replace actual depletions while the subject groundwater is being pumped. Applicant will reserve an equal amount of nontributary groundwater underlying the Subject Property to meet post pumping augmentation requirements. Further, Applicant prays that this Court grant the application and for such other relief as seems proper in the premises. (6 pages).

20CW3025. Groundwater Management Subdistrict of the Central Colorado Water Conservancy District, 3209 W. 28th Street, Greeley, CO 80634. Phone: (970) 330-4540. Please send correspondence and pleadings to Bradley C. Grasmick and Wesley S. Knoll, Lawrence Jones Custer Grasmick LLP, 5245 Ronald Reagan Blvd., Suite 1, Johnstown, CO 80534. Phone: (970) 622-8181; brad@ljcgllaw.com and wes@ljcgllaw.com. APPLICATION TO ADD WELL TO AUGMENTATION PLAN, in **WELD COUNTY** 2. Augmentation Plan. Applicant operates an augmentation plan decreed in Case No. 02W335.

¶14.5 of the decree in Case No. 02CW335 ("Decree") allows the addition of wells to the plan subject to notice and terms and conditions. 3. Decreed Name of Structure. 3.1. Dittmer Well No. 1991-R (WDID 0205933) (the "Well"). 3.1.1. Name of Owner. Dittmer Farm LLC, 13408 County Road 4, Brighton, CO 80603 and Blue Pill LLC, 1550 Larimer Street, Suite 227, Denver, CO 80202. 3.1.2. Previous Decree W-1316. A decree was entered in Water Court, Water Division No. 1, Case No. W-1316 on July 20, 1971 adjudicating the Dittmer Well No. 1991 in Section 32, Township 1 North, Range 66 West of the 6th P.M., Weld County, Colorado, in the amount of 1.33 cubic feet per second with an appropriation date of July 31, 1932 for irrigation of 60 acres in the NW1/4 of Section 32, Township 1 North, Range 66 West of the 6th P.M., Weld County, Colorado. 3.1.3. GMS Contract. The Dittmer Well No. 1991 is included in the GMS plan for augmentation decreed in Case No. 02CW335 and has GMS Contract No. 1236. See Exhibit 1. The well is also authorized to irrigate up to 60 acres under GMS Contract No. 528. Exhibit 2. 4. Proposed Addition. Applicant proposes to allow the use of the Dittmer Well No. 1991 for commercial and domestic purposes. The Well Owner currently has a pending Water Court Application which is requesting approval of a new conditional water right from the Well for commercial and domestic uses. The Well will be limited to its decreed flow rate and will only divert, for commercial and domestic purposes, the volume of water allocated annually pursuant to Owner's GMS Contract No. 1236, which is currently 2.0 acre-feet consumptive use at 100% quota. 5. Proposed Terms and Conditions. 5.1. The terms and conditions for the Well will be the same as for the other Member Wells in the Decree. The depletions from the Well for domestic and commercial purposes under Contract No. 1236 will be considered 100% consumptive. The Well will be subject to all the terms and conditions for operation as for other Member Wells in the Decree. 5.2. Net Stream Depletions. Depletions resulting from the consumptive use of the groundwater and accretions resulting from deep percolation of groundwater applied for irrigation will be lagged back to the South Platte River using the Glover alluvial aquifer method and the parameters as previously Decreed in Table 1 of the Final Decree in Case No. 02CW335. 5.3. GMS can and will make replacement of out-of-priority depletions from the Well in accordance with the Decree in 02CW335. All out-of-priority depletions from the Well shall be replaced pursuant to the Plan. Depletions will be replaced according to a 2020 priority date to be determined by the date of filing of Well Owners' corresponding application. 6. Applicant requests the court enter a decree approving addition of the Dittmer Well No. 1991's commercial and domestic uses pursuant to Contract No. 1236 and limiting the well to its decreed flow rate and the volume of water annually consumed by commercial and domestic uses pursuant to the Well's GMS Contract No. 1236 which currently totals 2.0 acre-feet consumptive use at 100% quota. See Exhibit 1. Applicant requests that Table 1 to the GMS Decree in 02CW335 be amended to reflect the decreed change. The original format of this application is four pages in length plus two exhibits.

**20CW3026 CITY OF LOVELAND, COLORADO, c/o Larry Howard, Water Resources Manager
200 N Wilson Ave., Loveland, Colorado 80537, Telephone: (970) 962-3703. APPLICATION FOR
FINDING OF REASONABLE DILIGENCE IN LARIMER AND WELD COUNTIES** . Please send all pleadings and correspondence to: Derek L. Turner, Assistant City Attorney, Loveland City Attorney's Office, 500 E 3rd Street Suite 330, Loveland, CO 80537, Telephone: (970)962-2549, E-mail: Derek.Turner@cityofloveland.org. 2. Name of Structure: Loveland Pipeline. 3. Description of Conditional Water Right: The Loveland Pipeline structure is a raw water pipeline that diverts water from the Big Thompson River directly into Loveland's Chasteen's Grove Water Treatment Plant ("Treatment Plant"). The Treatment Plant supplies the City of Loveland's extensive water distribution network (more than 468 miles of pipe) with clean and safe drinking water for Loveland's nearly 27,000 existing water customer accounts. The Loveland Pipeline water rights were decreed on August 29, 2007 in Case No. 04CW358, Water Division 1, whereby Loveland was decreed an absolute direct flow water right for 18.4 cubic feet per second (cfs) and a conditional direct flow water right of 52.9 cfs for all municipal uses, including without limitation domestic irrigation, watering of lawns, parks and grounds, commercial, industrial, mechanical, manufacturing, fire protection and suppression, sewage treatment, street sprinkling, recreational, aesthetic, piscatorial, wildlife preservation, maintenance of operating detention, for exchange

purposes or for replacement of depletions resulting from the use of water from other sources, and all other beneficial purposes related to, occurring, or deriving from the operation of Loveland's municipal water and sewer system. The water right was decreed for direct and subsequent use, reuse, and successive use to extinction for the above municipal uses. A. Original Decree: Case No. 04CW358, Water Division 1 (August 29, 2007). B. Subsequent decree awarding findings of diligence: Case No. 13CW3090, Water Division 1 (February 28, 2014). C. Legal description: The Loveland Pipeline diverts from the Big Thompson River at a point located on the north bank of the Big Thompson River in the NW1/4 of the SW1/4 of the SW1/4 of Section 2, Township 5 North, Range 70 West of the 6th P.M. in Larimer County. A location map is attached as Exhibit A. a. UTM Coordinates: UTM Easting 482133.70 and UTM Northing 4474933.44 , UTM Zone 13T. D. Source of water: Big Thompson River. E. Appropriation Date: July 30, 1995. F. Amount: 52.9 cfs, conditional. 18.4 cfs of the Loveland Pipeline Water Right was made absolute in Case No. 04CW358. 4. Detailed outline of work done for the completion of the conditional appropriation and for reasonable diligence: Pursuant to the original decree in Case No. 04CW358, the direct flow right is a component of Loveland's municipal water supply system and is used to satisfy the increased need for water supply due to population increases in Loveland. For the purposes of showing diligence as to the completion of the appropriation for this direct flow water right, diligence as to any part of Loveland's municipal water supply system that used or benefits from the direct flow right should be considered in finding that Loveland has exercised reasonable diligence as to the development of the water right. See § 37-92-301(4)(b), C.R.S. (2019). During the diligence period, Loveland has performed the following activities, structural improvements, and maintenance to improve and maintain its water diversion system at the Treatment Plant, of which the Loveland Pipeline is the primary raw water diversion structure (expenditures rounded to the nearest \$1,000.00): A. Phase II of the Water Treatment Plant Improvements project, from August 2014 until December 2016, including construction of a new filter building, new fire pump/soda ash building, new polymer building and filter drying beds, and a new chemical building. Design, construction, and construction management costs of approximately \$27,775,000. B. Assorted Loveland Pipeline intake structure maintenance projects, including valve actuator replacement, installation of turbidimeter, gate repair, safety railings, concrete work. Approximate costs of \$24,000. C. Maintenance and reconstruction of the Home Supply Big Dam following significant damage from the September 2013 flooding. After February 2014, the City coordinated and contributed to dam stabilization, reconstruction (including new controls building and other improvements), and maintenance costs for the Big Dam of an approximate amount of \$978,000. D. During 2017, installation of automated/actuated gate controller on Home Supply diversion structure that regulates river level at Loveland Pipeline and Home Supply diversion structures. Loveland contributed \$136,800 of the total project cost of \$273,000. E. Annual meter calibration (\$665 per year for 2014-2020), sand removal activities by staff and contractors, and routine operation and maintenance activities and costs for Loveland's Water Treatment Plant. F. Daily tracking and monthly reporting of water rights accounting for Loveland's complex portfolio of direct flow and storage water rights in consultation with water rights engineering consultants and as directed and approved by the Water Commissioner for Water District No. 4. G. Loveland has filed numerous statements of opposition and participated as an objector in several water court cases during the diligence period, in order to prevent injury to the Loveland Pipeline water right and Loveland's other decreed Big Thompson River water rights. 5. Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new or existing diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: No new or modified diversion or storage structure is contemplated as part of this Application. 6. WHEREFORE, Loveland requests a ruling and decree concluding that Loveland has presented evidence demonstrating that Loveland exercised reasonable diligence in its development of the Loveland Pipeline conditional direct flow water right, awarding Loveland an additional six year diligence period to make absolute the 52.9 cfs of the conditionally-decreed Loveland Pipeline water right, and awarding such other relief which this Court deems proper.

20CW3027 Joel and Laura Wendler, 34352 County Road 17, Elizabeth, CO 80107 (Eric K. Trout, Petrock Fendel Poznanovic, 700 17th Street, #1800, Denver, CO 80202), APPLICATION FOR UNDERGROUND WATER RIGHTS IN THE NONTRIBUTARY LOWER DAWSON, DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AND THE NOT NONTRIBUTARY UPPER DAWSON AQUIFERS, **ELBERT COUNTY**, 3 acres generally located in the NW1/4SW1/4 of Section 8, T8S, R64W of the 6th P.M., Elbert County, as described and shown on Attachment A hereto ("Subject Property"). Source of Water Rights: The Upper Dawson aquifer is not nontributary as described in Sections 37-90-103(10.7), C.R.S., and the Lower Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers are nontributary as described in Section 37-90-103(10.5), C.R.S. Estimated Annual Amounts: Upper Dawson: 0.87 acre-feet; Lower Dawson: 0.63 acre-feet; Denver: 1.27 acre-feet; Arapahoe: 1.16 acre-feet; and Laramie-Fox Hills: 0.97 acre-feet, Uses: domestic, commercial, irrigation, stockwatering, fire protection, and augmentation purposes, on and off the Subject Property. Further, Applicants pray that this Court grant the application and for such other relief as seems proper in the premises. (5 pages).

20CW3028, Joel and Laura Wendler, P.O. Box 1357, Elizabeth, CO 80107 (Eric K. Trout, Petrock Fendel Poznanovic, 700 17th Street, #1800, Denver, CO 80202), APPLICATION FOR UNDERGROUND WATER RIGHTS IN THE NONTRIBUTARY DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AND THE NOT NONTRIBUTARY UPPER DAWSON AQUIFERS, **DOUGLAS COUNTY**, 2.1 acres generally located in the SW1/4SW1/4 of Section 35, T7S, R66W of the 6th P.M., Douglas County, as described and shown on Attachment A hereto ("Subject Property"). Source of Water Rights: The Upper Dawson aquifer is not nontributary as described in Sections 37-90-103(10.7), C.R.S., and the Lower Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers are nontributary as described in Section 37-90-103(10.5), C.R.S. Estimated Annual Amounts: Upper Dawson: 0.34 acre-feet; Denver: 0.92 acre-feet; Arapahoe: 0.95 acre-feet; and Laramie-Fox Hills: 0.59 acre-feet, Uses: domestic, commercial, industrial, irrigation, stockwatering, fire protection, and augmentation purposes, on and off the Subject Property. Further, Applicants pray that this Court grant the application and for such other relief as seems proper in the premises. (5 pages).

20CW3029 TOWN OF WIGGINS, 304 Central Ave, Wiggins, CO, 80654. Frederick A. Fendel, III, Matthew S. Poznanovic, Eric K. Trout, Petrock Fendel Poznanovic, P.C., 700 17th Street, Suite 1800, Denver, CO, 80202. Application for a Finding of Reasonable Diligence and to Make Absolute in **MORGAN AND WELD COUNTIES**. 1. Name, address, and telephone number of Applicant: Town of Wiggins ("Wiggins"), 304 Central Avenue, Wiggins, CO 80654, (970) 483-6161. 2. Prior Decree Information: Originally decreed in Case No. 11CW131 on February 11, 2014. The period of diligence which is the subject of this application is from the date of the Case No. 11CW131 Decree ("11CW131 Decree"). 3. Conditional Water Rights Decreed in Case No. 11CW131: 3.1 Name and Location of Structures ("Town Wells"): 3.1.1 Town Well No. 1 (Permit No. 75611-F, WDID 0110538), located in the NE1/4 SE1/4 of Section 19, Township 4 North, Range 60 West of the 6th P.M., Morgan County, Colorado, at a point 1650 feet from the south line and 300 feet from the east line, as shown on **Exhibit A**. 3.1.2 Town Well No. 2 (Permit No. 75612-F, WDID 0110539), located in the NE1/4 SE1/4 of Section 19, Township 4 North, Range 60 West of the 6th P.M., Morgan County, Colorado, at a point 1690 feet from the south line and 300 feet from the east line, as shown on **Exhibit A**. 3.2 Source of Water: Groundwater tributary to the South Platte River. 3.3 Date of Appropriation: August 22, 2011. 3.4 Amounts: 850 gpm per well, not to exceed 590 acre-feet per year, combined. 3.5 Uses: All municipal uses, including commercial, industrial, domestic, irrigation, augmentation, stock watering, recreation, fish culture and propagation, fishing, wildlife, aesthetic, and fire protection, within the Wiggins service area as it now exists and may exist in the future. The current service area is generally located in Sections 10, 11, 12, 14, and 15, Township 3 North, Range 60 West of the 6th P.M., Morgan County, Colorado. Water pumped through the Town Wells Nos. 1 and 2 is also delivered to storage tanks included in the Wiggins water supply system. Some of the pumped water is treated and a portion of the water is returned to the South Platte River for use as

