

DIVISION 5 WATER COURT- MARCH 2019 RESUME

1. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2019. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

19CW7 (12CW98) EAGLE COUNTY – GROUNDWATER TRIBUTARY TO TRAVIS CREEK TRIBUTARY TO THE EAGLE RIVER TRIBUTARY TO THE COLORADO RIVER. Robert & Marsha Long; 1501 Classen Dr., Oklahoma City, OK 73106. (405)659-9046. Irons Well No. 1- Application to Make Absolute in Whole or In Part. Location: UTM Coordinates: E356155 N4392761 Z13. NE¼SW¼ of Sec. 27, T.4S, R.83W. of the 6th P.M. 3,050 ft. from the north sec. line and 2,770 ft. from the east sec. line. Appropriation: Sept. 27, 1996. Amount: 15.0 g.p.m. (not to exceed 0.75 a.f. annually). Uses: domestic, irrigation and fire protection. An outline of work completed during the diligence period is included in the application.

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2. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2019. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

19CW3026 GARFIELD COUNTY, Application to Make Water Rights Absolute and/or for Findings of Reasonable Diligence. Applicants: Neal W. and Tamara Piper; please direct all correspondence to Applicants' attorneys: Mary Elizabeth Geiger, Garfield & Hecht, P.C., 901 Grand Avenue, Suite 201, Glenwood Springs, CO 81601, (970)947-1936. Applicants request the following remaining conditional water rights be made absolute or findings of reasonable diligence: Cole Spring No. 1. Prior Decrees: Case No. 92CW185, originally entered by this Court on November 25, 1992, District Court in and for Water Division No. 5. Subsequent findings of reasonable diligence: 95CW369, 98CW215, 05CW193, and 12CW93. In Case No. 95CW369, the Cole Spring No. 1 was made absolute for 65 g.p.m. for pond filling (storage), aesthetic, recreational, piscatorial, and stockwatering purposes. In Case No. 05CW193, Cole Spring No. 1 was made absolute for the irrigation of one acre. Augmentation and replacement uses are all that remain conditional. Location: the point of diversion for Cole Spring No. 1 is located in the SW ¼ of the SW ¼ of Section 9, Township 7 South, Range 89 West of the 6th P.M., at a point 4,110 feet from the North section line and 100 feet from the West section line of said Section 9, Garfield County, Colorado. Source: surface water tributary to **Four Mile Creek, tributary to Roaring Fork River, tributary to Colorado River.** Appropriation Date: March 13, 1989; Date applied to beneficial use: March 13, 1989 for pond filling (storage), aesthetic, recreational, piscatorial, and stockwater; October 24, 2005 for irrigation; April 5, 2014 for augmentation and replacement. Amount: 65 g.p.m., absolute for pond filling (storage), aesthetic, recreational, piscatorial, stockwater and irrigation purposes; conditional for augmentation and replacement. Decreed Uses: filling a pond (storage), aesthetic, recreational, piscatorial, stockwater, irrigation, augmentation and replacement uses. Name and address of owner of land upon spring is located: Applicants. Bershenyi Spring No. 2 Upper Spring, Cole Enlargement. Prior Decrees: Case No. 93CW331, entered on August 8, 1994, District Court in and for Water Division No. 5. Subsequent findings of reasonable diligence and making water rights partially absolute: in Case No. 95CW368, the District Court, Water Division No. 5, determined that Bershenyi Spring No. 2 Upper Spring, Cole Enlargement had been made absolute for the purposes of pond filling, aesthetic, piscatorial, recreation and stockwater use, and use to continuously divert water into and through the Cole Pond. Findings of reasonable diligence were entered in Case Nos. 98CW215 and 05CW193 with regard to domestic, augmentation, replacement and exchange uses, and the Bershenyi Spring No. 2 Upper Spring, Cole Enlargement was made absolute for the irrigation of one acre. Findings of reasonable diligence were entered in Case No. 12CW93. Location: the point of diversion for Bershenyi Spring No. 2 Upper Spring, Cole Enlargement is located in the SW ¼ of the SE ¼ of Section 8, Township 7 South, Range 89 West of the 6th P.M., at a point whence the East Quarter Corner of said Section 8 bears North 39°37'36" East 2,717.70 feet, also described as being 550 feet from the south section line and 1690 feet from the east section line of said Section 8, Garfield County, Colorado. Source: spring tributary to Four Mile Creek, tributary to the Roaring Fork River, tributary to Colorado River. Appropriation date: June 1, 1990; Date applied to beneficial use: September 1994, to fill Cole Pond, aesthetic, piscatorial, recreation, domestic and stockwater; October 24, 2005 for irrigation; April 5, 2014 for augmentation, replacement and exchange. Amount: 35 g.p.m., absolute for irrigation, pond filling, aesthetic, piscatorial, recreation and stockwater use, and use to continuously divert water into and through the Cole Pond; conditional for all remaining uses. Decreed Uses: to fill the Cole Pond for domestic, aesthetic, piscatorial, recreation, domestic, stockwater, augmentation, replacement and exchange and to continuously divert water into and through the Cole Pond, and for the direct irrigation of one acre. Owner of land upon which spring is located: A&K Black Diamond Mine LLC, 1336 Fairfax Street, Denver, CO 80220. Cole Pond. Prior Decrees: Case No. 93CW331, originally entered by this Court on August 8, 1994, District Court in and for Water Division No. 5. Subsequent findings of reasonable diligence: in Case No. 95CW368, the District Court, Water Division No. 5, determined that Cole pond had been made absolute for aesthetic, piscatorial, recreation and stockwater uses. In Case Nos. 98CW215 and 05CW193, findings

of reasonable diligence were entered with regard to the uses of domestic, augmentation, replacement and exchange, and the Cole Pond was made absolute in the amount of 0.5 acre-feet for irrigation of one acre, such that 1.5 acre feet remains conditional for irrigation. In Case No. 12CW93 the Court continued the remaining uses of domestic, augmentation, replacement and exchange as conditional. Location: the center of the dam is located in the SW ¼ of the SW ¼ of Section 9, Township 7 South, Range 89 West of the 6th P.M., at a point 1,250 feet from the South section line and 300 feet from the West section line of said Section 9, Garfield County, Colorado. Source: Cole Spring No. 1 (see above) and Bershenyi Spring No. 2 Upper Spring, Cole Enlargement (see above). Each spring is tributary to Four Mile Creek, tributary to Roaring Fork River, tributary to Colorado River. Appropriation date: June 1, 1990; Date applied to beneficial use: September 1994 for aesthetic, piscatorial, recreation and stockwater purposes; October 24, 2005 for irrigation for 0.5 acre-feet; April 5, 2014 for domestic, augmentation, replacement and exchange. Amount and decreed uses: 2.0 acre-feet, with the right to fill, refill and continuously fill to maintain certain lake levels and to maintain water quality; aesthetic, piscatorial, recreation, domestic, stockwater, augmentation, replacement and exchange and the irrigation of one acre. Surface area of high water line: 0.3 acres. Maximum height of dam: 10 feet. Length of dam: 125 feet. All active storage. Owner of land upon which pond is located: Applicants. Remarks as to Cole Spring No. 1, Bershenyi Spring No. 2 Upper Spring, Cole Enlargement and Cole Pond: These water rights are augmented pursuant to that decree entered in Case No. 97CW178. Since the filing of the application in the prior diligence case, Case No. 12CW93, C.R.S. § 37-92-301(4) was enacted which states: "A decreed conditional water storage right shall be made absolute for all decreed purposes to the extent of the volume of the appropriation that has been captured, possessed and controlled at the decreed storage structure." Therefore, the impoundment of water described herein for the Cole Pond (2.0 acre-feet), as well as its filling rights, Cole Spring No. 1 and Bershenyi Spring No. 2 Upper Spring, Cole Enlargement, also described herein, should be made absolute for all purposes. The Application includes a detailed description of the work performed during the diligence period. (6 pages).

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19CW3027 EAGLE COUNTY – COTTONWOOD CREEK - TRIBUTARY TO THE COLORADO RIVER. APPLICATION FOR CHANGE OF WATER RIGHTS. Applicant: James Craig Bair Ranch Co, LLC, c/o Neil W. Goluba, Goluba & Goluba P.C., P.O. Box 931, Glenwood Springs, Colorado 81602, (970) 945-9141. **First Claim:** Name of Structure: The Graham Ditch, Priority Nos. 26 and 184A. Original Decree: CA1038. Decreed Location: Located on the north bank of Cottonwood Creek at a point whence the West ¼ Corner of Section 20, Township 5 South, Range 86 West of the 6th P.M. bears N56°41' West, 438 feet. Appropriation Date: (a) Priority No. 26 – April 1, 1890, (b) Priority No. 184A – April 1, 1934. Amount: (a) Priority No. 26 – 0.8 cfs. (b) Priority No. 184A – 3.31 cfs. Historic Use: Irrigation. Proposed Changes: Applicant wishes to add alternate points of diversion for Priority Nos. 26 and 184A of the Graham Ditch. There will be no change in the lands historically irrigated by the Graham Ditch. There are no intervening diversions for third-party water rights between the original decreed headgate and the following proposed alternate points of diversion: (a) Bair Pipeline – located on the east bank of Cottonwood Creek, having the following UTM Coordinates - Zone 13, X:323676, Y:4383959. (b) Bair Ditch – located on the east bank of Cottonwood Creek at a point whence the West ¼ Corner of Section 20, Township 5 South of Range 86 West of the 6th P.M. bears N41°15'W, 3,069 feet. **Second Claim:** Name of Structure: The Bair Ditch, Priority Nos. 175 and 184D. Original Decree: CA1038. Decreed Location: Located on the east bank of Cottonwood Creek at a point whence the West ¼ Corner of Section 20, Township 5 South of Range 86 West of the 6th P.M. bears N41°15'W, 3,069 feet. Appropriation Date: (a) Priority No. 175 – May 1, 1929. (b) Priority No. 184D – April 1, 1934. Amount: (a) Priority No. 175 – 0.56 cfs. (b) Priority No. 184D – 2.23 cfs. Historic Use: Irrigation. Proposed Changes: Applicant wishes to add alternate points of diversion for Priority Nos. 175 and 184D of the Bair Ditch. There will be no change in the lands historically irrigated by the Bair Ditch. There are no intervening diversions for third-party water rights between the original decreed headgate and the following proposed alternate points of diversion: (a) Bair Pipeline (see First Claim above); (b) Graham Ditch (see First Claim above). **Third Claim:** Name of Structure: The Cottonwood Ditch, Priority Nos. 145 and 184C. Original Decree: CA1038. Decreed Location: Located on the north bank of Cottonwood Creek at a point whence the East ¼ Corner of Section 19, Township 5 South of Range 86 West of the 6th P.M. bears S77°3'E, 2,321 feet. Appropriation Date: (a) Priority No. 145 – May 5, 1909. (b) Priority No. 184C – April 1, 1934. Amount: (a) Priority No. 145 – 0.39 cfs. (b) Priority No. 184C – 1.36 cfs. Historic Use: Irrigation. Proposed Changes: Applicant wishes to add alternate points of diversion for Priority Nos. 145 and 184C of the Cottonwood Ditch. There will be no change in the lands historically irrigated by the Cottonwood Ditch. There are no intervening diversions for third-party water rights between the original decreed headgate and the following proposed alternate points of diversion: (a) Bair Pipeline (see First Claim above); (b) Graham Ditch (see First Claim above); (c) Bair Ditch (see

First Claim above). Owner of Land Upon Which all Structures are Located: James Craig Bair Ranch Co, LLC (8 pages, including Exhibit).

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19CW3028 GARFIELD COUNTY, COLORADO, APPLICATION TO MAKE CONDITIONAL WATER RIGHT ABSOLUTE, IN PART, AND FOR FINDING OF REASONABLE DILIGENCE. Name and Address of Applicant: Pilgrim Downs Homeowners' Association, c/o Jim Childers, Ranch Manager, Pilgrim Downs Subdivision, 102 Pilgrim Drive, Edwards, CO 81632. Please direct all correspondence, motions and pleadings to Michael J. Sawyer, Karp Neu Hanlon, P.C., P.O. Drawer 2030, Glenwood Springs, CO 81602, (970) 945-2261. **First Claim: Application for finding of Reasonable Diligence. Name of structure:** Pilgrim Ranch Well No. Q. **Original Decree:** April 20, 1982, in Consolidated Case Nos. 81CW60 and 80CW549, District Court in and for Water Division No. 5. **Subsequent decrees:** Case No. 86CW49, entered September 26, 1986, Case No. 90CW52, entered December 4, 1990, Case No. 96CW382, entered January 15, 1998, Case No. 04CW08, entered May 16, 2006, and Case No. 12CW34, entered March 17, 2013, all in Water Division No. 5. **Legal description:** located 545 feet south of the north section line and 1,290 feet east of the west section line of Section 19, Township 5 South, Range 82 West of the 6th P.M. **Source:** Groundwater tributary to West Lake Creek, tributary to Lake Creek and the Eagle and Colorado Rivers. **Appropriation date:** December 22, 1980. **Amount:** 20 g.p.m., conditional. **Uses:** Municipal, domestic, irrigation, stockwatering and fire protection purposes. **Landowner:** Applicant. **Second Claim: Finding Making Conditional Water Right Absolute, or Alternatively, for Reasonable Diligence. Name of structure:** Pilgrim Ranch Well No. R. **Original Decree:** April 20, 1982, in Consolidated Case Nos. 81CW60 and 80CW549, District Court in and for Water Division No. 5. **Subsequent decrees:** Case No. 86CW49, entered September 26, 1986, Case No. 90CW52, entered December 4, 1990, Case No. 96CW382, entered January 15, 1998, Case No. 04CW08, entered May 16, 2006, and Case No. 12CW34, entered March 17, 2013, all in Water Division No. 5. **Legal description:** located 700 feet north of the south section line and 160 feet east of the west section line of Section 18, Township 5 South, Range 82 West of the 6th P.M. **Source:** Groundwater tributary to West Lake Creek, tributary to Lake Creek and the Eagle and Colorado Rivers. **Date water applied to beneficial use:** No later than January 12, 2017. **Amount of water applied to beneficial use:** 15 g.p.m for municipal, domestic, irrigation, stockwatering and fire protection purposes. Depth: 238 feet. **Description of place where water has been applied to beneficial use:** Within Applicant's water service area. **Claim for Reasonable Diligence:** If the 15 g.p.m. is not determined to be absolute, then Applicant requests a finding of diligence for 15 g.p.m., conditional, for municipal, domestic, irrigation, stockwatering and fire protection purposes. **Landowner:** Catherine C. Kelley, PO Box 1326, Edwards, CO 81632-1326. **Third Claim: Application for finding of Reasonable Diligence. Name of structure:** Pilgrim Ranch Well No. X. **Date of original decree:** November 15, 1988, in Case No. 87CW152, in the District Court in and for Water Division No. 5 **Subsequent decrees awarding findings of diligence:** Case No. 94CW294 entered on April 4, 1995, Case No. 01CW102 (Ruling 2 of 2) entered on November 8, 2005, and Case No. 12CW34, entered March 17, 2013. **Legal description:** located at a point 700 feet north of the south section line and 600 feet west of the east section line, Section 13, Township 5 South, Range 83 West of the 6th P.M. Depicted on Exhibit A. **Source:** Groundwater tributary to West Lake Creek, tributary to Lake Creek and the Eagle and Colorado Rivers. **Appropriation date:** April 20, 1987. **Amount:** 15 g.p.m., conditional. **Uses:** Domestic use including lawn and garden irrigation for a single-family residence and a guest house and/or a caretaker unit. **Claim for Reasonable Diligence:** Applicant requests a finding of diligence for 15 g.p.m., conditional, for domestic use including lawn and garden irrigation for a single-family residence and a guest house and/or a caretaker unit. **Landowner:** Joan D. Francis, 1275 Pilgrim Drive, Edwards, CO 81632. (12 pages with exhibits.)

