

**DISTRICT COURT, WATER DIVISION 1, COLORADO
JANUARY 2024 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 **JANUARY 2024** for each County affected. (This publication can be viewed in its entirety on the state court website at: www.courts.state.co.us)

2024CW3000 APPLICATION FOR WATER RIGHTS OF MIRALI POJOUHA IN ELBERT COUNTY, c/o John Buchanan, The Law Office of John D. Buchanan LLC, PO Box 140207, Edgewater, CO 80214.

Application for underground water rights in the Denver Basin aquifers and for approval of plan for augmentation in ELbert County. Parcel description: The South 1/2 of the South 1/2 of the Northwest 1/4 of Section 26, Township 9 South, Range 65 West of the 6th P.M., County of Elbert, State of Colorado, consisting of 40 acres more or less, also identified by the street address 1405 Private Road 104, Elbert, Colorado 80106 (“Subject Parcel”), consisting of 40 acres more or less (“Subject Parcel”). This application seeks a decree adjudicating all the nontributary and not nontributary ground water in the Denver Basin aquifers underlying the Subject Parcel. Such aquifers may include the Upper Dawson, Lower Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills aquifers; the actual aquifers will be those that are determined to be available underlying the Subject Property in accordance with the Denver Basin Rules (2 CCR 402-6). There is one exempt well located on the property, permitted under well permit no. 256013. The source of water for this well is the Upper Dawson aquifer. Applicants seek to adjudicate the water in the Upper Dawson aquifer that may be withdrawn through this exempt well. The estimated amounts of water in each aquifer is as follows: NNT Upper Dawson: 18.88 AF average annual appropriation (“avg”); NT Lower Dawson: 11.16 AF avg; NT Denver: 16.3 AF avg; NT Upper Arapahoe: 16.39 AF avg; NT Laramie Fox-Hills: 11.22 AF avg. The final decreed amounts may vary from the above to conform with the State’s Determination of Facts. Requested Uses: Applicants request the water be approved for all beneficial uses, and the specific uses will be determined when an application for permits to withdraw such water is filed. The Applicants also request that the nontributary water may be used, reused, and successively used to extinction, both on and off the Subject Parcel, subject 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. Applicants may use such water by immediate application or by storage and subsequent application to beneficial use. Applicants request they be permitted to produce the full legal entitlement from the Denver Basin aquifers underlying the Subject Parcel through any combination of wells and that such wells be treated as a well field. Applicants claim the right to withdraw more than the estimated average annual amounts described above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7. Applicants request the right to revise the estimates upward or downward, based on better or revised data, without the necessity of amending or republishing this application. Applicants request this Court approve the above-described underground water rights, find that Applicants have complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, and grant such other and further relief as is appropriate. Plan for Augmentation: Name of structure to be augmented: Pojouha Upper Dawson Well, permit no. 256103. Legal description of structure: The permitted well location is in the SW1/4 NW1/4 of Section 26, Township 9 South, Range 65 West of the 6th P.M., at a distance of 2,280 feet from the North Section line and 900 feet from the West Section line. Appropriation Date: N/A. Amount: 18.88 acre-feet per year average annual withdrawal. Source: The Upper Dawson aquifer underlying the Subject Parcel. Use: Household, domestic, irrigation, stock water, and fire protection uses on the Subject Parcel, and for storage and augmentation purposes associated with such uses. Complete Statement of Plan for Augmentation: Applicant will rely on the determinations of the amount, timing, and location of depletions by the staff of the State and Division Engineers’ office. Depletions to affected streams during pumping will be replaced by return flows from water that is not consumed through beneficial use, including domestic return flows from a non-evaporative septic system. For the replacement of any injurious post-pumping depletions that may occur, Applicants will reserve water available in the nontributary Laramie Fox-Hills aquifer water adjudicated in this application as necessary

to replace any injurious post pumping depletions. 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 non-injurious.

2024CW3001 Applicant: ST. VRAIN & LEFT HAND WATER DISTRICT ("District"), c/o Sean Cronin, Executive Director, 1715 Ironhorse Dr., Suite 250, Longmont, CO 80646, (303) 772-4060. Serve all pleadings on: Scott E. Holwick and Alison I. Gorsevski, Lyons Gaddis, P.C., P.O. Box 978, Longmont, CO 80502-0978, (303)776-9900 sholwick@lyonsgaddis.com, agorsevski@lyonsgaddis.com.

APPLICATION FOR WATER RIGHTS IN BOULDER COUNTY. 2. **Name of structures:** A) Coffintop Reservoir. B) Coffintop Reservoir, First Enlargement. 3. **Description of the conditional water storage rights:** A) Coffintop-Original Right ("Original Right"): i) Date of original decree, case no. and court: The original decree was entered by the District Court, Water Division No. 1 on August 11, 1978 in Case No. W-66. ii) Subsequent decrees awarding findings of diligence (case nos. and dates of decrees): Decrees awarding findings of diligence were entered by the District Court, Water Division No. 1 on: (a) December 31, 1984 in Case No. 82CW339; (b) July 28, 1989 in Case No. 86CW255; (c) April 12, 1996 in Case No. 95CW148; (d) February 15, 2005 in Case No. 02CW075; (e) August 2, 2011 in Case No. 11CW026; and (f) January 30, 2018 in Case No. 17CW3117. iii) Subsequent decree changing the use of the Original Right: Decree entered by the District Court, Water Division No. 1 on December 19, 2007 in Case No. 02CW334. iv) Legal description of the structure: The dam will be primarily located in the E1/2 of the E1/2 of Section 24, Township 3 N, Range 71 W, 6th P.M., County of Boulder. Distance from section lines: approximately 1,700 feet from the south and 0 feet from the east. The decreed legal description for the initial point of survey of the high-water line of the reservoir is located at a point where the SE corner of Section 24, T3N, R71W of 6th P.M. bears S20°15'W 1,100 feet, and may extend into Sections 24, 25, 26 and 27. The decreed location of the structure is shown on the map attached as **EXHIBIT A**. v) Sources of water: The sources of supply for the Original Right are the South St. Vrain Creek, Middle St. Vrain Creek, and all other creeks which are tributary to the South St. Vrain Creek. The storage structure will be an on-channel reservoir across the South St. Vrain Creek. vi) Appropriation Date: December 31, 1969. vii) Amount: 31,902.74 acre feet, **CONDITIONAL**. viii) Uses: The decreed uses include all municipal uses including domestic use, mechanical use, manufacturing use, generation of electric power, power generally, fire protection, use for sewage treatment, street sprinkling, watering of parks, trees, lawns, grounds, maintaining adequate storage reserves, irrigation, replacement and adjustment and regulation of other units of the District's water system, recreation and other uses including replacement, adjustment and regulation with the City of Longmont. Additional uses were decreed in Case No. 02CW334, described in paragraph 3(A)(iii) therein, including: commercial, industrial, recreation, fish and wildlife propagation, augmentation, replacement, and exchange. Such additional uses will occur anywhere within the District's present and future boundaries. B) Coffintop - First Enlargement ("First Enlargement Right"): i) Date of original decree, case no. and court: The original decree was entered March 9, 1990, in Case No. 80CW462, District Court for Water Division No. 1. ii) Subsequent decrees awarding findings of diligence (case nos. and dates of decrees): Decrees awarding findings of diligence were entered by the District Court, Water Division No. 1 on: (a) September 18, 1996 in Case No. 96CW048; (b) February 15, 2005 in Case No. 02CW075; (c) August 2, 2011 in Case No. 11CW026; and (d) January 30, 2018 in Case No. 17CW3117. iii) Subsequent decree changing the use of the First Enlargement Right: Decree entered by the District Court, Water Division No. 1 on December 19, 2007 in Case No. 02CW334. iv) Legal description of the structure: See paragraph 3(A)(iv), above, and as shown on the map attached as **EXHIBIT A**. v) Sources of water: The sources of supply for the First Enlargement Right are the South St. Vrain Creek, Middle St. Vrain Creek, North Fork St. Vrain Creek and all other creeks which are tributary to the South St. Vrain Creek. The storage structure will be an on-channel reservoir across the South St. Vrain Creek. vi) Appropriation Date: July 18, 1974. vii) Amount: 84,000 acre feet, **CONDITIONAL**. viii) Uses: The decreed uses include all municipal, industrial, irrigation, hydroelectric power generation, flood control, water quality control, recreation, and fishery enhancement. Additional uses were decreed in Case No. 02CW334, described in paragraph 3(B)(iii)

therein, including: commercial, industrial, recreation, fish and wildlife propagation, augmentation, replacement and exchange. Such additional uses will occur anywhere within the District's present and future boundaries. The conditional Original Right and the First Enlargement Right are collectively referred to herein as the "Subject Water Rights". 4. **Provide a detailed outline of what has been done toward completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures:** During the period from February 2018 to the present ("Diligence Period"), the District expended considerable time and resources in the development of the Subject Water Rights. The Subject Water Rights comprise a part of the District's integrated system of water rights and structures under C.R.S., Section 37-92-301(4)(b). Accordingly, the activities performed by the District during the Diligence Period on any of the components of the District's integrated system support diligence for each of the system's individual components, including the Subject Water Rights. During the Diligence Period: A) The District applied for and was awarded a Stream Management Plan Grant (the "Grant") to coordinate with stakeholders and implement a Stream Management Plan for the St. Vrain Creek basin ("SMP"). As holder of the Grant, the District, along with other basin stakeholders, completed Phase 1 of the Stream Management Plan in 2020, and the District Board of Directors formally accepted the Stream Management Plan on October 12, 2020. The District expended approximately \$300,000, to develop and finalize the SMP. B) The SMP includes strategies and next steps in the identification of partnership opportunities and projects aimed at balancing stream health with the needs of water users on St. Vrain and Left Hand Creeks. Within the SMP, the Subject Water Rights have been identified as assets that can be used to effectuate the SMP's stream management goals, including use of the Subject Water Rights to improve stream flows and water delivery efficiency. C) As contemplated in the SMP, the District engaged and continues to engage in feasibility analyses related to the SMP goals. During the Diligence Period, the District expended approximately \$225,000, in legal and engineering costs associated with its feasibility analyses. D) During the Diligence Period, the District's constituents approved Ballot Question 7A, through which the District has and will continue through 2030 to receive tax revenue which will be used to implement the District's water plan. Among other things, the District has and will continue to use these funds to further the planning, development, and implementation of the SMP. E) The Subject Water Rights are integral components of the District's basin-wide augmentation plan decreed in Case No. 02CW334, Water Division No. 1 ("Augmentation Plan"). During the Diligence Period, the District expended approximately \$500,000, on plan administration, operational, and maintenance costs. F) The District owns a 50% interest in Rock'n WP Ranch Lake No. 4 ("Lake 4"), which it uses for storage and as an augmentation structure under its Augmentation Plan. Lake 4 was heavily damaged during the September 2013 floods. During the Diligence Period, the District and Boulder County constructed and/or restored to operational conditions four earthen dam embankments, spillways, and outlets, including at Lake 4 and the Lake 4 Outlet Pipeline. Construction was completed in 2022. In addition to routine administrative and operational costs, the District spent approximately \$3.9 million on activities related to Lake 4 and the Lake 4 Outlet Pipeline, inclusive of: i) Coordinating options to repair the damaged reservoir with Lake 4's co-owner, Boulder County, through execution of an intergovernmental agreement, including three amendments. Additionally, an agreement for delegation of activities between the St. Vrain & Left Hand Water Conservancy District and the City of Longmont was executed in September of 2018, allowing the City of Longmont to act as the fiscal agent for the Boulder County Community Development Block Grant-Disaster sub-allocation from the State of Colorado Department of Local Affairs. ii) Coordinating funding repair to Lake No. 4 from multiple funding sources, including Boulder County, FEMA, and the Colorado Water Conservation Board. iii) Obtaining a reservoir construction loan from the Colorado Water Conservation Board in the amount of \$4,545,000 in January 2016, as amended February 2019, and a Lake 4 outlet pipeline construction loan from the Colorado Water Conservation Board in the amount \$619,000 in April 2017, as amended in April 2019 and July 2021. iv) The District evaluated and secured the right to use several substitute sources of water for interim operation of the District's Augmentation Plan during the construction repairs to Lake No. 4. The District applied for and was approved to use those sources under Substitute Water Supply Plans for the eight years (2014-2021) while flood repairs were in-process. G) The District owns and operates Copeland Lake as an augmentation structure under its Augmentation Plan. During the Diligence Period, the District expended