augmentation water. 4. Conditional Right of Exchange (“Weldon Valley Exchange”) Decreed in Case No. 11CW131: 4.1 Description of Conditional Right of Exchange: At such times when water attributable to six (6) shares of capital stock in the Weldon Valley Ditch Company associated with stock certificate no. 1118 (“Weldon Valley Shares”), water returned to the South Platte River following treatment of the water pumped by Town Wells Nos. 1 and 2 (“WTP Returns”), accretions attributable to the Case No. 02CW377 Decree to which Applicant are entitled, additional Weldon Valley Ditch Company shares that are changed to allow use in this exchange, and fully consumable wastewater treatment plant return flows described in Paragraph 20.2 of the 11CW131 Decree are delivered, directly or following recharge, to the South Platte River pursuant to the 11CW131 Decree in excess of replacement requirements and return flow obligations under the 11CW131 Decree, such water may be substituted for water diverted by exchange at the headgate of the Weldon Valley Ditch for delivery to the recharge ponds located on approximately 112 acres located in the NE1/4 of Section 34 and in the NW1/4 of Section 35, all in Township 5 North, Range 60 West of the 6th P.M., Morgan County, Colorado (“Kammerer Site”). In the Case No. 14CW3068 decree, the following additional sources of water were added to the Weldon Valley Exchange as additional sources of substitute supply: 4 shares in the Weldon Valley Ditch Company (“4 Kammerer Shares”) and 9 shares in the Weldon Valley Ditch Company (the “Hawkins Shares”), delivered to the South Platte River within the exchange reach described in Paragraph 32.1 of the 11CW131 Decree, either directly at the Augmentation Stations or through Pond A under the terms of Paragraph 7.5 of the 14CW3068 Decree, or following recharge at the Kammerer Site or Pond A; recharge allocated to the Hawkins Shares under Case No. 02CW377; and recharge under Case No. 02CW377 allocated pursuant to Wiggins’ agreement with Weldon Valley Ditch Company described in Paragraph 3.4 of the 14CW3068 Decree. Pond A is located in the SE1/4 SE1/4 of Section 7 and the W1/2 SW1/4 of Section 8, Township 4 North, Range 60 West of the 6th P.M., Morgan County Colorado as shown on the attached Exhibit A. Recharge credit from Pond A will enter the South Platte River in or above the SW1/4, Section 8, Township 4 North, Range 60 West, 6th P.M., Morgan County as shown on the attached Exhibit A. Direct deliveries to the South Platte River through Pond A will return to the South Platte River in the S1/2 of Section 8, Township 4 North, Range 60 West of the 6th P.M., Morgan County, Colorado as shown on the attached Exhibit A. A map showing the additional sources of substitute supply for the Weldon Valley Exchange is attached as **Exhibit A**. 4.2 Exchange Reach: The exchange will occur from the downstream “exchange-from” points where water attributable to the Weldon Valley Shares and WTP Returns are delivered to the South Platte River in or above the SW1/4 of Section 31, Township 5 North, Range 59 West of the 6th P.M., Morgan County, Colorado, and the downstream “exchange-from” points where the recharge accretions attributable to the Case No. 02CW377 Decree to which Applicant is entitled return back to the South Platte River and exchanged upstream to the “exchange-to” point at the headgate of the Weldon Valley Ditch, located in the SE1/4 of Section 13, Township 4 North, Range 61 West of the 6th P.M., Weld County, and into the recharge ponds located at the Kammerer Site. The 11CW131 decree provides the “exchange from” point for wastewater from the wastewater treatment plant was to be defined in an amendment of that decree. Subsequently, the point of discharge for the wastewater from the wastewater treatment plant was defined in the 14CW3068 Decree as follows: The point of discharge to the South Platte River is planned to be near the NW corner of Section 15, Township 4 North, Range 60 West of the 6th P.M., Morgan County, Colorado. The actual location may vary reasonably as needed to accommodate the plant design, provided the discharge must be located downstream from the headgate of the Weldon Valley Ditch and upstream from the headgate of the Fort Morgan Canal. The locations of the “exchange to” and “exchange from” points are shown on **Exhibit A**. The legal descriptions for the “exchange-from” points are shown on **Exhibit B**. 4.3 Date of Appropriation: August 22, 2011. 4.4 Amount: 3.0 cfs, conditional. The maximum combined rate of exchange from all “exchange-from” locations in the 11CW131 Decree shall not exceed 3.0 c.f.s., regardless of whether additional Weldon Valley Ditch Company shares are added to the exchange as provided in Paragraph 32.5 of the 11CW131 Decree. The maximum rate of exchange to the headgate of the Weldon Valley Ditch from each “exchange-from” point is shown on the attached **Exhibit B**. 4.5 Uses: Irrigation of the Kammerer Site, replacement of return flows from the Weldon Valley Shares, exchange in the appropriative right of exchange in the

11CW131 Decree, and augmentation of all municipal uses, including commercial, industrial, domestic, irrigation, stock watering, recreation, fish culture and propagation, fishing, wildlife, aesthetic, and fire protection. Applicant shall have the right to totally consume the consumable portion of the water. **CLAIM TO MAKE ABSOLUTE 5.** The Town Wells were both completed by January 2011 and the Well Construction and Test Reports certified that both wells are capable of producing more than 850 gpm. The Town Wells have operated every day (with few exceptions) since January 2013 and in that time have been the primary municipal water supply for Wiggins. During this diligence period, beginning on February 11, 2014, there were over 1,350 days on which the Town Wells were in priority and pumping, including a period of 285 consecutive days from September 2015 through June 2016. Diverted water was put to all decreed uses. Applicant requests that 850 gpm of the conditional water rights for each of the Town Wells be made absolute for all decreed uses, or in the alternative for a finding of reasonable diligence. **CLAIM FOR A FINDING OF REASONABLE DILIGENCE 6.** During this diligence period, in continuing the development of the conditional water rights, Applicant has been engaged in the legal defense and protection of the water rights, and has been diligent in the continued use and development of the water rights involved. These activities include, but are not limited to, the following: 6.1 Applicant has operated the Town Wells every year since the 11CW131 Decree was entered and has beneficially used water under the conditional water rights as described above. 6.2 Applicant has maintained the Town Wells, the Weldon Valley Exchange, and their integrated connected facilities comprising its entire water treatment and delivery system routinely at significant cost including staff and management time, and has worked on all on-going aspects of securing the long-term ability to deliver and continue to use the water rights. 6.3 Expenditure for consulting engineering fees was at least \$708,000 since 2014. 6.4 Applicant has filed an application in Case No. 19CW3260 which includes a request to add additional augmentation supplies for the Town Wells. 6.5 Applicant's 14CW3068 decree added the sources of water identified in Paragraph 4.1 as additional sources of augmentation for the augmentation plan decreed in 11CW131 and as additional sources of substitute supply for the Weldon Valley Exchange, and defined the "exchange from" point for wastewater from the wastewater treatment plant. 6.6 Applicant has participated as an objector in numerous Water Court cases in order to protect the water rights decreed in the 11CW131 Decree. 6.7 Daily diversion records for the subject water rights are prepared, maintained, and provided to the Office of the Division Engineer. 6.8 During the diligence period, legal counsel for Applicant has reviewed the resume of applications as published by the Water Clerk for Water Division 1 and advised Applicant whether Statements of Opposition need to be filed to protect the water rights. 6.9 Applicant has incurred additional expenses for legal, consulting, and engineering work. 6.10 The work and expenditures listed above are illustrative and not exhaustive. Additional work and additional or revised expenditures may be claimed in support of this application. 7. **Names and Addresses of Owners of Land Upon Which Structures for the Water Rights are Located:** 7.1 Weldon Valley Ditch: Weldon Valley Ditch Company, P.O. Box 626, Weldona, CO 80653. 7.2 Town Wells: Applicant. 7.3 Kammerer Site Recharge Ponds: Applicant. WHEREFORE, Applicant requests that this Court enter a decree finding that Applicant has made 850 gpm of the conditional water rights for each of the Town Wells absolute for all uses described above, has exercised reasonable diligence in the development of the remaining conditional water rights, continuing the conditional water right for another diligence period, and for such other and further relief as the Court deems just and proper in the premises. 7 Pages.

20CW3030 Logan Well Users, Inc. C/O Lawrence Jones Custer Grasmick, LLC, 5245 Ronald Reagan Blvd., Suite 1, Johnstown, CO, 80534, 970-622-8181 and South Platte Ditch Company c/o Davis Graham & Stubbs, LLP, 1550 17th Street, Suite 550, Denver, CO, 80202, 303-892-9400. APPLICATION TO MAKE CONDITIONAL WATER RIGHTS PARTIALLY ABSOLUTE, FOR A FINDING OF REASONABLE DILIGENCE, AND TO CONTINUE CONDITIONAL WATER RIGHTS in LOGAN, MORGAN and WASHINGTON COUNTIES. Logan and SPDC shall jointly be referred to herein as "Co-Applicants." SPDC is an applicant only with respect to the water right decreed to the South Platte Ditch Recharge Project No. 2 described in ¶9 of the decree entered February 21, 2006

in Case No. 03CW195 (“03CW195 Decree”); ¶ 8 of the decree entered February 23, 2014 in Case No. 12CW17 (“12CW17 Decree”); and in ¶4 of this Application. South Platte Ditch Recharge Project No. 2 was deeded to SPDC on July 8, 2006. 2. Description of the Conditional Water Rights in the 03CW195 Decree and the 12CW17 Decree: RECHARGE PROJECTS 3. Name of Structure. Schneider Ditch Recharge Project. 3.1. Diversion Points. 3.1.1. Schneider Ditch. In the NW1/4 SW1/4 of Section 9, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, at the diversion works of the Schneider Ditch. 3.1.2. Famm Recharge Well. In the NE1/4 NE1/4 of Section 25, Township 7 North, Range 53 West, of the 6th P.M., Logan County, Colorado, 1,290 feet from the North section line and 1,080 feet from the East section line. 3.2. Source. 3.2.1. Schneider Ditch. The South Platte River. 3.2.2. Famm Recharge Well. Groundwater tributary to the South Platte River. 3.3. Dates of Appropriation. 3.2.1. Schneider Ditch Recharge. January 13, 2003. 3.2.2. Famm Recharge Well. March 25, 2003. 3.4. Description of Recharge. Water is diverted at the points described in ¶3.1 and is allowed to percolate from the ditch and ponds into the underground aquifer for Logan’s stated beneficial uses. The following initial recharge pond sites were decreed. 3.4.1. Schneider Recharge/Reservoir Site No. 1 (Lingreen No. 1). In the NW1/4 SE1/4 of Section 36, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity in acre feet. 15 a.f. with 0 dead storage. 3.4.2. Schneider Recharge/Reservoir Site No. 2 (Lingreen No. 2). In the NE1/4 NE1/4 of Section 36, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 10 acres. Total active capacity in acre feet. 30 a.f. with 0 dead storage. 3.4.3. Schneider Recharge/Reservoir Site No. 3 (Carlson). In the NW1/4 SW1/4 of Section 30, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 2 acres. Total active capacity in acre feet. 6 a.f. with 0 dead storage. 3.4.4. Schneider Recharge/Reservoir Site No. 4 (Propst). In the SE1/4 NE1/4 of Section 2, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 15 acres. Total active capacity in acre feet. 90 a.f. with 0 dead storage. 3.5. Amounts. 3.5.1. Schneider Ditch Recharge. 53.42 c.f.s. absolute and 4.58 c.f.s. conditional. 3.5.2. Famm Recharge Well. 3,000 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 3.6. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 4. Name of Structure. South Platte Ditch Recharge Project No. 2. 4.1. Diversion Points. 4.1.1. South Platte Ditch. In the SW1/4 of Section 9, Township 5 North, Range 54 West of the 6th P.M., Washington County, Colorado, at the diversion works of the South Platte Ditch. 4.1.2. Pumping Station No. 1 (Curlee) in the SW1/4 of Section 30, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado on the Prewitt Seep Ditch. 4.1.3. Pumping Station No. 2 (Quint) in the NW1/4 of Section 31, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado on the Prewitt Seep Ditch. 4.2. Source. The South Platte River. 4.3. Dates of Appropriation. 4.3.1. South Platte Recharge, March 21, 1997. 4.3.2. Pumping Station No. 1-Curlee, April 11, 2003. 4.3.3. Pumping Station No. 2-Quint, December 10, 2002. 4.4. Description of Recharge. Water is diverted at the points described in ¶4.4. and is allowed to percolate from the ditch or ponds into the underground aquifer for Co-Applicant's stated beneficial uses. The following initial recharge pond sites were decreed. 4.4.1. South Platte Recharge/Reservoir Site No. 1 (Kautz). In the N1/2 of Section 3, Township 5 North, Range 54 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 14 acres. Total active capacity in acre feet. 42 a.f. with 0 dead storage. 4.4.2. South Platte Recharge/Reservoir Site No. 2 (Amen). In the SW1/4 of Section 34, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity in acre feet. 21 a.f. with 0 dead storage. 4.4.3. South Platte Recharge/Reservoir Site No. 3 (Anderson). In the SE1/4 of Section 34, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity in acre feet. 21 a.f. with 0 dead storage. 4.4.4. South Platte Recharge/Reservoir Site No. 4 (Fiscus). In the SE1/4 of Section 26, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 10 acres. Total active capacity in acre feet. 30 a.f. with 0 dead storage. 4.4.5. South Platte Recharge/Reservoir Site No. 5 (Propst). In the NE1/4 of Section 28, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado.

Surface area of high water line. 15 acres. Total active capacity in acre feet. 300 a.f. with 0 dead storage.

4.4.6. South Platte Recharge/Reservoir Site No. 6 (Mari No. 1). In the NW1/4 of Section 21, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity in acre feet. 65 a.f. with 0 dead storage.

4.4.7. South Platte Recharge/Reservoir Site No. 7 (Mari No. 2). In the SE1/4 of Section 21, Township 6 North, Range 53 West of 6th P.M., Logan County, Colorado. Surface area of high water line. 10 acres. Total active capacity in acre feet. 30 a.f. with 0 dead storage.

4.4.8. South Platte Recharge/Reservoir Site No. 9 (Smart No. 1). In the SW1/4 of Section 22, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity in acre feet. 15 a.f. with 0 dead storage.

4.4.9. South Platte Recharge/Reservoir Site No. 10 (Smart No. 2). In the SE1/4 of Section 16, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity in acre feet. 21 a.f. with 0 dead storage.

4.4.10. South Platte Recharge/Reservoir Site No. 11 (Hettinger). In the SW1/4 of Section 25, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity in acre feet. 21 a.f. with 0 dead storage.

4.4.11. South Platte Recharge/Reservoir Site No. 12 (Lingreen). In the E1/4 SW1/4 of Section 25, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity in acre feet. 50 a.f. with 0 dead storage.

4.4.12. South Platte Recharge/Reservoir Site No. 13 (Smart No. 3). In the N1/2 SE1/4 of Section 15, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 10 acres. Total active capacity. 40 a.f. with 0 dead storage.

4.4.13. South Platte Recharge/Reservoir Site No. 14 (Smart No. 4). In the E1/2 NW1/4 of Section 14, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 20 acres. Total active capacity. 80 a.f. with 0 dead storage.

4.4.14. South Platte Recharge/Reservoir Site No. 15 (Smart No. 5). In the NW1/4 NE1/4 of Section 15, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 2 acres. Total active capacity. 6 a.f. with 0 dead storage.

4.4.15. South Platte Recharge/Reservoir Site No. 16 (Smart No. 6). In the NW1/4 SW1/4 of Section 11, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity. 15 a.f. with 0 dead storage.

4.4.16. All recharge structures/ponds that are part of the South Platte Ditch Recharge Project No. 1 decreed in Case No. W-7839, Water Division No. 1, which use the South Platte Extension Ditch (Sand Hill Lateral Ditch) and associated ponds and potholes along this lateral.

4.5. Amounts. 4.5.1. South Platte Ditch Recharge Headgate Diversion. 55.0 c.f.s. absolute, and 65.0 c.f.s., conditional. 4.5.2. Pumping Station No. 1-Curlee. 4.75 c.f.s., absolute, 5.25 c.f.s., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 4.5.3. Pumping Station No. 2-Quint. 4.5 c.f.s., absolute, 5.5 c.f.s., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree.