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19CW3029(12CW109, 05CW212, 98CW023, 91CW109). DISTRICT COURT, WATER DIVISION NO. 5, STATE OF COLORADO, Garfield County Courthouse, 109 8th Street, Suite 104, Glenwood Springs, CO 81601. IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF AMERICAN GYPSUM COMPANY, IN **EAGLE COUNTY**, COLORADO. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE.** 1. Name, address and telephone number of Applicant: American Gypsum Company, LLC (“Applicant”), P.O. Box 980, 740 Highway 6, Gypsum, Colorado 81637, Direct all pleadings to: Steven J. Bushong, Gunnar J. Paulsen, Porzak Browning & Bushong LLP, 2120 13th Street, Boulder, Colorado 80302. 2. Name of structures: Eagle Gypsum Well Nos. 1, 2, and 3. 3. Description of conditional water rights (a) Decrees: i. The subject conditional water rights were decreed by the District Court in and for Water Division No. 5 (“Water Court”) in Case No. 91CW109 by decree dated April 29, 1992. ii. By decree dated September 7, 1998 in Case No. 98CW023, 250 gpm conditionally decreed to Eagle Gypsum Well No. 1 was made absolute, 125 gpm conditionally decreed to Eagle Gypsum Well No. 2 was made absolute, and diligence was found with respect to the conditional amounts remaining for all three wells. iii. By decree dated October 14, 2006 in Case No. 05CW212, 115 gpm conditionally decreed to Eagle Gypsum Well No. 3 was made absolute, and diligence was found with respect to the amounts remaining conditional for all three wells., (b) Decreed locations: i. Eagle Gypsum Well No. 1. The well is located in the NW1/4NE1/4 of Section 5, T. 5 S., R. 85 W. of the 6th P.M. at a point whence the witness corner to the NW corner of said Section 5 bears N. 70° 05' W. a distance of 3034 feet. Said location is also 935 feet from the North line of said Section 5 and 2450 feet from the East line of said Section 5., ii. Eagle Gypsum Well No. 2. The well is located in the NW1/4NE1/4 of Section 5, T. 5 S., R. 85 W. of the 6th P.M. at a point whence the witness corner to the NW corner of said Section 5 bears N. 67° 54' W. a distance of 2869 feet. Said location is also 980 feet from the North line of said Section 5 and 2644 feet from the East line of said Section 5., iii. Eagle Gypsum Well No. 3. The well is located in the NW1/4NE1/4 of Section 5, T. 5 S., R. 85 W. of the 6th P.M. at a point whence the witness corner to the NW corner of said Section 5 bears N. 72° 02' W. a distance of 3204 feet. Said location is also 890 feet from the North line of said Section 5 and 2255 feet from the East line of said Section 5, (c) Source: Groundwater tributary to the Eagle River, a tributary of the Colorado River., (d) Appropriation dates: July 26, 1991 for each well., (e). Amounts: Each of the wells were conditionally decreed for 1 cfs, provided that the combined diversions from all three wells could not exceed 1 cfs at any given time. The following amounts remain conditionally decreed to each well: i. Eagle Gypsum Well No. 1 - 0.4432 cfs (199 gpm); ii. Eagle Gypsum Well No. 2 - 0.7216 cfs (324 gpm); iii. Eagle Gypsum Well No. 3 - 0.744 cfs (334 gpm), (f). Use: Industrial, landscape irrigation, and the filling of Eagle Gypsum Reservoir No. 1., (g). Remarks. The approximate location of Eagle Gypsum Well Nos. 1, 2, and 3 is depicted on Figure 1. 4. Claim for Finding of Reasonable Diligence: Applicant has undertaken the following specific activities over the last six years that demonstrate its diligence regarding the subject conditional rights: (a). The decree in Case No. 02CW391 found that the subject conditional water rights are part of an integrated water system, the diligence on any part of which constitutes diligence on all parts thereof, (b). In the summer of 2013, Applicant installed pressure transducers with radio communication in all wells and commenced an aquifer level monitoring program with data obtained from the transducers at a cost of approximately \$10,000. Data from the aquifer monitoring has been used to monitor well performance and seasonal aquifer level trends., (c). In December 2013, Applicant conducted a pump test on Eagle Gypsum Well No. 2 to evaluate well performance., (d). Applicant filed a statement of opposition in Case No. 14CW3167 to address concerns related to the application for new rights and plan for augmentation on land adjacent to Applicant., (e). Applicant re-drilled Eagle-Gypsum Well No. 3R in early 2015, installed a pump, and modified piping to bring the replacement well online at a total cost of approximately \$30,000., (f). In April 2015, Applicant conducted cursory pumping tests on all existing wells to evaluate performance, production capability, and well lead/lag and pump cycle control., (g). In the summer of 2016, Applicant installed variable frequency drives in all wells in 2016 at a cost of approximately \$15,000., (h). Beginning in 2016, Applicant developed an accounting worksheet for monthly reporting to the Division of Water Resources to track Applicant’s diversions, depletions, out-of-priority depletions, and replacement., (i). In February 2018, Applicant inspected Well F using a camera and performed rehabilitation of the well consisting of acidizing and brushing the well at a cost of approximately \$5,000., (j). In March 2018, Applicant inspected well pumps in the Well Field and replaced check valves and performed cursory flow tests to evaluate well performance., (k). In the summer of 2018, Applicant performed preliminary layout and design of a reservoir for additional Eagle River augmentation and other uses. This reservoir may be filled with the Eagle River Intake No. 1 and 2 water rights and stored under the Eagle-Gypsum Reservoir No. 1 water right decreed in Water Court Case No. 89CW132., (l). In October 2018, Applicant permitted and drilled a new well within its Well Field water right with the designation of Well # 6 (Permit 81929-F) at a cost of approximately \$35,000., (m). Applicant has begun preliminary design and planning for a new reservoir site. The rights associated with this structure would be the Eagle River Intake Nos. 1 and 2., (n). Applicant has maintained in full force and effect contracts for 270 acre feet of water from Green Mountain Reservoir and Wolford Mountain Reservoir, which provides augmentation water to augment diversions by the subject conditional water rights. 5. The name and address of the owner of the land on which the structures and/or water rights are located: Applicant. WHEREFORE, Applicant requests that the Court enter a ruling that (A) finds reasonable diligence with respect to the remaining conditional portions of the water rights decreed to Eagle Gypsum Well Nos. 1, 2, and 3 and retains the conditional status of said water rights; and (B) grants such further relief as may be appropriate. (6 pages).

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19CW3030(11CW58, 02CW391). DISTRICT COURT, WATER DIVISION NO. 5, STATE OF COLORADO, Garfield County Courthouse, 109 8th Street, Suite 104, Glenwood Springs, CO 81601. IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF AMERICAN GYPSUM COMPANY, IN **EAGLE COUNTY, COLORADO.** APPLICATION FOR FINDING OF REASONABLE DILIGENCE. 1. Name, address and telephone number of Applicant: American Gypsum Company, LLC ("Applicant"), P.O. Box 980740 Highway 6, Gypsum, Colorado 81637, Direct all pleadings to: Steven J. Bushong, Gunnar J. Paulsen, Porzak Browning & Bushong LLP, 2120 13th Street, Boulder, Colorado 80302. 2. Name of structures: American Gypsum Well F ("Well F"), American Gypsum Well Field (the "Well Field"), Eagle River Intake Nos. 1 and 2 (the "Eagle River Intakes"). 3. Description of conditional water rights: (a) Decree: The subject conditional water rights were decreed by the District Court in and for Water Division No. 5 ("Water Court") in Case No. 02CW391 by decree dated April 8, 2005. A subsequent finding of reasonable diligence was made by the Water Court in Case No. 11CW58 by decree dated March 17, 2013., (b) Decreed locations: Well F. Well F is located in the NW1/4NE1/4 of Section 5, Township 5 South, Range 85 West of the 6th P.M., at a point 1,175 feet from the North section line and 1,990 feet from the East section line of said Section 5. Well F has well permit number 59612-F., Well Field. The Well Field is described as land located in the NW1/4NE1/4 of Section 5, Township 5 South, Range 85 West of the 6th P.M. beginning at a point 1,315 feet from the North section line and 1,730 feet from the East section line of said Section 5, thence North 02 degrees 11 minutes West a distance of 1,062.04 feet, thence due West a distance of 641.56 feet, thence due South a distance of 887.21 feet, thence South 75 degrees 41 minutes East a distance of 703.94 feet to the point of beginning., Eagle River Intakes. Eagle River Intake No. 1 will be located on the south bank of the Eagle River in the NE1/4NW1/4 of Section 5, Township 5 South, Range 85 West of the 6th P.M., at a point 765 feet from the North section line and 2,165 feet from the West section line of said Section 5. Eagle River Intake No. 2 will be located on the south bank of the Eagle River in the NW1/4NE1/4 of said Section 5, at a point 710 feet from the North section line and 1,785 feet from the East section line of said Section 5., (c) Source: The source of water for Well F and the American Gypsum Well Field is groundwater tributary to the Eagle River. The source of water for the Eagle River Intakes is the Eagle River., (d) Appropriation dates: Well F – October 4, 2002. American Gypsum Well Field – December 3, 2002. Eagle River Intakes – June 28, 1989. (e) Amounts: i. Well F – 1 cfs, conditional, provided that the combined diversions from Eagle Gypsum Well Nos. 1, 2 and 3, and Well F cannot exceed 1 cfs at any given time, except to the extent Eagle Gypsum Well Nos. 1, 2, and 3 are also being used to fill Eagle Gypsum Reservoir No. 1., ii. Well Field – 1 cfs, except that the combined diversions from wells in the Well Field, Eagle Gypsum Well Nos. 1, 2, and 3, Well F, and additional wells in Well Field cannot exceed a cumulative amount of 1 cfs at any given time, except to the extent Eagle Gypsum Well Nos. 1, 2, and 3 are also being used to fill Eagle Gypsum Reservoir No. 1., iii. Eagle River Intakes – Diversions by the Eagle River Intakes and Eagle Gypsum Well Nos. 1, 2, and 3 for the purpose of storage in Eagle Gypsum Reservoir No. 1 cannot exceed a combined diversion of 2 cfs., (f) Use: Well F and American Gypsum Well Field – Industrial and landscape irrigation. Eagle River Intakes – filling of Eagle Gypsum Reservoir No. 1, which is decreed for industrial, landscape irrigation, recreational, piscatorial and augmentation use., (g) Remarks: The approximate location of the subject conditional water rights is depicted on Figure 1. The subject conditional rights are part of a water augmentation plan originally decreed in Case No. 89CW132. By decree in Case No. 02CW391 entered on May 1, 2005, Applicant obtained approval of an amendment and restatement of that augmentation plan, which included the subject conditional water rights as additional components of Applicant's overall water system. Further, two wells have been drilled under the Well Field water right: (1) Well O, which has permit number 62942-F, and (2) Well 6, which has permit number 81929-F. 4. Claim for Finding of Reasonable Diligence: Applicant has undertaken the following specific activities over the last six years that demonstrate its diligence regarding the subject conditional rights: (a) The decree in Case No. 02CW391 found that the subject conditional water rights are part of an integrated water system, the diligence on any part of which constitutes diligence on all parts thereof., (b) In the summer of 2013, Applicant installed pressure transducers with radio communication in all wells and commenced an aquifer level monitoring program with data obtained from the transducers at a cost of approximately \$10,000. Data from the aquifer monitoring has been used to monitor well performance and seasonal aquifer level trends., (c) In December 2013, Applicant conducted a pump test on Eagle Gypsum Well No. 2 to evaluate well performance., (d) Applicant filed a statement of opposition in Case No. 14CW3167 to address concerns related to the application for new rights and plan for augmentation on land adjacent to Applicant., (e) Applicant re-drilled Eagle-Gypsum Well No. 3R in early 2015, installed a pump, and modified piping to bring the replacement well online at a total cost of approximately \$30,000., (f) In April 2015, Applicant conducted cursory pumping tests on all existing wells to evaluate performance, production

capability, and well lead/lag and pump cycle control., (g) In the summer of 2016, Applicant installed variable frequency drives in all wells in 2016 at a cost of approximately \$15,000., (h) Beginning in 2016, Applicant developed an accounting worksheet for monthly reporting to the Division of Water Resources to track Applicant's diversions, depletions, out-of-priority depletions, and replacement., (i) In February 2018, Applicant inspected Well F using a camera and performed rehabilitation of the well consisting of acidizing and brushing the well at a cost of approximately \$5,000., (j) In March 2018, Applicant inspected well pumps in the Well Field and replaced check valves and performed cursory flow tests to evaluate well performance., (k) In the summer of 2018, Applicant performed preliminary layout and design of a reservoir for additional Eagle River augmentation and other uses. This reservoir may be filled with the Eagle River Intake No. 1 and 2 water rights and stored under the Eagle-Gypsum Reservoir No. 1 water right decreed in Water Court Case No. 89CW132., (l) In October 2018, Applicant permitted and drilled a new well within its Well Field water right with the designation of Well # 6 (Permit 81929-F) at a cost of approximately \$35,000., (m) Applicant has begun preliminary design and planning for a new reservoir site. The rights associated with this structure would be the Eagle River Intake Nos. 1 and 2., (n) Applicant has maintained in full force and effect contracts for 270 acre feet of water from Green Mountain Reservoir and Wolford Mountain Reservoir, which provides augmentation water to augment diversions by the subject conditional water rights. 5. The name and address of the owner of the land on which the structures and/or water rights are located: Applicant. WHEREFORE, Applicant requests that the Court enter a ruling that (A) finds reasonable diligence with respect to the conditional water rights decreed to American Gypsum Well F, American Gypsum Well Field, and Eagle River Intake Nos. 1 and 2, and retains the conditional status of said water rights; and (B) grants such further relief as may be appropriate. (6 pages).

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7. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2019. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

19CW3031 GRAND COUNTY. Petersen Colorado River Ranch, LLC, PO Box 832, Kremmling CO 80459, 970-724-9327, c/o Kent Whitmer and Sean Lemieux, The Whitmer Law Firm, LLC, PO Box 38, Hot Sulphur Springs, CO 80451, 970-725-3460. APPLICATION FOR AN ABSOLUTE UNDERGROUND WATER RIGHT AND ABSOLUTE WATER RIGHT FOR AUGMENTATION PLAN INCLUDING EXCHANGE OR FOR A FINDING OF REASONABLE DILIGENCE. Name of Structure: RCP Well No. 1. Source: Ground water tributary to the Colorado River. Source of Exchange Water: Granby Reservoir and Wolford Mountain Reservoir. Exchange Reach: Upstream Terminus: NW1/4NW1/4 of Section 14, T1N, R80W of the 6th P.M., a distance of 1,010 feet from the North line of said Section 14 and a distance of 645 feet from the West line of said Section 14. This is the uppermost point on the Colorado River where depletions resulting from the pumping of RCP Well No. 1 impact the river. Downstream Terminus: Colorado River to a point where releases from Wolford Mountain Reservoir meet the Colorado River (confluence of Muddy Creek with the Colorado River). Releases from Wolford Mountain Reservoir meet the Colorado River in the NW1/4NE1/4 of Section 19, T1N, R80W, of the 6th P.M., at a point approximately 2,000 feet from the East line of said Section 19 and 200 feet from the North line of said Section 19. Well Location: Applicant is the owner of real property described as NW1/4NW1/4 of Section 14, T1N, R80W of the 6th P.M., Grand County, Colorado. RCP Well No. 1 is located on Applicant's property in the NW1/4NW1/4 of Section 14, T1N, R80W of the 6th P.M., a distance of 560 feet from the North line of said Section 14 and a distance of 645 feet from the West line of said Section 14. Depth: 495 feet. Use: In-House within four (4) single family residences. Type of Structure: Well. Quantity: 30 gallons per minute ("g.p.m."), conditional, limited to an annual out-of-priority appropriation amount of 1.57acre feet per year ("af/yr"). Appropriation Date: January 17, 2012. Decree: March 17, 2013; Case No.: 12CW80; Court: Water Division No. 5. Additional Information: Applicants seek an absolute water right for 7.5 g.p.m., not to exceed total diversions of 1.57 ac/ft per year and consumptive use of .16 ac/ft per year, but if Applicants are not able to get an absolute water right then Applicants seek a diligence decree. The application and attached exhibits contain a detailed outline of the work performed during the diligence period. (37 pages).

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8. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER

CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2019. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

19CW3032 EAGLE COUNTY, FRYINGPAN, ROARING FORK AND COLORADO RIVER BASINS. Application for Conditional/Absolute Water Rights, Plan for Augmentation and Exchange. Camp Grandma Lukey, LLC, c/o Jeff Houpt, Beattie, Houpt & Jarvis, 932 Cooper Ave, Glenwood Springs, 970-945-8659. Ajax Well: Location: SW¹/₄ SE¹/₄ of Sec 5, T 8 S, R 83 W, 6th PM, 1,030 ft from S sec line and 2,076 ft from E sec line (UTM NAD83 Zone13: 4360188 N, 355170 E). Source: Spring Creek, trib to Lime Creek, trib to Fryingpan, Roaring Fork & Colo Rivers. Depth: Approx 120 ft. Appropriation date: 03/29/19. Amount: 15 g.p.m. Uses: Commercial & domestic. Ajax Augmentation Pond: Location: SW¹/₄ SE¹/₄ of Sec 5, T 8 S, R 83 W, 6th PM, 496 ft from S sec line and 2,186 ft from E sec line (UTM NAD83 Zone13: 4360026 N, 355131 E). Source: Unnamed trib of Spring Creek, trib to Lime Creek, trib to Fryingpan, Roaring Fork & Colo Rivers. Pond fills via Ajax Pipeline which diverts from Ajax Pond at 0.15 cfs. Appropriation date: 03/29/19. Amount: 2.0 af, conditional, including initial & one annual refill. Uses: Augmentation, recreation, piscatorial, wildlife watering & fire protection. Surface area: Approx 0.33 acres. Dam height: Less than 10 ft. Length: 300 ft. Total capacity: 2.0 af., all active capacity. Ajax Pond: Location: SW¹/₄ SE¹/₄ of Sec 5, T 8 S, R 83 W, 6th PM, 1,082 ft from S sec line and 2,478 ft from E sec line (UTM NAD83 Zone 13: 4360206 N, 355048 E). Source: Unnamed trib of Spring Creek, trib to Lime Creek, trib to Fryingpan River. Ajax Pond is located within the channel of the unnamed trib of Spring Creek. Appropriation date: 09/30/09. Amount: 0.5 af, absolute, with right to continuously fill & refill for recreation, piscatorial, aesthetic and fire protection. Surface area: 0.07 acres. Dam height: Less than 10 ft. Length: 70 ft. Total capacity: 0.5 af., all dead storage. Structures to be augmented: Ajax Well, Ajax Augmentation Pond and Ajax Pond (“Augmented Structures”). Water rights to be used for augmentation: Water stored in the Ajax Augmentation Pond, and up to 1.1 af annually pursuant to a contract with the Basalt Water Conservancy District (“BWCD Contract”) from the following sources: Ruedi Reservoir, located in Sections 7, 8, 9, 11, and 14 through 18, T 8 S, R 84 W, 6th PM, in portions of Eagle and Pitkin counties, which stores waters of the Fryingpan River, a trib of the Roaring Fork & Colo Rivers, under water rights decreed in CA 4613, Garfield County Dist Court, and Case Nos. W-789-76, 81CW34 and 01CW269, Dist Court in and for Water Div No. 5; and Green Mountain Reservoir, located in Sections 11, 12, 13, 14, 15, and 24 of T 2 S, R 80 W, and in Sections 17, 18, 19, 20, 21, 28, 29, and 34, T 2 S, R 79 W, 6th PM, Summit County and which stores waters of the Blue River, a trib of the Colo River, under water rights decreed in Case Nos. 2782, 5016, and 5017, U.S. Dist Court for the Dist of Colorado; and Troy and Edith Ditch, decreed for diversion from the Fryingpan River, a trib of the Roaring Fork & Colo Rivers, in Case Nos. 3082 and 4613, Dist Court in and for Garfield County, and Case No. W-2281, Dist Court in and for Water Div No. 5; and Robinson Ditch, located in Sec 11, T 8 S, R 87 W, 6th PM, which diverts waters of the Roaring Fork River pursuant to decrees entered in Case Nos. 132, 1061 and 3082, Dist Court in and for Garfield County, and Case No. 93CW319 Dist Court in and for Water Div No. 5. Statement of plan: Applicant operates a seasonal commercial overnight camp on property located in the SW¹/₄ SE¹/₄, Sec 5, T 8 S, R 83 W, 6th PM, in Eagle County, Colo. The potable water supply for the camp will be provided by Ajax Well. An existing on-channel pond (Ajax Pond) provides fishing and recreational opportunities for campers and aesthetic and fire protection benefits to the property. Applicant also proposes to construct a new off-channel pond (Ajax Augmentation Pond) that will provide these same benefits and also serve as a source of water to replace out-of-priority depletions. The plan uses two sources of replacement water: water available under the BWCD Contract, which will be used directly and by exchange to address senior calls downstream of the Augmented Structures; to the extent that downstream calls cannot be met by exchange, replacement water will be released from Ajax Augmentation Pond. Water demands and depletions of the Camp have been developed by Applicant’s engineers, Resource Engineering, Inc., and are summarized in several tables attached to the Application. Diversions from Ajax Well are based upon seasonal occupancy, with a maximum of 100 campers and 30 staff, and an assumed demand of 50 gallons per capita per day. The maximum rate of diversion by Ajax Well will be 15 gpm, with a max annual volume of 1.43 af. The monthly distribution of withdrawals is set forth in Table 5. The delayed impact of pumping Ajax Well have been calculated; 80% of the impact will occur within the first month and 20% will occur in the second month after pumping. Wastewater will be treated by an on-site septic/leach field system expected to result in consumption of 15% of diversions. 92% of return flows will accrue to the unnamed tributary of Spring Creek within a month of diversion, and 8% will return within the second month. Total annual evaporation from Ajax Pond and Ajax Augmentation Pond is expected to be 1.067 af. Total annual diversion are estimated to be 2.481 af and total annual depletions are expected to be 1.279. The Augmented Structures will operate under the water rights described above (“Subject Water Rights”) so long as they are in priority. When a valid call by a senior water right located downstream of the Augmented Structures is being enforced, out-of-priority depletions will be replaced with water from the sources described above, either directly or by exchange; to the extent that downstream calls cannot be met by exchange, replacement water will be released from Ajax Augmentation Pond. When the plan for augmentation is operating, Applicant will replace 15% of actual in-house diversions as determined by meter readings. Transit losses have been accounted for. Ajax Exchange: Downstream termini: (a) confluence of the Roaring Fork & Colo Rivers, located in the SE¹/₄ NW¹/₄ of Sec 9, T 6 S, R 89 W, 6th PM, at a point approx 2,200 ft from N sec line and 2,350 ft from W sec line; (b) outlet of Ruedi Reservoir located in the NW¹/₄ NW¹/₄ of Sec 18, T 8 S, R 84 W, 6th PM, at a point 220 ft from N sec line and 140 ft from W sec line; and (c) headgate of the Robinson Ditch. Upstream terminus: Ajax Pipeline, described above. Source: Water delivered to the stream at the downstream termini is derived from Applicant’s BWCD Allotment Contract including the sources described above. Appropriation date: 03/29/19. Amount: 0.016 cfs, conditional. Use: Augmentation. Maximum annual volume of exchange: 1.1 af per year. (10 pages)

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19CW3033 EAGLE COUNTY. ALKALI CREEK, TRIB. TO THE EAGLE RIVER, TRIB. TO THE COLORADO RIVER.