approximately \$185,000, on reservoir operations, a feasibility study for potential improvements at the reservoir, surveying, and reservoir rehabilitation work. H) The District is a shareholder in several ditch companies and operates changed shares for augmentation purposes under the Augmentation Plan. During the Diligence Period, the District paid approximately \$30,000 in assessments. I) The District filed and obtained decrees for other water rights which are elements of the District's integrated system, including Case Nos: (a) 20CW3074 (diligence on Augmentation Plan exchanges); (b) 21CW3018 (amendment to Augmentation Plan); and (c) 21CW3033 (diligence on Lake 4 water right). J) The District filed numerous statements of opposition and participated in numerous adjudications of Division No. 1 water court applications to protect the District's water rights, including the Subject Water Rights. K) The District may provide additional evidence of its diligence activities during the pendency of this Application. **5. If a claim to make absolute, water applied to beneficial use:** N/A. **6. Name(s) and address(es) of owner(s) or reputed owners of 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 as follows:** County of Boulder 5201 St. Vrain Road, Bldg 1 Longmont, CO 80503; Robert L. Billington & Jenni McDade 933 Sandstone Drive Lyons, CO 80540-9999; Robert C. & Monica M. Noble 29797 South St. Vrain Drive Lyons, CO 80540-8815; Donald Steven Ballard Trust PO Box 1396 Lyons, CO 80540; Karen Libin 31842 S. St. Vrain Drive Lyons, CO 80540-8816; Eddy Living Revocable Trust 31820 S. St. Vrain Dr Lyons, CO 80540; U. S. Government Washington DC 20001; Patrick E. McCourt PO Box 1927 Lyons, CO 80540; Andria L. Blackwell, Ronald Dean Readmond 1390 Old St. Vrain Road Lyons, CO 80540-8824; George B. & Sally M. Pillsbury PO Box 1967 Lyons, CO 80540-196; Jethro Investment Trust Rathcuka LLC Bracket Lazy H Limited Partnership LLLP John A. Hall 9127 Fleetwood Avenue Longmont, CO 80503; Raymond Kutash 1256 Hover Street Longmont, CO 80501-3175; Jethro Investment Trust Rathcuka LLC Bracket Lazy H Limited Partnership LLLP; John A. Hall 2817 Lake Hollow Rd Berthoud, CO 80513; Ronald Dean Readmond 1390 Old Saint Vrain Road Lyons, CO 80540; Jethro Investment Trust Rathcuka LLC Bracket Lazy H Limited Partnership LLLP John A. Hall PO Box 6693 Longmont, CO 80501.

2024CW3002 KERRI M. EMICK, 13135 Thumbprint Court, Colorado Springs, CO 80921. Please send all documents and pleadings to counsel, Chris D. Cummins and Sedona E. Chavez, Monson, Cummins, Shohet & Farr, 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 IN EL PASO COUNTY.** Applicant owns a 36.2-acre parcel of land and is seeking to quantify the Denver Basin groundwater underlying the property. Applicant also seeks approval of a plan for augmentation for the use of not-nontributary Dawson aquifer wells for provision of water to a subdivision anticipated for Applicant's property. **Property Description.** Applicant's property lies in the SW1/4 NW1/4 of Section 19, Township 11 South, Range 65 West of the 6th P.M., El Paso County, Colorado ("Applicant's Property") as approximately shown on the attached **Exhibit A** map, and as more specifically described in attached **Exhibit B**. Applicant intends to divide Applicant's Property into up to fourteen +/- 2.5-acre parcels. **Existing Wells.** There are no existing wells on the Applicant's Property. **Proposed Wells.** Applicant proposes up to fourteen wells be completed on the Applicant's Property at specific locations not yet determined ("Emick Wells Nos. 1 through 14"), each to be constructed to the Dawson aquifer (one well per lot), and each to be associated with a residential lot. **Not-Nontributary.** The groundwater to be withdrawn from the Dawson aquifer underlying 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 require the replacement of actual stream depletions. **Nontributary.** The groundwater to be withdrawn from the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying Applicant's Property will be nontributary. **Estimated Rates of Withdrawal.** Pumping from any well to be drilled on Applicant's Property will not exceed 100 gpm. The actual pumping rates for each and every 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 any well to be constructed within the respective aquifers will be determined by topography and actual aquifer conditions.

Estimated Average Annual Amounts of Groundwater 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 may be withdrawn over the 300-year life of the aquifers as required by El Paso County, Colorado Land Development Code § 8.4.7(C)(1), which is more stringent than the State of Colorado’s 100-year life requirement pursuant to C.R.S. §37-90-137(4). Applicants estimate that the following values and average annual amounts are representative of the Denver Basin aquifers underlying Applicant’s Property:

AQUIFER	NET SAND (Feet)	Total Appropriation (Acre-Feet)	Annual Avg. Withdrawal 100 Years (Acre-Feet)	Annual Avg. Withdrawal 300 Years (Acre-Feet)
Dawson (NNT)	486.10	3,519.36	35.19	11.731
Denver (NT)	509.30	3,134.23	31.34	10.447
Arapahoe (NT)	244.70	1,505.88	15.06	5.020
Laramie-Fox Hills (NT)	201.30	1,093.06	10.93	3.644

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 groundwater for beneficial uses upon the Applicant’s Property consisting of domestic (including long- and short-term rentals), irrigation of lawn and garden, stock water, recreation (including pool and/or hot tub), landscape ponds, commercial, 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, Applicants shall only be entitled to 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 she be permitted to produce the full legal entitlement from the Denver Basin aquifers underlying the 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 she be entitled to withdraw an amount of groundwater in excess of the average annual amount decreed to the aquifers beneath the Applicant’s Property, so long as the sum 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 Applicant’s Property. Owner of Land Upon Which Wells are to Be Located. The land and underlying groundwater upon which the wells will be located is owned by the Applicant. Structures to be Augmented. The structures to be augmented are Emick Wells Nos. 1 through 14, to be completed to the Dawson aquifer, along with any replacement or additional wells associated therewith, in the SW1/4 NW1/4 of Section 19, Township 11 South, Range 65 West of the 6th P.M., El Paso County, Colorado. Each of these wells will be located on one of the fourteen lots to be subdivided on Applicant’s Property. 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 Emick Wells Nos. 1 through 14 to be drilled on Applicant's Property, together with water rights from the nontributary Laramie-Fox Hills and Arapahoe aquifers for any injurious post-pumping depletions. Statement of Plan for Augmentation. Applicant seeks to provide for the augmentation of stream depletions caused by pumping of the not-nontributary Dawson aquifer by Emick Wells Nos. 1 through 14 described herein. Water use criteria and their consumptive use component for replacement of actual depletions for the Applicant's Property are estimated as follows: Uses. Pumping from the Dawson aquifer will be a maximum of 8.49 acre-feet of water per year. Such uses shall be for domestic (including long- and short-term rentals), irrigation of lawn and garden, watering of horses and/or other equivalent livestock, recreation (including pool and/or hot tub), landscape ponds, commercial, fire protection, and also for storage and augmentation purposes associated with such uses. Amounts. Emick Wells Nos. 1 through 14 will each pump a maximum total of 0.606 acre-feet, for a maximum total of 8.49 acre-feet being withdrawn from the Dawson aquifer annually. Such use shall be a combination of domestic, irrigation of lawn and garden, stock water, recreation (including pool and/or hot tub), landscape ponds, commercial, fire protection, and also for storage and augmentation purposes associated with such uses. An example breakdown of this combination of use for each lot is in-house use of 0.26 acre-feet of water per year, with the additional 0.346 acre-feet per year available for the remaining uses to be permitted, described herein. Depletions. It is estimated that maximum stream depletions over the 300-year pumping period for the Dawson aquifer amounts to approximately 22.28% of pumping. Maximum annual depletions for total pumping from all wells are therefore 1.89 acre-feet in year 300 (*i.e.* 22.28% of pumping). Should Applicant's pumping be less than the 8.49 acre-feet total per year described herein, resulting depletions and required replacements will be correspondingly reduced, so long as depletions resulting from pumping are adequately replaced. 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 a well completed 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%. At a household use rate of 0.2 acre-feet per residence per year, 0.18 acre-feet is replaced to the stream system per year from each residence, assuming the use of non-evaporative septic systems, or 2.52 acre-feet combined from fourteen residences. Thus, during pumping, stream depletions will be adequately augmented. Augmentation for Post-Pumping Depletions. For the replacement of any injurious post-pumping depletions that may be associated with the use of Emick Wells Nos. 1 through 14, Applicant will reserve up to the entirety of the water from the nontributary Laramie-Fox Hills aquifer and the entirety of the water from the nontributary Arapahoe aquifer, accounting for actual stream depletions replaced during the pumping period, as necessary to replace any injurious post-pumping depletions. Applicant also reserves 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, Applicant reserves the right in the future to prove that post-pumping depletions will be noninjurious. The reserved nontributary Laramie-Fox Hills and Arapahoe groundwater will be used to replace any injurious post-pumping depletions. Upon entry of a decree in this case, the Applicant will be entitled to apply for and receive well permits for the Emick Wells Nos. 1 through 14, for the uses in accordance with this Application and otherwise in compliance with C.R.S. §37-90-137. This Application was filed in both Water Divisions 1 and 2 because depletions from the pumping of the Dawson aquifer may occur in both the South Platte and Arkansas River systems. The return flows set forth herein will accrue to tributaries of the South Platte system, where the majority of such depletions will occur, and it is Applicant's intent to consolidate the instant matter in Water Division 1 upon completion of publication. Applicant requests that the total amount of depletions to both the South Platte River and the Arkansas River systems be replaced to the South Platte River as set forth herein, and for a finding that those replacements are sufficient. 7 Pages

2024CW3003 WELL AUGMENTATION SUBDISTRICT OF THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT, 3209 West 28th Street, Greeley, Colorado 80634. (970) 330-