4.6. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery.

5. Name of Structure. LWU South Platte Ditch Recharge Project.

5.1. Diversion Points. 5.1.1. Hessler Well No. 59273-F. In the NW1/4 SW1/4 of Section 3, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,450 feet from the South section line and 100 feet from the West section line. 5.1.2. Curlee Well. In the NW1/4 SW1/4 of Section 9, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado.

5.2. Source. Groundwater tributary to the South Platte River.

5.3. Dates of Appropriation. 5.3.1. Hessler Well No. 59273-F. March 25, 2003. 5.3.2. Curlee Well. April 11, 2003.

5.4. Description of Recharge. Water is diverted at the points described in ¶5.1 and is allowed to percolate from the ditch into the underground aquifer for Logan's stated beneficial uses. The following initial sites were decreed.

5.4.1. LWU South Platte Recharge/Reservoir Site No. 1 (Curlee). In the SW1/4 of Section 16, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 14 acres. Total active capacity in acre feet. 42 a.f. with 0 dead storage.

5.4.2. LWU South Platte Recharge/Reservoir Site No. 2 (Accomasso). In the SW1/4 NW1/4 of Section 10, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 6 acres. Total active capacity in acre feet. 24 a.f. with 0 dead storage.

5.4.3. LWU South Platte Recharge/Reservoir Site No. 3 (Hoogland No. 1). In the

NW1/4 SW1/4 of Section 10, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 6 acres. Total active capacity in acre feet. 24 a.f. with 0 dead storage. 5.4.4. LWU South Platte Recharge/Reservoir Site No. 4 (Hoogland No. 2). In the SE1/4 SW1/4 of Section 10, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 6 acres. Total active capacity in acre feet. 24 a.f. with 0 dead storage. 5.4.5. LWU South Platte Recharge/Reservoir Site No. 5 (Hoogland No. 3). In the SW1/4 SW1/4 of Section 10, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 6 acres. Total active capacity. 18 a.f. with 0 dead storage. 5.4.6. LWU South Platte Recharge/Reservoir Site No. 6 (Hessler No. 1). In the NW1/4 NW1/4 of Section 15, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 6 acres. Total active capacity. 18 a.f. with 0 dead storage. 5.4.7. LWU South Platte Recharge/Reservoir Site No. 7 (Hessler No. 2). In the NE1/4 NW1/4 of Section 15, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 3 acres. Total active capacity. 9 a.f. with 0 dead storage. 5.5. Amounts. 5.5.1. Hessler Well No. 59273-F. 4,416.3 g.p.m. absolute 1,583.70 g.p.m. conditional. 5.5.2. Curlee Well. 4,000 g.p.m., conditional in 03CW195 Decree and maintained in full in the 12CW17 Decree. 5.6. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 6. Name of Structure. Springdale Ditch Recharge Project. 6.1. Diversion Points. 6.1.1. Springdale Ditch. Legal Description of Diversion Point. In the NW1/4 NW1/4 of Section 35, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado at the diversion works of the Springdale Ditch. 6.1.2. Miller Well No. 1-59196-F. In the SE1/4 NE1/4 of Section 26, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 2,020 feet from the North section line and 980 feet from the East section line. 6.1.3. Miller Well No 2-59195-F. In the SE1/4 NE1/4 of Section 26, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 2,000 feet from the North section line and 150 feet from the East section line. 6.1.4. Miller Well No. 3-59188-F. In the SW1/4 NE1/4 of Section 26, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 2,420 feet from the North section line and 1,950 feet from the East section line. 6.2. Source. 6.2.1. Springdale Ditch. The South Platte River. 6.2.2. Miller Wells. Groundwater tributary to the South Platte River. 6.3. Dates of Appropriation. 6.3.1. Springdale Ditch Recharge. January 6, 2003. 6.3.2. Miller Well No. 1-59196-F. March 3, 2003. 6.3.3. Miller Well No. 2-59195-F. March 3, 2003. 6.3.4. Miller Well No. 3-59188-F. March 3, 2003. 6.4. Description of Recharge. Water is diverted at the points described in ¶6.1 and is allowed to percolate from the ditch and ponds into the underground aquifer for Logan's stated beneficial uses. The following initial recharge pond sites were decreed. 6.4.1. Springdale Recharge/Reservoir Site No. 1 (Baney). In the NW1/4 SW1/4 of Section 13, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 15 acres. Total active capacity in acre feet. 45 a.f. with 0 dead storage. 6.4.2. Springdale Recharge/Reservoir Site No. 2 (Keller). In the SW1/4 NE1/4 of Section 11, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity in acre feet. 21 a.f. with 0 dead storage. 6.4.3. Springdale Recharge/Reservoir Site No. 3 (Wyckof). In the NW1/4 NW1/4 of Section 17, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 1 acres. Total active capacity in acre feet. 3 a.f. with 0 dead storage. 6.4.4. Springdale Recharge/Reservoir Site No. 4 (Samber). In the SW1/4 NW1/4 of Section 8, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 2 acres. Total active capacity in acre feet. 6 a.f. with 0 dead storage. 6.4.5. Springdale Recharge/Reservoir Site No. 5 (Fritzler No. 2). In the NE1/4 NW1/4 of Section 1, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 3 acres. Total active capacity in acre feet. 9 a.f. with 0 dead storage. 6.4.6. Springdale Recharge/Reservoir Site No. 6 (Schuman). In the NW1/4 NE1/4 of Section 1, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 20 acres. Total active capacity in acre feet. 60 a.f. with 0 dead storage. 6.4.7. Springdale Recharge/Reservoir Site No. 7 (Fritzler No. 1). In the N1/2 NE1/4 NW1/4 of Section 1, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of

high water line. 3 acres. Total active capacity. 9 a.f. with 0 dead storage. 6.4.8. Springdale Recharge/Reservoir Site No. 8 (Reike). In the SW1/4 SW1/4 of Section 4, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity. 14 a.f. with 0 dead storage. 6.5. Amounts. 6.5.1. Springdale Ditch Recharge. 62.5 c.f.s. absolute for all uses and no remaining amount conditional. 6.5.2. Miller Well No. 1-59196-F. 4,000 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 6.5.3. Miller Well No. 2-59195-F. 4,000 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 6.5.4. Miller Well No. 3-59188-F. 4,000 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 6.6. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 7. Name of Structure. Sterling Irrigation Company Recharge Project. 7.1. Diversion Points. 7.1.1. Sterling Irrigation Canal. In the NW1/4 of Section 25, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado at the diversion works of the Sterling Irrigation Company Ditch. 7.1.2. Section 19 Seep. In the SE1/4 SW1/4 of Section 19, Township 8 North, Range 52 West, 6th PM, Logan County, Colorado, where Section 19 Draw is intercepted by the Sterling Irrigation Ditch. 7.2. Source. The South Platte River. 7.3. Dates of Appropriation. 7.3.1. Sterling Irrigation Canal. March 20, 2003. 7.3.2. Section 19 Seep. March 31, 2004. 7.4. Description of Recharge. Water is diverted at the points described in ¶7.1 and is allowed to percolate from the ditch and ponds into the underground aquifer for Logan's stated beneficial uses. The following initial recharge pond sites were decreed. 7.4.1. SIC Recharge/Reservoir Site No. 1 (Guenzi). In the NW1/4 NE1/4 of Section 9, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 10 acres. Total active capacity in acre feet. 30 a.f. with 0 dead storage. 7.4.2. SIC Recharge/Reservoir Site No. 2 (Manuello No. 1). In the NW1/4 NE1/4 of Section 3, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 2 acres. Total active capacity in acre feet. 12 a.f. with 0 dead storage. 7.4.3. SIC Recharge/Reservoir Site No. 3 (Manuello No. 2). In the NE1/4 NE1/4 of Section 4, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 2 acres. Total active capacity in acre feet. 40 a.f. with 0 dead storage. 7.4.4. SIC Recharge/Reservoir Site No. 4 (Manuello No. 3-Pasture Pond). In the NE SW of Section 2, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 20 acres. Total active capacity in acre feet. 60 a.f. with 0 dead storage. 7.4.5. SIC Recharge/Reservoir Site No. 5(Mike Weis –MX2 No. 1). In the NW1/4 SE1/4 of Section 34, Township 9 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity in acre feet. 15 a.f. with 0 dead storage. 7.5. Amounts. 7.5.1. Sterling Irrigation Canal. 113.9 c.f.s. absolute for all uses and no amount remaining conditional. 7.5.2. Section 19 Seep. 3.0 c.f.s., conditional in 03CW195 Decree made absolute in 12CW17 Decree, for a total of 3.0 c.f.s. absolute. 7.6. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 8. Name of Structure. Ron Ruff Recharge Project 8.1. Diversion Point. Ruff Recharge Well No. 1-58819-F, in the SW1/4 SE1/4 of Section 8, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado. 8.2. Source. Groundwater tributary to the South Platte River. 8.3. Date of Appropriation. December 19, 2002. 8.4. Description of Recharge. Water is diverted at the recharge well described in ¶8.1 and is allowed to percolate into the underground aquifer from the Recharge/Reservoir sites for Logan's stated beneficial uses. The following initial sites were decreed. 8.4.1. Ruff Recharge/Reservoir Site No. 1. In the SE1/4 NW1/4 of Section 9, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 4 acres. Total active capacity in acre feet. 12 a.f. with 0 dead storage. 8.4.2. Ruff Recharge/Reservoir Site No. 2. In the NW1/4 NE1/4 of Section 9, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 4 acres. Total active capacity in acre feet. 12 a.f. with 0 dead storage. 8.5. Amount. 3.5 c.f.s. absolute and 2.1 c.f.s., conditional. 8.6. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 9. Name of Structure. Prewitt Ranch Recharge Project. 9.1. Diversion Point. At the Prewitt Inlet Canal located in SW1/4, Section

24, Township 5 North, Range 55 West of the 6th P.M., Morgan County, Colorado. 9.2. Source. The South Platte River and its tributaries. 9.3. Date of Appropriation. August 30, 2001. 9.4. Description of Recharge. Water is diverted at the point described in ¶9.1 and is allowed to percolate into the underground aquifer from Recharge/Reservoir sites for Logan's stated beneficial uses. The following initial site was decreed: 9.4.1. Prewitt Ranch Recharge/Reservoir Site No. 1. In the S1/2 of Section 15, Township 5 North, Range 54 West of the 6th P.M., Washington County, Colorado. 9.5. Amount Claimed. 50 c.f.s., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 9.6. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 10. Name of Structure. Guenzi Pawnee Creek Recharge Project. 10.1. Diversions Points. 10.1.1. Pawnee Creek 1. In the NE1/4 NW1/4 of Section 11, Township 7 North, Range 54 West, 6th P.M., Logan County, Colorado. 10.1.2. Pawnee Creek 2. In the SW1/4 NE1/4 of Section 19, Township 7 North, Range 53 West, 6th P.M., Logan County, Colorado. 10.1.3. Pawnee Creek 3. In the NE1/4 NW1/4 of Section 20, Township 7 North, Range 53 West, 6th P.M., Logan County, Colorado. 10.2. Source of Water. Pawnee Creek, a tributary of the South Platte River. 10.3 Date of Appropriation. June 15, 2005. 10.4. Description of Recharge. Water diverted at the points described in ¶10.1 and delivered to recharge ponds is allowed to percolate into the underground aquifer for Logan's stated beneficial uses. The following initial recharge pond sites were decreed. 10.4.1 Guenzi Pond No. 1. In the N1/2 of Section 11 and the S1/2 of Section 2, Township 7 North, Range 54 West, 6th P.M., Logan County Colorado. Surface area of high water line. 10.5 Amount Claimed. 10.5.1. Pawnee Creek 1. 4.0 c.f.s., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 10.5.2. Pawnee Creek 2. 4.0 c.f.s., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 10.5.3. Pawnee Creek 3. 4.0 c.f.s., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 10.6. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 11. Name of Structure. Guenzi Recharge Well Project (GRWP). 11.1 Diversions Points. 11.1.1. Guenzi Well No. 2-62508-F. In the SE1/4 NE1/4 of Section 18, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,540 feet from the North section line and 340 feet from the East section line. 11.1.2. Guenzi Well No. 4-59465-F. In the SE1/4 NE1/4 of Section 18, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,458 feet from the North section line and 4,178 feet from the West Section line. 11.1.3. Guenzi Recharge Well No. 13. In the NW1/4 NW1/4 of Section 17, Township 6 North, Range 53 West, 6th P.M., Logan County, Colorado. 11.2. Source of Water. Groundwater tributary to the South Platte River. 11.3. Dates of Appropriation. 11.3.1. Guenzi Well No. 2-62508-F. March 25, 2003 for 4,000 g.p.m.; April 21, 2005 for 2,000 g.p.m. 11.3.2. Guenzi Well No. 4-59465-F. February 28, 2003. 11.3.3. Guenzi Recharge Well No. 13. June 15, 2005. 11.4. Description of Recharge. Water diverted at the points described in ¶11.1 and delivered to recharge ponds is allowed to percolate into the underground aquifer for Logan's stated beneficial uses. The following initial recharge pond sites and facilities were decreed. 11.4.1. GRWP Pond No. 1 (Ladd No. 1). In the N1/2 of Section 12, Township 6 North, Range 54 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 20 acres. Total active capacity. 60 a.f. with 0 dead storage. 11.4.2. GRWP Pond No. 2 (Ladd No. 2). In the SW1/4 of Section 1, Township 6 North, Range 54 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 20 acres. Total active capacity. 60 a.f. with 0 dead storage. 11.4.3. GRWP Pond No. 3 (Schott No. 1 and 2). In the SW1/4 of Section 7, Township 6 North, Range 53 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 15 acres. Total active capacity. 45 a.f. with 0 dead storage. 11.4.4. Ponds described in Case No. 95CW263, Farmers Pawnee Ditch Company and shown on Table 4, and all ditches and ponds described in Case No. 96CW1034, North Sterling Irrigation District, provided Applicant or its members obtain written agreements with the owners of the structures. 11.5. Amounts. 11.5.1. Guenzi Well No. 2-62508-F: 11.5.1.1. March 25, 2003 Appropriation Date in the amount of 4,000 g.p.m. 4,000 g.p.m. was made absolute in the 03CW195 Decree for select uses. 4,000 g.p.m. was made absolute in the 12CW17 Decree for additional select uses. 4,000 g.p.m conditional for augmentation, directly and by exchange, of water rights used for municipal uses and delivery to other recharge ponds