Application for Finding of Reasonable Diligence and to Confirm Abs., in Part. Applicants: Bart and Mary Katherine Ewing, c/o Balcomb & Green, P.C., P.O. Drawer 790, Glenwood Springs, CO 81602; 970-945-6546. Orig. Decree: 96CW208/96CW209 (Consol.), entered 5/13/1999, District Court, Water Div. 5. Subsequent Decrees: 05CW94, entered 5/16/2006, and 12CW102, entered 3/17/2013, District Court, Water Division 5. Decree Information for Ewing Pond. Legal: An on-channel reservoir. The center line of the dam is located in the SW1/4 NW1/4, Sec. 11, T. 5 S., R. 85 W., 6th P.M. 2,150 ft. from the N. Sec. line and 1,100 ft. from the W. Sec. line of said Sec. 11. Source: The pond may also be filled (in part) by the Ewing Spring (95CW160) and the Salvage Spring (96CW208/96CW209). Approp. Date: August 1976. Use: Aesthetic, irr., livestock watering, pisc., dom., aug., and comm. uses. Amt.: 10 a.f., of which 4.4 a.f. is abs. for aesthetic, irr., livestock, and pisc. uses with 5.6 a.f. remaining cond. (96CW208/96CW209); 3.73 a.f. was decreed abs. for aug. and comm. purposes with 6.27 a.f. remaining cond.; and 10 a.f. is cond. for dom. use. Surface area of high-water line: 2 acres. Maximum height of dam: 9 ft. Length of dam: 200 ft. Total capacity: 10 a.f., all of which is active capacity. Remarks: Water from the pond irrigates Applicants' lands in the S1/2 NW1/4 of Sec. 11, T. 5 S., R. 85 W., 6th P.M. Decree Information for Salvage Spring. Legal: Located in the SE1/4 NW1/4, Sec. 11, T. 5 S., R. 85 W., 6th P.M. 2,630 ft. from the N. Sec. line and 1,850 ft. from the W. Sec. line of said Sec. 11. Approp. Date: July 1994. Use: Dom., irr., livestock watering, aug., aesthetic, comm., and storage in the Ewing Pond. Amt.: 0.10 c.f.s., of which: 0.10 c.f.s. is abs. for irr., livestock watering, aug., aesthetic, and comm. use through storage in the Ewing Pond; 0.10 c.f.s. remains cond. for dom. use through storage in the Ewing Pond; and 0.10 c.f.s. remains cond. for dom., irr., livestock watering, aug., aesthetic, and comm. use. Remarks: Applicants irrigate up to 3.0 acres of their property using these water rights and/or any other water rights decreed in 96CW208/96CW209, and 95CW160. The 3.0 acres are located in the S1/2 NW1/4 of Sec. 11, T. 5 S., R. 85 W., 6th P.M. The Salvage Spring operates pursuant to the plan for aug. decreed in 96CW208/96CW209. In 12CW102, the Court confirmed the spring had been made abs. for "filling the Ewing Pond for irr., livestock watering, aug., aesthetic, and comm. uses" with "dom. use" remaining cond. The Court did not address the priorities for direct flow diversions either in the rulings for the amts. that had been made abs., continued as cond., or cancelled. The Court found that Applicants had been reasonably diligent in the development of their cond. water rights, but it did not specify that the direct diversion uses had also been continued as cond. Applicants believe that these direct diversion uses remain cond. and are requesting that the Court clarify that the amts. and uses made abs. and continued as cond. in 12CW102 are as described herein. In 96CW208/96CW209, the Court recognized the Subject Water Rights as components of an integrated water supply for Applicants' property and water supply operation. A complete list of diligence activities and expenditures is on file with this court. Summary of Abs. Claims: Ewing Pond: Date Applied to Beneficial Use: 4/1/2015. Use: Dom. Amt.: 3.73 a.f. Amt. Remaining Cond.: 6.27 a.f. for dom., aug., and comm. uses; and 5.6 a.f. for aesthetic, irr., livestock, and pisc. uses. Salvage Spring: Date Applied to Beneficial Use: 4/1/2015. Use: Dom. use through storage in the Ewing Pond, and livestock watering. Amt.: 0.10 c.f.s. Amt. Remaining Cond.: 0.10 c.f.s. for dom., irr., aug., aesthetic, and comm. uses.

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19CW3034 (08CW191, 00CW294) GRAND COUNTY – TROUBLESOME FORMATION, TRIBUTARY TO FRASER AND COLORADO RIVERS.

Cornerstone Winter Park Holdings, LLC and Rendezvous Colorado, LLC, c/o Kevin L. Patrick, Esq. and Danielle L. Van Arsdale, Esq., Patrick, Miller & Noto, P.C., 229 Midland Ave., Basalt, CO 81621, (970) 920-1030 & The Town of Fraser, c/o Christopher L. Thorne, Esq. and C. Tarn Udall, Esq., Holland & Hart, LLP, 555 Seventeenth Street, Ste. 3200, P.O. Box

8749, Denver, CO 80201-8749, (303) 295-8000. APPLICATION TO MAKE ABSOLUTE IN PART AND FOR FINDINGS OF REASONABLE DILIGENCE. **First Claim – For Findings of Reasonable Diligence:** Rendezvous Well Field Nos. 1-3 (“Rendezvous Well Fields”). Original decree: December 31, 2002, Case No. 00CW294, Division 5 Water Court. Legal Descriptions: Rendezvous Well Field No. 1: S ½ SW ¼ of Section 20 and N ½ NW ¼ of Section 29, in Township 1 S., Range 75 W. of the 6th P.M., all lying southerly and westerly of the U.S. Hwy. 40 right-of-way. Rendezvous Well Field No. 2: S ½ SW ¼ of Section 20, SE ¼ of Section 20, NW ¼ of Section 29, and NE ¼ NE ¼ of Section 29 all in Township 1 S., Range 75 W. of the 6th P.M., and all lying southerly and westerly of the U.S. Hwy. 40 right-of-way. Rendezvous Well Field No. 3: S ½ SE ¼ of Section 20, SW ¼ of Section 21, NW ¼ of Section 28, and NE ¼ of Section 29, all in Township 1 S., Range 75 W. of the 6th P.M., and all lying northerly and easterly of the U.S. Hwy. 40 right-of-way. Source: Troublesome Formation, tributary to Fraser and Colorado Rivers. Appropriation date: April 6, 1999. Amount: The maximum cumulative diversions from the subject Rendezvous Well Fields and the Maryvale Well Nos. 1-3 (Case No. 99CW313) shall not exceed 3.57 c.f.s. (1,600 g.p.m.) with a total annual volumetric limit of 892.4 acre-feet. The maximum claim for each well within the Rendezvous Well Fields is 0.56 c.f.s. (250 g.p.m.). Use: Domestic, irrigation, commercial, municipal, and fire protection. Amount previously made absolute in Case No. 08CW191: Rendezvous Well Field No. 3 for 0.57 c.f.s. (255 g.p.m.) for domestic, irrigation, and commercial uses. **Claim for absolute:** Rendezvous Well Field No. 3. Date applied to beneficial use: May 2016 through June 2018. Amounts: 0.60 c.f.s. (270 g.p.m.) for municipal use (Maryvale Well No. 4 for 0.11 c.f.s.; Maryvale Well No. 5 for 0.30 c.f.s.; Maryvale Well No. 7 for 0.19 c.f.s.). A map of water rights is on file with the court as Exhibit A. A map of the irrigated area is on file with the court as Exhibit B. Legal descriptions of the Rendezvous Well Fields are on file with the court as Exhibits C, D, and E. A detailed summary of diligence activities is on file with the court as Exhibit F. Evidence of beneficial use and call records are on file with the court as Exhibits G and H. Rendezvous Colorado, LLC owns the land where the Rendezvous Well Fields are located. Applicants own the land where water is and will be put to beneficial use. The Rendezvous Well Fields are component parts of an integrated water supply system for Cornerstone Winter Park Holdings, LLC’s and Rendezvous Colorado, LLC’s properties and for the Town of Fraser’s municipal water system.

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19CW3035 GARFIELD COUNTY, COLORADO, APPLICATION TO MAKE CONDITIONAL WATER RIGHT ABSOLUTE, IN PART, AND FOR FINDING OF REASONABLE DILIGENCE. Name and Address of Applicant: Fox Run Meadows Homeowners’ Association, 1512 Grand Avenue, Suite 109, Glenwood Springs, CO 81601. Please direct all correspondence, motions and pleadings to Michael J. Sawyer, Karp Neu Hanlon, P.C., P.O. Drawer 2030, Glenwood Springs, CO 81602, (970) 945-2261. **First Claim: Application for finding of Reasonable Diligence.** Name of structure: Sirous Well No. A. Original Decree: July 22, 1992, in Case No. 91CW276, in the District Court in and for Water Division No. 5. Subsequent decrees: Case No. 98CW125, entered March 1, 1999, Case No. 05CW39, entered June 1, 2006, and Case No. 12CW107, entered March 17, 2013. Legal description: A well located in the Northwest ¼ of the Southeast ¼ of Section 28, Township 7 South, Range 87 West of the 6th P.M., at a point 3,547 feet from the North section line and 2,037 feet from the East section line of said Section 28. Source: Groundwater tributary to the Roaring Fork River. Appropriation date: December 6, 1991. Amount: 50 g.p.m., conditional. Uses: Domestic, livestock and irrigation. Landowner: James B. and Kimala D. Fite, 260 Harmony Road, Carbondale, CO 81621. **Second Claim: Application for finding of Reasonable Diligence.** Name of structure: Sirous Well No. C. Original Decree: July 22, 1992, in Case No. 91CW276, in the District Court in and for Water Division No. 5. Subsequent decrees: Case No. 98CW125, entered March 1, 1999, Case No. 05CW39, entered June 1, 2006, and Case No. 12CW107, entered March 17, 2013. Legal description: A well located in the Southeast ¼ of the Northeast ¼ of Section 28, Township 7 South, Range 87 West of the 6th P.M., at a point 2,390 feet from the North section line and 754 feet from the East section line of said Section 28. Appropriation date: December 6, 1991. Amount: 25 g.p.m., conditional. Uses: Domestic, livestock and irrigation. Landowner: Applicant. **Third Claim: Application for finding of Reasonable Diligence.** Name of structure: Sirous Well No. D. Original Decree: July 22, 1992, in Case No. 91CW276, in the District Court in and for Water Division No. 5. Subsequent decrees: Case No. 98CW125, entered March 1, 1999, Case No. 05CW39, entered June 1, 2006, and Case No. 12CW107, entered March 17, 2013. Legal description: A well located in the Northwest ¼ of the Southeast ¼ of Section 28, Township 7 South, Range 87 West of the 6th P.M., at a point 2,946 feet from the North section line and 2,065 feet from the East section line of said Section 28. Source: Groundwater tributary to the Roaring Fork River. Appropriation date: December 6, 1991. Amount: 50 g.p.m., conditional. Uses: Domestic, livestock and irrigation. Landowner: Alan F. and Carol A. Caniglia, 250 Harmony Road, Carbondale, CO 81621. **Fourth**

Claim: Finding Making Conditional Water Right Absolute, or Alternatively, for Reasonable Diligence. Name of structure: Sirous Well No. B. Original Decree: July 22, 1992, in Case No. 91CW276, in the District Court in and for Water Division No. 5. Subsequent decrees: Case No. 98CW125, entered March 1, 1999, Case No. 05CW39, entered June 1, 2006, and Case No. 12CW107, entered March 17, 2013. Legal description: A well located in the Southeast ¼ of the Northeast ¼ of Section 28, Township 7 South, Range 87 West of the 6th P.M., at a point 2,503 feet from the North section line and 718 feet from the East section line of said Section 28. Source: Groundwater tributary to the Roaring Fork River. Date water applied to beneficial use: No later than January 12, 2017. Amount of water applied to beneficial use: 50 g.p.m (20 g.p.m. above the 30 g.p.m. already made absolute in case No. 05CW39) for domestic, livestock and irrigation purposes. Description of place where water has been applied to beneficial use: Within Applicant's water service area. Claim for Reasonable Diligence: If the 20 g.p.m. is not determined to be absolute, then Applicant requests a finding of diligence for 20 g.p.m., conditional, for domestic, livestock and irrigation purposes. Landowner: Applicant. (13 pages with exhibits.)
YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2019 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

12. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2019. The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.

19CW3036 GARFIELD COUNTY, COLORADO. APPLICATION FOR FINDING OF REASONABLE DILIGENCE. Name and Address of Applicant: Town of New Castle, P.O. Box 90, New Castle, CO 81647. Please direct all correspondence to Michael J. Sawyer, Karp Neu Hanlon, P.C., P. O. Drawer 2030, Glenwood Springs, CO 81602, (970) 945-2261. Name of Water Right: **New Castle Water System First Enlargement.** Original decree: October 18, 1982, in Case No. 81CW477, in the District Court in and for the County of Garfield, State of Colorado. Subsequent decrees: Case No. 86CW257 entered on February 18, 1987, Case No. 92CW222 entered on January 12, 1993, Case No. 99CW009 entered on November 8, 1999, Case No. 05CW232 entered on October 14, 2006, and Case No. 12CW152 entered on March 17, 2013. Location: The point of diversion is located in the SW1/4 NE1/4 of Section 24, Township 5 South, Range 91 West of the 6th P.M., at a point whence the North Quarter Corner of said Section 24 bears N. 05°15' W. 1,710 feet. Said location is 2,335 feet South from the North Section line and 2,658 feet West from the East Section line. Source: East Elk Creek, tributary to Elk Creek, tributary to the Colorado River. Amount: 10 c.f.s., conditional. Appropriation date: December 21, 1981. Uses: All municipal purposes including domestic, irrigation, fire protection, industrial, and commercial. Place of Use: Within Applicant's anticipated and potential municipal water service area. Landowner: Structures located on land belonging either to Elk Creek Investments, LLC, P.O. Box 9681, Aspen, CO 81611; or Town of New Castle, P.O. Box 90, New Castle, CO 81647. (6 pages with exhibits.)

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2019 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

13. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2019. The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.