4540. Bradley C. Grasmick, David L. Strait, Jacklyn P. Gunn, Lawrence Custer Grasmick Jones & Donovan, LLP, 5245 Ronald Reagan Blvd., Suite 1, Johnstown, CO 80534, Telephone: (970) 622-8181, brad@lcwaterlaw.com, dstrait@lcwaterlaw.com; jacklyn@lcwaterlaw.com **APPLICATION TO ADD WELLS TO AUGMENTATION PLAN IN ADAMS, MORGAN AND WELD COUNTIES.** 2. Summary of Application. WAS desired to adjudicate the addition of the Added Wells described herein to its augmentation plan decreed in Water Court, Division No. 1, Case No. 03CW099 (the “WAS Decree”). 3. Structures to be Added and Augmented (“Added Wells”): 3.1. Names and address of Well Owners: Rex Craven and Mary Ann Craven, 22854 County Rd. 37 LaSalle, CO 80645, and Brad Craven, at 22854 County Road 37 LaSalle, CO 80645. 3.2. Decree: W-1512. A decree was entered in Water Court Division 1, on May 13, 1981, adjudicating the Added Wells for irrigation of approximately 63 acres in the S1/2 SW1/4, Section 6, Township 4 North, Range 65 West of the 6th P.M., Weld County, Colorado. See **Exhibit 1** hereto. 3.3. WAS Contract number 1339. Contract 1339 was approved November 28, 2023, irrigating 38 acres located on Lot B RE 1207-21-3-RE3488 S1/2 SW1/4 Section 6, Township 4 North, Range 65 West of the 6th P.M (the “Craven Property”). The General Location Map for the Craven Property is attached as **Exhibit 2**. 3.4. Permits: 3.4.1. Permit 13588-R; WDID 0207166 3.4.1.1. Location: SW1/4 SW1/4 of Section 6, Township 4 North, Range 65 West of the 6th P.M., Weld County, Colorado at a point 550 feet East and 15 feet North of the SW Corner. 3.4.1.2. Appropriation Date: May 31, 1955. 3.4.1.3. Decreed Amount: 2.06 cfs. 3.4.2. Permit 13589-RR; WDID 0207167 3.4.2.1. Location: SW1/4 SW1/4 of Section 6 Township 4 North, Range 65 West of the 6th P.M., Weld County, Colorado at a point 600 feet East and 5 feet North of the SW Corner. 3.4.2.2. Appropriation Date: May 31, 1929. 3.4.2.3. Decreed Amount: 1.67 cfs. 4. Proposed Terms and Conditions. 4.1. The terms and conditions for the Added Wells will be the same as for the other Covered Wells in the WAS Decree. The consumptive use factor will be 60% for flood irrigated acres and 80% for sprinkler irrigated acres. The method for determining future well depletions will be those set out in the WAS Decree at ¶¶ 16-19. The Added Wells will be subject to all the terms and conditions for operation as for other Covered Wells in the WAS Decree. 4.2. Net Stream Depletions: Depletions resulting from the consumptive use of 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 following parameters: 4.2.1. WDID 0207166. Harmonic Mean Transmissivity (Gallons/day/foot) T = 182,700. Specific Yield = 0.2. Total distance of alluvial aquifer boundary from river W = 16,890 feet. Distance of Well from river X = 7,710 feet. See WSWE Report, **Exhibit 3**. 4.2.2. WDID 0207167. Harmonic Mean Transmissivity (Gallons/day/foot) T = 182,800. Specific Yield = 0.2. Total distance of alluvial aquifer boundary from river W = 16,820 feet. Distance of Well from river X = 7,770 feet. See WSWE Report, **Exhibit 3**. 5. Distribution of Future Well Depletions. The WAS Decree requires WAS to distribute well depletions between river reaches. ¶22.2 of the WAS Decree states: “In the event of the addition or deletion of a well under this plan pursuant to ¶¶ 11.1.2 and 11.1.3, the Court shall approve and order such adjustments to the percentages set forth in ¶¶ 22.2.1, 22.2.2, and 22.2.4 as necessary to ensure that depletions continue to be replaced at locations necessary to prevent injury.” Pumping from the Added Wells in this Application will deplete the South Platte River in WAS administrative reach C2 and will require adjustment to the distribution well depletions which are replaced within Reach C. The updated distribution of well depletions within Reach C distribution will be 50.6% to Reach C1 and 49.4% to Reach C2 as described in the WSWE report, **Exhibit 3**. This application consists of four (4) pages.

2024CW3004 ALLEN AND TARRAH MOORE, 4421 Mountain Dance Drive, Colorado Springs, CO 80908 (Please forward all correspondence and pleadings to Ryan W. Farr and Paul J. Raymond of Monson, Cummins, Shohet & Farr, LLC, 13511 Northgate Estates Drive, Ste. 250, Colorado Springs, CO 80921 (719) 471-1212). **APPLICATION FOR AMENDMENT OF DECREE DETERMINING GROUNDWATER RIGHTS. EL PASO COUNTY.** Applicants seek to amend the decree entered in Case No. 22CW3112, District Court, Water Division 2, dated February 14, 2023 (“22CW3112 Decree”) to remove a portion of its interest in the not-nontributary Dawson aquifer water in order to supply one (1) exempt well for Applicants’ property, as described below. The 22CW3112 Decree adjudicated

groundwater rights underlying approximately 278.88 acres located in Section 10, Township 11 South, Range 65 West of the 6th P.M., El Paso County. (“Decree Property”). The 22CW3112 Decree adjudicated the Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifer water underlying the Decree Property. In May 12, 2023, Applicants purchased a 35-acre parcel of land that was all part of the Decree Property, being a street address of 9760 Walker Rd. Colorado Springs Colorado, 80908, and totaling 35 acres in size. This parcel is located in the NE 1/4 of the SE 1/4 of Section 10, Township 11 South, Range 65 West of the 6th P.M., and specifically described on the attached **Exhibit A** deed and shown on the attached **Exhibit B** map as Parcel C (“Applicants’ Property”). Included with the purchase of the Applicants’ Property was a portion of the groundwater rights in the not-nontributary Dawson aquifer subject of the 22CW3112 Decree as set forth in the attached **Exhibit C** deed. Requested Amendment to 22CW3112 Decree. Applicants seek to remove and vacate a total of 200 acre-feet, or 2 annual acre-feet, of not-nontributary Dawson aquifer water underlying the Applicants’ Property from the 233 annual acre-feet adjudicated in the 22CW3112 Decree in order to be able to qualify for the issuance of an exempt well permit for the Applicants’ Property pursuant to § 37-92-602(1)(b), C.R.S. Applicants seek no other amendments to the 22CW3112 Decree. Applicant shall comply with any lienholder notice provisions set forth in § 37-92-302(2)(b) and § 37-90-137(4)(b.5)(I), C.R.S., and such notice will be sent within 10 days of the filing of this application. Application is 4 pages.

2024CW3005 (16CW3169) CITY OF FORT COLLINS (“Fort Collins”), c/o Jason Graham, Director of Water Utilities, and Jen Dial, Water Resources Manager, P.O. Box 580, Fort Collins, Colorado 80522; E-mail: jgraham@fcgov.com; jdial@fcgov.com; Telephone Number: (970) 416-2100; (970) 966-5489. Please direct all correspondence concerning this Application to: Stuart B. Corbridge, Esq. and Bradley N. Kershaw, Esq., Vranesh and Raisch, LLP, 5303 Spine Road, Suite 202, Boulder, Colorado 80301; Telephone Number: (303) 443-6151; E-mail: sbc@vrlaw.com; bnk@vrlaw.com; and Eric R. Potyondy, Esq., Fort Collins City Attorney’s Office, 300 LaPorte Avenue, Fort Collins, Colorado 80521; Telephone Number: (970) 416-2126; E-mail: epotyondy@fcgov.com. **APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE IN LARIMER COUNTY**. Fort Collins is a Colorado municipal corporation with home-rule authority. It owns and operates a municipal water supply system to provide potable water to customers located within its municipal water service area and a wastewater treatment system to collect and treat wastewater resulting from water use by customers located within its municipal wastewater service area. Fort Collins also owns lands that require non-potable water supplies for uses pertaining to Fort Collins’ activities on these lands. 2. Prior Decree. The appropriate rights of substitution and exchange described in this application (collectively the “16CW3169 Exchange Rights”) were originally decreed by the District Court, Water Division 1, on January 25, 2018, in Case No. 2016CW3169. The decree entered in that case is referred to in this application as the “16CW3169 Decree.” This is the first application for findings of reasonable diligence for the 16CW3169 Exchange Rights. 3. Names of Structures. The 16CW3169 Exchange Rights include the following structures either as exchange-from or exchange-to points or as structures where the decreed source of substitute supply may be released: North Poudre Supply Canal; City of Fort Collins Pipeline; Halligan Reservoir; and Seaman Reservoir (a/k/a Milton Seaman Reservoir). 4. Description of Water Rights. The 16CW3169 Exchange Rights operate following release of the decreed source of substitute supply from Halligan Reservoir and/or Milton Seaman Reservoir, as these structures may be enlarged, up to the flow rates listed below using the following exchange-from point and exchange-to points, which are shown on the map attached hereto as **Exhibit 1**. a. Point of release of substitute supply (exchange-from point): i. The downstream terminus of the exchange reach and the exchange-from point is the confluence of the North Fork of the Cache la Poudre River and the main stem of the Cache la Poudre River, located in the SW1/4 of Sec. 33, T9N, R70W, 6th P.M., Larimer County. b. Points of diversion (exchange-to points): i. The North Poudre Supply Canal, located on the east bank of the Cache la Poudre River in the SW1/4 NE1/4 of Sec. 5, T8N, R70W, 6th P.M., Larimer County, at a point whence the Southeast corner of said Sec. 5 bears south 37°27’30” East 3,647.5 feet. ii. The City of Fort Collins Pipeline, located on the south bank of the Cache la Poudre River in the SE1/4 of Sec. 32, T9N, R70W, 6th P.M., Larimer County, being more particularly described as follows: Considering

the East line of said SE1/4 as bearing N 7°49'9" E, and with all bearings contained therein relative thereto; commencing at the SE corner of said Sec. 32: thence N 4°32'46" E, 1,335.13 feet to the center of said pipeline intake. c. Source of Substitute Supply. Water attributable to the water right decreed for the Halligan Reservoir Enlargement Water Right in Case No. 2013CW3185 on April 4, 2016, following release from Halligan Reservoir or Milton Seaman Reservoir, as such reservoirs may be enlarged. d. Date of Appropriation. November 29, 2016. e. Exchange Rates. i. Exchanges to the North Poudre Supply Canal: Up to 250 cubic feet per second ("cfs") total, conditional, in combination with the exchanges to the North Poudre Supply Canal decreed in Case No. 2007CW125. ii. Exchanges to the City of Fort Collins Pipeline: Up to 32 cfs total, conditional, in combination with the exchanges to the City of Fort Collins Pipeline decreed in Case No. 2007CW125. iii. The combined rate of diversion of water by exchange at any one time pursuant to the 16CW3169 Exchange Rights and the water exchange rights decreed in Case No. 2007CW125 through either or both of the exchange-to points described in paragraph 4.b., above, shall not exceed 250 cfs. The combined annual volume of water diverted by exchange pursuant to the 16CW3169 Exchange Rights and the water exchange rights decreed in Case No. 2007CW125 shall not exceed 16,250 acre-feet. f. Uses. Water diverted pursuant to the 16CW3169 Exchange Rights will be used in accordance with the uses decreed for the source of substitute supply described in paragraph 4.c., above. g. With respect to use of the structures included in the 16CW3169 Exchange Rights, Fort Collins shall operate the exchanges in accordance with the requirements of paragraph 29 of the 16CW3169 Decree. 5. Amounts Claimed as Absolute. Fort Collins is not seeking to make any portion of the 16CW3169 Exchange Rights absolute. 6. Activities undertaken by Fort Collins during the diligence period toward completion of the appropriations and application of water to beneficial use, including expenditures. a. Fort Collins is a municipal entity that operates a complex and interrelated system for water delivery to its constituents and other entities, and related wastewater treatment and water reuse. The majority of its system and operations are integrated. During the subject diligence period running from December 1, 2016, through the date of filing the application in this case, Fort Collins engaged in activities and incurred costs, including but not limited to, those activities and costs described in this Paragraph 6, concerning or related to the development and use of the 16CW3169 Exchange Rights and operation of Fort Collins' integrated municipal water supply system. The activities and costs identified in this application are not all inclusive and Fort Collins reserves the right to provide evidence of other work done and costs incurred during the diligence period during the proceedings for this application. b. Fort Collins has actively worked on the Halligan Water Supply Project ("Halligan Project"), which, when approved, will result in the enlargement of Halligan Reservoir and additional capacity for diversion, storage, and use of the Halligan Reservoir Enlargement Water Right as the source of substitute supply for the 16CW3169 Exchange Rights. i. Fort Collins has worked to obtain the necessary federal, state, and local permits and authorizations for the Halligan Project. The Army Corps of Engineers released a draft Environmental Impact Statement ("EIS") and a Conceptual Mitigation Plan for the Halligan Project on November 22, 2019. The final EIS was released on October 23, 2023. ii. In May 2020, Fort Collins and Colorado Parks and Wildlife ("CPW") began the process of developing a state Fish and Wildlife Mitigation and Enhancement Plan ("FWMEP"), which must be approved by the state prior to the commencement of construction under the Halligan Project. The FWMEP was presented to and approved by CPW and by the Colorado Water Conservation Board on June 23, 2023, and July 19, 2023, respectively, and is now the official state position on the mitigation actions required for the Halligan Project. iii. In September 2019, Fort Collins began preparing and has continued work on its request to the Colorado Department of Public Health and Environment ("CDPHE") for Clean Water Act Section 401 Water Quality Certification for the Halligan Project. The 401 Certification application is expected to be presented to CDPHE in late 2024. iv. Fort Collins hired a design engineer and construction contractor for the Halligan Project and conducted a 30% design. v. Fort Collins conducted fieldwork at the proposed dam enlargement site, including surveying and geotechnical evaluation. vi. Fort Collins has worked to acquire the real property rights needed for the Halligan Project, including for lands related to the design, construction, and operation of the enlarged Halligan Reservoir. vii. Fort Collins partnered with the United States Geological Survey and CPW to install a new stream gage upstream of Halligan Reservoir on the North Fork of the Cache la Poudre River. Stream flow data collected at the gage will inform the design