described in ¶11.4.4. 11.5.1.2. April 21, 2005 Appropriation Date in the amount of 2,000 g.p.m. 2,000 g.p.m. was made absolute in the 03CW195 Decree for select uses. 1,000 g.p.m. was made absolute in the 12CW17 Decree for additional select uses. 1,000 g.p.m. conditional for augmentation, directly and by exchange, of water rights used for fire protection, wildlife, and wildlife recovery. 2,000 g.p.m conditional for augmentation, directly and by exchange, of water rights used for municipal uses and delivery to other recharge ponds described in ¶11.4.4. 11.5.2. Guenzi Well No. 4-59465-F. 2,250 g.p.m., absolute; 750 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 11.5.3. Guenzi Recharge Well No. 13. 6,000 g.p.m., conditional, conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 11.6. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 12. Name of Structure. Hessler Farms Inc. Recharge Well Project. 12.1. Diversions Point. Hessler Well 59273-F. In the NW1/4 SW1/4 of Section 3, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,450 feet from the South section line and 100 feet from the West section line. 12.2. Source of Water. Groundwater tributary to the South Platte River. 12.3. Date of Appropriation. March 25, 2003. 12.4. Description of Recharge. Water diverted at the point described in ¶12.1 and delivered to recharge ponds is allowed to percolate into the underground aquifer for Logan's stated beneficial uses. The following initial recharge pond site was decreed. 12.4.1. South Platte Ditch Recharge Project No. 2 recharge/reservoir sites No. 6, 7, 9, 10, 11, and 14 through 23. 12.5. Amount. 4,000 g.p.m., absolute for select uses in the 03CW195 Decree; an additional 538.7 g.p.m absolute for all uses except municipal in the 12CW17 Decree. 3,416 g.p.m conditional for augmentation, directly and by exchange, of water rights used for fire protection, wildlife, and wildlife recovery. 4,000 g.p.m conditional for augmentation, directly and by exchange, of water rights used for municipal. 12.6. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 13. Name of Structure. Buffalo Farms Water Development Inc., Recharge Well Project. 13.1 Diversions Points. 13.1.1. Vollmer Well 61642-F. In the NW1/4 NW1/4 of Section 25, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado, 500 feet from the North section line and 300 feet from the West section line. 13.1.2. Recharge Well No. 14. In the NW1/4 NW1/4 of Section 25, Township 6 North, Range 54 West, 6th P.M., Logan County, Colorado. 13.2. Source of Water. Groundwater tributary to the South Platte River. 13.3. Dates of Appropriation. 13.3.1. Vollmer Well 61642-F. March 25, 2003. 13.3.2. Recharge Well No. 14. June 15, 2005. 13.4. Description of Recharge. Water diverted at the points described in ¶13.1 and delivered to the recharge pond sites and facilities described below is allowed to percolate into the underground aquifer for Logan's stated beneficial uses. The following initial recharge pond sites and facilities were decreed. 13.4.1. Goss No.1. In the SW1/4 NW1/4 of Section 24, Township 6 North, Range 54 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity. 21 a.f. with 0 dead storage. 13.4.2. Goss No. 2. In the SE1/4 SE1/4 of Section 14, Township 6 North, Range 54 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity. 21 a.f. with 0 dead storage. 13.4.3. Cross. In the SE1/4 SE1/4 of Section 23, Township 6 North, Range 54 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 22 acres. Total active capacity. 66 a.f. with 0 dead storage. 13.5. Amounts. 13.5.1. Vollmer Well 61642-F. 5,000 g.p.m., conditional in the 03CW195 Decree and made absolute in 12CW17 Decree. The water right is fully absolute. 13.5.2. Recharge Well No. 14. 4,000 g.p.m., conditional, conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 13.6. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 14. Name of Structure. Lutin-Curlee Recharge Project. 14.1 Diversions Point. Curlee Pump Station No. 2. In the SE1/4 SW1/4 of Section 30, Township 6 North, Range 53 West, 6th P.M., Logan County, Colorado, on the Prewitt Seep Ditch. 14.2. Source of Water. The South Platte River. 14.3 Date of Appropriation. June 15, 2005. 14.4 Description of Recharge. Water diverted at the point described in ¶14.1 and delivered to recharge ponds is allowed to percolate into the underground aquifer for Logan's stated beneficial uses. The following initial recharge pond sites were decreed. 14.4.1. Lutin-Curlee Pond No.1. In the SW1/4 SW1/4 of Section 30,

Township 6 North, Range 53 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity. 15 a.f. with 0 dead storage. 14.4.2. Lutin-Curlee Pond No. 2. In the SE1/4 SE1/4 of Section 25, Township 6 North, Range 54 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity. 15 a.f. with 0 dead storage. 14.4.3. Amount. 10.0 c.f.s., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 14.5. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. AUGMENTATION WELLS 15. Augmentation Well Uses and Source. The use for each water right is augmentation of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge and replacement. The source for each well is groundwater tributary to the South Platte River. 16. Name of Structure. Amen Well 59339-F. 16.1 Location. In the NW1/4 SW1/4 of Section 21, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 2,697 feet from the North section line and 41 feet from the West section line. 16.2. Appropriation date. March 28, 2003. 16.3. Amount. 1,000 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 17.0 Name of Structure. Anderson Well 58046-F. 17.1 Location. In the SE1/4 SW1/4 of Section 9, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, 550 feet from the South section line and 2,650 feet from the East section line. 17.2. Appropriation date. August 16, 2002. 17.3 Amount. 1,500 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 18.0 Name of Structure. DeSoto Well 58050-F. 18.1. Location. In the NW1/4 SE1/4 of Section 27, Township 9 North, Range 52 West of the 6th P.M., Logan County, Colorado, 2,220 feet from the South section line and 2,628 feet from the East section line. 18.2. Appropriation date. August 16, 2002. 18.3. Amount. 500 g.p.m., conditional, 1,000 g.p.m., absolute in 03CW195 Decree, the remaining conditional amount maintained in full in the 12CW17 Decree. 19. Name of Structure. Fiscus Well 60606-F. 19.1 Location. In the NW1/4 SE1/4 of Section 35, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado 1,770 feet from the South Section Line and 2,561 feet from the East section line. 19.2. Appropriation date. February 28, 2003. 19.3 Amount. 2,500 g.p.m., conditional in 03CW195 Decree; 1,877.1 g.p.m. made absolute in 12CW17, for a total of 1,877.1 g.p.m. absolute and 622.9 g.p.m. conditional. 20.0 Name of Structure. Springdale Ditch Well 59322-F. 20.1 Location. In the SW1/4 NE1/4 of Section 7, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, 1,382 feet from the North section line and 2,055 feet from the East section line. 20.2 Appropriation date. March 28, 2003. 20.3. Amount. 1,100 g.p.m., conditional, 2,900 g.p.m., absolute in 03CW195 Decree, and remaining conditional amount maintained in full in the 12CW17 Decree. 21. Name of Structure. Guenzi Well 58044-F. 21.1 Location. In the NW1/4 NE1/4 of Section 9, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, 600 feet from the North section line and 2,650 feet from the West section line. 21.2 Appropriation date. August 16, 2002. 21.3. Amount. 500 g.p.m., conditional, 1000 g.p.m., absolute in 03CW195 Decree, and the remaining conditional amount maintained in full in the 12CW17 Decree. 22. Name of Structure. Guenzi Well 58045-F. 22.1 Location. In the NW1/4 NE1/4 of Section 9, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, 850 feet from the North section line and 2,650 feet from the West section line. 22.2 Appropriation date. August 16, 2002. 22.3. Amount. 500 g.p.m., conditional, 1,000 g.p.m., absolute in 03CW195 Decree, and the remaining conditional amount maintained in full in the 12CW17 Decree. 23. Name of Structure. Hessler Well 59337-F. 23.1. Location. In the NW1/4 NE1/4 of Section 15, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,237 feet from the North section line and 2,370 feet from the East section line. 23.2. Appropriation date. February 28, 2003. 23.3 Amount. 2,500 g.p.m., conditional in 03CW195 Decree and 1,131.7 g.p.m. made absolute in 12CW17, for a total of 1,131.7 g.p.m. absolute and 1,368.3 g.p.m. conditional. 24. Name of Structure. Hoogland Well No. 1. 24.1 Location. In the SW1/4 SW1/4 of Section 10, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. 24.2 Appropriation date. February 28, 2003. 24.3. Amount. 2,500 g.p.m., conditional in 03CW195 Decree and maintained in full in the 12CW17 Decree. 25. Name of Structure. Hoogland Well No. 2. 25.1 Location. In the SW1/4 SE1/4 of Section 10, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. 25.2 Appropriation date. February 28, 2003. 25.3 Amount. 2,500 g.p.m., conditional in 03CW195

Decree and maintained in full in the 12CW17 Decree. 26. Name of Structure. JEMAC Well 60147-F. 26.1 Location. In the NW1/4 SE1/4 of Section 23, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado, 1,328 feet from the South section line and 1,519 feet from the East section line. 26.2 Appropriation date. February 28, 2003. 26.3 Amount. 2,500 g.p.m., conditional in 03CW195 Decree, of which 1,265.1 g.p.m. was made absolute in the 12CW17 Decree, for a total of 1,265.1 g.p.m. absolute and 1,234.90 g.p.m. conditional. 27. Name of Structure. Lingreen Well 59333-F. 27.1 Location. In the SW1/4 SW1/4 of Section 36, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 117 feet from the South section line and 660 feet from the West section line. 27.2 Appropriation date. February 28, 2003. 27.3 Amount. 1,750 g.p.m., conditional, 1,250 g.p.m., absolute in the 03CW195 Decree and the remaining conditional amount maintained in full in the 12CW17 Decree. 28. Name of Structure. Lingreen Well 59332-F. 28.1 Location. In the NW1/4 SE1/4 of Section 36, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 2,040 feet from the South section line and 1,630 feet from the East section line. 28.2 Appropriation date. February 28, 2003. 28.3 Amount. 1,500 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 29. Name of Structure. Curlee Well 60633-F. 29.1 Location. In the SE1/4 SE1/4 of Section 25, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado, 50 feet from the South section line and 60 feet from the East section line. 29.2 Appropriation date. February 28, 2003. 29.3 Amount. 850 g.p.m., conditional, 1,650 g.p.m., absolute in the 03CW195 Decree and the remaining conditional amount maintained in full in the 12CW17 Decree. 30. Name of Structure. Curlee Well 60375-F. 30.1 Location. In the SE1/4 SW1/4 of Section 16, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 325 feet from the South section line and 2,625 feet from the West section line. 30.2. Appropriation date. February 28, 2003. 30.3. Amount. 1,250 g.p.m., conditional, 1,250 g.p.m., absolute in the 03CW195 Decree and the remaining conditional amount maintained in full in the 12CW17 Decree. 31. Name of Structure. Manuello Well 58042-F. 31.1 Location. In the NE1/4 NW1/4 of Section 3, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, 1,250 feet from the North section line and 2,850 feet from the East section line. 31.2 Appropriation date. August 16, 2002. 31.3 Amount. 700 g.p.m., conditional, 800 g.p.m., absolute in 03CW195 Decree and the remaining conditional amount maintained in full in the 12CW17 Decree. 32. Name of Structure. Mari Bros. Well 58052-F. 32.1 Location. In the SE1/4 SE1/4 of Section 20, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 500 feet from the South section line and 35 feet from the East section line. 32.2 Appropriation date. August 16, 2002. 32.3 Amount. 550 g.p.m., conditional, 1,450 g.p.m., absolute in the 03CW195 Decree and remaining conditional amount maintained in full in the 12CW17 Decree. 33. Name of Structure. Mari Bros. Well 58053-F. 33.1 Location. In the NW1/4 SW1/4 of Section 21, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,330 feet from the South section line and 500 feet from the West section line. 33.2 Appropriation date. August 16, 2002. 33.3 Amount. 800 g.p.m., conditional, 1,300 g.p.m., absolute in the 03CW195 Decree and remaining conditional amount maintained in full in the 12CW17 Decree. 34. Name of Structure. Rod Mari Well 59849-F. 34.1 Location. In the SW1/4 SW1/4 of Section 21, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 982 feet from the South section line and 486 feet from the West section line. 34.2 Appropriation date. February 28, 2003. 34.3 Amount. 1,500 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 35. Name of Structure. Propst Well 61093-F. 35.1 Location. In the SW1/4 SE1/4 of Section 2, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 639 feet from the South section line and 2,576 feet from the East section line. 35.2 Appropriation date. February 28, 2003. 35.3 Amount. 850 g.p.m., conditional, 1,650 g.p.m., absolute in the 03CW195 Decree and all remaining conditional amounts maintained in full in the 12CW17 Decree. 36. Name of Structure. Roth Well 58043-F. 36.1 Location. In the SE1/4 NW1/4 of Section 16, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, 2,100 feet from the North section line and 2,100 feet from the West section line. 36.2 Appropriation date. August 16, 2002. 36.3 Amount. 600 g.p.m., conditional, 900 g.p.m., absolute in the 03CW195 Decree and all remaining conditional amounts maintained in full in the 12CW17 Decree. 37. Name of Structure. Smart Well 59336-F. 37.1 Location. In the SE1/4 SE1/4 of Section 16, Township 6 North, Range 53 West of the 6th P.M.,

Logan County, Colorado, 42 feet from the South section line and 1,118 feet from the East section line. 37.2 Appropriation date. February 28, 2003. 37.3 Amount. 1,250 g.p.m., conditional, 1,250 g.p.m., absolute in the 03CW195 Decree and all remaining conditional amounts maintained in full in the 12CW17 Decree. 38. Name of Structure. Vollmer Well 58055-F. 38.1 ocation. In the SE1/4 SW1/4 of Section 20, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 605 feet from the South section line and 2,692 feet from the East section line. 38.2 Appropriation date. August 16, 2002. 38.3 Amount. 750 g.p.m., conditional, 1,750 g.p.m., absolute in the 03CW195 Decree and all remaining conditional amounts maintained in full in the 12CW17 Decree. 39. Name of Structure. Vollmer Well 59338-F. 39.1 Location. In the NW1/4 SW1/4 of Section 24, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado, 2,475 feet from the South section line and 100 feet from the West section line. 39.2 Appropriation date. March 28, 2003. 39.3 Amount. 2,500 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 40. Name of Structure. SIC A1 Well 16760-F. 40.1 Location. In the SE1/4 NE1/4 Section 7, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, 2,600 feet from the North section line and 1,060 feet from the East section line. 40.2 Appropriation date. December 31, 1972. 40.3 Amount. 2,450 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 41. Name of Structure. SIC A2 Well 16763-F. 41.1 Location. In the SE1/4 NE1/4 Section 7, Township 7 North, Range 52 West of the 6th P.M. Logan County, Colorado, 1,370 feet from the North section line and 980 feet from the East section line. 41.2 Appropriation date. December 31, 1972. 41.3 Amount. 2,450 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 42. Name of Structure. SIC A3 Well 16759-F. 42.1 Location. In the SE1/4 SE1/4 of Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, 25 feet from the South section line and 390 feet from the East section line. 42.2 Appropriation date. December 31, 1972. 42.3 Amount. 2,450 g.p.m., conditional, of which 2,450 g.p.m. was made absolute in the 12CW17 Decree, for a total amount absolute of 2,450 g.p.m.43. Name of Structure. SIC A4 Well 16764-F. 43.1 Location. In the NE1/4 of the SE1/4 Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, 1,335 feet from the South section line and 420 feet from the East section line. 43.2 Appropriation date. December 31, 1972. 42.3 Amount. 2,450 g.p.m., conditional, of which 2,450 g.p.m. was made absolute in the 12CW17 Decree, for a total amount absolute of 2,450 g.p.m. 44. Name of Structure. SIC A5 Well 16762-F. 44.1 Location. In the NE1/4 SE1/4 Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado at a point 2,190 feet North and 670 West of the SE corner of said Section 6. 44.2 Appropriation date. December 31, 1972. 44.3 Amount. 2,450 g.p.m., conditional, of which 2,450 g.p.m. was made absolute in the 12CW17 Decree, for a total amount absolute of 2,450 g.p.m. 45. Name of Structure. SIC A6 Well 16761-F. 45.1 Location. In the SW1/4 NE1/4 Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 2,250 feet South and 1,325 feet West of the NE Corner of said Section 6. 45.2 Appropriation date. December 31, 1972. 45.3 Amount. 2,450 g.p.m., conditional, of which 2,450 g.p.m. was made absolute in the 12CW17 Decree, for a total amount absolute of 2,450 g.p.m. 46. Name of Structure. SIC B1 Well 19533-F. 46.1 Location. In the SE1/4 SE1/4 Section 7, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 1,000 feet from the South section line and 1,000 feet from the East section line, said Section 7. 46.2 Appropriation date. April 7, 1975. 46.3 Amount. 2,240 g.p.m., conditional in the 03CW195 Decree, of which 0.7 g.p.m. was made absolute in the 12CW17 Decree for a total amount of 0.7 g.p.m. absolute and 2,239.3 g.p.m. conditional. 47. Name of Structure. SIC B2 Well 19532-F. 47.1 Location. In the SE1/4 SW1/4 of Section 31, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 400 feet from the South section line and 2,600 feet from the West section line, said Section 31. 47.2 Appropriation date. April 7, 1975. 47.3 Amount. 2,240 g.p.m., conditional in the 03CW195 Decree, of which 2,240 g.p.m. was made absolute in the 12CW17 Decree. 48.0Name of Structure. SIC B3 Well 19531-F. 48.1 Location. In the SE1/4 SW1/4 Section 30, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 100 feet from the South section line and 2,000 feet from the West section line, said Section 30. 48.2 Appropriation date. April 7, 1975. 48.3. Amount. 1,340 g.p.m., conditional in the 03CW195 Decree, of which 1,340 g.p.m. was made absolute in the 12CW17 Decree. 49. Name of Structure. SIC B4 Well 19530-