19CW3037 EAGLE VALLEY CLEAN ENERGY, LLC ("EVCE") c/o Kendric B. Wait, 4626 North 300 W., 3rd Floor, Provo, UT 84604, c/o Steven O. Sims and Dulcinea Z. Hanuschak, Brownstein Hyatt Farber Schreck, LLP, 410 17th Street, Suite 2200, Denver, CO 80202, 303.223.1100. Application for Approval of Plan for Augmentation and Appropriative Right of Exchange. In EAGLE COUNTY. 2. The structures included in this plan for augmentation and exchange are currently augmented pursuant to the terms of the Town of Gypsum's augmentation and exchange plan decreed in 14CW3167. This application seeks to decree a supplemental plan for augmentation to replace depletions which exceed the depletions authorized to be replaced in Case No. 14CW3167. EVCE does not seek to amend or modify any term or condition of 14CW3167 as applied to the EVCE augmented structures and exchange. 3. Name of structures to be augmented: All water rights associated with the structures were decreed in 11CW201, Division 5. 3.1. Name of Structure: EVCE East Ditch. 3.1.1. Date of Decree: March 21, 2018. 3.1.2. Type of water right: Surface. 3.1.3. Legal Description of point of diversion--Legal Description of Headgate is: The EVCE East Ditch headgate is located in the SE¼ of the NE¼ Section 5,

Township 5 South, Range 85 West 6th P.M. 2040 feet from the north section line and 610 feet from the east section line, Eagle County, Colorado. The headgate is shown on the map attached hereto as Exhibit A. 3.1.4. Source of Water: Unnamed creek in Section 5, Township 5 South, Range 85 West 6th P.M. **tributary to the Eagle River, tributary to the Colorado River.** 3.1.5. Appropriation Date: December 30, 2011, conditional. 3.1.6. Amount: 1.0 cubic feet per second (“c.f.s.”). 3.1.7. Decreed use: Industrial, domestic, and irrigation. 3.1.7.1. Industrial and domestic: Applicant operates a power plant facility on the property depicted in Exhibit A and appropriates this water right for all associated industrial and domestic uses. Applicant is currently using domestic water provided by the Town of Gypsum which is not diverted under the water rights decreed in this case. Applicant will use the water decreed in this case for domestic use only if the Town no longer provides domestic water to the power plant facility and the Town consents or Applicant complies with any existing Town ordinances concerning use of domestic water not provided by the Town municipal water system. The industrial uses also may include the nonconsumptive use of maintaining historical flows and connections between the natural streams and the alluvial aquifer on the power plant site and the adjacent AGC property that may have been disrupted by the construction of the power plant and the EVCE East Ditch and EVCE West Ditch described below. 3.1.7.2. Irrigation: Number of acres historically irrigated: N/A. Total number of acres proposed to be irrigated: 10 acres. Legal description of acreage irrigated or to be irrigated: Lands located in the N1/2 of the SE ¼ of the NE ¼ of Section 5 and the NW ¼ of the SW ¼ of the NW ¼ of Section 4, all in Township 5 South, Range 85 West of the 6th P.M., Eagle County, Colorado, as shown in Exhibit A. 3.2. Name of Structure: EVCE West Ditch, 3.2.1. Date of Decree: March 21, 2018. 3.2.2. Type of water right: Surface. 3.2.3. Legal Description of point of diversion: The EVCE West Ditch is located at the SW¼ of the NE¼, Section 5, Township 5 South, Range 85 West of the 6th P.M. 1750 feet from the north section line and 1350 feet from the east section line, Eagle County, Colorado. The headgate is shown on the map attached hereto as **Exhibit A.** 3.2.4. Source of Water: Unnamed creek in Section 5, Township 5 South, Range 85 West 6th P.M. tributary to the Eagle River, tributary to the Colorado River. 3.2.5. Appropriation Date: December 30, 2011, conditional. 3.2.6. Amount: 2.0 cubic feet per second (“c.f.s.”). 3.2.7. Decreed use: Industrial, domestic, and irrigation. 3.2.7.1. Industrial and domestic: Applicant operates a power plant facility on the property depicted in Exhibit A and appropriates this water right for all associated industrial and domestic uses. Applicant is currently using domestic water provided by the Town of Gypsum which is not diverted under the water rights decreed in this case. Applicant will use the water decreed in this case for domestic use only if the Town no longer provides domestic water to the power plant facility and the Town consents or Applicant complies with any existing Town ordinances concerning use of domestic water not provided by the Town municipal water system. The industrial uses also may include the nonconsumptive use of maintaining historical flows and connections between the natural streams and the alluvial aquifer on the power plant site and the adjacent AGC property that may have been disrupted by the construction of the power plant and the EVCE East Ditch and EVCE West Ditch described below. 3.2.7.2. Irrigation: Number of acres historically irrigated: N/A. Total number of acres proposed to be irrigated: 10 acres. Legal description of acreage irrigated or to be irrigated: Lands located in the N1/2 of the SE ¼ of the NE ¼ of Section 5 and the NW ¼ of the SW ¼ of the NW ¼ of Section 4, all in Township 5 South, Range 85 West of the 6th P.M., Eagle County, Colorado, as shown in Exhibit A. 3.3. Name of Structure: EVCE Pump and Pipeline. 3.3.1. Date of Decree: March 21, 2018. 3.3.2. Type of water right: Surface. 3.3.3. Legal Description of point of diversion: The diversion reach for the pump and pipeline is located along the southerly bank of the Eagle River from a point located in the NW1/4 of the NE1/4 of Section 5, Township 5 South, Range 85 East of the 6th P.M., approximately 905 feet from the north section line and 1720 feet from the east section line, upstream to a point in the NE1/4 of the NE1/4 of said Section 5, approximately 770 feet from the north section line and 1300 feet from the east section line, as shown on the U.S.G.S. topographic map incorporated herein and attached hereon as Exhibit A. 3.3.4. Source of Water: Eagle River, tributary to the Colorado River. 3.3.5. Appropriation Date: December 31, 2013, conditional. 3.3.6. Amount: 1.0 cubic feet per second (“c.f.s.”). 3.3.7. Decreed use: Industrial, domestic, and irrigation. 3.3.7.1. Industrial and domestic: Applicant operates a power plant facility on the property depicted in Exhibit A and appropriates this water right for all associated industrial and domestic uses. Applicant is currently using domestic water provided by the Town of Gypsum which is not diverted under the water rights decreed in this case. Applicant will use the water decreed in this case for domestic use only if the Town no longer provides domestic water to the power plant facility and the Town consents or Applicant complies with any existing Town ordinances concerning use of domestic water not provided by the Town municipal water system. The industrial uses also may include the nonconsumptive use of maintaining historical flows and connections between the natural streams and the alluvial aquifer on the power plant site and the adjacent AGC property that may have been disrupted by the construction of the power plant and the EVCE East Ditch and EVCE West Ditch described below. 3.3.7.2. Irrigation: Number of acres historically irrigated: N/A. Total number of acres proposed to be irrigated: 10 acres. Legal description of acreage irrigated or to be irrigated: Lands located in the N1/2 of the SE ¼ of the NE ¼ of Section 5 and the NW ¼ of the SW ¼ of the NW ¼ of Section 4, all in Township 5 South, Range 85 West of the 6th P.M., Eagle County, Colorado, as shown in Exhibit A. 4. Water right(s) to be used for augmentation: Applicant will use 65.1 AF of River District contracts as the source of augmentation water under this separate plan. Currently Applicant owns a contract for 24 AF of this amount, to wit: Contract CW18004 for 24 AF dated November 27, 2018, said contract is attached as **Exhibit B.** The source of water supply for the River District contract is described as follows: 4.1. Colorado River Water Conservation District Supply. At times when the augmentation sources in 14CW3167 are not available to EVCE, it may use contract water obtained from the River District to augment out-of-priority depletions. The source of the water is from: (1) Wolford Mountain Reservoir, for which storage water right decrees were obtained by the River District in Cases No. 87CW283, 95CW281 and 98CW237 in the District Court for Colorado Water Division No. 5, and for which additional storage water right decrees may be obtained

in the future by the River District in other cases; (2) the River District's contractual right to water deliveries from Ruedi Reservoir; and (3) other supplies that the River District may acquire suitable for use in its Water Marketing Program. 4.2. The decree information about the Wolford Mountain Reservoir rights is as follows: The River District owns and operates Wolford Mountain Reservoir (f/k/a Gunsight Pass Reservoir) which diverts under three primary water rights Case No. 87CW283, Case No. 95CW281 and Case No. 98CW237. 4.2.1. Gunsight Pass Reservoir, Case No. 87CW283. Legal description of place of storage: The dam is located in the SW1/4 of the NE1/4 of Section 25, T. 2 N., R. 81 W., 6th P.M. The intersection of the dam axis with the right abutment will occur at a point which bears S. 54°54'20" E. a distance of 3,716.46 feet from the NW Corner of said Section 25; Source: Muddy Creek and its tributaries, all tributary to the Colorado River; Amount: 59,993 acre-feet. 4.2.2. Wolford Mountain Reservoir Enlargement, Case No. 95CW281. Legal description of place of storage: The dam is located in the SW1/4 of the NE1/4 of Section 25, T. 2 N., R. 81 W., 6th P.M. Source: Muddy Creek and its tributaries, all tributary to the Colorado River. Amount: 6,000 acre-feet, conditional. 4.2.3. Wolford Mountain Reservoir Case No. 98CW237. Legal Description of place of storage: Same as for 95CW281. Source: Muddy Creek and its tributaries, all tributary to the Colorado River. Amount: 30,000 acre feet conditional. 4.3. The decree information about the Ruedi Reservoir rights is as follows: The River District holds Contract Nos. 009D6C0111 (500 AF), 009D6C0118 (700 AF), 039F6C0011 (530 AF), 079D6C0106 (5,000 AF), and 139D6C0101 (4,683.5 AF) from the United States Bureau of Reclamation for 11,413.5 acre feet of annual supply from Ruedi Reservoir. This water will be used in addition to and substitution for Wolford Mountain Reservoir water in appropriate circumstances where Ruedi water is physically equivalent to Wolford water. 4.3.1. Legal description of place of storage: Ruedi Reservoir is located in Sections 7, 8, 9, 11 and 14 through 18, T. 8 S., R. 84 W., 6th P.M., in Eagle and Pitkin Counties. The dam axis intersects the right abutment at a point whence the SW corner of Section 7, T. 8 S., R. 84 W. of the 6th P.M. bears N. 82°10'W. a distance of 1,285 feet. 4.3.1.1. PLSS: Ruedi Reservoir is located in Sections 7, 8, 9, 11 and 14 through 18, T. 8 S., R. 84 W., 6th P.M., in Eagle and Pitkin Counties. The dam axis intersects the right abutment at a point 130 feet South of the North section line and 1,280 feet East of the West section line of Section 7, T. 8 S., R. 84 W. of the 6th P.M. 4.3.2. Source: Fryingpan River. 4.3.3. Previous storage decrees: 4.3.3.1. Decree number: Civil Action No. 4613. 4.3.3.1.1. Decree Date: June 20, 1958. Court: Garfield County District Court. 4.3.3.1.2. Amount: 140,697.3 acre feet, reduced to 102,369 acre feet pursuant to order of the Water Court in Case No. W-789-76. The full amount was made absolute in Case No. 88CW85. 4.3.3.1.3. Appropriation Date: July 29, 1957. 4.3.3.1.4. Use: Domestic, municipal, irrigation, industrial, generation of electrical energy, stock watering and piscatorial. 4.3.3.2. Decree number: 81CW34. 4.3.3.2.1. Decree Date: April 8, 1985; Court: District Court, Water Division No. 5. 4.3.3.2.2. Amount: 101,280 acre feet (refill); of this amount, 44,509 acre feet were made absolute in Case No. 95CW95 and 25,257 acre feet were made absolute in Case No. 01CW269, for a total of 69,766 acre feet absolute. 4.3.3.2.3. Appropriation Date: January 22, 1981. 4.3.3.2.4. Use: Irrigation, domestic, municipal, generation of electrical energy, stock watering, industrial, piscatorial, recreation and maintenance of sufficient storage reserves to fulfill contractual obligations and provide stored water for recreation in times of drought. 5. Complete statement of plan for augmentation. By Agreement between EVCE and Gypsum, Gypsum supplies augmentation water for the benefit of the EVCE Biomass Facility, in the following amounts, pursuant to the decree awarded to the Town of Gypsum in Case No. 14CW3167: 5.1. Up to 115 acre feet to meet Colorado River calls when the EVCE Water Rights are out-of-priority; 5.2. Up to 12 acre feet to meet Eagle River calls during the non-irrigation season, when the EVCE Water Rights are out-of-priority; and 5.3. Up to 55 acre feet to meet Eagle River calls during the irrigation season, when the EVCE Water Rights are out-of-priority. 5.4. Provided however, in any one calendar year, not more than 62 acre feet of water shall be provided to meet Eagle River administration, and not more than 182 acre feet cumulatively shall be made available for replacement water under this plan. 5.5. Gypsum is under no obligation to provide augmentation water above these amounts to EVCE. 5.6. In the event the Gypsum augmentation sources are exhausted and the EVCE Water Rights are out-of-priority, EVCE will use this plan for augmentation and the River District contracts approved by this plan for augmentation to continue out of priority diversions. 6. Exchanges. During times when a Colorado River call is in place downstream of the confluence with the Eagle River (i.e. Shoshone or Cameo) and an Eagle River instream flow call is not active (CWCB's Case No. 80CW124), then out of priority depletions may be offset with releases from Wolford Mountain Reservoir. 6.1. The Upper Termini: The following points will be utilized as the upper termini for the exchange. The locations and sources of each point are described in paragraph 3 above. 6.1.1.1. EVCE East Ditch. 6.1.1.2. EVCE West Ditch. 6.1.1.3. EVCE Pump and Pipeline. 6.2. The Lower Terminus: The confluence of the Colorado and Eagle Rivers. 6.3. Amounts: 2.0 cfs up to 24 acre feet, conditional limited to the amount of the River District Contract described in paragraph 4 above. 6.4. Source: Water Supply Contracts with the River District are described in paragraph 4 above. 6.5. Uses: Augmentation. 6.6. Appropriation date: March 29, 2019. 7. Name(s) and address(es) of owner(s) or reputed owner(s) 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. 7.1. The land on which the structures in paragraph 3 are located is: Eagle Valley Property, LLC, c/o Laura Rostrom, Manager, 259 Stone Brook Lane, Provo, UT 84604. WHEREFORE, Applicant seeks a decree approving the proposed plan for augmentation and exchange as set forth above. (22 pages total including exhibits)

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2019 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's

attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

14. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2019. The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.

19CW3038 GARFIELD COUNTY. Roaring Fork Properties, LLC and South Canyon Ranch, LLC, David Effress, 75-5706 Hanama Place, Ste. 104, Kailua Kona, HI, 96740, Telephone: 520-268-9459. Please address all correspondence to: Kelcey C. Nichols, Wood Nichols Pearce, LLC, 201 Main St., Suite 301, Carbondale, CO 81623, (970) 963-3800, Peter D. Nichols, Berg Hill Greenleaf Ruscitti LLP, 1712 Pearl Street, Boulder, Colorado 80302, 303-402-1600, pdn@bhgrlaw.com. APPLICATION FOR CORRECTION OF LOCATION OF AN ESTABLISHED BUT ERRONEOUSLY DESCRIBED POINT OF DIVERSION PURSUANT TO § 37-92-305(3.6), C.R.S. on **SOUTH CANYON CREEK, tributary to the COLORADO RIVER**, in GARFIELD COUNTY, COLORADO.

FIRST CLAIM 2. Name of Well: Richardson Well SK-2A. 3. Date of original and all relevant subsequent decrees: A. Original decree: Case No. 81CW336, Water Div. 5, August 23, 1983. 4. Decreed location (Case No. 81CW336): Richardson Well SK-2A is located in the SE1/4SW1/4 of Section 14, T. 6 S., R. 90 W. of the 6th P.M. at a point 1,300 feet North of the South line and 2,100 feet East of the West line of said Section 14. See Exhibit A. 5. Decreed source of water: South Canyon Creek. 6. Appropriation Date: August 28, 1978. 7. Total amount decreed to structure: .033 cfs Absolute. 8. Decreed uses: Irrigation and stock water. 9. Detailed description of proposed correction: A. Actual location: The point of diversion is from a well located in the NE ¼ of the SW ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1,440 feet from the south section line and 2,455 feet from the west section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292851.16 m Northing 4377965.82 m Source: GPS Accuracy: 3 m. 10. The land owner upon which this structure is located is Applicants. **SECOND CLAIM** 11. Name of Reservoir: Connolly Reservoir No. 2. 12. Date of original and all relevant subsequent decrees: A. Original decree: Case No. 81CW368, Water Div. 5, August 26, 1986. 13. Decreed location (Case No. 81CW368): Connolly Reservoir No. 2 is located in the NE1/4SW1/4 of Section 24 T. 6 S., R. 90 W. of the 6th P.M. and 1,500 feet from the South Section line and 1,400 feet from the West section line of said Section 24. See Exhibit A. 14. Decreed source of water: South Canyon Creek. 15. Appropriation Date: December 31, 1935. 16. Total amount decreed to structure: 0.1 AF Absolute. 17. Decreed uses: Stock watering. 18. Detailed description of proposed correction: A. Actual location: The centerline of the dam at the outlet is located in the NE ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1,355 feet from the south section line and 1,720 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294193.41 m Northing 4376330.71 m Source: GPS Accuracy: 3 m. 19. The land owner upon which this structure is located is Applicants. **THIRD CLAIM** 20. Name of Reservoir: Connolly Reservoir No. 3. 21. Date of original and all relevant subsequent decrees: A. Original decree: Case No. 81CW368, Water Div. 5, August 26, 1986. 22. Decreed location (Case No. 81CW368): Connolly Reservoir No. 3 is located in the SE1/4SW1/4 T. 6 S. R. 90 W. of the 6th P.M. at a point 1,300 feet North of the South line and 2,100 feet East of the West line of said Section 24. See Exhibit A. 23. Decreed source of water: South Canyon Creek. 24. Appropriation Date: December 31, 1935. 25. Total amount decreed to structure: 0.1 AF Absolute. 26. Decreed uses: Stock watering. 27. Detailed description of proposed correction: A. Actual location: The centerline of the dam at the outlet is located in the SE ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 740 feet from the south section line and 2,070 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294294.04 m Northing 4376151.42 m Source: GPS Accuracy: 3 m. 28. The land owner upon which this structure is located is Applicants. **FOURTH CLAIM** 29. Name of Spring: Connolly Spring No. 3 30. Date of original and all relevant subsequent decrees: A. Original decree: Case No. 81CW369, Water Div. 5, August 26, 1986. 31. Decreed location (Case No. 81CW369): Connolly Spring No 3 is located in the SE1/4SW1/4 of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at 4 point 1,300 feet North of the South line and 2,120 feet East of the West line of said Section 24. See Exhibit A. 32. Decreed source of water: South Canyon Creek. 33. Appropriation Date: December 31, 1935. 34. Total amount decreed to structure: .0110 cfs Absolute. 35. Decreed uses: Stock watering. 36. Detailed description of proposed correction: A. Actual location: The point of diversion is from a spring located in the SE ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 725 feet from the south section line and 2,150 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294317.01 m Northing 4376148.03 m Source: GPS Accuracy: 3 m. 37. The land owner upon which this structure is located is Applicants. **FIFTH CLAIM** 38. Name of Reservoir: Connolly Reservoir No. 4. 39. Date of original and all relevant subsequent decrees: A. Original decree: Case No. 81CW368, Water Div. 5, August 26, 1986. 40. Decreed location (Case No. 81CW368): Connolly Reservoir No. 4 is located in the SW1/4SW1/4 of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 1,300 feet North of the South line and 850 feet East of the West line of said Section 24. See Exhibit A. 41. Decreed source of water: South Canyon Creek. 42. Appropriation Date: December 31, 1935. 43. Total amount decreed to structure: 0.1 AF Absolute. 44. Decreed

uses: Stock watering. 45. Detailed description of proposed correction: A. Actual location: The centerline of the dam at the outlet is located in the SW ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1,070 feet from the south section line and 480 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293813.28 m Northing 4376217.53 m Source: GPS Accuracy: 3 m. 46. The land owner upon which this structure is located is Applicants. SIXTH CLAIM 47. Name of Spring: Connolly Spring No. 4 48. Date of original and all relevant subsequent decrees: A. Original decree: Case No. 81CW369, Water Div. 5, August 26, 1986. 49. Decreed location (Case No. 81CW369): Connolly Spring No 4 is located in the SW1/4SW1/4 Section 24, T. 6 S., R. 90 W. of the 6th P.M. at 8 point 1,320 feet North of the South line and 880 feet East of the West line of said Section 24. See Exhibit A. 50. Decreed source of water: South Canyon Creek. 51. Appropriation Date: December 31, 1935. 52. Total amount decreed to structure: 0.011 cfs Absolute. 53. Decreed uses: Stock watering. 54. Detailed description of proposed correction: A. Actual location: The point of diversion is from a spring located in the SW ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1,060 feet from the south section line and 550 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293833.54 m Northing 4376216.73 m Source: GPS Accuracy: 3 m. 55. The land owner upon which this structure is located is Applicants. WHEREFORE, Applicants pray this Court enter a decree: a) Granting the proposed correction of decreed locations of water rights; and b) Granting such other and further relief as the Court deems proper. Total number of pages in application is 10, including 1 exhibit.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2019 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

15. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2019. The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.