of the Halligan Project and future operations of the enlarged Halligan Reservoir. viii. Fort Collins spent significant time and resources on planning activities to integrate the enlarged Halligan Reservoir operations into its overall water supply system. ix. Fort Collins has spent over \$17 million dollars on the Halligan Project and the enlargement of Halligan Reservoir during the diligence period, including significant design and permitting costs. c. Additional Diligence Activities. During the relevant diligence period Fort Collins also engaged in the following activities and incurred the described costs for work on other aspects of its integrated water supply system, including but not limited to, the following: i. During the diligence period Fort Collins filed and/or worked on water court applications as the Applicant in the following Water Division 1 cases: 14CW3176, 14CW3158, 15CW3053, 15CW3062, 16CW3169, 19CW3225, 21CW3131, 22CW3055, 23CW3034, 23CW3137, and 23CW3143. ii. Fort Collins participated in various water court cases and proceedings before the State Engineer's Office as an opposer to monitor the impact of the rights claimed in those cases and to protect its water rights, including the 16CW3169 Exchange Rights, from injury, including the following cases: 08CW277, 13CW3071, 13CW3186, 15CW3162, 15CW3163, 15CW3169, 16SE04, 16CW3073, 16CW3093, 16CW3170, 16CW3172, 16CW3173, 16CW3174, 16CW3194, 16CW3195, 17CW3046, 17CW3057, 17CW3160, 17CW3094, 17CW3160, 17CW3194, 17CW3198, 17CW3199, 17CW3203, 18CW3064, 18CW3076, 18CW3216, 19CW3007, 19CW3019, 19CW3059, 19CW3165, 19CW3169, 19CW3200, 19CW3239, 20CW30, 20CW3000, 20CW3009, 20CW3041, 20CW3054, 20CW3113, 20CW3157, 20CW3174, 20CW3208, 21CW3035, 21CW3093, 21CW3104, 21CW3143, 21CW3168, 21CW3179, 21CW3199, 21CW3204, 21CW3229, 21CW3231, 22CW3042, 22CW3102, 23CW3100, 23CW3104, and 23CW3112. iii. Fort Collins spent over \$423,000 on outside legal fees during the diligence period to support the City's own water rights applications or to protect its existing water rights from injury, including the 16CW3169 Exchange Rights, by opposing the water rights applications of others. This applicant and opposition work also included expenses for use of outside water resources engineering consultants and staff time. 7. Continuing Need and Intent for the 16CW3169 Exchange Rights. Fort Collins' water supply system is managed based on both existing and future demands. As Fort Collins continues to grow and water demands increase, there will be an increasing need to divert more water, including pursuant to the 16CW3169 Exchange Rights. Fort Collins has a continuing need for all of the water and exchange potential decreed to the 16CW3169 Exchange Rights and has a continuing plan and intent to develop and put to beneficial use the 16CW3169 Exchange Rights and decreed exchange potential up to their maximum decreed flow rates and volumes. 8. 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. The list below includes Fort Collins' current understanding of the owners of land upon which the structures identified in this application are located. a. Halligan Reservoir, as enlarged (as described in Case No. 2013CW3185): i. Fort Collins, P.O. Box 580, Fort Collins, CO 80522. ii. State of Colorado, Division of Parks and Wildlife, 6060 Broadway Avenue, Denver, CO 80216. iii. United States of America, Bureau of Land Management, 1313 Sherman Street, Denver, CO 80203. iv. Landowners Association for Phantom Canyon Ranches, 1738 Bonny Dr., Loveland, CO 80538. v. The Revocable Trust of Gary C. and Mary J. Packard, 865 Three Corner Gate Rd., Livermore, CO 80536. vi. Free Enterprises, Inc., c/o Lee Stark, 1803 Garfield Ave., Loveland, CO 80538. vii. Geo A. Henderson Co., Inc., a Colorado Corporation, and Chris Vandemoer, P.O. Box 668, Sterling, CO 80751-0668. viii. Meadow Creek Cabin Association LLC, c/o Sandy Beardmore, 2212 Kiowa Ct., Fort Collins, CO 80525. b. Milton Seaman Reservoir: i. State of Colorado, Department of Natural Resources, 6060 Broadway, Denver, CO 80216. ii. United States of America, Rocky Mountain National Park Service, 2150 Centre Ave. E., Fort Collins, CO 80526-8119. iii. State Board of Land Commissioners, 1127 Sherman St., Ste. 300, Denver, CO 80203-2206. iv. City of Greeley, 1100 10th St., Ste. 300, Greeley, CO 80631. v. City of Greeley, Water Department, Seaman Dam, 1000 10th St., Greeley, CO 80631. c. North Poudre Supply Canal (a/k/a the Munroe Canal): The point of diversion for the North Poudre Supply Canal is on land owned by the North Poudre Irrigation Company, P.O. Box 100, Wellington, CO 80549. d. Fort Collins Pipeline: The point of diversion for the Fort Collins Pipeline is on land owned by Fort Collins. WHEREFORE, Fort Collins seeks entry of a decree: (1) finding that Fort Collins has proceeded with reasonable diligence in the development of the conditional 16CW3169

Exchange Rights; and (2) continuing the 16CW3169 Exchange Rights in full force and effect for another diligence period. (11 pgs., 1 Exhibit)

2024CW3006 LOW LINE DITCH COMPANY, 22811 CR 36, Sterling, CO 80751. 970-522-2330 Lawrence Custer Grasmick Jones & Donovan, LLP Attorneys for Applicant, Low Line Ditch Company, David P. Jones, #34029, **APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO CONTINUE CONDITIONAL WATER RIGHTS IN LOGAN COUNTY 2. Previous Decrees:** Case No. 03CW94, Water Division No. 1, decree entered January 16, 2007 (“Original Decree”); Case No. 10CW222, Water Division No. 1, decree entered January 11, 2011 (“First Diligence Decree”), Case No. 17CW3006, Water Division No. 1, decree entered January 29, 2018 (“Second Diligence Decree”). **DESCRIPTION OF WATER RIGHTS** 3. Name of Structure: Low Line Ditch Recharge Project. 3.1. Original Decrees: Case No. 03CW94, January 16, 2007, Water Division 1; Diligence Decree: Case No. 10CW222, January 11, 2011, Water Division 1; Diligence Decree: Case No. 17CW3006, January 29, 2018, Water Division 1. 3.2. Diversion Points: 3.2.1. Low Line Ditch. In the Northeast Quarter (NE1/4) of Section 33, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado at the diversion works of the Low Line Ditch. 3.2.2. Low Line Recharge Pumping Station No. 1. In the NE1/4 SE1/4 of Section 21, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, a surface diversion on the Pioneer Drain. 3.2.3. Low Line Recharge Well No. 1. In the SW1/4 NW1/4 of Section 22, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado at point 1600 feet south and 1300 feet east of the Northwest corner of said section. 3.3. Sources: 3.3.1. Low Line Ditch: The South Platte River. 3.3.2. Low Line Recharge Pumping Station No. 1: Pioneer Drain. 3.3.3. Low Line Recharge Well No. 1: Groundwater tributary to the South Platte River. 3.4. Dates of Appropriation: Low Line Ditch, September 26, 2002. Low Line Recharge Pumping Station No. 1 and Low Line Recharge Well No. 1, March 10, 2006. 3.5. Amounts. 3.5.1. Low Line Ditch: 40 cfs, absolute. 3.5.2. Low Line Recharge Pumping Station No. 1: 5.42 cfs, absolute, 0.58 cfs, conditional. 3.5.3. Low Line Recharge Well No. 1: 8.91 cfs, conditional, 4000 af, conditional. 3.6. Uses: Augmentation, directly and by exchange, of water rights used for irrigation, livestock, recharge, replacement and for wildlife and wildlife recovery. 4. Name of Structure: Augmentation Well Water Rights. 4.1. Original Decree: Case No. 03CW94, January 16, 2007, Water Division No. 1. 4.2. Low Line Augmentation Well No. 1-59875-F. 4.2.1. Location: in the SW 1/4 NW 1/4 Section 11, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, approximately 1350 feet south and 900 feet east from the northwest corner of said section. 4.2.2. Date of Appropriation: February 27, 2003. 4.2.3. Amount: 1985 gpm, absolute, and 1015 gpm, conditional. 4.3. Low Line Augmentation Well No. 2-58037-F. 4.3.1. Location: In the SE 1/4 SW 1/4, Section 2, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, approximately 150 feet north and 1750 feet east from the southwest corner of said section. 4.3.2. Date of Appropriation: September 26, 2002. 4.3.3. Amount: 1730 gpm, absolute, and 717 gpm, conditional. 4.4. Uses for both Augmentation Wells: Augmentation of water rights used for irrigation, livestock, fire protection, recharge and replacement. 5. Name of Structure: Appropriative Right of Exchange. 5.1. Original Decree: Case No. 03CW94, January 16, 2007, Water Division No. 1. 5.2. Legal Description: The exchange operates within a reach of the South Platte River between the downstream end at the Iliff and Platte Valley Ditch river headgate in the NE 1/4 SW 1/4 Section 25, Township 9 North, Range 52 West, 6th P.M., Logan County, Colorado, and the upstream end at the Low Line Ditch river headgate in the NE 1/4 of Section 33, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. 5.3. Date of Appropriation: February 27, 2003. 5.4. Amount: 16 cfs, conditional. 5.5 Uses: Augmentation of water rights used for irrigation, livestock, fire protection, recharge and replacement. **6. Outline of What Has Been Done Toward Completion of the Appropriations.** The diligence period for the conditional rights that are the subject of this Application is January 29, 2018 to January 30, 2024. During the diligence period, Applicant operated the recharge project and augmentation wells, and made diversions thereunder; Applicant retained consultants to assist in the maintenance and administration of their augmentation plan; and Applicant had well testing performed on Augmentation Wells 1 and 2. **7. Claim for Finding of Reasonable Diligence Pursuant to C.R.S. § 37-92-304.** Applicant seeks a decree finding that it has been reasonably diligent in the development of its

conditional water rights, and to maintain the rights as conditional for the statutory period. The water rights set out in this Application are part of an integrated system, generally referred to as the Low Line Ditch Recharge Project. Applicant’s water rights and recharge project and each of the water rights and structures which will provide augmentation, substitution, replacement, and exchange supplies under the decree entered in this matter and Applicant’s other decrees 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 Applicant 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). **8. Names and addresses of owners of the Structures upon which diversion will be constructed or water stored.** NA. This document consists of 5 pages.