F. 49.1 Location. In the SW1/4 SE1/4 Section 20, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 50 feet from the South section line and 2,000 feet from the East Section line, said Section 20. 49.2 Appropriation date. April 7, 1975. 49.3 Amount. 2,070 g.p.m., conditional in the 03CW195 Decree, of which 2028.7 g.p.m. was made absolute in the 12CW17 Decree for a total amount of 2028.7 absolute and 41.30 conditional. 50. Name of Structure. Cecil Farms Well. 50.1 Location. SE1/4 SW1/4 of Section 25, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. 50.2 Appropriation date. December 14, 2004. 50.3 Amount. 2,500 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 51. Name of Structure. Famm Well. 51.1 Location. In the NE1/4 SE1/4, Section 25, Township 7 North, Range 53 West, Logan County, Colorado. 51.2 Appropriation date. December 14, 2004. 51.3 Amount. 3,000 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 52. Name of Structure. Goss Well No. 1. 52.1 Location. In the SW1/4 SW1/4, Section 13, Township 6 North, Range 54 West, Logan County, Colorado. 52.2 Appropriation date. December 14, 2004. 52.3 Amount. 1,000 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 53. Name of Structure. Goss Well No. 2. 53.1 Location. In the NW1/4 SE1/4, Section 14, Township 6 North, Range 54 West, Logan County, Colorado. 53.2 Appropriation date. December 14, 2004. 53.3 Amount. 1,000 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 54. Name of Structure. Guenzi Well. 54.1 Location. In the SE1/4 SW1/4 Section 8, Township 6 North, Range 53 West, Logan County, Colorado. 54.2 Appropriation date. December 14, 2004. 54.3 Amount. 1,800 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 55. Name of Structure. Hessler Farms Well No. 1-62513-F. 55.1 Location. In the NE1/4 SE1/4 Section 10, Township 6 North, Range 53 West, Logan County, Colorado, 2,550 feet from the South section line and 50 feet from the East section line. 55.2 Appropriation date. December 14, 2004. 55.3 Amount. 2,500 g.p.m., conditional in 03CW195 Decree and maintained in full in the 12CW17 Decree. 56. Name of Structure. Hessler Farms Well No. 2-62515-F. 56.1 Location. In the SW1/4 NW1/4 Section 15, Township 6 North, Range 53 West, Logan County, Colorado, 2,630 feet from the North section line and 40 feet from the West section line. 56.2 Appropriation date. December 14, 2004. 56.3 Amount. 2,500 g.p.m., conditional in the 03CW195 Decree, of which 843.8 g.p.m. was made absolute in the 12CW17 Decree. 57. Name of Structure. Hessler Farms Well No. 3-62514-F. 57.1 Location. In the NE1/4 NE1/4 Section 15, Township 6 North, Range 53 West, Logan County, Colorado, 600 feet from the North section line and 600 feet from the East section line. 57.2 Appropriation date. December 14, 2004. 57.3 Amount. 2,500 g.p.m., conditional in the 03CW195 Decree, of which 1,153.45 g.p.m. was made absolute in the 12CW17 Decree. GROUNDWATER RIGHTS 58. Name of Structures. SIC Well A1, SIC Well A2, SIC Well A3, SIC Well A4, SIC Well A5, SIC Well A6, SIC Well B1, SIC Well B2, SIC Well B3 SIC Well B4. 58.1 Diversion Points. 58.1.1. SIC Well A1. In the SE1/4 NE1/4 Section 7, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, 2,600 feet from the North section line and 1,060 feet from the East section line. 58.1.2 SIC Well A2. In the SE1/4 NE1/4 Section 7, Township 7 North, Range 52 West of the 6th P.M. Logan County, Colorado, 1,370 feet from the North section line and 980 feet from the East section line. 58.1.3. SIC Well A3. In the SE1/4 SE1/4 of Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, 25 feet from the South section line and 390 feet from the East section line. 58.1.4. SIC Well A4. In the NE1/4 SE1/4 Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, 1,335 feet from the South section line and 420 feet from the East section line. 58.1.5. SIC Well A5. In the NE1/4 SE1/4 Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado at a point 2,190 feet North and 670 West of the SE corner of said Section 6. 58.1.6. SIC Well A6. In the SW1/4 NE1/4 Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 2,250 feet South and 1,325 feet West of the NE Corner of said Section 6. 58.1.7. SIC Well B1. In the SE1/4 SE1/4 Section 7, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 1,000 feet from the South section line and 1,000 feet from the East section line, said Section 7. 58.1.8. SIC Well B2. In the SE1/4 SW1/4 of Section 31, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 400 feet from the South section line and 2,600 feet from the West section line, said Section 31. 58.1.9. SIC Well B3. In the S1/4 SW1/4 Section

30, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 100 feet from the South section line and 2,000 feet from the West section line, said Section 30. 58.1.10 SIC Well B4. In the SW1/4 SE1/4 Section 20, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 50 feet from the South section line and 2,000 feet from the East Section line, said Section 20. 58.2 Source. Groundwater tributary to the South Platte River. 58.3. Date of Appropriation. June 15, 2005 for all wells. 58.4 Amounts. 58.4.1. SIC Well A1, 2,450 g.p.m., conditional in the 03CW195 Decree, of which 365 g.p.m was made absolute in the 12CW17 Decree for a total amount of 365 g.p.m. absolute and 2,085 g.p.m. conditional. 58.4.2. SIC Well A2, 2,450 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 58.4.3. SIC Well A3, 2,450 g.p.m., conditional in the 03CW195 Decree, of which 216.1 g.p.m was made absolute in the 12CW17 Decree for a total amount of 216.1 g.p.m. absolute and 2,233.9 g.p.m. conditional. 58.4.4. SIC Well A4, 2,450 g.p.m., conditional in the 03CW195 Decree, of which 710.2 g.p.m was made absolute in the 12CW17 Decree for a total amount of 710.2 g.p.m. absolute and 1,739.8 g.p.m. conditional. 58.4.5. SIC Well A5, 2,450 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 58.4.6. SIC Well A6, 2,450 g.p.m., conditional in the 03CW195 Decree, of which 547 g.p.m was made absolute in the 12CW17 Decree for a total amount 547 g.p.m. absolute and 1,903 g.p.m. conditional. 58.4.7. SIC Well B1, 2,240 g.p.m., conditional in the 03CW195 Decree, of which 218.5 g.p.m was made absolute in the 12CW17 Decree for a total amount of 218.5 g.p.m. absolute and 2,021.5 g.p.m. conditional. 58.4.8. SIC Well B2, 2,240 g.p.m., conditional in the 03CW195 Decree, of which 326.8 g.p.m was made absolute in the 12CW17 Decree for a total amount of 326.8 g.p.m. absolute and 1,913.2 g.p.m. conditional. 58.4.9. SIC Well B3, 1,340 g.p.m., conditional in the 03CW195 Decree, of which 285.6 g.p.m was made absolute in the 12CW17 Decree for a total amount of 285.6 g.p.m. absolute and 1,054.4 g.p.m. conditional. 58.4.10 SIC Well B4, 2,070 g.p.m., conditional in the 03CW195 Decree, of which 343.6 g.p.m was made absolute in the 12CW17 Decree for a total amount of 343.6 g.p.m. absolute and 1,726.4 g.p.m. conditional. 58.5 Use. Irrigation of any lands within the service area of the Sterling Irrigation Company, consisting of approximately 7,400 acres served by the Sterling No. 1 Ditch, which headgate is located in the NW1/4 of Section 25, Township 7 North, Range 53 West, 6th P.M., Logan County, Colorado. EXCHANGE 59. Exchange. 59.1 Legal Description of Points of Diversion. The points of diversion are the headgates of the South Platte, Schneider, Springdale, and Sterling No. 1 Ditches, the Prewitt Reservoir Inlet Canal, and the Recharge Wells described in ¶8.1, ¶10.1, ¶11.1, ¶13.1, ¶16.1, ¶17.1 and ¶18.1 of the Decree, all in Logan County, Colorado. 59.2 Legal Description of the Reach of the South Platte River Within the Substitution and Exchange. The recharge water delivered to the South Platte River will be delivered within a reach of the South Platte River, consisting of an upstream point at the Prewitt Reservoir Inlet Canal and a downstream point at the North section line of Section 25, Township 9 North, Range 52 West, 6th P.M., Logan County, Colorado. 59.3 Date of initiation of appropriation. April 23, 2003. 59.4 Amount. 52 c.f.s., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 59.5 Use. Augmentation of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge and replacement. 60. Outline of What Has Been Done Toward Completion. 60.1 The Diligence period for the conditional rights is February 23, 2014 to February 29, 2020. 60.2 During the diligence period Logan made annual projections under the decree terms, operated the augmentation plans set out in the 03CW195 Decree and in the decree entered in Case Nos. 07CW300 and 12CW017, recharged water rights and provided the required accounting. All Member Wells were allowed to operate under the augmentation plans if the owners desired to divert groundwater for decreed uses. 60.3 During the diligence period Logan filed a statement of opposition in the following case: Dixie Water, 18CW3237. During the diligence period, SPDC filed a statement of opposition in the following case: La Croix, LLC, 15CW3106. 60.4 During the diligence period Logan has expended funds to install well telemetry, for certification of well meters, for reading of well meters, maintenance of recharge ponds, filed water court applications and obtained decrees in Case Nos. 13CW3162, 16CW3187, 17CW3045, and 18CW3005, as well as filed an application still pending in 18CW3227, where all such decrees included claims to add wells to Logan's augmentation plan decreed in 03CW195, filed notices of new recharge sites in accordance with the 03CW195 Decree, and expended funds related to water rights accounting, engineering and legal services,

which total more than \$ 446,000. 60.5 During the diligence period Applicants diverted conditional water rights for the beneficial uses allowed by the Decree as described in this Application. 61. Claims To Make Absolute and for Finding of Reasonable Diligence Pursuant to C.R.C. § 37-92-304. Logan's consultant Spronk Water Engineers, Inc. reviewed the State Engineer Diversion Records and Applicants' records to determine the diversions made pursuant the conditional water rights described above. Applicants claim the following amounts of each water right should be decreed absolute. The conditional water rights amounts not made absolute set out in ¶¶3-59 should remain conditional. The water rights set out in the Decree are part of an integrated system. Applicants' water rights and recharge system and each of the water rights and structures which will provide augmentation, substitution, replacement and exchange supplies under this decree collectively comprise an integrated system of water rights and structures under C.R.S. § 37-92-301(4)(b). Work performed and effort or costs expended by Applicants on any water rights or structures which are part of its integrated water system should be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the system as provided in C.R.S. § 37-92-301(4)(b). RECHARGE PROJECTS 61.1 Ron Ruff Recharge Project. 2.7 c.f.s. was made absolute in the 03CW195 Decree for select uses. 0.8 c.f.s. was made absolute in the 12CW17 Decree for all uses. 3.6 c.f.s. was diverted on March 17, 2016 and subsequently beneficially used for all decreed uses, leaving 2.0 c.f.s. conditional. 61.2 Guenzi Recharge Well Project. 61.2.1 Guenzi Well No. 2-62508-F 61.2.1.1. March 25, 2003 Appropriation Date in the amount of 4,000 g.p.m. 4,000 g.p.m. was made absolute in the 03CW195 Decree for select uses. 4,000 g.p.m. was made absolute in the 12CW17 Decree for additional select uses. 4,701 g.p.m. was diverted on May 1, 2015 for all uses thereby making the right absolute for all decreed uses. 61.2.1.2. April 21, 2005 Appropriation Date in the amount of 2,000 g.p.m. 2,000 g.p.m. was made absolute in the 03CW195 Decree for select uses. 1,000 g.p.m. was made absolute in the 12CW17 Decree for additional select uses. 701 g.p.m. was diverted on May 1, 2015 for all uses, thereby making 701 g.p.m. absolute for all uses and 1,299 g.p.m. remaining conditional for augmentation, directly and by exchange, of water rights used for municipal uses and delivery to other recharge ponds described in ¶11.4.4. 1,000 g.p.m. remains conditional for augmentation, directly and by exchange, of water rights used for fire protection, wildlife, and wildlife recovery. 61.2.2. Guenzi Well No. 4-59465-F. 2,250 g.p.m. was made absolute in the 03CW195 for select uses. 1,994 g.p.m. was diverted on December 1, 2016 for all uses, thereby making the water right absolute in the amount of 1,994 g.p.m. for all uses, leaving 1,006 g.p.m. remaining conditional for augmentation, directly and by exchange, of water rights used for municipal uses and delivery to other recharge ponds described in ¶11.4.4. 750 g.p.m. remains conditional for augmentation, directly and by exchange, of water rights used for irrigation, commercial, livestock, recharge, and replacement. 61.3. Hessler Farms Recharge Well Project. 4,000 g.p.m. was made absolute in the 03CW195 Decree for select uses. 583.7 g.p.m. was made absolute in the 12CW17 Decree for other select uses. 4,211 g.p.m. was diverted on October 26, 2015 for all uses thereby making the right absolute for all decreed uses. GROUNDWATER RIGHTS 61.4 SIC Well B-1. 218.5 g.p.m. was made absolute in the 12CW17 Decree for irrigation use. 2,117 g.p.m. was diverted on June 20, 2019, making an additional 1,898 g.p.m. absolute for a total amount absolute of 2,117 g.p.m., leaving 123 g.p.m. conditional. 61.5 SIC Well B-2. 326.8 g.p.m. was made absolute in the 12CW17 Decree for irrigation use. 1,987 g.p.m. was diverted on August 1, 2019, making an additional 1,660 g.p.m. absolute for a total amount absolute of 1,987 g.p.m., leaving 253 g.p.m. conditional. 61.6 SIC Well B-4. 343.6 g.p.m. was made absolute in the 12CW17 Decree for irrigation use. 2,085 g.p.m. was diverted on May 24, 2016, making an additional 1,726 g.p.m. absolute for a total amount absolute of 2,070 g.p.m., making the full water right absolute. 62. WHEREFORE, Co-Applicants request the Court enter a decree finding that Co-Applicants have satisfied the statutory standard of steady application of effort to complete the appropriations in a reasonably expedient and efficient manner under all the facts and circumstances, that reasonable diligence was performed during the diligence period in the development of the conditional water rights, that a portion of the water rights should be made absolute as described herein, and that the remaining conditional portion of the water rights, or the full amount of the water rights as the case may be, should continue.