19CW3039 GARFIELD COUNTY. Roaring Fork Properties, LLC and South Canyon Ranch, LLC, David Effress, 75-5706 Hanama Place, Ste. 104, Kailua Kona, HI 96740, Telephone: 520-268-9459. Please address all correspondence to: Kelcey C. Nichols Wood Nichols Pearce, LLC, 201 Main St. Suite 301, Carbondale, CO 81623, (970) 963-3800, kcn@woodnicholslaw.com, Peter D. Nichols, Berg Hill Greenleaf Ruscitti LLP, 1712 Pearl Street, Boulder, Colorado 80302, 303-402-1600, pdn@bhgrlaw.com. **APPLICATION FOR ABSOLUTE SURFACE AND STORAGE WATER RIGHTS on SOUTH CANYON CREEK, tributary to the COLORADO RIVER, in GARFIELD COUNTY, COLORADO. FIRST CLAIM: WATER RIGHT** 2. Name of Structure: SRR Spring A 3. Legal Description: The point of diversion is from a spring located in the NW ¼ of the NW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 215 feet from the north section line and 10 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,709.8 m Northing 4,377,424.7 m Source: GPS Accuracy: 3 m 4. Source: Spring tributary to an unnamed tributary to South Canyon Creek, tributary to the Colorado River 5. Appropriation: A. Date of appropriation: June 1, 2018 B. How appropriation was initiated: By field investigation, livestock operations on the property, and formation of intent to appropriate water rights. 6. Date water applied to beneficial use: June 1, 2018 7. Amount claimed: 1 gpm (0.002 cfs) 8. Uses: Fire protection and livestock watering 9. Name of land owner upon which this structure is located: Applicants **SECOND CLAIM: WATER RIGHT** 10. Name of Structure: SRR Spring B 11. Legal Description: The point of diversion is from a spring located in the NE ¼ of the NE ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 360 feet from the north section line and 285 feet from the east section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,619.0 m Northing 4,377,375.3 m Source: GPS Accuracy: 3 m 12. Source: Spring tributary to an unnamed tributary to South Canyon Creek, tributary to the Colorado River 13. Appropriation: A. Date of appropriation: June 1, 2018 B. How appropriation was initiated: By field investigation, livestock operations on the property, and formation of intent to appropriate water rights. 14. Date water applied to beneficial use: June 1, 2018 15. Amount claimed: 2 gpm (0.004 cfs) 16. Uses: Fire protection and livestock watering 17. Name of land owner upon which this structure is located: Applicants **THIRD CLAIM: WATER RIGHT** 18. Name of structure: SRR Spring D 19. Legal description: The point of diversion is from a spring located in the SE ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 740 feet from the south section line and 1905 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294,230.8 m Northing 4,376,138.9 m Source: GPS Accuracy: 3 m 20. Source: Spring tributary to an unnamed tributary to South Canyon Creek, tributary to the Colorado River. 21. Appropriation: A. Date of appropriation: June 1, 2018 B. How appropriation was initiated: By field investigation, livestock operations on the property, and formation of intent to appropriate water rights. 22. Date water applied to beneficial use: June 1, 2018 23. Amount claimed: 1 gpm (0.002 cfs) 24. Uses:

A. Fire protection and livestock watering B. Irrigation Use: Irrigation of up to 60 acres in the S ½ SE ¼ and NW ¼ SE ¼ of Section 23, and SW ¼ SW ¼ of Section 24 T6S, R90W, 6th P.M. See Exhibit B. Also supplements irrigation on lands irrigated by Richardson Ditch No. 3 and Richardson Ditch No. 4. 25. Name of land owner upon which this structure is located: Applicants FOURTH CLAIM: WATER RIGHT 26. Name of structure: SRR Spring E 27. Legal description: The point of diversion is from a spring located in the SW ¼ of the SE ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 50 feet from the south section line and 2465 feet from the east section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294,565.7 m Northing 4,375,959.9 m Source: GPS Accuracy: 3 m 28. Source: Spring tributary to an unnamed tributary to South Canyon Creek, tributary to the Colorado River 29. Appropriation: A. Date of appropriation: June 1, 2018 B. How appropriation was initiated: By field investigation, livestock operations on the property, and formation of intent to appropriate water rights. 30. Date water applied to beneficial use: June 1, 2018 31. Amount claimed: 100 gpm (0.22cfs) 32. Uses: A. Fire protection and livestock watering B. Irrigation use: Irrigation of up to 60 acres in the S ½ SE ¼ and NW ¼ SE ¼ of Section 23, and SW ¼ SW ¼ of Section 24 T6S, R90W, 6th P.M. See Exhibit B. Also supplements irrigation on lands irrigated by Richardson Ditch No. 3 and Richardson Ditch No. 4. 33. Name of land owner upon which this structure is located: Applicants FIFTH CLAIM: WATER RIGHT 34. Name of structure: SRR Spring F 35. Legal description: The point of diversion is from a spring located in the NW ¼ of the NW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 120 feet from the north section line and 240 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,785.2 m Northing 4,377,451.5 m Source: GPS Accuracy: 3 m 36. Source: Spring tributary to an unnamed tributary to South Canyon Creek, tributary to the Colorado River 37. Appropriation: A. Date of appropriation: June 1, 2018 B. How appropriation was initiated: By field investigation, livestock operations on the property, and formation of intent to appropriate water rights. 38. Date water applied to beneficial use: June 1, 2018 39. Amount claimed: 10 gpm (0.022 cfs) 40. Uses: Fire protection and livestock watering 41. Name of land owner upon which this structure is located: Applicants SIXTH CLAIM: WATER RIGHT 42. Name of structure: SRR Spring G 43. Legal description: The point of diversion is from a spring located in the SW ¼ of the NW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 2270 feet from the north section line and 455 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,826.9 m Northing 4,376,838.0 m Source: GPS Accuracy: 3 m 44. Source: Spring tributary to an unnamed tributary to South Canyon Creek, tributary to the Colorado River 45. Appropriation: A. Date of appropriation: June 1, 2018 B. How appropriation was initiated: By field investigation, livestock operations on the property, and formation of intent to appropriate water rights. 46. Date water applied to beneficial use: June 1, 2018 47. Amount claimed: 2 gpm (0.004 cfs) 48. Uses: Fire protection and livestock watering 49. Name of land owner upon which this structure is located: Applicants SEVENTH CLAIM: WATER RIGHT 50. Name of structure: SRR Spring H 51. Legal description: The point of diversion is from a spring located in the SW ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 905 feet from the south section line and 640 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,860.6 m Northing 4,376,170.5 m Source: GPS Accuracy: 3 m 52. Source: Spring tributary to an unnamed tributary to South Canyon Creek, tributary to the Colorado River 53. Appropriation: A. Date of appropriation: June 1, 2018 B. How appropriation was initiated: By field investigation, livestock operations on the property, and formation of intent to appropriate water rights. 54. Date water applied to beneficial use: June 1, 2018 55. Amount claimed: 3 gpm (0.007 cfs) 56. Uses: Fire protection and livestock watering 57. Name of land owner upon which this structure is located: Applicants EIGHTH CLAIM: WATER RIGHT 58. Name of structure: SRR Spring M 59. Legal description: The point of diversion is from a spring located in the NE ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1350 feet from the south section line and 1790 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294,216.8 m Northing 4,376,341.4 m Source: GPS Accuracy: 3 m 60. Source: Spring tributary to an unnamed tributary to South Canyon Creek, tributary to the Colorado River 61. Appropriation: A. Date of appropriation: June 1, 2018 B. How appropriation was initiated: By field investigation, livestock operations on the property, and formation of intent to appropriate water rights. 62. Date water applied to beneficial use: June 1, 2018 63. Amount claimed: 2 gpm (0.004 cfs) 64. Uses: Fire protection and livestock watering 65. Name of land owner upon which this structure is located: Applicants NINTH CLAIM: WATER RIGHT 66. Name of structure: SRR Spring N 67. Legal description: The point of diversion is from springs located in the SE ¼ of the SE ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 925 feet from the south section line and 585 feet from the east section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,497.1 m Northing 4,376,163.9 m Source: GPS Accuracy: 3 m 68. Source: Spring tributary to an unnamed tributary to South Canyon Creek, tributary to the Colorado River 69. Appropriation: A. Date of appropriation: June 1, 2018 B. How appropriation was initiated: By field investigation, livestock operations on the property, and formation of intent to appropriate water rights. 70. Date water applied to beneficial use: June 1, 2018 71. Amount claimed: 30 gpm (0.044 cfs) 72. Uses: Fire protection and livestock watering 73. Name of land owner upon which this structure is located: Applicants TENTH CLAIM: WATER RIGHT 74. Name of structure: SRR Spring O 75. Legal description: The point of diversion is from springs located in the SE ¼ of the NW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1780 feet from the north section line and 865 feet from the west

section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,953.0 m Northing 4,376,990.0 m Source: GPS Accuracy: 3 m 76. Source: Spring tributary to an unnamed tributary to South Canyon Creek, tributary to the Colorado River 77. Appropriation: A. Date of appropriation: June 1, 2018 B. How appropriation was initiated: By field investigation, livestock operations on the property, and formation of intent to appropriate water rights. 78. Date water applied to beneficial use: June 1, 2018 79. Amount claimed: 20 gpm (0.044 cfs) 80. Uses: Fire protection and livestock watering. 81. Name of land owner upon which this structure is located: Applicants ELEVENTH CLAIM: STORAGE RIGHT 82. Name of reservoir: SRR Pond B 83. Legal description: The centerline of the dam at the outlet is located in the NE ¼ of the NE ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 410 feet from the north section line and 220 feet from the east section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,619.0 m Northing 4,377,375.3 m Source: GPS Accuracy: 3 m 84. Source: Springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River 85. Appropriation: A. Date of initial appropriation: June 1, 2009 B. How appropriation was initiated: By construction of pond identified on aerial photograph dated 2009, field investigation, and formation of intent to appropriate water rights. 86. Date water applied to beneficial use: June 1, 2009 87. Amount claimed: 0.07AF absolute 88. Uses: Storage, livestock watering and fire protection 89. Surface area of high waterline: 0.015 acre 90. Vertical height of dam: < 10 feet 91. Length of dam: 30 feet 92. Total capacity of pond: 0.07 AF A. Active capacity: 0.07 AF B. Dead storage: 0 AF 93. Name of land owner upon which this structure is located: Applicants 94. Remarks: SRR Spring B is adjacent to and is a source for the pond. TWELFTH CLAIM: STORAGE RIGHT 95. Name of reservoir: SRR Pond C 96. Legal description: The centerline of the dam at the outlet is located in the NE ¼ of the NE ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 950 feet from the north section line and 1150 feet from the east section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,350.2 m Northing 4,377,197.2 m Source: GPS Accuracy: 3 m 97. Source: Springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River 98. Appropriation: A. Date of appropriation: June 1, 2009 B. How appropriation was initiated: By construction of pond identified on aerial photograph dated 2009, field investigation, and formation of intent to appropriate water rights. 99. Date water applied to beneficial use: June 1, 2009 100. Amount claimed: 0.05 AF absolute 101. Uses: Storage, livestock watering and fire protection 102. Surface area of high waterline: 0.01 acre 103. Vertical height of dam: < 10 feet 104. Length of Dam: 30 feet 105. Total capacity of pond: 0.05 AF A. Active capacity: 0.05 AF B. Dead storage: 0 AF 106. Name of land owner upon which this structure is located: Applicants THIRTEENTH CLAIM: STORAGE RIGHT 107. Name of reservoir: SRR Pond D 108. Legal description: The point of diversion for SRR Spring E is located in the SW ¼ of the SE ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 50 feet from the south section line and 2465 feet from the east section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294,565.7 m Northing 4,375,959.9 m Source: GPS Accuracy: 3 m 109. Appropriation: A. Date of appropriation: June 1, 2009 B. How appropriation was initiated: By construction of pond identified on aerial photograph dated 2009, field investigation, and formation of intent to appropriate water rights. 110. Date water applied to beneficial use: June 1, 2009 111. Amount Claimed: 0.25 AF conditional. Filled at a rate of 100 gpm. 112. Uses: A. Storage, livestock watering, irrigation, and fire protection B. Irrigation use: Irrigation of up to 60 acres in the S ½ SE ¼ and NW ¼ SE ¼ of Section 23, and SW ¼ SW ¼ of Section 24 T6S, R90W, 6th P.M. See Exhibit B. Also supplements irrigation on lands irrigated by Richardson Ditch No. 3 and Richardson Ditch No. 4. 113. Surface area of high waterline: 0.05 acre 114. Vertical height of dam: < 10 feet 115. Length of dam: 100 feet 116. Total capacity of pond: 0.25 AF A. Active capacity: 0.25 AF B. Dead storage: 0 AF 117. Name of land owner upon which this structure is located: Applicants FOURTEENTH CLAIM: STORAGE RIGHT 118. Name of reservoir: SRR Pond F 119. Legal description: The centerline of the dam at the outlet is located in the NW ¼ of the NW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 125 feet from the north section line and 200 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,785.2 m Northing 4,377,451.5 m Source: GPS Accuracy: 3 m 120. Source: Springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River 121. Appropriation: A. Date of appropriation: June 1, 2009 B. How appropriation was initiated: By construction of pond identified on aerial photograph dated 2009, field investigation, and formation of intent to appropriate water rights. 122. Date water applied to beneficial use: June 1, 2009 123. Amount claimed: 0.05 AF 124. Uses: Storage, livestock watering, and fire protection 125. Surface area of high waterline: 0.01 acres 126. Vertical height of dam: < 10 feet 127. Length of Dam: 20 feet 128. Total capacity of pond: 0.05 AF A. Active capacity: 0.05 AF B. Dead storage: 0 AF 129. Name of land owner upon which this structure is located: Applicants FIFTEENTH CLAIM: STORAGE RIGHT 130. Name of reservoir: SRR Pond O System 131. Legal description: The centerline of the dam at the outlet of the lowest pond is located in the SW ¼ of the NW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1650 feet from the north section line and 775 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,917.0 m Northing 4,376,993 m Source: GPS Accuracy: 3 m 132. Source: Springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River 133. Appropriation: A. Date of appropriation: June 1, 2009 B. How appropriation was initiated: By construction of pond identified on aerial photograph dated 2009, field investigation, and formation of intent to appropriate water rights. 134. Date water applied to beneficial use: June 1, 2009 135. Amount Claimed: 0.15 AF 136.