2024CW3007 ERIC AND ALETHEA DOANE, 10639 SEDGWICK WAY, PARKER, CO 80134. James J. Petrock, Eric K. Trout, Hayes Poznanovic Korver LLC, 700 17th Street, Suite 1800, Denver, CO 80202. **APPLICATION FOR AMENDMENT OF A PRIOR DECREE IN DOUGLAS COUNTY.** Subject Property: 39.27 acres generally located in all of Section 17, Township 6 South, Range 64 West of the 6th P.M., Elbert County, Colorado as shown on **Exhibit A** (“Subject Property”). Lien Holder Certification: Applicants are the sole owners of the Subject Property and there are no mortgage or lien holders, therefore, no notice is required under C.R.S. § 37-92-302(2)(b). Prior Decrees: The groundwater underlying the Subject Property was part of the adjudication and augmentation plan approved in the decree in Case No. 2000CW11, District Court, Water Division 1 on June 21, 2000 (the “00CW11 Decree”). Subsequent to the 00CW11 Decree, a portion of the Upper Dawson Aquifer groundwater was removed from the 00CW11 augmentation plan in Case No. 2003CW52, District Court, Water Division 1 (the “03CW52 Decree”). Groundwater Ownership: Applicants own the following amounts of groundwater as quantified in the 00CW11 Decree, as amended in the 03CW52 Decree. The groundwater was conveyed to the Applicants via the special warranty deed dated June 7, 2017, and recorded June 8, 2017, at Reception No. 2017038587 in the records of the Douglas County Clerk & Recorder.

Aquifer	Annual Amount (acre-feet)
Upper Dawson (NNT)	7.52
Lower Dawson (NT)	6.07
Denver (NT)	21.50
Arapahoe (NT)	18.35
Laramie-Fox Hills (NT)	13.50

Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). Requested Change to the 00CW11 and 03CW52 Decrees: Applicants request that 4 acre-feet annually of not-nontributary Upper Dawson Aquifer groundwater be removed from the 00CW11 and 03CW52 Decrees and be made available for the drilling of an exempt well, or wells, or any legally allowed exempt purpose on the Subject Property. The volume will be allocated at 0.102 acre-feet per acre across the Subject Property. No other provisions of the 00CW11 and 03CW52 Decrees will be changed. Applicants request the Court approve the above requested decree amendment, find that Applicants have complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. 3 pages.

2024CW3008 Applicant: **TOWN OF MILLIKEN**, c/o Cheryl, Powell, Town Administrator, 1101 Broad Street, P.O. Box 290, Milliken, Colorado 80543, Telephone: (970) 660-5047, CPowell@millikenco.gov,

Serve all pleadings on: Scott E. Holwick and Anthony J. Basile, Lyons Gaddis, P.C., P.O. Box 978, Longmont, CO 80502-0978, (303)776-9900 sholwick@lyonsgaddis.com, abasile@lyonsgaddis.com.

APPLICATION FOR WATER RIGHTS IN WELD COUNTY. 2. Name of Decreed Conditional Water Rights: A. FBC Park Well. B. Fitness Park Well. C. Florence Park Well. D. Watson Well. 3. Dates of Decrees of Conditional Water Rights: A. Date of original decree: Case No. 2016CW3150, District Court, Water Division No. 1, Colorado, entered on January 18, 2018. B. Subsequent decrees awarding findings of diligence: None. 4. Descriptions of Conditional Water Rights: A. FBC Park Well. i. Legal Description: In the SE1/4, NE1/4 Section 10, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado approximately 2303 feet south and 620 feet west of the northeast corner of said section, which is also UTM Coordinates Easting 511054.9, Northing 4464121, Zone 13, NAD83. See **Exhibit A**. ii. Source: Groundwater tributary to the Little Thompson River. iii. Appropriation Date: July 27, 2016. iv. Amount: 100 g.p.m., conditional. v. Use: Irrigation within the Town of Milliken Service area as it now exists or may exist in the future and fire protection. vi. Depth: 29 feet, 4 inches. B. Florence Park Well. i. Legal Description: In the NE1/4, SE1/4 Section 10, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado approximately 2123 feet north and 630 feet west of the southeast corner of said section, which is also UTM Coordinates Easting 511051.2, Northing 4463851, Zone 13, NAD83. See **Exhibit A**. ii. Source: Groundwater tributary to the Little Thompson River. iii. Appropriation: July 27, 2016. iv. Amount claimed: 100 g.p.m., conditional. v. Uses: Irrigation within the Town of Milliken Service area as it now exists or may exist in the future and fire protection. vi. Depth: 30 feet. C. Fitness Park Well. i. Legal Description: In the SE1/4, SE1/4 Section 10, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado approximately 816 feet north and 560 feet west of the southeast corner of said section, which is also UTM Coordinates Easting 511070.6, Northing 4463458, Zone 13, NAD83. See **Exhibit A**. ii. Source: Groundwater tributary to the Little Thompson River. iii. Appropriation Date: July 27, 2016. iv. Amount: 100 g.p.m., conditional. v. Uses: Irrigation within the Town of Milliken Service area as it now exists or may exist in the future and fire protection. vi. Depth: 33 feet, 2 inches. D. Watson Well. i. Legal Description: In the SW1/4, SW1/4 Section 12, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado approximately 656 feet north and 150 feet east of the southwest corner of said section, which is also UTM Coordinates Easting 512907.5, Northing 4463370, Zone 13, NAD83. See **Exhibit A**. ii. Source: Groundwater tributary to the Big Thompson River. iii. Appropriation Date: July 27, 2016. iv. Amount claimed: 100 g.p.m., conditional. v. Uses: Irrigation within the Town of Milliken Service area as it now exists or may exist in the future and fire protection. vi. Depth: 38 feet. 5. Integrated System: The conditional water rights are each a component of Applicant's integrated municipal water supply system, such integrated system being comprised of several different water rights, features, and facilities as provided in § 37-92-301(4)(b), C.R.S. Work done on one or more features of this integrated system constitutes effort toward development of the water rights for all features facilities of this system as provided under § 37-92-301(4)(b), C.R.S. 6. Provide a detailed outline of what has been done toward completion or for completion of the appropriation and application of water to the beneficial uses as conditionally decreed, including expenditures: During the period from January 18, 2018, to the present ("**Diligence Period**"), the Applicant engaged in the activities described below which collectively support its claim for a finding of diligence and to continue the decreed conditional water rights subject of this case. A. Applicant obtained a decree in Case No. 20CW3194, District Court for Water Division No. 1, on October 12, 2021, for diligence of and to make absolute portions of conditional water rights for Settlers Village Recharge Well No. 2, Settlers Village Alluvial Drain Collection System, Colony Pointe Alluvial Drain Collection System, and Centennial Farms Alluvial Drain Collection System. B. Applicant obtained a decree in Case No. 21CW3212, District Court for Water Division No. 1, on July 26, 2022, for diligence of and to make absolute portions of conditional water rights for Milliken Well No. 3 and Knaub Well. C. Applicant obtained a decree in Case No. 22CW3035, District Court for Water Division No. 1 on October 26, 2022, for diligence on the Pheasant Hills Recharge water right, the Town of Milliken Well No. 3-59961-F (now permit no. 59961-F-R, the Colony Point Recharge Well, the Settlers Village Recharge Well, Oster Well 65727-F, and the Milliken Exchange. D. Applicant participated as an opposer in water court cases in order to prevent injury to its water rights, including the conditional water rights identified herein. E. Applicant expended more than

\$5,600,000 to operate, repair, and improve its municipal water system infrastructure, including but not limited to the following: i. Applicant constructed Settlers Village Recharge Well No. 2 and Settlers Village Alluvial Drain Collection System; ii. Applicant reconfigured and updated its RO treatment facility which included substantial analysis to select the appropriate option(s) to complete the upgrade; iii. Applicant designed and installed a 1,000,000 gallon potable water tank, four irrigation wells, and two recharge wells to optimize blending its water supply consistent with the RO treatment facility upgrade; iv. Applicant designed and installed an emergency potable water cross-connect to irrigate its fields, as needed; v. Applicant is in the design process for integrating the Colony Pointe Recharge Well into a new non-potable pumping station in Ehrlich Pond; vi. Applicant designed and constructed the North Centennial Bypass Pipeline to provide operational flexibility for its augmentation obligations under its Aug Plan; and vii. Applicant commenced an update of the Water and Sewer Master Plan. viii. Applicant acquired an additional 209 units of Colorado – Big Thompson units to increase its raw water supplies. ix. Applicant renegotiated its raw water supply contracts with the City of Greeley and the Central Weld County Water District. x. Applicant reviewed and commenced renegotiating its First Use Agreement with the Central Colorado Water Conservancy District. xi. Applicant expended more than \$300,000 conducting a preliminary rehabilitation analysis for the Little Thompson Reservoir and engaged stakeholders in the proposed project. F. Specific to the conditional water rights that are the subject of this diligence application: i. Applicant intermittently pumped the Watson Well for irrigation of the Town of Milliken Service area, and specifically the Centennial Farms non-potable system, and achieved a rate of 50.9 g.p.m. on July 26, 2019. ii. Applicant commenced design of integrating the Watson Well into the Ehrlich Lake Pump Station project. iii. Applicant is currently evaluating connection of the FBC, Fitness and Florence Park Well to individual corresponding adjacent parks for irrigation and to the Town’s main system for redundancy. The FBC, Fitness and Florence Park Wells have also been considered as an irrigation supply for the west side of the Town to provide non-potable water along with a potential new non-potable water system off the Hillsborough Ditch located WCR 46 and WCR 21 south of the WalMar subdivision. 7. Claims to Make Absolute: A. Watson Well, operating under Permit No. 10445-RR: 50.9 g.p.m. (absolute) on July 26, 2019 for irrigation use. 49.1 g.p.m. will remain conditional. B. Supporting Evidence for Claims to Make Absolute: Applicant pumped the amount claimed absolute herein to irrigate within the Town of Milliken Service area, specifically the Centennial Farms non-potable system. See **Exhibits B and C**. 8. Owner(s) of land upon which the structures are or will be located: Applicant.