20CW3031 SPRUCE MOUNTAIN PROPERTIES, INC., 3347 Castle Butte Dr., Castle Rock, CO, 80109. Frederick A. Fendel, III, Eric K. Trout, Petrock Fendel Poznanovic, P.C., 700 17th Street, Suite 1800, Denver, CO, 80202. Application to Make Absolute and for a Finding of Reasonable Diligence in **DOUGLAS COUNTY**. 1. Name, address, and telephone number of Applicant: Spruce Mountain Properties, Inc., 3347 Castle Butte Dr., Castle Rock, CO, 80109, (303) 627-2600. 2. Prior Decree Information: Decreed in Case No. 11CW180 on February 24, 2014 (“11CW180 Decree”). 3. Conditional Water Storage Right Decreed in Case No. 11CW180: 3.1 Name of Reservoir: Spruce Mountain Pond. 3.2 Location: Located in the NE1/4 SE1/4 and the SE1/4 SE1/4 of Section 28, Township 10 South, Range 67 West of the 6th P.M. The center of the dam is located approximately 1595 feet from the South and 530 feet from the East Section lines of said Section 28. A map of the location is attached as **Exhibit A**. 3.3 Source: Carpenter Creek, a tributary of East Plum Creek. 3.4 Date of Appropriation: May 30, 2002. 3.5 Uses: Aesthetic, piscatorial, fish and wildlife habitat. 3.6 Amount: 20 acre-feet, conditional. 3.7 Capacity of Reservoir: 3.3.7 Active Capacity: 20 acre-feet. 3.7.2 Dead Storage: 0 acre-feet. 3.8 Surface Area: 4.15 acres. 3.9 Maximum Dam Height: 10.5 feet. 3.10 Length of Dam: 250 feet. **CLAIM TO MAKE ABSOLUTE** 4. The Spruce Mountain Pond diverted and stored water in-priority between April and May of 2016 in the amount of 4.34 acre-feet. Applicant requests that 4.34 acre-feet be made absolute for all decreed uses. **CLAIM FOR A FINDING OF REASONABLE DILIGENCE** 5. During this diligence period, in continuing the development of the conditional water storage right, Applicant has been diligent in the development and use of the water storage right involved. These activities include, but are not limited to, the following: 5.1 Applicant has operated the Spruce Mountain Pond continuously since the 11CW180 Decree was entered and has beneficially used the water storage rights as described above. 5.2 Applicant has maintained the Spruce Mountain Pond, the structures involved, including its integrated connected facilities, routinely at a cost of approximately \$60,000.00, including staff and management time, and has worked on all on-going aspects of securing the long-term ability to deliver and continue to use the water storage right. 5.3 Expenditure for consulting engineering fees was at least \$50,000.00 since 2014. 5.4 Diversion records for the subject water rights are prepared, maintained, and provided to the Office of the Division Engineer. 5.5 Applicant has incurred additional expenses for legal, consulting, and engineering work. 5.6 The work and expenditures listed above are illustrative and not exhaustive. Additional work and additional or revise expenditures may be claimed in support of this application. Applicant requests that the water storage right described herein be made absolute to the extent of 4.34 acre-feet, and for such other and further relief as is appropriate, and for a finding of reasonable diligence and an order continuing its conditional water storage right for the remaining 15.66 acre-feet. 4 Pages.

20CW3032, Joel and Laura Wendler, 3631 Lonesome Rock Road, Elizabeth, CO 80107 (Eric K. Trout, Petrock Fendel Poznanovic, 700 17th Street, #1800, Denver, CO 80202), APPLICATION FOR UNDERGROUND WATER RIGHTS IN THE NONTRIBUTARY LOWER DAWSON, DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AND THE NOT NONTRIBUTARY UPPER DAWSON AQUIFERS, **ELBERT COUNTY**, 60 acres being the SE1/4NW1/4 and the E1/2SW1/4NW1/4 of Section 20, T9S, R64W of the 6th P.M., Elbert County, as shown on Attachment A hereto ("Subject Property"). Source of Water Rights: The Upper Dawson aquifer is not nontributary as described in Sections 37-90-103(10.7), C.R.S., and the Lower Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers are nontributary as described in Section 37-90-103(10.5), C.R.S. Estimated Annual Amounts: Upper Dawson: 16 acre-feet; Lower Dawson: 11 acre-feet; Denver: 24 acre-feet; Arapahoe: 21 acre-feet; and Laramie-Fox Hills: 17 acre-feet, Uses: domestic, commercial, irrigation, stockwatering, fire protection, and augmentation purposes, on and off the Subject Property. Further, Applicants pray that this Court grant the application and for such other relief as seems proper in the premises. (4 pages).

20CW3033, Joel and Laura Wendler, 1272 Pawnee Parkway, Elizabeth, CO 80107 (Eric K. Trout, Petrock Fendel Poznanovic, 700 17th Street, #1800, Denver, CO 80202), APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT NONTRIBUTARY

SOURCES AND FOR APPROVAL OF PLAN FOR AUGMENTATION, IN THE NONTRIBUTARY LOWER DAWSON, DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AND THE NOT NONTRIBUTARY UPPER DAWSON AQUIFERS, **ELBERT COUNTY**. 5 acres being Lot 10, Block 10, Pawnee Hills Filing 2, located in the NW1/4NE1/4 of Section 2, T8S, R65W of the 6th P.M., Elbert County, as shown on Attachment A hereto ("Subject Property"). Source of Water Rights: The Upper Dawson aquifer is not nontributary as described in Sections 37-90-103(10.7), C.R.S., and the Lower Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers are nontributary as described in Section 37-90-103(10.5), C.R.S. Estimated Amounts: Upper Dawson: 1.0 acre-feet, Lower Dawson: 0.8 acre-feet, Denver: 1.6 acre-feet, Arapahoe: 2 acre-feet, Laramie-Fox Hills: 1.5 acre-feet. Proposed Use: Domestic, commercial, industrial, irrigation, livestock watering, fire protection, and augmentation purposes, including storage, both on and off the Subject Property. Groundwater to be augmented: Groundwater to be augmented: 1 acre-foot per year of Upper Dawson aquifer groundwater as requested herein. Water rights for augmentation: Return flows from the use of not nontributary and nontributary groundwater and direct discharge of nontributary ground water. Statement of plan for augmentation: The Upper Dawson aquifer water will be used on the Subject Property for in house use in one residence (0.3 acre-feet), irrigation of 10,000 square-feet of lawn, garden, and trees (0.65 acre-feet), and stockwatering of up to 4 large domestic animals (0.05 acre-feet), through existing well Permit No. 163090. Applicants reserve the right to amend the amounts and values without amending the application or republishing the same. Sewage treatment for inhouse use will be provided by a non-evaporative septic system and return flow from in house and irrigation use will be approximately 90% and 15% of that use, respectively. During pumping Applicants will replace actual depletions to the affected stream system pursuant to Section 37-90-137(9)(c.5), C.R.S. Depletions occur to the Running Creek stream system. Return flows accrue to the South Platte River via Running Creek and those return flows are sufficient to replace actual depletions while the subject groundwater is being pumped. Applicants will reserve an equal amount of nontributary groundwater underlying the Subject Property to meet post pumping augmentation requirements. Further, Applicants pray that this Court grant the application and for such other relief as seems proper in the premises.(5 pages).

20CW3034 (13CW3104, 83CW374). CEMEX, Inc. ("Cemex"), c/o Uwe Lubjuhn, Plant Manager, 5134 Ute Highway , P.O. Box 529, Lyons, Colorado 80540, (303) 823-2101. c/o David S. Hayes, Petros & White, LLC, 1999 Broadway, Suite 3200, Denver, Colorado 80202, 303-825-1980. APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN BOULDER COUNTY. 2. Project description: Cemex, through its wholly owned subsidiaries, owns and operates a cement plant on property near Lyons, Colorado (the "Plant Site"). Certain property near the Plant Site, known as Dowe Flats, contains limestone and shales which Cemex mines and uses as raw materials in the manufacture of cement. The Plant Site, Dowe Flats, and additional nearby properties owned by Cemex are collectively referred to herein as the Property. Given its proximity to the St. Vrain River, St. Vrain Supply Canal, and several irrigation ditches, Dowe Flats can be developed for off-channel water storage. Mining can create open pits or backfill pits suitable for water storage and the mine overburden and waste rock can be used for dam construction. Depending upon the precise mining and reclamation of Dowe Flats chosen by Cemex and permitted by the state and local governmental entities over the course of the lengthy mining period, one or more reservoirs are anticipated to be constructed. The Property is also suitable for agricultural, residential, commercial, industrial and open space development, which future uses will require additional water supply and water storage. 3. Conditional water storage and fill right: On May 31, 1994, in Case No. 83CW374, District Court, Water Division No. 1, Cemex's predecessor, Southdown, Inc. ("Southdown") was granted a decree for conditional water storage rights totaling 5,900 acre-feet for reservoirs to be constructed at Dowe Flats. Subsequent findings of reasonable diligence were made in Case Nos. 06CW264, 00CW70, 06CW264 and 13CW3104. The number, exact location and size of the reservoirs will not be known for some time as the mining and associated reclamation progress over the mine life; consequently, Southdown was decreed the right to construct such reservoir or reservoirs at any location within Dowe Flats. For these purposes, the location of the Dowe Flats reservoir field was decreed generally as the property north of Highway 66 and

south and east of the St. Vrain Supply Canal in all or portions of sections 9, 10, 15, 16, 17, 20, 21, 22 and 23, T3N, R70W, 6th P.M., Boulder County, Colorado. The conditional water storage right was decreed in Case No. 83CW374, Water Division 1 as follows: A. Name of structure(s): Southdown Reservoir(s) to be one or more reservoirs located within Dowe Flats or additional property adjacent thereto which may be acquired by Cemex in the future. Each reservoir shall be an alternate and supplemental place of storage for the other. The number and location of the Southdown Reservoir(s) to be constructed will be determined in Cemex's discretion. B. Legal description: The Southdown Reservoir(s) will be located within Dowe Flats or additional property adjacent thereto which may be acquired by Cemex in the future. The exact locations and capacities of each of the Southdown Reservoirs will be specified in the application to make absolute the conditional water right. C. Source of water: St. Vrain Creek and unnamed tributaries thereto, including run-off and groundwater seepage into the reservoirs. D. Filling structures: The Southdown Reservoir(s) will be filled via one or more of the following structures (the "Filling Structures"): i. The Town of Lyons Intake Structure, whose headgate is located in the SW1/4 SW1/4 of Section 1, T3N, R71W, 6th P.M., at a point approximately 100' north of the South section line and approximately 1,050' east of the South section line of said Section 1. ii. At a point on the north bank of St. Vrain Creek in the SE1/4 SE1/4 of Section 18, T3N, R70W, 6th P.M., located approximately 450' north of the South section line and approximately 650' west of the East section line of said Section 18. iii. The Supply Ditch, whose headgate is located in the NW1/4 NW1/4 of Section 20, T3N, R70W, 6th P.M., at a point approximately 25' south of the North section line and approximately 470' east of the West section line of said Section 20. iv. The Highland Ditch, whose headgate is located in the NW1/4 NW1/4 of Section 20, T3N, R70W, 6th P.M., at a point approximately 1,300' south of the North section line and approximately 1,100' east of the West section line of said Section 20. v. The Rough and Ready Ditch, whose headgate is located in the SW1/4 NE1/4 of Section 20, T3N, R70W, 6th P.M., at a point approximately 2,100' south of the North section line and approximately 2,850' east of the West section line of said Section 20; vi. The St. Vrain and Palmerton Ditch, whose headgate is located in the SW1/4 NE1/4 of Section 20, T3N, R70W, 6th P.M., at a point approximately 2,150' south of the North section line and approximately 2,875' east of the West section line of said Section 20. Water will be diverted at the Filling Structures at a cumulative rate not to exceed 75 c.f.s. Before a particular Filling Structure can be so used, Cemex must obtain the right to use said structure. No rights to use any structures not owned by Cemex were granted in the prior decrees. E. Amount: 5,900 acre-feet, conditional. If more than one Southdown Reservoir is constructed, a total of no more than 5,900 acre-feet can be stored annually in all of the reservoirs combined. F. Date of appropriation: December 22, 1983. G. Decreed uses: Domestic, commercial, industrial, recreational, piscatorial, irrigation, agricultural, augmentation, replacement, and exchange purposes. H. Place of use: All water diverted under the conditional water storage right shall be limited to use upon or in connection with development of the Property and adjacent properties now or hereafter owned or controlled by Cemex, which shall under all circumstances be within the boundaries of the St. Vrain & Left Hand Water Conservancy District. If the District is dissolved and no longer exists, then, in any event, such use shall be within the boundaries of the drainage basins of the St. Vrain River and Left Hand Creek. 4. Evidence of reasonable diligence: During the Diligence Period (February 2014 to present), Cemex has undertaken a variety of efforts in furtherance of perfecting the conditional water storage right described in the Application and available for inspection at the office of the Division 1 Water Court or via Colorado Courts E-filing. 5. Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: A. The Town of Lyons Intake Structure is located on property owned by the Town of Lyons, c/o Town Administrator, 432 5th Avenue, P.O. Box 49, Lyons, CO 80540. B. The filling structure on the north bank of Saint Vrain Creek is located on property owned by the Town of Lyons, c/o Town Administrator, 432 5th Avenue, P.O. Box 49, Lyons, CO 80540. C. The headgate of the Supply Ditch is located on property owned by the Supply Irrigating Ditch Company, P.O. Box 1826, Longmont, CO 80502. D. The headgate of the Highland Ditch is located on property owned by the Highland Ditch Company, 4309 State Highway 66, Longmont, CO 80504. E. The headgate

of the Rough and Ready Ditch is located on property owned by the Rough and Ready Ditch Company, P.O. Box 1826, Longmont, CO 80502. F. The headgate of the St. Vrain and Palmerton Ditch is located on property owned by the Palmerton Consolidated Ditch Company, 12788 N. 66th Street, Longmont, CO 80503. G. The County of Boulder, whose address is P.O. Box 471, Boulder, CO 80306 is the owner of certain parcels within Dowe Flats. WHEREFORE, Cemex respectfully requests that the Court enter a decree finding reasonable diligence for and continuing in full force and effect the conditional Southdown Reservoir(s) water right described herein.