Uses: Storage, livestock watering, and fire protection 137. Surface area of high waterline: 0.03 acre 138. Vertical height of dam: < 10 feet 139. Length of dam: 20 feet 140. Total capacity of pond: 0.15 AF A. Active capacity: 0.15 AF B. Dead storage: 0 AF 141. Name of land owner upon which this structure is located: Applicants 142. Remarks: The pond system includes three ponds with a total surface area of approximately 0.03 acre and a total storage volume of 0.15 acre feet. SIXTEENTH CLAIM: STORAGE RIGHT 143. Name of reservoir: SRR Pond I 144. Legal description: The centerline of the dam at the outlet is located in the NE ¼ of the NE ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 900 feet from the north section line and 1000 feet from the east section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,399.9 m Northing 377,209.6 m Source: GPS Accuracy: 3 m 145. Source: Springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River 146. Appropriation: A. Date of appropriation: June 1, 2009 B. How appropriation was initiated: By construction of pond identified on aerial photograph dated 2009, field investigation, and formation of intent to appropriate water rights. 147. Date water applied to beneficial use: June 1, 2009 148. Amount claimed: 0.07 AF 149. Uses: Storage, livestock watering, and fire protection 150. Surface area of high waterline: 0.015 acre 151. Vertical Height of dam: < 10 feet 152. Length of dam: 50 feet 153. Total capacity of pond: 0.07 AF A. Active capacity: 0.07 AF B. Dead storage: 0 AF 154. Name of land owner upon which this structure is located: Applicants SEVENTEENTH CLAIM: STORAGE RIGHT 155. Name of reservoir: SRR Pond J 156. Legal description: The centerline of the dam at the outlet is located in the NE ¼ of the NE ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 595 feet from the north section line and 260 feet from the east section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,619.9 m Northing 4,377,308.1 m Source: GPS Accuracy: 3 m 157. Source: Springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River 158. Appropriation: A. Date of appropriation: June 1, 2009 B. How appropriation was initiated: By construction of pond identified on aerial photograph dated 2009, field investigation, and formation of intent to appropriate water rights. 159. Date water applied to beneficial use: June 1, 2009 160. Amount claimed: 0.05 AF 161. Uses: Storage, livestock watering, and fire protection 162. Surface area of high waterline: 0.01 acre 163. Vertical height of dam: < 10 feet 164. Length of dam: 30 feet 165. Total capacity of pond: 0.05 AF A. Active capacity: 0.05 AF B. Dead storage: 0 AF 166. Name of land owner upon which this structure is located: Applicants EIGHTEENTH CLAIM: STORAGE RIGHT 167. Name of reservoir: SRR Pond K 168. Legal description: The centerline of the dam at the outlet is located in the SE ¼ of the SW ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1150 feet from the south section line and 1980 feet from the west section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,691.8 m Northing 4,377,835.6 m Source: GPS Accuracy: 3 m 169. Source: Springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River 170. Appropriation: A. Date of appropriation: June 1, 2009 B. How appropriation was initiated: By construction of pond identified on aerial photograph dated 2009, field investigation, and formation of intent to appropriate water rights. 171. Date water applied to beneficial use: June 1, 2009 172. Amount claimed: 0.05 AF 173. Uses: Storage, livestock watering, and fire protection 174. Surface area of high waterline: 0.01 acre 175. Vertical Height of dam: < 10 feet 176. Length of dam: 30 feet 177. Total capacity of pond: 0.05 AF A. Active capacity: 0.05 AF B. Dead storage: 0 AF 178. Name of land owner upon which this structure is located: Applicants NINETEENTH CLAIM: STORAGE RIGHT 179. Name of reservoir: SRR Pond L. 180. Legal description: The centerline of the dam at the outlet is located in the SE ¼ of the SW ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1210 feet from the south section line and 2130 feet from the west section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,742.5 m Northing 4,377,845.3 m Source: GPS Accuracy: 3 m 181. Source: Springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River 182. Appropriation: A. Date of appropriation: June 1, 2009 B. How appropriation was initiated: By construction of pond identified on aerial photograph dated 2009, field investigation, and formation of intent to appropriate water rights. 183. Date water applied to beneficial use: June 1, 2009 184. Amount Claimed: 0.05 AF 185. Uses: Storage, livestock watering, and fire protection 186. Surface area of high waterline: 0.01 acre 187. Vertical height of dam: < 10 feet 188. Length of dam: 30 feet 189. Total capacity of pond: 0.05 AF A. Active capacity: 0.05 AF B. Dead storage: 0 AF 190. Name of land owner upon which this structure is located: Applicants TWENTIETH CLAIM: INTEGRATED SYSTEM 191. Integrated system: The Applicants have contemporaneously applied for water rights in Case Nos. 19CW3040 (Conditional Surface and Storage Water Rights), 19CW3039 (Absolute Surface and Storage Water Rights), 19CW3041 (New Junior Uses of Decreed Water Rights), and 19CW3042 (Plan for Augmentation and Exchange). The Applicants filed this Application to adjudicate additional water rights as components of an integrated water supply system, which includes existing decreed water rights, to supply water for their South Canyon Ranch, including irrigation, stock water, domestic and commercial uses. The system entails adjudicating the water rights claimed in this case, as well as other surface and storage water rights on or tributary to South Canyon Creek, tributary to the Colorado River. The structures and water rights in the cases described above constitute an integrated water supply system as defined by Denver v. Northern Colo. Water Conservancy Dist., 276 P.2d 992 (Colo. 1955), because each structure and water right of the system has a direct bearing on, and is necessary for the functioning of, the entire system. Therefore, work accomplished on one portion of this integrated system may be considered evidence of reasonable diligence on the part of Applicants as to the other portions of the system. C.R.S. § 37-92-301(4)(b). WHEREFORE, Applicants pray this Court enter a decree: a) Granting the subject water rights absolute as applied for herein; or b) Granting the subject

water rights conditional as applied for herein; and c) Granting such other and further relief as the Court deems proper. Total number of pages in application is 25, including 2 exhibits.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2019 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

16. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2019. The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.

19CW3040 GARFIELD COUNTY. Roaring Fork Properties, LLC and South Canyon Ranch, LLC, David Effress, 75-5706 Hanama Place, Ste. 104, Kailua Kona, HI 96740, Telephone: 520-268-9459. Please address all correspondence to: Kelcey C. Nichols Wood Nichols Pearce, LLC, 201 Main St. Suite 301, Carbondale, CO 81623, (970) 963-3800, kcn@woodnicholslaw.com, Peter D. Nichols, Berg Hill Greenleaf Ruscitti LLP, 1712 Pearl Street, Boulder, Colorado 80302, 303-402-1600, pdn@bhgrlaw.com. **APPLICATION FOR CONDITIONAL SURFACE AND STORAGE WATER RIGHTS on SOUTH CANYON CREEK, tributary to the COLORADO RIVER, in GARFIELD COUNTY, COLORADO. FIRST CLAIM: CONDITIONAL WATER RIGHT** 2. Name of Structure: SRR V1 Pump & Pipeline. 3. Legal Description: The point of diversion from South Canyon Creek is located in the SW ¼ of the SW ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 200 feet from the south section line and 1030 feet from the west section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,408.4 m, Northing 4,377,587.6 m, Source: GPS, Accuracy: 3 m. 4. Source: South Canyon Creek, tributary to the Colorado River. 5. Appropriation: A. Date of appropriation: January 31, 2019. B. How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. 6. Amount claimed: 0.25 cfs conditional. 7. Uses: Fire protection and livestock watering. 8. Name of owner of the land upon which the structures will be located: Applicants. **SECOND CLAIM: CONDITIONAL WATER RIGHT** 9. Name of Structure: SRR V2 Pump & Pipeline. 10. Legal Description: The point of diversion from South Canyon Creek is located in the NE ¼ of the NW ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 925 feet from the north section line and 2020 feet from the west section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,702.6 m, Northing 4,377,246.2 m, Source: GPS, Accuracy: 3 m, 11. Source: South Canyon Creek, tributary to the Colorado River. 12. Appropriation: A. Date of appropriation: January 31, 2019. B. How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. 13. Amount claimed: 0.25 cfs conditional. 14. Uses: A. Fire protection and livestock watering. B. Irrigation of up to 15 acres in the SE ¼ SE ¼ and SW ¼ SW ¼ of Section 14, and NE ¼ NW ¼ of Section 23, T6S, R90W, 6th P.M. See Exhibit B. 15. Name of owner of the land upon which the structures will be located: Applicants. **THIRD CLAIM: CONDITIONAL WATER RIGHT** 16. Name of Structure: SRR V3 Pump & Pipeline. 17. Legal Description: The point of diversion from South Canyon Creek is located in the SE ¼ of the NW ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1465 feet from the north section line and 2275 feet from the west section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,777.8 m, Northing 4,377,081.1 m, Source: GPS, Accuracy: 3 m, 18. Source: South Canyon Creek, tributary to the Colorado River. 19. Appropriation: A. Date of appropriation: January 31, 2019. B. How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. 20. Amount claimed: 0.25 cfs conditional. 21. Uses: A. Fire protection and livestock watering. B. Irrigation of up to 10 acres in the S ½ N ½ NE ¼, N ½ S ½ NE ¼, and SE ¼ NW ¼ of Section 23, T6S, R90W, 6th P.M. See Exhibit B. 22. Name of owner of the land upon which the structures will be located: Applicants. **FOURTH CLAIM: CONDITIONAL WATER RIGHT** 23. Name of Structure: SRR V4 Pump & Pipeline. 24. Legal Description: The point of diversion from South Canyon Creek is located in the SE ¼ of the NW ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 2390 feet from the north section line and 2370 feet from the west section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,799.9 m, Northing 4,376,799.6 m, Source: GPS, Accuracy: 3 m. 25. Source: South Canyon Creek, tributary to the Colorado River. 26. Appropriation: A. Date of appropriation: January 31, 2019. B. How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. 27. Amount claimed: 0.25 cfs conditional. 28. Uses: A. Fire protection and livestock watering. B. Irrigation of up to 5 acres in the SW ¼ NE ¼ of Section 23, T6S, R90W, 6th P.M. See Exhibit B. 29. Name of owner of the land upon which the structures will be located: Applicants. **FIFTH CLAIM: CONDITIONAL WATER RIGHT** 30. Name of Structure: SRR V5 Ditch. 31. Legal Description: The point of diversion from an unnamed tributary of South Canyon Creek is located in the SW ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1010 feet from the south section line and 555 feet from the west section line of said Section 24,

Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,835.0 m, Northing 4,376,201.4 m, Source: GPS, Accuracy: 3 m. 32. Source: South Canyon Creek, tributary to the Colorado River. 33. Appropriation: A. Date of appropriation: January 31, 2019. B. How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. 34. Amount Claimed: 1.0 cfs conditional. 35. Uses: A. Fire protection and livestock watering. B. Irrigation of up to 60 acres in the S ½ SE ¼ and NW ¼ SE ¼ of Section 23, and SW ¼ SW ¼ of Section 24 T6S, R90W, 6th P.M. See Exhibit B. Also supplements irrigation on lands irrigated by Richardson Ditch No. 3 and Richardson Ditch No. 4. 36. Name of owner of the land upon which the structures will be located: Applicants. SIXTH CLAIM: CONDITIONAL STORAGE RIGHT. 37. Name of Reservoir: SRR Maintenance Pond . 38. Legal Description: The centerline of the dam at the outlet is located in the SW ¼ of the SW ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 25 feet from the south section line and 1095 feet from the west section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,427.2 m, Northing 4,377,535.1 m, Source: GPS, Accuracy: 3 m. 39. Source: South Canyon Creek, springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River. 40. Name and capacity of the ditches used to fill the pond: SRR V1 Pump & Pipeline at a rate of 0.25 cfs. 41. Legal Description: The point of diversion from South Canyon Creek is located in the SW ¼ of the SW ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 200 feet from the south section line and 1030 feet from the west section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. UTM Zone 13 NAD83 Coordinates: Easting 292,408.4 m, Northing 4,377,587.6 m, Source: GPS, Accuracy: 3 m. 42. Appropriation: A. Date of appropriation: January 31, 2019. B. How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. 43. Amount claimed: 0.35 AF conditional. Filled at a rate of 0.25 cfs, conditional. 44. Uses: Storage, fire protection, augmentation and livestock watering. 45. Surface area of high waterline: 0.1 acre. 46. Vertical height of dam: < 10 feet. 47. Length of dam: 150 feet 48. Total capacity of pond: 0.35 AF. A. Active capacity: 0.35 AF. B. Dead storage: 0 AF. 49. Name of owner of the land upon which the structures will be located: Applicants. SEVENTH CLAIM: CONDITIONAL STORAGE RIGHT 50. Name of Reservoir: SRR Barn Pond. 51. Legal Description: The centerline of the dam at the outlet is located in the NE ¼ of the NW ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 670 feet from the north section line and 1435 feet from the west section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,527.0 m, Northing 4,377,324.3 m, Source: GPS, Accuracy: 3 m. 52. Source: South Canyon Creek, springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River. 53. Name and capacity of the ditches used to fill the pond: SRR V2 Pump & Pipeline at a rate of 0.25 cfs. 54. Legal Description: The point of diversion from South Canyon Creek is located in the NE ¼ of the NW ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 925 feet from the north section line and 2020 feet from the west section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. UTM Zone 13 NAD83 Coordinates: Easting 292,702.6 m, Northing 4,377,246.2 m, Source: GPS, Accuracy: 3 m. 55. Appropriation: A. Date of appropriation: January 31, 2019. B. How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. 56. Amount claimed: 5 AF conditional. Filled at a rate of 0.25 cfs, conditional. 57. Uses: Storage, fire protection, augmentation and livestock watering. 58. Surface area of high waterline: 0.8 acre. 59. Vertical height of dam: < 10 feet. 60. Length of dam: 350 feet. 61. Total capacity of pond: 5 AF. A. Active capacity: 5 AF. B. Dead storage: 0 AF. 62. Name of owner of the land upon which the structures will be located: Applicants. EIGHTH CLAIM: CONDITIONAL STORAGE RIGHT 63. Name of Reservoir: SRR Lower V2 Pond. 64. Legal Description: The centerline of the dam at the outlet is located in the NE ¼ of the NW ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 730 feet from the north section line and 2075 feet from the west section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,720.9 m, Northing 4,377,305.8 m, Source: GPS, Accuracy: 3 m. 65. Source: South Canyon Creek, springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River. 66. Name and capacity of the ditches used to fill the pond: SRR V2 Pump & Pipeline at a rate of 0.25 cfs. 67. Legal Description: The point of diversion from South Canyon Creek is located in the NE ¼ of the NW ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 925 feet from the north section line and 2020 feet from the west section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. UTM Zone 13 NAD83 Coordinates: Easting 292,702.6 m, Northing 4,377,246.2 m. Source: GPS, Accuracy: 3 m. 68. Appropriation: A. Date of appropriation: January 31, 2019. B. How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. 69. Amount claimed: 5 AF conditional. Filled at a rate of 0.25 cfs, conditional. 70. Uses: A. Storage, fire protection, augmentation and livestock watering. B. Irrigation of up to 15 acres in the SE ¼ SE ¼ and SW ¼ SW ¼ of Section 14, and NE ¼ NW ¼ of Section 23, T6S, R90W, 6th P.M. See Exhibit B. 71. Surface area of high waterline: 0.8 acre. 72. Vertical height of dam: < 10 feet. 73. Length of dam: 350 feet. 74. Total capacity of pond: 5 AF. A. Active capacity: 5 AF. B. Dead storage: 0 AF. 75. Name of owner of the land upon which the structures will be located: Applicants. NINTH CLAIM: CONDITIONAL STORAGE RIGHT 76. Name of Reservoir: SRR Lower V5 Pond. 77. Legal Description: The centerline of the dam at the outlet is located in the SE ¼ of the SE ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 915 feet from the south section line and 1100 feet from the west section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting

293,330.0 m, Northing 4,376,166.4 m. Source: GPS, Accuracy: 3 m. 78. Source: Springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River. 79. Appropriation: A. Date of appropriation: January 31, 2019. B. How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. 80. Amount claimed: 35 AF conditional. Filled at a rate of 0.25 cfs, conditional. 81. Uses: A. Storage, fire protection, augmentation and livestock watering. B. Irrigation of up to 60 acres in the S ½ SE ¼ and NW ¼ SE ¼ of Section 23, and SW ¼ SW ¼ of Section 24 T6S, R90W, 6th P.M. See Exhibit B. Also supplements irrigation on lands irrigated by Richardson Ditch No. 3 and Richardson Ditch No. 4. 82. Surface area of high waterline: 4.5 acres. 83. Vertical height of dam: < 10 feet. 84. Length of dam: 500 feet. 85. Total capacity of pond: 35 AF. A. Active capacity: 35 AF. B. Dead storage: 0 AF. 86. Name of owner of the land upon which the structures will be located: Applicants. TENTH CLAIM: CONDITIONAL STORAGE RIGHT 87. Name of Reservoir: SRR Upper V5 Pond. 88. Legal Description: The centerline of the dam at the outlet is located in the NE ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1330 feet from the south section line and 1525 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294,132.8 m, Northing 4,376,319.9 m, Source: GPS, Accuracy: 3 m. 89. Source: Springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River. 90. Appropriation: A. Date of appropriation: January 31, 2019. B. How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. 91. Amount claimed: 7 AF conditional. Filled at a rate of 0.25 cfs, conditional. 92. Uses: A. Storage, fire protection, augmentation and livestock watering. B. Irrigation of up to 60 acres in the S ½ SE ¼ and NW ¼ SE ¼ of Section 23, and SW ¼ SW ¼ of Section 24 T6S, R90W, 6th P.M. See Exhibit B. Also supplements irrigation on lands irrigated by Richardson Ditch No. 3 and Richardson Ditch No. 4. 93. Surface area of high waterline: 1.0 acre. 94. Vertical height of dam: < 10 feet. 95. Length of dam: 150 feet. 96. Total capacity of pond: 7 AF. A. Active capacity: 7 AF. Dead storage: 0 AF. 97. Name of owner of the land upon which the structures will be located: Applicants. ELEVENTH CLAIM: CONDITIONAL STORAGE RIGHT 98. Name of Reservoir: SRR Upper V2 Pond. 99. Legal Description: The centerline of the dam at the outlet is located in the SW ¼ of the SE ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 140 feet from the south section line and 1925 feet from the east section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,120.0 m, Northing 4,377,570.0 m, Source: GPS, Accuracy: 3 m. 100. Source: Springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River. 101. Appropriation: A. Date of appropriation: January 31, 2019. B. How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. 102. Amount claimed: 7 AF conditional. Filled at a rate of 0.25 cfs, conditional. 103. Uses: A. Storage, fire protection, augmentation and livestock watering. B. Irrigation of up to 15 acres in the SE ¼ SE ¼ and SW ¼ SW ¼ of Section 14, and NE ¼ NW ¼ of Section 23, T6S, R90W, 6th P.M. See Exhibit B. 104. Surface area of high waterline: 1.0 acre. 105. Vertical height of dam: < 10 feet. 106. Length of dam: 200 feet. 107. Total capacity of pond: 7 AF. A. Active capacity: 7 AF. B. Dead storage: 0 AF. 108. Name of owner of the land upon which the structures will be located: Applicants. TWELFTH CLAIM: CONDITIONAL STORAGE RIGHT 109. Name of Reservoir: SRR Upper V1 Pond. 110. Legal Description: The centerline of the dam at the outlet is located in the NE ¼ of the SW ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1440 feet from the south section line and 2465 feet from the west section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,854.0 m, Northing 4,377,965.0 m, Source: GPS, Accuracy: 3 m. 111. Source: Springs and runoff in an unnamed tributary to South Canyon Creek, tributary to the Colorado River. 112. Appropriation: A. Date of appropriation: January 31, 2019. B. How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. 113. Amount claimed: 0.35 AF conditional. Filled at a rate of 0.25 cfs, conditional. 114. Uses: Storage, fire protection and livestock watering. 115. Surface area of high waterline: 0.1 acre. 116. Vertical height of dam: < 10 feet. 117. Length of dam: 200 feet. 118. Total capacity of pond: 0.35 AF. A. Active capacity: 0.35 AF. B. Dead storage: 0 AF. 119. Name of owner of the land upon which the structures will be located: Applicants. THIRTEENTH CLAIM: INTEGRATED SYSTEM 120. Integrated system: The Applicants have contemporaneously applied for water rights in Case Nos. 19CW3040 (Conditional Surface and Storage Water Rights), 19CW3039 (Absolute Surface and Storage Water Rights), 19CW3041 (New Junior Uses of Decreed Water Rights), and 19CW3042 (Plan for Augmentation and Exchange). The Applicants filed this Application to adjudicate additional water rights as components of an integrated water supply system, which includes existing decreed water rights, to supply water for their South Canyon Ranch, including irrigation, stock water, domestic and commercial uses. The system entails adjudicating the water rights claimed in this case, as well as other surface and storage water rights on or tributary to South Canyon Creek, tributary to the Colorado River. The structures and water rights in the cases described above constitute an integrated water supply system as defined by Denver v. Northern Colo. Water Conservancy Dist., 276 P.2d 992 (Colo. 1955), because each structure and water right of the system has a direct bearing on, and is necessary for the functioning of, the entire system. Therefore, work accomplished on one portion of this integrated system may be considered evidence of reasonable diligence on the part of Applicants as to the other portions of the system. C.R.S. § 37-92-301(4)(b). WHEREFORE, the Applicant prays this Court enter a decree: a) Granting the subject water rights as applied for herein; and b) Granting such other and further relief as the Court deems proper. This Application consists of 19 pages, including 2 exhibits.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2019 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

17. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2019. The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.