2024CW3009 KIMBERLY GARRETT, 42603 Ricki Dr, Parker, CO 80138. James J. Petrock, Eric K. Trout, Hayes Poznanovic Korver LLC, 700 17th Street, Suite 1800, Denver, CO 80202. **APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT NONTRIBUTARY SOURCES IN THE NONTRIBUTARY DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AQUIFERS AND THE NOT NONTRIBUTARY UPPER AND LOWER DAWSON AQUIFERS IN ELBERT COUNTY.** Subject Property: A parcel totaling approximately 5.11 acres generally located in the NW1/4 of the NE1/4 of Section 35, Township 6 South, Range 65 West of the 6th P.M., also known as 42603 Ricki Dr, Parker, Elbert County, State of Colorado, as shown on **Exhibit A** (“Subject Property”). Lien Holder Certification: Applicant certifies that they have provided notice to all mortgage or lien holders as required under C.R.S. § 37-92-302(2)(b). Well Permits: There is one existing Upper Dawson Aquifer domestic use well on the Subject Property under Well Permit Number 69610, which will continue operating under its existing permit. Additional well permits will be applied for prior to construction of additional wells. Source of Water Rights: The Upper and Lower Dawson aquifers are non-tributary as defined in C.R.S. § 37-90-103(10.7), and the Denver, Arapahoe, and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5). Estimated Amounts: Applicant estimates the following amounts may be available for withdrawal, based on a 100-year withdrawal period:

Aquifer	Annual Amount (acre-feet)
Upper Dawson (NNT)*	0

Lower Dawson (NNT)	0.62
Denver (NT)	3.27
Arapahoe (NT)	2.19
Laramie-Fox Hills (NT)	1.59

*The total estimated volume in the not-nontributary Upper Dawson Aquifer is 1.53 acre-feet per year. The entire volume is reserved for existing Well Permit No. 69610. Applicant desires to leave no additional groundwater adjudicated. Proposed Uses: Groundwater withdrawn from the not-nontributary and nontributary aquifers underlying the Subject Property will be used, reused, and successively used to extinction for all allowable beneficial uses, including, but not limited to, domestic, including in-house use, commercial, irrigation, stock watering, fire protection, recreational, fish and wildlife, and augmentation purposes, including storage. The water may be immediately used or stored for subsequent use, used for exchange purposes, for direct replacement of depletions, and for other augmentation purposes, including taking credit for all return flows resulting from the use of such water for augmentation of, or as an offset against, any out-of-priority depletions. The water may be leased, sold, or otherwise disposed of for all the above uses both on and off the Subject Property. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). Remarks: Applicant claims the right to withdraw more than the average annual amounts estimated in Paragraph 6 above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7. Applicant requests 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. Applicant requests the Court approve the above underground water rights, find that Applicant has complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. 4 Pages.

2024CW3010 QUAILRUN ESTATES LLC, c/o Sankar Chava, 21097 E Nichols Pkwy, Aurora, Colorado 80016. **APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT-NONTRIBUTARY SOURCES AND FOR APPROVAL OF PLAN FOR AUGMENTATION IN ADAMS COUNTY.** Please send all pleadings and correspondence to: William D. Wombacher, Esq., Stacy L. Brownhill, Esq., Nazarene Stack & Wombacher LLC, 5105 DTC Parkway, Suite 200, Greenwood Village, Colorado 80111. 2. Overview. Applicant seeks to adjudicate the Denver Basin Aquifers underlying approximately 500 acres owned by Applicant in Adams County, Colorado (“Property”), depicted on **Exhibit A**. This includes not-nontributary water in Denver Aquifer and nontributary water in the Upper Arapahoe, Lower Arapahoe, and Laramie-Fox Hills Aquifers. Applicant also seeks approval of a plan for augmentation for withdrawals of the not-nontributary groundwater from the Denver Aquifer. 3. Jurisdiction. The Water Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-92-302(2) and 37-90-137(6). 4. Underground Water Rights Claimed. A. Wells. Wells that will withdraw the groundwater sought to be decreed by this Application have not yet been constructed, nor have applications for well permits been filed. Prior to constructing any additional wells to withdraw the subject groundwater, Applicant will apply to the State Engineer for a permit to construct that well, and the Applicant requests that the Court require, as a condition of the decree entered in this case, that well permits be issued upon application for any such wells in accordance with said decree. B. Legal Description of Wells and Subject Property. The wells will be located on the Property and Applicant seeks to adjudicate the Denver Basin Aquifers underlying all of the Property, which is located in the E1/2 of Section 20 and W1/2 of Section 21, Township 1 South, Range 64 West, 6th P.M., Adams County, Colorado. C. Source of Water Rights. The source of the groundwater to be withdrawn from the Denver Aquifer is not-nontributary as described in C.R.S. § 37-90-103(10.7). The source of groundwater to be withdrawn from the Upper Arapahoe, Lower Arapahoe, and Laramie-Fox Hills Aquifers is nontributary. D. Parcel Ownership. Applicant represents the sole owner of the Property and has provided notice to all mortgage and lien holders as required under C.R.S. § 37-92-302(2)(b). E. Estimated Amounts

and Rates of Withdrawal. The wells will withdraw the groundwater at rates of flow necessary to efficiently withdraw the entire decreed amounts. Applicant will withdraw the subject groundwater through wells to be located at any location on the Property, and Applicant waives any 600-foot spacing rule as described in C.R.S. § 37-90-137(2)(b)(I)(B) for wells located on the Property. 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. Applicant, based on the Colorado Division of Water Resources online aquifer determination tool, estimates the following annual amounts of nontributary and not-nontributary underlie the Property:

Water Supply Availability (af/yr)					
	Denver	Upper Arapahoe	Lower Arapahoe	Laramie-Fox Hills	Totals
Not-Nontributary (NNT)	29.41	0.00	0.00	0.00	29.41
Nontributary (NT)	0.00	102.77	62.56	105.53	270.86
Total Combined NNT and NT					300.27

The water supply availability listed in the table above is based on a 100-year aquifer life in accordance with C.R.S. § 37-90-137(4)(b)(I). Applicant claims the right to withdraw more than the average annual amounts listed above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. § 402-7. F. Wellfield. Applicant requests that this Court determine that Applicant has the right to withdraw all of the legally available groundwater lying below the Property through wells which may be located anywhere on the Property and any additional wells which may be completed in the future as Applicant’s wellfields. As additional wells are constructed, well permit applications will be filed in accordance with C.R.S. § 37-90-137(10). G. Proposed Uses. Municipal, domestic, commercial, industrial, irrigation, livestock watering, fire protection, recharge, storage, recreation, exchange, augmentation, and replacement. Applicant also claims the right to reuse and successive uses of the water to extinction, and the right to lease, convey, or otherwise dispose of the water. H. Places of Use. Applicant seeks the right to use the legally available groundwater lying below the Property both on the Property and off the Property. Uses off the Property include, but are not limited to, other lands contiguous to the Property and owned by the Applicant. 5. Description of Plan for Augmentation. A. Groundwater to be Augmented. All withdrawals of not-nontributary Denver Aquifer groundwater underlying the Property that do not occur through exempt wells, as requested herein. B. Water Rights to be Used for Augmentation: i. Not-nontributary groundwater from the Denver Aquifer underlying the Property as decreed herein; and ii. Nontributary groundwater from the Upper Arapahoe, Lower Arapahoe, and Laramie-Fox Hills Aquifers underlying the Property as decreed herein. C. Statement of Plan for Augmentation. During pumping, Applicant will replace depletions associated with the withdrawal of the not-nontributary groundwater decreed herein pursuant to C.R.S. § 37-90-137(9)(c.5) (i.e., 4% of not-nontributary withdrawals from the Denver Aquifer where such withdrawals are farther than one mile from any point of contact between any natural stream and the aquifer, and actual depletions of not-nontributary withdrawals from the Denver Aquifer where such withdrawals are closer than one mile from any point of contact between any natural stream and the aquifer). To ensure such replacements are made, Applicant will develop accounting to document replacements that accrue by (i) return flows from irrigation; and (ii) treated wastewater discharges. Further, direct releases of not-nontributary and nontributary groundwater may be used for augmentation. To meet post-pumping depletion requirements for not-nontributary withdrawals of groundwater underlying the Property, Applicant will reserve an amount of nontributary groundwater equal to the post-pumping depletions. D. Augmentation Plan Assumptions. Applicant will develop augmentation plan assumptions and measuring devices to account for replacement water. Consumptive use is expected to be approximately 10% for all groundwater pumped for indoor use to account for any treatment and inhouse loss. For irrigation, sprinkler irrigation is expected to be approximately 85% consumptive and drip irrigation

is expected to be approximately 95% consumptive. Applicant reserves the right to use reclaimed water or gray water for irrigation and will separately measure and account for such uses. WHEREFORE, Applicant respectfully requests the Court enter a ruling that: (1) grants the determination of groundwater rights requested herein for the nontributary Upper Arapahoe, Lower Arapahoe, and Laramie-Fox Hills Aquifers and the not-nontributary Denver Aquifer; (2) grants the plan for augmentation described in Paragraph 5; and (3) grants such other and further relief as the Court deems appropriate. (6 pages, 1 exhibit).

2024CW3011 STEPHEN MALCOM STRACHAN TRUST, c/o Miami Corporation, 410 N Michigan Ave, Suite 590, Chicago, IL 60611. James J. Petrock, Eric K. Trout, Hayes Poznanovic Korver LLC, 700 17th Street, Suite 1800, Denver, CO 80202. **APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT NONTRIBUTARY SOURCES IN THE NONTRIBUTARY DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AQUIFERS AND THE NOT NONTRIBUTARY UPPER AND LOWER DAWSON AQUIFERS IN DOUGLAS COUNTY.**
Subject Property: 7 contiguous parcels totaling approximately 353.036 acres generally located in the E1/2 of the E1/2 of Section 12, Township 8 South, Range 66 West of the 6th P.M., the SW1/4 of the SW1/4 of Section 5, the SE1/4 of the SE1/4 of Section 6, the N1/2 of Section 7, and the NW1/4 of the NW1/4 of Section 8, all in Township 8 South, Range 65 West of the 6th P.M., Douglas County, State of Colorado, as shown on **Exhibit A** (“Subject Property”). Lien Holder Certification: Applicant is the sole owner of the Subject Property and there are no mortgage or lien holders, therefore no notice is required under C.R.S. § 37-92-302(2)(b). Well Permits: There are 4 existing wells on the Subject Property (“Existing Wells”). The Existing Wells will continue operating under their current permits. Additional well permits will be applied for prior to construction of additional wells. Well Permit No. 34647: Upper Dawson stock well. Well Permit No. 106925: Upper Dawson domestic well. Well Permit No. 148755: Upper Dawson domestic well. Well Permit No. 226560: Upper Dawson domestic well. Source of Water Rights: The Upper Dawson Aquifer is not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5). Estimated Amounts: Applicant estimates the following amounts may be available for withdrawal, based on a 100-year withdrawal period:

Aquifer	Annual Amount (acre-feet)
Upper Dawson (NNT)*	113.6
Lower Dawson (NT)	57.1
Denver (NT)	111.9
Arapahoe (NT)	160.8
Laramie-Fox Hills (NT)	101.8

*The total estimated volume in the not-nontributary Upper Dawson Aquifer is 120.6 acre-feet per year. The volume is reduced by 7 acre-feet per year for the Existing Wells. Applicant desires to leave no additional groundwater adjudicated. Proposed Uses: Groundwater withdrawn from the not-nontributary and nontributary aquifers underlying the Subject Property will be used, reused, and successively used to extinction for all allowable beneficial uses, including, but not limited to, domestic, including in-house use, commercial, irrigation, stock watering, fire protection, recreational, fish and wildlife, and augmentation purposes, including storage. The water may be immediately used or stored for subsequent use, used for exchange purposes, for direct replacement of depletions, and for other augmentation purposes, including taking credit for all return flows resulting from the use of such water for augmentation of, or as an offset against, any out-of-priority depletions. The water may be leased, sold, or otherwise disposed of for all the above uses both on and off the Subject Property. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). Remarks: Applicant claims the right to withdraw more than the average annual amounts estimated in Paragraph 6

above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7. Applicant requests 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. Applicant requests the Court approve the above underground water rights, find that Applicant has complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. 4 Pages.