20CW3035 Upper Platte and Beaver Canal Company, Steve Griffith, President, P.O. Box 205, Brush, CO 80723. Application for Simple Change in Surface Point of Diversion pursuant to § 37-92-305(3.5), C.R.S. in MORGAN COUNTY. All correspondence and pleadings should be sent to undersigned counsel for the Applicant: William A. Paddock, Mason H. Brown, Katrina B. Fiscella, Carlson, Hammond & Paddock, LLC, 1900 Grant Street, Suite 1200, Denver, CO 80203-4539, Phone Number: (303) 861-9000.

2. Summary of Application: The Upper Platte and Beaver Canal Company is the owner of various water rights decreed to the Upper Platte and Beaver Canal (“Canal”). The Canal’s headgate is located on the south end of a diversion dam that it shares with the Deuel and Snyder Ditch. The existing diversion dam spans the South Platte River from the Deuel and Snyder’s headgate on the north bank diagonally across the river to the southeast to the Upper Platte and Beaver Canal’s headgate on the south bank. Due to deterioration over time, the existing diversion dam needs to be replaced. The Company intends to remove the existing diversion dam and construct a replacement structure that instead spans from the Deuel and Snyder’s existing headgate directly across the South Platte River. Changing the configuration of the diversion dam from its current diagonal orientation to perpendicular across the South Platte River will result in moving the Upper Platte and Beaver Canal’s headgate upstream approximately 750 feet. No change in point of diversion is sought for the Deuel and Snyder Ditch. Through this Application, the Company seeks a decree adjudicating a simple change in surface point of diversion pursuant to § 37-92-305(3.5), C.R.S., that will allow the Company to move the decreed point of diversion for the Company’s water rights decreed to the Canal upstream on the South Platte River to the planned location of a new headgate on the replacement diversion structure. The Company does not seek a change in type of use, change in amount of permitted diversions, or change in location of use of the Company’s water rights.

3. Name of structure: Upper Platte and Beaver Canal.

4. Legal description of structure as described in the most recent decree that adjudicated the location: Per the Decree entered in Case No. 10CW298, the headgate of the Canal is located on the South Platte River in Morgan County, Colorado, at a point in the NW1/4 of the NE1/4 of the NE1/4 of Section 35, T4N, R58W, 6th P.M. The GPS location is as follows: UTM Coordinates (NAD 83 Zone 13): Northing: 4458231; Easting: 614172.

5. Decreed water rights for which change is sought: The Upper Platte and Beaver Canal is the decreed point of diversion for the following water rights:

A. Priority No. 1: i. Date of original and any relevant subsequent decrees: November 21, 1895, CA433, Weld County District Court; November 5, 1909, CA2283, Weld County District Court; September 8, 1948, CA11195, Weld County District Court. ii. Source: South Platte River. iii. Appropriation Date: April 20, 1868. iv. Amount: 15 c.f.s. (absolute). v. Use: Irrigation. vi. Amount being changed: 15 c.f.s. (absolute).

B. Priority No. 16: i. Date of original and any relevant subsequent decrees: April 28, 1883, Case No. 6009, Arapahoe County District Court; January 8, 1910, Case No. 47394, District Court, City and County of Denver; September 8, 1948, CA11195, Weld County District Court. ii. Source: South Platte River. iii. Appropriation Date: May 15, 1869. iv. Amount: 5.17 c.f.s. (absolute). v. Use: Irrigation. vi. Amount being changed: 5.17 c.f.s. (absolute).

C. Priority No. 20: i. Date of original and any relevant subsequent decrees: November 21, 1895, CA433, Weld County District Court; September 8, 1948, CA11195, Weld County District Court. ii. Source: South Platte River. iii. Appropriation Date: June 20, 1882. iv. Amount: 50 c.f.s. (absolute). v. Use: Irrigation. vi. Amount being changed: 50 c.f.s. (absolute).

D. Priority No. 38: i. Date of original and any relevant subsequent decrees: November 21, 1895, CA433, Weld County District Court; September 8, 1948, CA11195, Weld County District Court. ii. Source: South Platte River. iii. Appropriation Date: April 15, 1888. iv. Amount: 164 c.f.s. (absolute). v. Use: Irrigation. vi. Amount being changed: 164 c.f.s. (absolute).

E. Upper Platte and Beaver

Canal Recharge Right: i. Date of original and any relevant subsequent decrees: November 22, 1983, Case No. W-2968, Water Court, Division No. 1; February 9, 1989, Case No. 87CW242, Water Court, Division No. 1, as amended and restated on August 9, 2010, by decree in Case No. 02CW401, Water Court, Division No. 1. ii. Source: South Platte River. iii. Appropriation Date: June 12, 1972. iv. Amount: 234.17 c.f.s. (absolute). v. Use: Recharge and augmentation. vi. Amount being changed: 234.17 c.f.s. (absolute). F. Upper Platte and Beaver Canal Junior Recharge Right: i. Date of original and any relevant subsequent decrees: May 7, 2013, Case No. 10CW298, Water Court, Division No. 1; November 25, 2019, Case No. 19CW3097, Water Court, Division No. 1. ii. Source: South Platte River. iii. Appropriation Date: December 14, 2010. iv. Amount: 73.87 c.f.s. (absolute), 160.3 c.f.s. (conditional). v. Use: Recharge and augmentation. vi. Amount being changed: 73.87 c.f.s. (absolute), 160.3 c.f.s. (conditional). G. Prewitt Reservoir to Upper Platte and Beaver Canal Exchange: i. Date of original and any relevant subsequent decrees: The Canal is the exchange-to point in an appropriative right of exchange decreed on July 13, 1999, Case No. 90CW183, Water Court, Division No. 1. ii. Source of Substitute Supply: Water stored in Prewitt Reservoir pursuant to Reservoir Priority No. 75, entered on January 5, 1922, in Civil Action No. 2142 of the Weld County District Court, and Reservoir Priority No. 75R, entered on October 18, 1965, in C.A. No. 16704 of the Weld County District Court. iii. Appropriation Date: December 20, 1990. iv. Amount: 37 c.f.s. (absolute). v. Use: Irrigation. vi. Amount being changed: 37 c.f.s. (absolute). The water rights described in paragraphs 5(A) through (G), above, are hereinafter collectively referred to as the “Canal Water Rights.”

6. Detailed description of proposed change in surface point of diversion: The Company seeks a simple change in point of diversion pursuant to § 37-92-305(3.5), C.R.S., for the Canal Water Rights from the decreed point of diversion to a new location approximately 750 feet upstream on the South Platte River. A. Existing Decreed Point of Diversion: NW1/4 of the NE1/4 of the NE1/4 of Section 35, T4N, R58W, 6th P.M. The GPS location is as follows: UTM Coordinates (NAD 83 Zone 13): Northing: 4458231; Easting: 614172. B. Proposed New Point of Diversion: SW1/4 of the SE1/4 of Section 26, T4N, R58W, 6th P.M. The GPS location is as follows: UTM Coordinates (NAD 83 Zone 13): Northing: 4459030; Easting: 598933. C. The locations of the existing point of diversion and proposed new point of diversion for the Canal Water Rights is depicted on the map attached hereto as Exhibit A. 7. Compliance with Simple Change in Surface Point of Diversion Statute: Pursuant to C.R.S. § 37-92-305(3.5), the requested change in point of diversion of the Canal Water Rights meets the statutory definition of a “simple change in a surface point of diversion.” A. There are no intervening surface points of diversion or inflow between the decreed point of diversion and the proposed new point of diversion for the Canal Water Rights. B. There are no decreed instream flow rights in a reach below the location of the decreed or proposed new point of diversion for the Canal Water Rights. C. No other changes to the Canal Water Rights are requested herein and the Company will continue to use the water diverted under the Canal Water Rights for the decreed uses. D. The change in point of diversion will not result in the diversion or exchange of a greater amount of water than is decreed to the Canal Water Rights, and without requantifying the Canal Water Rights, will not result in the diversion of a greater amount of water than is physically and legally available at the diversion point from which a change is being made. E. No injury will occur to other vested water rights or decreed conditional water rights as a result of the simple change in surface point of diversion requested herein. 8. Name and address of owner or reputed owners of the land upon which any new diversion structure, or modification to any existing diversion structure is or will be constructed. A. The proposed new point of diversion for the Canal Water Rights will be located on land owned by the Company. WHEREFORE, the Company requests the Court to enter a decree confirming the simple change in surface point of diversion requested herein.

AMENDMENTS

18CW3121, City of Aurora, Colorado, a municipal corporation of the Counties of Adams, Arapahoe and Douglas acting by and through its Utility Enterprise (“Aurora Water”), 15151 East Alameda Parkway, Suite 3600, Aurora, Colorado 80012-1555, Telephone: (303) 739-7370, c/o BROWNSTEIN HYATT FARBER SCHRECK, LLP, Steven O. Sims and Dulcinea Z. Hanuschak, 410 17th Street, Suite

2200, Denver, CO 80202, Telephone: (303) 223-1100, Email: ssims@bhfs.com; dhanuschak@bhfs.com. **APPLICATION FOR CHANGE OF WATER RIGHTS AND PLAN OF SUBSTITUTION IN ADAMS, ARAPAHOE, DOUGLAS, AND WELD COUNTIES.** 1. Name of Subject Water Rights: 10.25 shares of the Lupton Bottom Ditch Company, (“LBDC”) and 111 shares of the Lupton Meadows Ditch Company, (“LMDC”) owned by Aurora Water (collectively “The Subject Water Rights”). LBDC and LMDC divert water rights decreed to the Lupton Bottom Ditch. 2. Name of Structure: Lupton Bottom Ditch. 3. Original Decree: The Arapahoe County District Court entered a decree in Case No. CA6009 on April 28, 1883 with appropriation dates as follows: 4.1. Priority No. 5. May 15, 1863. 47.70 cfs. 4.2. Priority No. 20. March 10, 1871. 10.00 cfs. 4.3. Priority No. 31. Sept. 15, 1873. 92.87 cfs. 5. Point of Diversion. In the NW1/4 SW1/4, Section 19, Township 1 North, Range 66 West of the 6th P.M. at a point reported to be approximately 2,110 feet from the South section line and 60 feet from the West section line of said Section 19. This location is identified on Exhibit A hereto. 6. Source. South Platte River. 7. Decreed Uses. Irrigation. 8. Amount of Water Rights to be changed. 8.1. 10.25 of 82.5 outstanding LBDC Shares. 8.1.1. May 15, 1863 priority. Aurora Water’s pro-rata share is 5.93 cfs. 8.1.2. September 15, 1873 . Aurora Water’s pro-rata share is 11.54 cfs. 8.2. 111 of 3,573 outstanding LMDC Shares. 8.2. 1. May 15, 1863. Aurora Water’s pro-rata share is 0.77 cfs. 8.2.2. March 10, 1871. Aurora Water’s pro-rata share is 0.31 cfs. 8.2.3. September 15, 1873. Aurora Water’s pro-rata share is 1.50 cfs. 9. Historical Use: The Subject Water Rights historically were used to irrigate nine farms and when the Subject Water Rights were not diverted to irrigate the nine farms, the Subject Water Rights historically were diverted and used by the LBDC and LMDC shareholders pursuant to the water delivery functions, operations and historical water allocation practices of the two mutual ditch companies. Applicant only seeks to change the uses associated with the nine farms which are: the Parker Farm (5 LBDC), the Ewing Farm (2.25 LBDC), the Hill Farm (15 LMDC), the Blue Ribbon Farm (25 LMDC), the Horton Farm (3 LMDC), the Wagner Farm (20 LMDC), the Vynckier Farm (48 LMDC), the Kuipers Farm (1.5 LBDC), and the Sperl Farm (1.5 LBDC) (“Changed Portion of Subject Water Rights.”) The historically irrigated lands of the nine farms are shown on Exhibit A to this application. 10. Augmentation Stations. Return flows, replacements and/or water representing the historical consumptive use of the Changed Portion of the Subject Water Rights shall be measured and returned to the river through any or all of the augmentation stations indicated on Exhibit A and described in paragraphs 10.1 through 10.16 below. Aurora Water shall not use any augmentation station or structure until they have a legal interest to use the land or structure associated with the augmentation station. 10.1. Lupton Bottom Diversion Augmentation Station. Proposed to be located in the NE1/4 NE1/4, Section 12, Township 1 North, Range 67 West of the 6th P.M. at a point reported to be approximately 570 feet from the North section line and 990 feet from the East section line of said Section 12. 10.2. Northglenn Augmentation Station. In the SE1/4 NW1/4, Section 31, Township 2 North, Range 66 West of the 6th P.M. at a point reported to be approximately 2,370 feet from the North section line and 1,990 feet from the West section line of said Section 31. 10.3. Central Augmentation Station. In the SE1/4 NW1/4, Section 31, Township 2 North, Range 66 West of the 6th P.M. at a point reported to be approximately 2,360 feet from the North section line and 1,990 feet from the West section line of said Section 31. 10.4. Aurora Parker East Augmentation Station. Proposed to be located in the SE1/4 NW1/4, Section 31, Township 2 North, Range 66 West of the 6th P.M. at a point reported to be approximately 2,350 feet from the North section line and 1,990 feet from the West section line of said Section 31. 10.5. Lupton Bottom West Lateral Augmentation Station. In the SE1/4 NW1/4, Section 36, Township 2 North, Range 67 West of the 6th P.M. at a point reported to be approximately 2,580 feet from the North section line and 2,590 feet from the West section line of said Section 36. 10.6. Aurora Parker West Augmentation Station. Proposed to be located in the SW1/4 NE1/4, Section 36, Township 2 North, Range 67 West of the 6th P.M. at a point reported to be approximately 2,520 feet from the North section line and 2,620 feet from the East section line of said Section 36. 10.7. Aurora Everist South Augmentation Station. Proposed to be located in the SE1/4 SW1/4, Section 25, Township 2 North, Range 67 West of the 6th P.M. at a point reported to be approximately 50 feet from the South section line and 2,070 feet from the West section line of said Section 25. 10.8. Aurora Vincent Augmentation Station. Proposed to be located in the NW1/4 SE1/4, Section 25, Township 2 North,