19CW3041 GARFIELD COUNTY. Roaring Fork Properties, LLC and South Canyon Ranch, LLC, David Effress, 75-5706 Hanama Place, Ste. 104, Kailua Kona, HI 96740, Telephone: 520-268-9459. Please address all correspondence to: Kelcey C. Nichols Wood Nichols Pearce, LLC, 201 Main St. Suite 301, Carbondale, CO 81623, (970) 963-3800, kcn@woodnicholslaw.com, Peter D. Nichols, Berg Hill Greenleaf Ruscitti LLP, 1712 Pearl Street, Boulder, Colorado 80302, 303-402-1600, pdn@bhgrlaw.com. **APPLICATION FOR NEW JUNIOR USES OF DECREED WATER RIGHTS on SOUTH CANYON CREEK, tributary to the COLORADO RIVER, in GARFIELD COUNTY, COLORADO** **FIRST CLAIM: NEW JUNIOR USES OF DECREED WATER RIGHT** 2. Name of Structure: Richardson Spring No. 1 3. Adjudication: Case No. 81CW338, Water Division No. 5, decreed September 19, 1983 4. Source: Spring tributary to unnamed tributary of South Canyon Creek, tributary to the Colorado River 5. Appropriation date: December 31, 1955 6. Amount: 0.011 cfs absolute 7. Use: Domestic and livestock water 8. Legal Description: Richardson Spring No. 1 is located in the NW 1/4 SE 1/4 of Section 23, T. 6S., R. 90W. of the 6th P.M. at a point 1,650 feet North of the South line and 2,125 feet West of the East Line of said Section 23. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293038.13 Northing 4376388.14 Source: GPS Accuracy: 3 m 9. Name of owner of the land upon which the structures will be located: Applicants 10. Proposed new junior use of decreed water right: a) Proposed junior use: Irrigation of 0.5 acres of land. See Exhibit B. b) Amount: 0.011 cfs conditional c) Date of appropriation: January 31, 2019 d) How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. **SECOND CLAIM: NEW JUNIOR USES OF DECREED WATER RIGHT** 11. Name of Structure: Richardson Ditch No. 4 12. Adjudication: Case No. 81CW339, Water Division No. 5, decreed September 19, 1983; Case No. 91CW123, Water Division No. 5, decreed 12/19/91. 13. Source: Unnamed tributary to South Canyon Creek, tributary to the Colorado River 14. Appropriation date: December 31, 1955 15. Amount: 0.027 cfs absolute 16. Uses: irrigation and livestock water 17. Legal Description: SE 1/4 SE 1/4 Section 23, Township 6 South, Range 90 West 6th P.M. And more particularly 5 feet North of the South Section Line and 350 West of the East Section line of said Section 23. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293587.54 Northing 4375860.66 Source: GPS Accuracy: 3 m 18. Name of owner of the land upon which the structures will be located: Applicants 19. Proposed new junior uses of decreed water right: a) Proposed junior use: domestic and commercial b) Amount: 0.027 cfs conditional c) Date of appropriation: January 31, 2019 d) How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. **THIRD CLAIM: NEW JUNIOR USES OF DECREED WATER RIGHT** 20. Name of Structure: Richardson Pond No. 9 21. Adjudication: Case No. 81CW340, Water Division No. 5, decreed September 19, 1983 22. Source: Unnamed tributary of South Canyon Creek, tributary to the Colorado River 23. Appropriation date: 1955 24. Amount: 0.1 acre feet absolute 25. Uses: livestock water 26. Legal Description: Richardson Pond No. 9 is located in the SW 1/2 NW 1/2 of Section 24, Township 6 South, Range 90 West of the 6th P.M. at a point 5 feet East of the West line and 2250 feet South of the North line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293734.22 Northing 4376808.58 Source: GPS Accuracy: 3 m 27. Name of owner of the land upon which the structures will be located: Applicants 28. Proposed new junior use of decreed water right: a) Proposed junior use: Irrigation of 0.5 acres of land. See Exhibit B. b) Amount: 0.1 acre feet conditional c) Date of appropriation: January 31, 2019 d) How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. **FOURTH CLAIM: NEW JUNIOR USES OF DECREED WATER RIGHTS** 29. Names of Structures: Connolly Spring Nos. 1, 2, 3, and 4 30. Adjudication: Case No. 81CW369, Water Division No. 5, August 26, 1986 (Connolly Spring Nos. 1-4); Case No. 990CW127, Water Division No. 5, October 15, 1990 (Connolly Spring No. 2) 31. Source: Unnamed draws tributary to South Canyon Creek, tributary to the Colorado River 32. Appropriation dates: a) Connolly Spring No. 1: December 31, 1935 b) Connolly Spring No. 2: September 30, 1879 c) Connolly Spring No. 3: December 31, 1935 d) Connolly Spring No. 4: December 31, 1935 33. Amount: a) Connolly Spring No. 1: 5 gallons per minute (0.011 c.f.s.) absolute b) Connolly Spring No. 2: 5 gallons per minute (0.011 c.f.s.) absolute c) Connolly Spring No. 3: 5 gallons per minute (0.011 c.f.s.) absolute d) Connolly Spring No. 4: 5 gallons per minute (0.011 c.f.s.) absolute 34. Uses: watering of livestock 35. Legal Descriptions: a) Connolly Spring No. 1 is located in the NE 1/4 SW 1/4 of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 2160 feet North of the South line and 2260 feet East of West line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294395.53 Northing 4376526.37 Source: GPS Accuracy: 3 m b) Connolly Spring No. 2 is located in the SE 1/4 SE 1/4 of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 20 feet North of the South line and 1450 feet West of the East line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294849.91 Northing

4375838.19 Source: GPS Accuracy: 3 m c) Connolly Spring No. 3 is located in the SE ¼ SW ¼ of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 1300 feet North of the South line and 2150 feet East of West line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294317.01 Northing 4376148.03 Source: GPS Accuracy: 3m d) Connolly Spring No. 4 is located in the SW ¼ SW ¼ of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 1320 feet North of the South line and 880 feet East of West line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293833.54 Northing 4376216.73 Source: GPS Accuracy: 3 m 36. Name of owner of the land upon which the structures will be located: Applicants 37. Proposed new junior uses of decreed water rights: a) Proposed junior uses: Domestic, commercial, and irrigation of 0.5 acres of land. See Exhibit B. b) Amounts: i. Connolly Spring No. 1: 5 gallons per minute (0.011 c.f.s.) conditional ii. Connolly Spring No. 2: 5 gallons per minute (0.011 c.f.s.) conditional iii. Connolly Spring No. 3: 5 gallons per minute (0.011 c.f.s.) conditional iv. Connolly Spring No. 4: 5 gallons per minute (0.011 c.f.s.) conditional c) Date of appropriation: January 31, 2019 d) How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. **FIFTH CLAIM: NEW JUNIOR USES OF DECREED WATER RIGHTS** 38. Names of Structures: Connolly Reservoirs Nos. 1, 2, 3, and 4 39. Adjudication: Case No. 81CW368, Water Division No. 5, August 26, 1986 40. Source: South Canyon Creek, tributary to the Colorado River 41. Appropriation dates: a) Connolly Reservoir No. 1: December 31, 1935 b) Connolly Reservoir No. 2: December 31, 1935 c) Connolly Reservoir No. 3: December 31, 1935 d) Connolly Reservoir No. 4: December 31, 1935 42. Amounts: a) Connolly Reservoir No. 1: 0.1 acre feet absolute b) Connolly Reservoir No. 2: 0.1 acre feet absolute c) Connolly Reservoir No. 3: 0.1 acre feet absolute d) Connolly Reservoir No. 4: 0.1 acre feet absolute 43. Uses: watering of livestock 44. Legal Descriptions: a) Connolly Reservoir No. 1 is located in the NE ¼ SW ¼ of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 2150 feet North of the South line and 2250 feet East of West line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294385.19 Northing 4376537.77 Source: GPS Accuracy: 3 m b) Connolly Reservoir No. 2 is located in the NE ¼ SW ¼ of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 1600 feet from the South Section line and 1400 feet from the West Section line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294193.41 Northing 4376330.71 Source: GPS Accuracy: 3 m c) Connolly Reservoir No. 3 is located in the SE ¼ SW ¼ of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 1300 feet North of the South line and 2100 feet East of West line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294294.04 Northing 4376151.42 Source: GPS Accuracy: 3 m d) Connolly Reservoir No. 4 is located in the SW ¼ SW ¼ of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 1300 feet North of the South line and 860 feet East of West line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293813.28 Northing 4376217.53 Source: GPS Accuracy: 3 m 45. Name of owner of the land upon which the structures will be located: Applicants 46. Proposed new junior uses of decreed water rights: a) Proposed junior uses: Domestic, commercial, and irrigation of 0.5 acres of land. See Exhibit B. b) Amounts: i. Connolly Reservoir No. 1: 0.1 acre feet conditional ii. Connolly Reservoir No. 2: 0.1 acre feet conditional iii. Connolly Reservoir No. 3: 0.1 acre feet conditional iv. Connolly Reservoir No. 4: 0.1 acre-feet conditional c) Date of appropriation: January 31, 2019 d) How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application. **FIFTH CLAIM: INTEGRATED SYSTEM** 47. Integrated system: The Applicants have contemporaneously applied for water rights in Case Nos. 19CW3040 (Conditional Surface and Storage Water Rights), 19CW3039 (Absolute Surface and Storage Water Rights), 19CW3041 (New Junior Uses of Decreed Water Rights), and 19CW3042 (Plan for Augmentation and Exchange). The Applicants filed this Application to adjudicate additional water rights as components of an integrated water supply system, which includes existing decreed water rights, to supply water for their South Canyon Ranch, including irrigation, stock water, domestic and commercial uses. The system entails adjudicating the water rights claimed in this case, as well as other surface and storage water rights on or tributary to South Canyon Creek, tributary to the Colorado River. The structures and water rights in the cases described above constitute an integrated water supply system as defined by Denver v. Northern Colo. Water Conservancy Dist., 276 P.2d 992 (Colo. 1955), because each structure and water right of the system has a direct bearing on, and is necessary for the functioning of, the entire system. Therefore, work accomplished on one portion of this integrated system may be considered evidence of reasonable diligence on the part of Applicants as to the other portions of the system. C.R.S. § 37-92-301(4)(b). WHEREFORE, the Applicant prays this Court enter a decree: a) Granting the subject water right as applied for herein; and b) Granting such other and further relief as the Court deems proper. Total number of pages in application is 13, including 2 exhibits.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2019 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

18. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2019. The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.

19CW3042 GARFIELD COUNTY. Roaring Fork Properties, LLC and South Canyon Ranch, LLC, David Effress, 75-5706 Hanama Place, Ste. 104, Kailua Kona, HI 96740, Telephone: 520-268-9459. Please address all correspondence to: Kelcey C. Nichols Wood Nichols Pearce, LLC, 201 Main St. Suite 301, Carbondale, CO 81623, (970) 963-3800, kcn@woodnicholslaw.com, Peter D. Nichols, Berg Hill Greenleaf Ruscitti LLP, 1712 Pearl Street, Boulder, Colorado 80302, 303-402-1600, pdn@bhgrlaw.com. **APPLICATION FOR APPROVAL OF PLAN FOR AUGMENTATION AND APPROPRIATIVE RIGHT OF EXCHANGE on SOUTH CANYON CREEK, tributary to the COLORADO RIVER, in GARFIELD COUNTY, COLORADO.** I. FIRST CLAIM: AUGMENTATION OF ESTABLISHED BUT ERRONEOUSLY DESCRIBED WATER RIGHTS 1. Remarks: All of the decreed water rights listed below that are part of this First Claim are included in an Application For Correction For An Established But Erroneously Described Point Of Diversion Pursuant To § 37-92-305(3.6), C.R.S., Case No. 19CW3038, filed contemporaneously with this application. 2. Name of Well: Richardson Well SK-2A 2.1. Date of original and all relevant subsequent decrees: 2.1.1. Original decree: Case No. 81CW336, Water Div. 5, August 23, 1983. 2.2. Decreed location (Case No. 81CW336): Richardson Well SK-2A is located in the SE1/4SW1/4 of Section 14, T. 6 S., R. 90 W. of the 6th P.M. at a point 1,300 feet North of the South line and 2,100 feet East of the West line of said Section 14. See Exhibit A. 2.3. Decreed source of water: South Canyon Creek, tributary to the Colorado River 2.4. Appropriation Date: August 28, 1978 2.5. Total amount decreed to structure: .033 cfs Absolute 2.6. Decreed uses: Irrigation and stock water. 2.7. Detailed description of proposed correction: 2.7.1. Actual location: The point of diversion is from a well located in the NE ¼ of the SW ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1,440 feet from the south section line and 2,455 feet from the west section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292851.16 m Northing 4377965.82 m Source: GPS Accuracy: 3 m 2.8. Name of owner of the land upon which the structures will be located: Applicants 3. Name of Reservoir: Connolly Reservoir No. 2 3.1. Date of original and all relevant subsequent decrees: 3.1.1. Original decree: Case No. 81CW368, Water Div. 5, August 26, 1986. 3.2. Decreed location (Case No. 81CW368): Connolly Reservoir No. 2 is located in the NE1/4SW1/4 of Section 24 T. 6 S., R. 90 W. of the 6th P.M. and 1,500 feet from the South Section line and 1,400 feet from the West section line of said Section 24. See Exhibit A. 3.3. Decreed source of water: South Canyon Creek, tributary to the Colorado River 3.4. Appropriation Date: December 31, 1935 3.5. Total amount decreed to structure: 0.1 AF Absolute 3.6. Decreed uses: Stock watering 3.7. Detailed description of proposed correction: 3.7.1. Actual location: The centerline of the dam at the outlet is located in the NE ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1,355 feet from the south section line and 1,720 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294193.41 m Northing 4376330.71 m Source: GPS Accuracy: 3 m 3.8. Name of owner of the land upon which the structures will be located: Applicants 4. Name of Reservoir: Connolly Reservoir No. 3 4.1. Date of original and all relevant subsequent decrees: 4.1.1. Original decree: Case No. 81CW368, Water Div. 5, August 26, 1986. 4.2. Decreed location (Case No. 81CW368): Connolly Reservoir No. 3 is located in the SE1/4SW1/4 T. 6 S. R. 90 W. of the 6th P.M. at a point 1,300 feet North of the South line and 2,100 feet East of the West line of said Section 24. See Exhibit A. 4.3. Decreed source of water: South Canyon Creek, tributary to the Colorado River 4.4. Appropriation Date: December 31, 1935 4.5. Total amount decreed to structure: 0.1 AF Absolute 4.6. Decreed uses: Stock watering 4.7. Detailed description of proposed correction: 4.7.1. Actual location: The centerline of the dam at the outlet is located in the SE ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 740 feet from the south section line and 2,070 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294294.04 m Northing 4376151.42 m Source: GPS Accuracy: 3 m 4.8. Name of owner of the land upon which the structures will be located: Applicants 5. Name of Spring: Connolly Spring No. 3 5.1. Date of original and all relevant subsequent decrees: 5.1.1. Original decree: Case No. 81CW369, Water Div. 5, August 26, 1986. 5.2. Decreed location (Case No. 81CW369): Connolly Spring No 3 is located in the SE1/4SW1/4 of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at 4 point 1,300 feet North of the South line and 2,120 feet East of the West line of said Section 24. See Exhibit A. 5.3. Decreed source of water: South Canyon Creek, tributary to the Colorado River 5.4. Appropriation Date: December 31, 1935 5.5. Total amount decreed to structure: .0110 cfs Absolute 5.6. Decreed uses: Stock watering 5.7. Detailed description of proposed correction: 5.7.1. Actual location: The point of diversion is from a spring located in the SE ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 725 feet from the south section line and 2,150 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294317.01 m Northing 4376148.03 m Source: GPS Accuracy: 3 m 5.8. Name of owner of the land upon which the structures will be located: Applicants 6. Name of Reservoir: Connolly Reservoir No. 4 6.1. Date of original and all relevant subsequent decrees: 6.1.1. Original decree: Case No. 81CW368, Water Div. 5, August 26, 1986. 6.2. Decreed location (Case No. 81CW368): Connolly Reservoir No. 4 is located in the SW1/4SW1/4 of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 1,300 feet North of the South line and 850 feet East of the West line of said Section 24. See Exhibit A. 6.3. Decreed source of water: South Canyon Creek, tributary to the Colorado River 6.4. Appropriation Date: December 31, 1935 6.5. Total amount decreed to structure: 0.1 AF Absolute 6.6. Decreed uses: Stock watering 6.7. Detailed description of proposed correction: 6.7.1. Actual location: The centerline of the dam at the outlet is located in the SW ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1,070 feet from the south section line and 480 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83