2024CW3012 (W-8456-76, 87CW124, 93CW062, 01CW215, 16CW3100) CITY OF ENGLEWOOD, Pieter Van Ry Pieter Van Ry, Director of Utilities, 1000 Englewood Parkway, Englewood, CO 80110-0110, (303) 762-2636. Direct all pleadings and correspondence to: Peter D. Nichols, Geoffrey M. Williamson, Patrick M. Haines, Megan Christensen, Berg Hill Greenleaf Ruscitti LLP, 1712 Pearl Street, Boulder, CO 80302, (303) 402-1600. **APPLICATION FOR A FINDING OF REASONABLE DILIGENCE IN ARAPAHOE, DOUGLAS AND WELD COUNTIES.** 2. Summary of Application: Englewood is a municipal corporation of the State of Colorado. Englewood owns and operates municipal water and sewer utility systems for the benefit of its citizens, and for the provision of water and sewer service contracts. This application claims diligence for two conditional appropriative rights of exchange that Englewood operates, or is working toward operating, to make its water rights decreed for diversion from the Ranch Creek System in Grand County available for use within its municipal water system. The following matrix summarizes the exchange reaches. All values are in cubic feet per second (cfs) and distinguished as being absolute in part or wholly conditional rights:

Exchange – From Points	Exchange – To Points				
South Platte River Exchange					
	Petersburg Ditch	Englewood Pumping Plant	City Ditch	High Line Canal	McLellan Reservoir
St. Vrain Creek Confluence	95 (48 Absolute; 47 Conditional)				
Clear Creek Confluence					
Williams Fork Exchange					
Clear Creek Confluence	95 (All Conditional)				

3. Names of Exchanges: South Platte Exchange and Williams Fork Exchange (together the “Subject Exchanges”). 4. Date of Original Decree: The exchanges were initially decreed in Case No. W-8456-76 on July 1, 1983. The South Platte Exchange was made partially absolute in Englewood’s initial diligence filing, Case No. 87CW124, and diligence was decreed for the remaining conditional portion of the exchange rights. In subsequent diligence actions, Case Nos. 93CW062, 01CW215, and 16CW3100, as more specifically described below, diligence was decreed for the Subject Exchange rights. 5. Description of the Conditional Water Rights: The water to be exchanged is initially diverted by exercise of Englewood’s water rights in the Ranch Creek System. Englewood uses the Subject Exchanges to deliver its Ranch Creek System water rights from Grand County to more useful points of diversion for use within the service areas of Englewood and, pursuant to a long-standing water supply agreement, Centennial Water and Sanitation District. The City and County of Denver (“Denver”) delivers Englewood’s Ranch Creek System water to the South Platte River at the confluence with the St. Vrain River or Clear Creek pursuant to the Water Exchange Agreement dated March 17, 1964, confirmed by the Modification of March 17, 1964 Water

Exchange Agreement dated September 2, 1969, and as superseded by a Settlement Agreement dated August 11, 1995 (the “Agreements”). When operating the Subject Exchanges, Englewood diverts (or can and will divert through future diligence) an equivalent amount of water at upstream points on the South Platte River as described below. Exchange occurs pursuant to either the South Platte River Exchange or the Williams Fork Exchange, as follows:

a. South Platte River Exchange i. Date of Original Decree and Subsequent Decrees: July 1, 1983, W-8456-76, District Court, Water Division 1; April 30, 1990, Case No. 87CW124, District Court, Water Division 1; December 1, 1995, Case No. 93CW062, District Court, Water Division 1; July 28, 2010, Case No. 01CW215, District Court, Water Division 1; and January 11, 2018, Case No. 16CW3100, District Court, Water Division 1. ii. Legal Description of Points of Diversion: Englewood’s water delivered by Denver through the Ranch Creek System will be carried and transported to and into the South Platte River either at the confluence thereof with St. Vrain Creek, to which South Boulder Creek is tributary, or at the confluence of the South Platte River with Clear Creek, to which Ralston Creek is tributary, for use by Englewood. The deliveries will then be exchanged upstream for waters diverted from the South Platte River and its tributaries for beneficial use throughout Englewood’s distribution system at any of the following described points of diversion or places of storage in or on the South Platte River or its tributaries: (a) At the headgate of the Petersburg Ditch located on the East or right bank of the South Platte River in the NW 1/4 of the SW 1/4 of Section 9, Township 5 South, Range 68 West of the 6th P.M., Arapahoe County, Colorado, at or near the intersection of said South Platte River with County Road No.1 (a.k.a., Union Avenue Intake of Englewood). (b) At the pumping plant of Englewood located at a point on the East or right bank of the South Platte River whence the SE corner of Section 32, Township 5 South, Range 68 West of the 6th P.M. bears South 72° 45’ East 6,026.8 feet. (c) At the current point of diversion for the City Ditch, Chatfield Reservoir Outlet, whose centerline of the outlet conduit intersects the centerline of the dam at a point whence the NW corner of Section 1, Township 6 South, Range 69 West of the 6th P.M. bears North 49° West 4,070 feet. Diversion is made through a valved manifold that serves the City Ditch, Nevada Ditch, and Last Chance Ditch. (d) At the High Line Canal Diversion Works, being a headgate, valves, and other control works with a capacity of 600 cfs out of the South Platte River at a place on the Southeast or right bank of said river in Section 33, Township 6 South, Range 69 West of the 6th P.M. (e) At McLellan Reservoir, located in Sections 32 and 33 of Township 5 South, Range 68 West of the 6th P.M., and Sections 4 and 5, Township 6 South, Range 68 West of the 6th P.M., with the initial point of survey being a point whence the Southeast corner of Section 32, Township 5 South, Range 68 West of the 6th P.M. bears South 71° 00’ East, 2,489.5 feet. iii. Source: The source of substitute supply is Ranch Creek and its tributaries in Grand County, subject to trans-basin delivery of said diversions to the South Platte River watershed. The source of water diverted by exchange is the South Platte River and its tributaries. iv. Appropriation Date: March 17, 1964. v. Amount Claimed: 47 cfs, conditional. The maximum cumulative rate of exchange for the South Platte River Exchange is 95 cfs, with 48 cfs having been decreed absolute in Case No. 87CW124. Englewood reserves the right to amend this Application to include a make-absolute claim for some or all of the conditional amount if Englewood is able to operate the South Platte River Exchange during the pendency of this Application. vi. Type of Use or Proposed Use: Diversion, storage, and beneficial use by Englewood for its water supply, and that of its water customers and contractual obligees, for domestic, irrigation, and other municipal purposes. vii. Place of Use or Proposed Use of Conditional Rights: The water diverted by exchange will be used within the service areas of Englewood and/or Centennial Water and Sanitation District pursuant to an existing water supply agreement, and any lands to which Englewood provides water for municipal purposes under an existing or future contract of supply.

b. Williams Fork Exchange i. Date of Original Decree: July 1, 1983, W-8456-76, District Court, Water Division 1; April 30, 1990, Case No. 87CW124, District Court, Water Division 1; December 1, 1995, Case No. 93CW062, District Court, Water Division 1; July 28, 2010, Case No. 01CW215, District Court, Water Division 1; and January 11, 2018, Case No. 16CW3100, District Court, Water Division 1. ii. Legal Description of Points of Diversion: Pursuant to the W-8456-76 decree and the Agreements, Denver may release Ranch Creek System water to Englewood via Denver’s Jones Pass Tunnel into the headwaters of Clear Creek. Such water will be carried and transported down Clear Creek, to which Ralston Creek is tributary, and delivered to the South Platte River for use by Englewood. Under the

Williams Fork Exchange, Englewood waters will be delivered into the South Platte River at times when an exchange upstream to the points of diversion described below is possible at a rate of delivery not to exceed 95 cubic feet of water per second, less carriage and transportation charges lawfully chargeable by the State Water Administration officials. Following exchange, Englewood will make beneficial use of the water throughout Englewood's distribution system at any of the following described points of diversion or places of storage in or on the South Platte River or its tributaries: (a) At the headgate of the Petersburg Ditch located on the East or right bank of the South Platte River in the NW 1/4 of the SW 1/4 of Section 9, Township 5 South, Range 68 West of the 6th P.M., Arapahoe County, Colorado, at or near the intersection of said South Platte River with County Road No.1 (a.k.a., Union Avenue Intake of Englewood). (b) At the pumping plant of Englewood located at a point on the East or right bank of the South Platte River whence the SE corner of Section 32, Township 5 South, Range 68 West of the 6th P.M. bears South 72° 45' East 6,026.8 feet. (c) At the current point of diversion of the City Ditch, Chatfield Reservoir Outlet, whose centerline of the outlet conduit intersects the centerline of the dam at a point whence the NW corner of Section 1, Township 6 South, Range 69 West of the 6th P.M. bears North 49° West 4,070 feet. Diversion is made through a valved manifold provided for the City Ditch, Nevada Ditch, and Last Chance Ditch. (d) At the High Line Canal Diversion Works, being a headgate, valves and other control works with a capacity of 600 cfs out of the South Platte River at a place on the Southeast or right bank of said river in Section 33, Township 6 South, Range 69 West of the 6th P.M. (e) At McLellan Reservoir, located in Sections 32 and 33 of Township 5 South, Range 68 West of the 6th P.M., and Sections 4 and 5, Township 6 South, Range 68 West of the 6th P.M., with the initial point of survey being a point whence the Southeast corner of Section 32, Township 5 South, Range 68 West of the 6th P.M. bears South 71° 00' East, 2,489.5 feet. iii. Source: The source of substitute supply is the Williams Fork River and its tributaries in Grand County, through diversion by the Ranch Creek System and trans-basin delivery of said diversions to the South Platte River watershed. The source of water diverted by exchange is the South Platte River and its tributaries. iv. Appropriation Date: March 17, 1964. v. Amount Claimed: 95 cfs, conditional, which is the maximum cumulative rate of exchange for the Williams Fork Exchange. Englewood reserves the right to amend this Application to include a make-absolute claim for some or all of the conditional amount if Englewood is able to operate the Williams Fork Exchange during the pendency of this Application. vi. Type of Use or Proposed Use: Diversion, storage, and beneficial use by Englewood for its water supply, and that of its water customers and contractual obligees, for domestic, irrigation, and other municipal purposes. vii. Place of Use or Proposed Use of Conditional Rights: The water diverted by exchange will be used within the service areas of Englewood and/or Centennial Water and Sanitation District pursuant to an existing water supply agreement, and any lands to which Englewood provides water for municipal purposes under an existing or future contract of supply. 6. Request for Finding of Reasonable Diligence: Pursuant to the Decree issued in Case No. 01CW215, the Subject Exchanges are part of an extensive unified and integrated system for the collection, treatment and distribution of water operated by Englewood for its customers. The operation of the Subject Exchanges is not only dependent upon Englewood's demand and the available stream exchange potential but is also affected by the yield of other water rights and exchanges currently operated by Englewood. The existence of these water rights and exchanges is necessary to allow Englewood to plan for growth and to maintain flexibility and reliability in its water supply system. Therefore, for the purpose of showing diligence as to the conditional appropriative rights of exchange originally decreed in W-8456-76 and most recently granted a finding of reasonable diligence in Case No. 16CW3100, diligence as to any part of Englewood's water system used to operate or benefit from these exchanges shall be diligence as to the completion of the Subject Exchanges. Englewood has undertaken significant efforts upon various components of its unified water system during the diligence period of January 2018 to the present, to continue the development of the Subject Exchanges. Activities that have been performed toward completion of the appropriation and application of the Subject Exchanges to beneficial use are described below. This list is representative but is not intended to be exhaustive. a. Englewood spent over \$1.9 million on repairs, operations, dam safety, system improvements, and cooperative stream gauging for the Cabin Meadow Creek System in Grand County, which is a component of the Ranch Creek System, including \$605,780 to repair the Meadow Creek Valve House and for

engineering support for the Meadow Creek outlet; Englewood's Ranch Creek System is the source of substitute supply for the Subject Exchanges. b. Englewood spent over \$615,770 on design and pre-construction services supporting the piping of portions of the City Ditch, which is an exchange-to point for this application. c. Englewood spent over \$169,280 in connection with improvements to McLellan Reservoir and associated facilities, which is an exchange-to point for this application. d. Englewood spent over \$20,000 on improvements to its Union Avenue Intake and Pump Station, which is an exchange-to location for this application. e. Englewood spent over \$1.39 million on various water diversion, measurement, and distribution system improvements. These include improvements to ditches, wells, pumps, pipes, flumes, and gulches; removals and replacements of filter media at Englewood's water treatment plant in the amount of approximately \$734,518.00; and, dredging of Englewood's water treatment plant facilities in the amount of approximately \$657,387. f. Englewood spent a total of approximately \$597,510.00 on various aspects of the design and construction of the Big Dry Creek Hydropower Diversion structure, plus an additional \$40,425.00 to obtain an easement agreement with the Colorado Water Conservation Board for an easement necessary for that project. g. Englewood spent approximately \$173,518 to remove or maintain trees that interfered with Englewood's water system. h. Englewood spent \$3,375.00 to install security fencing around the McBroom Ditch Headgate. i. Throughout the diligence period, Englewood has engaged water resource engineers to protect and enhance Englewood's water rights and has participated in numerous Water Court cases to protect the quality and quantity of the water rights decreed in W-8456-76 and other water rights from injury. Englewood has filed diligence applications for other conditional rights which are part of its integrated system. These efforts to protect and defend the water rights necessary to operate Englewood's water supply system are a matter of public record in the Water Courts for Water Divisions 1 and 5. WHEREFORE, Englewood respectfully requests that this Court enter a decree finding that Englewood has exercised reasonable diligence toward completion of the appropriation for the decreed uses and continuing the conditional water rights described herein in full force and effect for another six years, and granting such other relief as the Court deems just and proper. Number of pages of Application: 9.