Range 67 West of the 6th P.M. at a point reported to be approximately 1,540 feet from the South section line and 2,470 feet from the East section line of said Section 25. 10.9. Aurora Everist North Augmentation Station. Proposed to be located in the SW1/4 NE1/4, Section 25, Township 2 North, Range 67 West of the 6th P.M. at a point reported to be approximately 2,630 feet from the North section line and 2,550 feet from the East section line of said Section 25. 10.10 . Aurora Ft. Lupton East Augmentation Station. In the NE1/4 SW1/4, Section 30, Township 2 North, Range 66 West of the 6th P.M. at a point reported to be approximately 2,600 feet from the South section line and 1,800 feet from the West section line of said Section 30. 10.11. Aurora Hill-Oakley Augmentation Station. In the SE1/4 NW1/4, Section 30, Township 2 North, Range 66 West of the 6th P.M. at a point reported to be approximately 1,370 feet from the North section line and 1,520 feet from the West section line of said Section 30. 10.12. Sand Hill Augmentation Station. Proposed to be located in the NW1/4 NE1/4, Section 25, Township 2 North, Range 67 West of the 6th P.M. at a point reported to be approximately 90 feet from the North section line and 2,460 feet from the East section line of said Section 25. 10.13. Lupton Bottom East Lateral Augmentation Station. In the SE1/4 NE1/4, Section 13, Township 2 North, Range 67 West of the 6th P.M. at a point reported to be approximately 1,900 feet from the North section line and 690 feet from the East section line of said Section 13. 10.14. Vynckier Augmentation Station. Proposed to be located in the SE1/4 NE1/4, Section 11, Township 2 North, Range 67 West of the 6th P.M. at a point reported to be approximately 2,600 feet from the North section line and 1,200 feet from the East section line of said Section 11. 10.15. Kuipers Lupton Augmentation Station. Proposed to be located in the NW1/4 NE1/4, Section 11, Township 2 North, Range 67 West of the 6th P.M. at a point reported to be approximately 1,280 feet from the North section line and 2,020 feet from the East section line of said Section 11. 10.16. Sperl Augmentation Station. Proposed to be located in the NW1/4 NE1/4, Section 11, Township 2 North, Range 67 West of the 6th P.M. at a point reported to be approximately 90 feet from the North section line and 1,960 feet from the East section line of said Section 11. 11. Diversion Records, Map Of Historically Irrigated Lands, Method of Analysis. Applicant may rely on the summaries of records of actual diversions of the Lupton Bottom Ditch water rights attached as Exhibit B to this application. Applicant will use a farm by farm analysis to determine the historical consumptive use of the Changed Portion of the Subject Water Rights. 12. Proposed Change: Aurora Water only proposes to change the Changed Portion of the Subject Water Rights used to irrigate the nine farms. Aurora Water does not seek to change the Subject Water Rights historically diverted and used by the LBDC and LMDC shareholders pursuant to the water delivery functions, operations and historical water allocation practices of the two mutual ditch companies. Aurora Water will divert the Subject Water Rights through the same river headgates through which the respective water rights have historically been diverted. 12.1. Change to Alternate Types of Use for Changed Portion of the Subject Water Rights. In addition to use for agricultural irrigation on the historically irrigated lands, Aurora Water seeks to add the following uses: Municipal, domestic, agricultural, energy production, manufacturing, mechanical and industrial purposes including, but not limited to: fire protection, irrigation, commercial, recreation, fish and wildlife propagation, reservoir evaporation replacement, creation and maintenance of wetlands, maintenance of storage reserves, stock watering, reclamation, revegetation, dust suppression, water treatment and supply, wastewater treatment, storage for such uses, and use as a supply or substitute supply for augmentation, replacement, exchanges decreed or to be decreed, and substitute supply plans. All uses include reuse and successive reuse to extinction for the above purposes, or disposition of effluent for the above purposes. 12.2. Change to alternate places of use: In addition to use on the historically irrigated lands, which may continue for a time after the entry of this change Decree, Aurora Water seeks to add the following place of use for the Changed Portion of the Subject Water Rights: Aurora Water's current and future service areas served by its municipal water supply and water reuse systems, including areas served by its connections with other systems, and by any current or future water supply contracts or obligations of Aurora Water. Aurora Water may also use the water to meet its replacement or delivery obligations in Water Division 1. Aurora Water's service area has changed from time to time and will continue to do so. 12.3. Change from Direct Flow to Direct Flow or Storage: After diversion and prior to initial use by Aurora Water, water diverted pursuant to the Changed Portion of the Subject Water Rights may be stored at any of

the locations set forth below in 12.3.1. Such water may be delivered to storage by means of the use of natural stream channels, component facilities of Aurora Water's South Platte diversion and conveyance system in which Aurora is the owner or in privity with the owner, component facilities of Aurora Water's Prairie Waters System, and/or any points of diversion authorized in the respective decrees for those storage structures including, but not limited to, the points of diversion listed in 12.3.1.1 through 12.3.1.15 below. Reusable effluent or return flows resulting from the initial use for the changed uses of the historical consumptive use component of the water diverted pursuant to the Changed Portion of the Subject Water Rights may be stored in any reservoir Aurora Water is authorized to use. 12.3.1. The following proposed Aurora Water storage locations are in existing or planned reservoirs that are both decreed and undecreed. Aurora Water shall not use any reservoir for storage until it has a legal right to use the land or structure associated with the reservoir. 12.3.1.1. Gilcrest Reservoir. An off-channel reservoir to be constructed within part of Section 2, T3N, R67W and parts of Sections 23, 26, 34, and 35, T4N, R67W of the 6th P.M., Weld County, Colorado. 12.3.1.2. Gravel Pit Reservoir A and Aquifer Recharge and Recovery Facility A ("ARR-A"), located on all or portions of the following quarter-sections, all located in T1N, R67 W, 6th P.M.: the S/2 of Section 13, and the N/2 of the NW/4 of Section 24, in Weld County Colorado. 12.3.1.3. Aurora-Everist (Fort Lupton) Reservoir Complex No. 1. This reservoir complex is a group of interconnected gravel pits that located on a portion of the NE/4 of Section 25, T2N, R67W, 6th P.M., and portions of the NW/4 and portions of the SW/4 of the NE/4, Section 30, T2N, R66W, 6th P.M., in Weld County, Colorado. 12.3.1.4. Aurora-Everist (Fort Lupton) Reservoir Complex No. 2. This reservoir complex is a group of interconnected gravel pits located on portions of the SE/4 and SE/4 of the SW/4 of Section 25, T2N, R67W, 6th P.M., and portions of the SW/4 Section 30, T2N, R66W, 6th P.M., in Weld County, Colorado. 12.3.1.5. Stillwater Ranch Reservoir ("Walker North"). Walker North is located in the S/2 NE/4 of Section 36, T1N, R67W of the 6th P.M., in Weld County, Colorado. 12.3.1.6. Robert W. Walker Reservoir ("Walker South"). Walker South is located on portions of the SE/4 of Section 36, T1N, R67W of the 6th P.M. in Weld County, Colorado. 12.3.1.7. Kirby-Dersham Gravel Pit Reservoir. The Kirby-Dersham Gravel Pit Reservoir is located on portions of the NW/4 of the SE/4, the SW/4 of the SE/4, and the NE/4 of the SE/4, of Section 36, T1N, R67W, 6th P.M., in Weld County, Colorado. 12.3.1.8. Challenger Gravel Pit Reservoir. The Challenger Gravel Pit Reservoir is located on a portion of the E/2 of the NW/4 of Section 1, T1S, R67W, 6th P.M., in Adams County Colorado. 12.3.1.9. Aurora Tucson South Storage Facility ("Tucson South") and Aquifer Recharge and Recovery Facility B ("ARR-B"). These facilities will occupy all or portions of the N/2 of the SE/4, the SW/4 of the SE/4, and the SW4, all in Section 1, T1S, R67W, 6th P.M., in Adams County, Colorado. 12.3.1.10. East Reservoir Complex. The East Reservoir will be located in one or more of the following off-channel locations: 12.3.1.10.1. Site 1A: In Sections 14 and 23 and the N/2 of Section 26, T4S, R65W, 6th P.M. in Arapahoe County, Colorado. 12.3.1.10.2. Site 1B: In Sections 9, 10 and 15 and S/2 of Sections 3 and 4 and N/2 of Section 16, T4S, R65W, 6th P.M. in Arapahoe County, Colorado. 12.3.1.10.3. Site 2B: In Section 26 and 27 and N/2 of Sections 34, 35 and 36, T4S, R65W, 6th P.M., in Arapahoe County, Colorado. 12.3.1.11. Aurora Reservoir. The Aurora Reservoir is an off-channel reservoir located upon Senac Creek, an intermittent stream, in Sections 15, 16, 20, 21 and 22, T5S, R65W, 6th P.M., Arapahoe County, Colorado. The east-end of the dam (right) abutment is located at a point from whence the northwest corner of Section 15, T5S, R65W, 6th P.M. bears north 45° west a distance of 2,970 feet, which point is also described as a point in the SE/4 of the NW/4 of Section 15, T5S, R65W, 6th P.M. that lies 2,110 feet from the north line and 2,105 feet from the west line of Section 15. The approximate (right) abutment is latitude 39°37'06" north, and longitude 104°39'11" west. 12.3.1.12. Bennett Gravel Pit Reservoir. An off-channel reservoir expected to be located within portions of the E1/2 of the NW1/4 and W1/2 of the NE/4 of Section 12 and portions of the SW1/4 SE1/4 of Section 1, Township 2 North, Range 67 West of the 6th P.M., Weld County, Colorado. 12.3.1.13. Brannan Gravel Pit Reservoir. An off-channel reservoir expected to be located within portions of the NE1/4 of the NE1/4 of Section 12 and portions of the E1/2 of the SE1/4 of Section 1, Township 1 North, Range 67 West of the 6th P.M., Weld County, Colorado. 12.3.1.14. Everist St. Vrain Gravel Pit Reservoir. An off-channel reservoir expected to be located within portions of W1/2 of Section 32,

Township 3 North, Range 67 West of the 6th P.M., Weld County, Colorado. 12.3.1.15. Werning Reservoir. An off-channel reservoir expected to be located within portions of N1/2 of the NE1/4 and the SW1/4 of the NE1/4 of Section 3 and portions of the NW1/4 NW1/4 of Section 2, Township 4 North, Range 66 West of the 6th P.M., Weld County, Colorado. 13. Return Flow Replacement through Substitution. In connection with the change of for Changed Portion of the Subject Water Rights, Aurora Water will have return flow replacement obligations resulting from the historical use of the Subject Water Rights. In addition to water diverted pursuant to the priorities identified in Paragraph 4, Aurora Water may use fully consumable water diverted pursuant to the water rights adjudicated or changed as set forth in Exhibit C to this application to meet its obligations (“Replacement Sources”). Aurora Water may also use water derived from water rights in addition to those set forth in Exhibit C provided the water so released is fully consumable, and provided Aurora Water has given notice of its intent to use such water as required in the decree entered in this case.

13.1. Release Location of Replacement Sources. 13.1.1. Gilcrest Reservoir Outlet located in the SE/4 NE/4 of Section 26, T4N, R67W, 6th P.M., Weld County, Colorado. 13.1.2. The outlet for Aurora-Everist Reservoir Complexes No. 1 and 2, located in the SW/4 NE/4 of Section 30, T2N, R66W, 6th P.M., Weld County, Colorado. 13.1.3. The outlet for the Walker North, Walker South, Kirby-Dersham, Challenger and Tucson South storage facilities, located near the point at which South Platte River crosses from SW/4 to the NW/4 of Section 31, T1 N, R66W, 6th P.M., Weld County, Colorado. 13.1.4. The Outfall of the Robert W. Hite Wastewater Treatment Plant, the location of which is described as: SE/4 SW/4, Section 1, T3S, R68W, 6th P.M., Adams County, Colorado. 13.1.5. The Outfall of the North Wastewater Treatment Plant, the location of which is described as: SE/4 SW/4, Section 31, T1N, R66W, 6th P.M., Weld County, Colorado. 13.1.6. The Outfall of the Aurora Sand Creek Wastewater Treatment Plant, also known as the Sand Creek Water Reuse Facility, located on Sand Creek in the NW1/4 SE1/4 of Section 26, Township 3 South, Range 67 West, 6th P.M, Adams County, Colorado. 13.1.7. Replacement locations set forth in paragraph 12 (h) of Aurora’s Brighton Ditch change decree entered in 07CW37. 13.1.8. Augmentation Stations described in paragraph 14.2.1.1 of the decree entered in 14CW3177. 13.1.7. Augmentation Stations described in paragraphs 10.1 through 10.16 above. 13.2. All releases of Replacement Sources to meet Aurora Water’s return flow replacement obligations will be made in the same time, amount and location of the historical return flows, regardless of the water right under which the water was diverted. To the extent fully consumable water derived from water rights other than the Subject Water Rights is released to meet replacement obligations, an equivalent amount of water diverted pursuant to the Subject Water Rights and attributable to historical return flow will become fully consumable by Aurora Water. 14. Lack of Injury. Aurora Water will propose terms and conditions in the final decree so that this change of water right and plan of substitution will not injuriously affect the owner of or persons entitled to use of water under a vested water right or a decreed conditional water right. 15. Names(s) and Address(es) of Owner(s) of Structures: Names and addresses of owners or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed, or upon which water is or will be stored, including any modification to the existing storage pool are set forth below. Aurora Water shall not use any structure or land to which they do not have legal interest. 15.1. Lupton Bottom Ditch Company and Lupton Meadows Ditch Company, 25 South 4th Avenue, Brighton, CO 80601. 15.2. Morton Lakes, LLC., 5775 Franklin St. Denver, Co 80216 (Lupton Bottom Diversion Aug Station). 15.3. South Platte Valley Historical Society, PO Box 633 Ft. Lupton, CO 80621 (Aurora-Parker, Central, Northglenn Aug Stations). 15.4. Richard Hein. PO Box 649 Fort Lupton, CO 80621 (Lupton Bottom West Lateral Aug Station). 15.5. L.G. Everist Inc., 350 S Main Ave. Suite 400, Sioux Falls, SD 57104. 15.6. David Bell, 7679 Youngfield St., Arvada, CO 80005 (Sand Hill Aug Station), 15.7. City of Broomfield, 1 Descombes Dr., Broomfield, CO 80020 (Lupton Bottom East Lateral Aug Station). 15.8. Ramon Michel, 4638 Tilbury Ct., Firestone, CO 80504 (Vynckier Aug Station). 15.9. James and Mary Carlson, 10775 County Road 23, Fort Lupton, CO 80621 (Kuipers Lupton and Sperl Aug Stations). 15.10. Owners of real property underlying the East Reservoir Complex described in paragraph 12.3.1.10 above are set forth in Exhibit D. 15.11. Hibe LLC, 301 Centennial Dr., Milliken, CO 80543 (Part of Walker/Kirby-Dersham). 15.12. Carl Eiberger, 303 S Broadway Unit B-200, Denver, CO 80209 (Part of

Walker). 15.13. Aggregate Industries WCR INC, 1687 Cole Blvd. Ste. 300, Golden, CO 80401 (Tucson South). 15.14. Pioneer Land Company LLC, 4409 Coriolis Way, Frederick, CO 80504 (Bennett). 15.15. Owens Brothers Concrete, 5775 Franklin St., Denver, CO 80216 (Co-owner of Everist SV with Everist). 15.16. MV Farms I LLC, 400 Poydras St. Ste. 2100, New Orleans, LA 70130 (Werning).

WATER RIGHTS CLAIMED OR HERETOFORE ADJUDICATED THE WATER RIGHTS CLAIMED BY THESE APPLICATIONS MAY AFFECT IN PRIORITY ANY WITHIN THIS DIVISION AND OWNERS OF AFFECTED RIGHTS MUST APPEAR TO OBJECT WITHIN THE TIME PROVIDED BY STATUTE OR BE FOREVER BARRED.

YOU ARE HEREBY NOTIFIED that any party who wishes to oppose an application, or an amended application, may file with the Water Clerk, P. O. Box 2038, Greeley, CO 80632, a verified Statement of Opposition, setting forth facts as to why the application should not be granted, or why it should be granted only in part or on certain conditions. Such Statement of Opposition must be filed by the last day of **APRIL 2020** (forms available on www.courts.state.co.us or in the Clerk's office) and must be filed as an Original and include **\$192.00** filing fee. A copy of each Statement of Opposition must also be served upon the Applicant or Applicant's Attorney and an affidavit or certificate of such service of mailing shall be filed with the Water Clerk.