****AMENDED** 2022CW3164, RED WALL PARTNERS 1, LLC** 139 West 2nd Street, Suite 200 Casper, WY 82601, Serve all pleadings on: Matthew Machado, Anthony Basile, Lyons Gaddis, PC, P.O. Box 978, Longmont, CO 80502-0978, (303)776-9900, mmachado@lyonsgaddis.com; abasile@lyonsgaddis.com. **FIRST AMENDED APPLICATION FOR CONDITIONAL WATER STORAGE RIGHTS, CONDITIONAL GROUNDWATER RIGHTS, PLAN FOR AUGMENTATION INCLUDING WATER EXCHANGE PROJECT, AND CONDITIONAL APPROPRIATIVE RIGHT OF EXCHANGE IN WELD COUNTY** 2. Introduction. The Applicant seeks to adjudicate conditional water storage rights for Sanct-1 Pond and Sanct-2 Pond (collectively, "the Ponds"), which are located on Applicant's property in a portion of Section 23, T5N, R64W of the 6th P.M., Weld County, Colorado ("Applicant's Property"). The Ponds were designed by Ducks Unlimited primarily for the purpose of creating seasonal habitat for waterfowl and may also be filled to irrigate the area within the footprint of the ponds and/or pumped to irrigate other areas of Applicant's property. Applicant also seeks approval of a conditional groundwater right to fill the Ponds. Applicant also seeks a plan for augmentation to allow the structures used to fill the ponds to operate out of priority by replacing surface depletions and lagged depletions from the well used to fill the Ponds. Applicant seeks approval of a methodology to quantify seepage and releases of fully consumable water from the Ponds to be used to offset depletions in addition to other sources of augmentation water. Finally, Applicant claims a water exchange project and conditional appropriative rights of exchange to fill the Ponds when the structures are out-of-priority. A map of the relevant structures is attached hereto as EXHIBIT A. 3. First Claim for Relief: Conditional Water Storage Rights. 3.1 Name and Location of Structures: Sanct-1 Pond and Sanct-2 Pond. The approximate outlines of the Ponds, berms and agri-drains installed in each pond are shown on Exhibit A. 3.1.1 Sanct - 1 Pond is located in the SW 1/4 of the NE 1/4 of Section 23, T5N, R64W of the 6th P.M. 3.1.2 Sanct - 2 Pond is located in the SW 1/4 of the NE 1/4 of Section 23 and the SE 1/4 of the NE 1/4 of Section 23, T5N, R64W of the 6th P.M. 3.2 Legal Description of the Points of Diversion: 3.2.1 The

berms for each of the ponds are described below. 3.2.2 The West Diversion is a headgate on the unnamed slough described in ¶ 3.3 below that is located in the NW 1/4 of the NW 1/4 of Section 23, T5N, R64W of the 6th P.M., Weld County, Colorado at a point with UTM Zone 13 coordinates: Northern 540515.00m, Easting 4471028.00m. The water diverted at the headgate from the slough enters a ditch that runs in a generally southeasterly direction to the Ponds. 3.2.3 The East Diversion is a point on an unnamed side channel of the South Platte River that is located in the NW1/4 of the NE1/4 of Section 23, T5N, R64W of the 6th P.M., Weld County, Colorado at a point with UTM Zone 13 coordinates: Northern 541536.00m, Easting 4470885.00m. Surface water will be pumped at this point and delivered to the Ponds. 3.3 Sources of Water for the Ponds: Surface water directly from and tributary to the South Platte River, and seepage and runoff from Applicant's property entering the Sanct-1 and Sanct-2 Ponds, and tributary surface water, seepage, and runoff tributary to the South Platte River from portions of Sections 14, 15, 22, and 23, T5N, R64W that flow into an unnamed slough in the NW 1/4 of Section 22, T5N, R64W. The slough runs in an easterly direction more or less through the NE 1/4 of said Section 22 and then continues onto Applicant's property in the NW 1/4 of Section 23, T5N, R64W of the 6th P.M. The Ponds may also be filled by the well described in paragraph 4 below. 3.4 Appropriation Date for the Ponds: October 31, 2022, by formulation of the intent to appropriate water for the Ponds, design of the ponds by Ducks Unlimited, construction of the ponds, conducting further engineering evaluations of the project, and the filing of the Application. 3.5 Date Water Applied to Beneficial Use: Not Applicable. 3.6 Amount of Water Claimed: 15 acre feet for each pond, CONDITIONAL, with the right to fill and refill multiple times when in priority. 3.7 Fill Rate: 5.0 c.f.s. total from all sources, CONDITIONAL. 3.8 Uses: Recreation, wildlife habitat and propagation within the footprint of the Ponds, and irrigation within the footprint of the Ponds; augmentation, substitution, and replacement; stockwatering; and irrigation of approximately 50 acres located on Applicant's Property within the area shown on Exhibit A. In addition, water stored in the Ponds under the water rights claimed herein and subsequently released from the Ponds may be used for augmentation of depletions from the waterfowl pond located on the Masters Investment Company, Inc. property located downstream in Section 14, T4N, R62W of the 6th P.M. pursuant to a separate decree. 3.9 Surface Area: 3.9.1 Sanct-1 Pond: approximately 7.3 acres. 3.9.2 Sanct-2 Pond: approximately 7.78 acres. 3.10 Dam Height and length: 3.10.1 The Sanct-1 Pond berm is approximately 2 feet in height and 520 feet long. 3.10.2 The Sanct-2 Pond berm is approximately 2 feet in height and 985 feet long. 3.11 Capacity: The average depth of the Ponds is approximately 2 feet or less, with a maximum total and active capacity of approximately 30 acre feet combined for both Ponds. Each pond is currently equipped with an Agridrain capable of draining the pond, and, therefore, the Ponds will not have dead storage. 4. Second Claim for Relief: Conditional Underground Water Right. 4.1. Name of Well: Well No. 8454. 4.2. Legal Description of Point of Diversion. NW 1/4 NW 1/4 of Section 23, T5N, R64W of the 6th P.M. at a point 1147 feet from the North Section Line and 459 feet from the West Section Line (UTM Northing: 4470818 Easting 540377). The location of the well is shown on Exhibit A. 4.3. Sources of Water: Groundwater tributary to the South Platte River. 4.4. Appropriation Date: Date of filing this First Amended Application. 4.5. Amount rate: 1,795.3 gpm (4.0 cfs). 4.6. Uses: The well will also be used to fill the Ponds described in ¶ 3 above in the same amounts and uses set forth in ¶¶ 3.6 and ¶ 3.8, respectively. 4.7. Previous Decrees: A water right for the well decreed in Case No. CA-16704 for irrigation of lands adjacent to the well. This case does not include any claim to use that previously decreed water right for Well No. 8454, and water pumped for the uses herein described in the previous paragraph will be separately metered. 5. Third Claim for Relief: Plan for Augmentation. 5.1. Statement of Plan for Augmentation: The plan for augmentation will allow the diversion structures described in paragraphs 3 and 4 to operate out-of-priority for the uses described above. The plan will operate by replacing out-of-priority surface depletions caused by diversions from the structures described in ¶ 3 above and replace out-of-priority lagged depletions from the well described in ¶ 4 above using the replacement sources set forth below directly or by the water exchange project described below. The plan will replace out-of-priority depletions in time, location and amount necessary to prevent injury to vested water rights. The plan will require replacements above the calling right. In addition, the plan for augmentation will include a methodology for quantifying the timing, location and amount of fully consumable augmentation credits from the lagged seepage accretions from the Ponds

accruing to the South Platte River. Such credits may be used in the plan for augmentation, including by exchange to the surface points of diversion identified above pursuant to the water exchange project below or to replace out-of-priority lagged depletions from the Well No. 8454. 5.2. Source of Water to Be Used for Augmentation: Fully consumable water leased from Riverside Irrigation District (Riverside) and decreed in Case Nos. 88CW239, 88CW221, 89CW027, and 2002CW86; fully consumable water leased from the City of Greeley, and augmentation credits from fully consumable water released from or seeped out of the Ponds. Applicant will seek a provision pursuant to section 37-92- 305(8), C.R.S. to include a procedure to add sources of augmentation water after a decree is entered. 5.3. Structures to be augmented: The structures and points of diversion described in ¶¶ 3 and 4 above. . Fourth Claim for Relief: Conditional Appropriative Right of Exchange and Water Exchange Project. 6.1. Name of Exchange: Sanct Ponds Exchange 6.2. Downstream Termini (“exchange-from points”): 6.2.1. The confluence of an unnamed slough and the South Platte River in the NE 1/4 SE 1/4 of Section 24, T5N, R64W of the 6th P.M. 6.2.2. The furthest downstream point at which replacement water will be exchanged from is the point where the East Section Line of Section 12, T5N R55W crosses the South Platte River. 6.3. Upstream Terminus (“exchange-to points”): the Ponds and the point at which lagged depletions accrue to the South Platte River or its tributaries from pumping Well No. 8454 in or near the NW1/4 of the NE1/4; the NE1/4 of the NE1/4; and the SE1/4 of the NE1/4 all in Section 23, T5N, R64W of the 6th P.M., Weld County, Colorado. 6.4. Source of replacement water: Same as ¶ 5.2 above. 6.5. Date of Appropriation: Same as a ¶ 3.4 above. 6.6. Date water applied to beneficial use: Not applicable. 6.7. Amount claimed: 5 c.f.s., CONDITIONAL. 6.8. Use: Same as a ¶ 3.8 above. 6.9. Operation: When the water storage rights for the Ponds described in ¶ 3 above are subject to a call and cannot store water, Applicant may fill the Ponds by exchanging fully consumable leased water from Riverside or the City of Greeley up into the Ponds for the same uses described in ¶ 3.8. Applicant may also exchange water to replace depletions from out-of-priority diversions and out-of-priority lagged depletions from the structures described in ¶¶ 3 and 4 above pursuant to the plan for augmentation as described in ¶ 5.1 above 7. Owners of land upon which structures are or will be located. 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: Applicant. WHEREFORE, Applicant respectfully requests the Court enter a decree approving Applicant’s claims for a conditional water storage right, conditional groundwater right, plan for augmentation including water exchange project, and conditional appropriative right of exchange described herein. (6 pages + exhibit)

THE WATER RIGHTS CLAIMED BY THESE APPLICATIONS MAY AFFECT IN PRIORITY ANY WATER RIGHTS CLAIMED OR HERETOFORE ADJUDICATED 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 **MARCH 2024** (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.