Coordinates: Easting 293813.28 m Northing 376217.53 m Source: GPS Accuracy: 3 m 6.8. Name of owner of the land upon which the structures will be located: Applicants 7. Name of Spring: Connolly Spring No. 4 7.1. Date of original and all relevant subsequent decrees: 7.1.1. Original decree: Case No. 81CW369, Water Div. 5, August 26, 1986. 7.2. Decreed location (Case No. 81CW369): Connolly Spring No 4 is located In the SW1/4SW1/4 Section 24, T. 6 S., R. 90 W. of the 6th P.M. at 8 point 1,320 feet North of the South line and 880 feet East of the West line of said Section 24. See Exhibit A. 7.3. Decreed source of water: South Canyon Creek, tributary to the Colorado River 7.4. Appropriation Date: December 31, 1935 7.5. Total amount decreed to structure: 0.011 cfs Absolute 7.6. Decreed uses: Stock watering 7.7. Detailed description of proposed correction: 7.7.1. Actual location: The point of diversion is from a spring located in the SW ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1,060 feet from the south section line and 550 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293833.54 m Northing 4376216.73 m Source: GPS Accuracy: 3 m 7.8. Name of owner of the land upon which the structures will be located: Applicants II. SECOND CLAIM: AUGMENTATION OF EXISTING AND PENDING NEW USES OF DECREED WATER RIGHTS 8. Remarks: All of the decreed absolute water rights listed below that are part of this Second Claim are included in an application for new junior uses in Case No. 19CW3041 filed contemporaneously with this application. 9. Name of Structure: Richardson Spring No. 1 9.1. Adjudication: Case No. 81CW338, Water Division No. 5, decreed September 19, 1983 9.2. Source: Spring tributary to unnamed tributary of South Canyon Creek, tributary to the Colorado River 9.3. Appropriation date: December 31, 1955 9.4. Amount: 0.011 cfs absolute 9.5. Use: Domestic and livestock water 9.6. Legal Description: Richardson Spring No. 1 is located in the NW ¼ SE ¼ of Section 23, T. 6S., R. 90W. of the 6th P.M. at a point 1,650 feet North of the South line and 2,125 feet West of the East Line of said Section 23. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293038.13 m Northing 4376388.14 m Source: GPS Accuracy: 3 m 9.7. Name of owner of the land upon which the structures will be located: Applicants 9.8. Proposed new junior use of existing water right: 9.8.1. Proposed junior use: Irrigation of 0.5 acres of land. See Exhibit B. 9.8.2. Date of appropriation: January 31, 2019 10. Name of Structure: Richardson Ditch No. 4 10.1. Adjudication: Case No. 81CW339, Water Division No. 5, decreed September 19, 1983; Case No. 91CW123, Water Division No. 5, decreed December 19, 1991. 10.2. Source: Unnamed tributary to South Canyon Creek, tributary to the Colorado River 10.3. Appropriation date: December 31, 1955 10.4. Amount: 0.027 cfs absolute 10.5. Uses: irrigation and livestock water 10.6. Legal Description: SE ¼ SE ¼ Section 23, Township 6 South, Range 90 West 6th P.M. And more particularly 5 feet North of the South Section Line and 350 West of the East Section line of said Section 23. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293587.54 m Northing 4375860.66 m Source: GPS Accuracy: 3 m 10.7. Name of owner of the land upon which the structures will be located: Applicants 10.8. Proposed new junior uses of existing water right: 10.8.1. Proposed junior use: domestic and commercial 10.8.2. Amount: 0.027 cfs conditional 10.8.3. Date of appropriation: January 31, 2019 11. Name of Structure: Richardson Pond No. 9 11.1. Adjudication: Case No. 81CW340, Water Division No. 5, decreed September 19, 1983. 11.2. Source: Unnamed tributary of South Canyon Creek, tributary to the Colorado River 11.3. Appropriation date: 1955 11.4. Amount: 0.1 acre feet absolute 11.5. Uses: livestock water 11.6. Legal Description: Richardson Pond No. 9 is located in the SW ½ NW ½ of Section 24, Township 6 South, Range 90 West of the 6th P.M. at a point 5 feet East of the West line and 2250 feet South of the North line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293734.22 m Northing 4376808.58 m Source: GPS Accuracy: 3 m 11.7. Name of owner of the land upon which the structures will be located: Applicants 11.8. Proposed new junior use of existing water right: 11.8.1. Proposed junior use: Irrigation of 0.5 acres of land. See Exhibit B. 11.8.2. Amount: 0.1 acre feet conditional 11.8.3. Date of appropriation: January 31, 2019 12. Names of Structures: Connolly Spring Nos. 1, 2, 3, and 4 12.1. Adjudication: Case No. 81CW369, Water Division No. 5, August 26, 1986 (Connolly Spring Nos. 1-4); Case No. 990CW127, Water Division No. 5, October 15, 1990 (Connolly Spring No. 2) 12.2. Source: Unnamed draws tributary to South Canyon Creek, tributary to the Colorado River 12.3. Appropriation dates: 12.3.1. Connolly Spring No. 1: December 31, 1935 12.3.2. Connolly Spring No. 2: September 30, 1879 12.3.3. Connolly Spring No. 3: December 31, 1935 12.3.4. Connolly Spring No. 4: December 31, 1935 12.4. Amount: 12.4.1. Connolly Spring No. 1: 5 gallons per minute (0.011 c.f.s.) absolute 12.4.2. Connolly Spring No. 2: 5 gallons per minute (0.011 c.f.s.) absolute 12.4.3. Connolly Spring No. 3: 5 gallons per minute (0.011 c.f.s.) absolute 12.4.4. Connolly Spring No. 4: 5 gallons per minute (0.011 c.f.s.) absolute 12.5. Uses: watering of livestock 12.6. Legal Descriptions: 12.6.1. Connolly Spring No. 1 is located in the NE ¼ SW ¼ of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 2160 feet North of the South line and 2260 feet East of West line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294395.53 m Northing 4376526.37 m Source: GPS Accuracy: 3 m 12.6.2. Connolly Spring No. 2 is located in the SE ¼ SE ¼ of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 20 feet North of the South line and 1450 feet West of the East line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294849.91 m Northing 4375838.19 m Source: GPS Accuracy: 3 m 12.6.3. Connolly Spring No. 3 is located in the SE ¼ SW ¼ of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 1300 feet North of the South line and 2150 feet East of West line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294317.01 m Northing 4376148.03 m Source: GPS Accuracy: 3m 12.6.4. Connolly Spring No. 4 is located in the SW ¼ SW ¼ of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 1320 feet North of the South line and 880 feet East of West line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293833.54 m Northing 4376216.73 m Source: GPS Accuracy: 3 m 12.7. Name of owner of the land upon which the structures will be located: Applicants 12.8. Proposed new junior uses of existing water rights: 12.8.1. Proposed junior uses: Domestic, commercial, and irrigation of 0.5 acres of land. See Exhibit B. 12.8.2. Amounts:

12.8.2.1 Connolly Spring No. 1: 5 gallons per minute (0.011 c.f.s.) conditional 12.8.2.2 Connolly Spring No. 2: 5 gallons per minute (0.011 c.f.s.) conditional 12.8.2.3 Connolly Spring No. 3: 5 gallons per minute (0.011 c.f.s.) conditional 12.8.2.4 Connolly Spring No. 4: 5 gallons per minute (0.011 c.f.s.) conditional 12.9. Date of appropriation: January 31, 2019 13. Names of Structures: Connolly Reservoirs Nos. 1, 2, 3, and 4 13.1. Adjudication: Case No. 81CW368, Water Division No. 5, August 26, 1986 13.2. Source: South Canyon Creek, tributary to the Colorado River 13.3. Appropriation dates: 13.3.1. Connolly Reservoir No. 1: December 31, 1935 13.3.2. Connolly Reservoir No. 2: December 31, 1935 13.3.3. Connolly Reservoir No. 3: December 31, 1935 13.3.4. Connolly Reservoir No. 4: December 31, 1935 13.4. Amounts: 13.4.1. Connolly Reservoir No. 1: 0.1 acre feet absolute 13.4.2. Connolly Reservoir No. 2: 0.1 acre feet absolute 13.4.3. Connolly Reservoir No. 3: 0.1 acre feet absolute 13.4.4. Connolly Reservoir No. 4: 0.1 acre feet absolute 13.5. Uses: watering of livestock 13.6. Legal Descriptions: 13.6.1. Connolly Reservoir No. 1 is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 2150 feet North of the South line and 2250 feet East of West line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294385.19 m Northing 4376537.77 m Source: GPS Accuracy: 3 m 13.6.2. Connolly Reservoir No. 2 is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 1600 feet from the South Section line and 1400 feet from the West Section line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294193.41 m Northing 4376330.71 m Source: GPS Accuracy: 3 m 13.6.3. Connolly Reservoir No. 3 is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 1300 feet North of the South line and 2100 feet East of West line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294294.04 m Northing 4376151.42 m Source: GPS Accuracy: 3 m 13.6.4. Connolly Reservoir No. 4 is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, T. 6 S., R. 90 W. of the 6th P.M. at a point 1300 feet North of the South line and 860 feet East of West line of said Section 24. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293813.28 m Northing 4376217.53 m Source: GPS Accuracy: 3 m 13.7. Name of owner of the land upon which the structures will be located: Applicants 13.8. Proposed new junior uses of existing water rights: 13.8.1. Proposed junior uses: Domestic, commercial, and irrigation of 0.5 acres of land. See Exhibit B. 13.8.2. Amounts: 13.14.1.1. Connolly Reservoir No. 1: 0.1 acre feet conditional 13.14.1.2. Connolly Reservoir No. 2: 0.1 acre feet conditional 13.14.1.3. Connolly Reservoir No. 3: 0.1 acre feet conditional 13.14.1.4. Connolly Reservoir No. 4: 0.1 acre-feet conditional 13.9. Date of appropriation: January 31, 2019 III. THIRD CLAIM: AUGMENTATION OF UNDECREED ABSOLUTE WATER RIGHTS 14. Remarks: All of the undecreed absolute water rights listed below that are part of this Third Claim are included in an application in Case No. 19CW3039 filed contemporaneously with this application. 15. Name of Structure: SRR Spring A 15.1. Legal Description: The point of diversion is from a spring located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 215 feet from the north section line and 10 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,709.8 m Northing 4,377,424.7 m Source: GPS Accuracy: 3 m 16. Name of Structure: SRR Spring B 16.1. Legal Description: The point of diversion is from a spring located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 360 feet from the north section line and 285 feet from the east section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,619.0 m Northing 4,377,375.3 m Source: GPS Accuracy: 3 m 17. Name of structure: SRR Spring D 17.1. Legal description: The point of diversion is from a spring located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 740 feet from the south section line and 1905 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294,230.8 m Northing 4,376,138.9 m Source: GPS Accuracy: 3 m 18. Name of structure: SRR Spring E 18.1. Legal description: The point of diversion is from a spring located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 50 feet from the south section line and 2465 feet from the east section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294,565.7 m Northing 4,375,959.9 m Source: GPS Accuracy: 3 m 19. Name of structure: SRR Spring F 19.1. Legal description: The point of diversion is from a spring located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 120 feet from the north section line and 240 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,785.2 m Northing 4,377,451.5 m Source: GPS Accuracy: 3 m 20. Name of structure: SRR Spring G 20.1. Legal description: The point of diversion is from a spring located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 2270 feet from the north section line and 455 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,826.9 m Northing 4,376,838.0 m Source: GPS Accuracy: 3 m 21. Name of structure: SRR Spring H 21.1. Legal description: The point of diversion is from a spring located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 905 feet from the south section line and 640 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,860.6 m Northing 4,376,170.5 m Source: GPS Accuracy: 3 m 22. Name of structure: SRR Spring M 22.1. Legal description: The point of diversion is from a spring located in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1350 feet from the south section line and 1790 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294,216.8 m Northing 4,376,341.4 m Source: GPS Accuracy: 3 m 23. Name

of structure: SRR Spring N 23.1. Legal description: The point of diversion is from springs located in the SE ¼ of the SE ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 925 feet from the south section line and 585 feet from the east section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,497.1 m Northing 4,376,163.9 m Source: GPS Accuracy: 3 m 24. Name of structure: SRR Spring O 24.1. Legal description: The point of diversion is from springs located in the SE ¼ of the NW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1780 feet from the north section line and 865 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,953.0 m Northing 4,376,990.0 m Source: GPS Accuracy: 3 m 25. Name of reservoir: SRR Pond B 25.1. Legal description: The centerline of the dam at the outlet is located in the NE ¼ of the NE ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 410 feet from the north section line and 220 feet from the east section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,619.0 m Northing 4,377,375.3 m Source: GPS Accuracy: 3 m 26. Name of reservoir: SRR Pond C 26.1. Legal description: The centerline of the dam at the outlet is located in the NE ¼ of the NE ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 950 feet from the north section line and 1150 feet from the east section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,350.2 m Northing 4,377,197.2 m Source: GPS Accuracy: 3 m 27. Name of reservoir: SRR Pond D 27.1. Legal description: The point of diversion for SRR Spring E is located in the SW ¼ of the SE ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 50 feet from the south section line and 2465 feet from the east section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294,565.7 m Northing 4,375,959.9 m Source: GPS Accuracy: 3 m 28. Name of reservoir: SRR Pond F 28.1. Legal description: The centerline of the dam at the outlet is located in the NW ¼ of the NW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 125 feet from the north section line and 200 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,785.2 m Northing 4,377,451.5 m Source: GPS Accuracy: 3 m 29. Name of reservoir: SRR Pond O System 29.1. Legal description: The centerline of the dam at the outlet of the lowest pond is located in the SW ¼ of the NW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1650 feet from the north section line and 775 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,917.0 m Northing 4,376,993 m Source: GPS Accuracy: 3 m 30. Name of reservoir: SRR Pond I 30.1. Legal description: The centerline of the dam at the outlet is located in the NE ¼ of the NE ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 900 feet from the north section line and 1000 feet from the east section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,399.9 m Northing 4,377,209.6 m Source: GPS Accuracy: 3 m 31. Name of reservoir: SRR Pond J 31.1. Legal description: The centerline of the dam at the outlet is located in the NE ¼ of the NE ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 595 feet from the north section line and 260 feet from the east section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,619.9 m Northing 4,377,308.1 m Source: GPS Accuracy: 3 m 32. Name of reservoir: SRR Pond K 32.1. Legal description: The centerline of the dam at the outlet is located in the SE ¼ of the SW ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1150 feet from the south section line and 1980 feet from the west section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,691.8 m Northing 4,377,835.6 m Source: GPS Accuracy: 3 m 33. Name of reservoir: SRR Pond L 33.1. Legal description: The centerline of the dam at the outlet is located in the SE ¼ of the SW ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1210 feet from the south section line and 2130 feet from the west section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,742.5 m Northing 4,377,845.3 m Source: GPS Accuracy: 3 m IV. FOURTH CLAIM: AUGMENTATION OF UNDECREED CONDITIONAL WATER RIGHTS 34. Remarks: All of the undecreed conditional water rights listed below that are part of this Fourth Claim are included in an application in Case No. 19CW3040 filed contemporaneously with this application. 35. Name of Structure: SRR V1 Pump & Pipeline 35.1. Legal Description: The point of diversion from South Canyon Creek is located in the SW ¼ of the SW ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 200 feet from the south section line and 1030 feet from the west section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,408.4 m Northing 4,377,587.6 m Source: GPS Accuracy: 3 m 36. Name of Structure: SRR V2 Pump & Pipeline 36.1. Legal Description: The point of diversion from South Canyon Creek is located in the NE ¼ of the NW ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 925 feet from the north section line and 2020 feet from the west section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,702.6 m Northing 4,377,246.2 m Source: GPS Accuracy: 3 m 37. Name of Structure: SRR V3 Pump & Pipeline 37.1. Legal Description: The point of diversion from South Canyon Creek is located in the SE ¼ of the NW ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1465 feet from the north section line and 2275 feet from the west section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A.

UTM Zone 13 NAD83 Coordinates: Easting 292,777.8 m Northing 4,377,081.1 m Source: GPS Accuracy: 3 m 38. Name of Structure: SRR V4 Pump & Pipeline 38.1. Legal Description: The point of diversion from South Canyon Creek is located in the SE ¼ of the NW ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 2390 feet from the north section line and 2370 feet from the west section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,799.9 m Northing 4,376,799.6 m Source: GPS Accuracy: 3 m 39. Name of Structure: SRR V5 Ditch 39.1. Legal Description: The point of diversion from an unnamed tributary of South Canyon Creek is located in the SW ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1010 feet from the south section line and 555 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,835.0 m Northing 4,376,201.4 m Source: GPS Accuracy: 3 m 40. Name of Reservoir: SRR Maintenance Pond 40.1. Legal Description: The centerline of the dam at the outlet is located in the SW ¼ of the SW ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 25 feet from the south section line and 1095 feet from the west section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,427.2 m Northing 4,377,535.1 m Source: GPS Accuracy: 3 m 41. Name of Reservoir: SRR Barn Pond 41.1. Legal Description: The centerline of the dam at the outlet is located in the NE ¼ of the NW ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 670 feet from the north section line and 1435 feet from the west section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,527.0 m Northing 4,377,324.3 m Source: GPS Accuracy: 3 m 42. Name of Reservoir: SRR Lower V2 Pond 42.1. Legal Description: The centerline of the dam at the outlet is located in the NE ¼ of the NW ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 730 feet from the north section line and 2075 feet from the west section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,720.9 m Northing 4,377,305.8 m Source: GPS Accuracy: 3 m 43. Name of Reservoir: SRR Lower V5 Pond 43.1. Legal Description: The centerline of the dam at the outlet is located in the SE ¼ of the SE ¼, Section 23, Township 6 South, Range 90 West, 6th P.M., at a point approximately 915 feet from the south section line and 1100 feet from the west section line of said Section 23, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,330.0 m Northing 4,376,166.4 m Source: GPS Accuracy: 3 m 44. Name of Reservoir: SRR Upper V5 Pond 44.1. Legal Description: The centerline of the dam at the outlet is located in the NE ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1330 feet from the south section line and 1525 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 294,132.8 m Northing 4,376,319.9 m Source: GPS Accuracy: 3 m 45. Name of Reservoir: SRR Upper V2 Pond 45.1. Legal Description: The centerline of the dam at the outlet is located in the SW ¼ of the SE ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 140 feet from the south section line and 1925 feet from the east section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 293,120.0 m Northing 4,377,570.0 m Source: GPS Accuracy: 3 m 46. Name of Reservoir: SRR Upper V1 Pond 46.1. Legal Description: The centerline of the dam at the outlet is located in the NE ¼ of the SW ¼, Section 14, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1440 feet from the south section line and 2465 feet from the west section line of said Section 14, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit A. UTM Zone 13 NAD83 Coordinates: Easting 292,854.0 m Northing 4,377,965.0 m Source: GPS Accuracy: 3 m V. DESCRIPTION OF WATER RIGHTS TO BE USED FOR AUGMENTATION 47. General Description of Plan for Augmentation: The Applicants will obtain a water supply contract from the Colorado River Water Conservation District (“Colorado River District”) for 44 acre-feet of Colorado River supply to replace any out-of-priority depletions to the Colorado River. Applicants will use releases from one or more of the SRR Maintenance Pond, SRR Barn Pond, SRR Lower V2 Pond, SRR Lower V5 Pond, or SRR Upper V5 Pond to replace any out-of-priority depletions on South Canyon Creek. 48. Colorado River District Water Supply Contract: Applicants intend to enter into a water supply contract with the Colorado River District for 44 acre-feet annually and use the water under the contract in this plan for augmentation upon providing a copy of the fully-executed contract to the Court, objectors in this case, and the Division Engineer, pursuant to C.R.S. § 37-92-305(8)(c). The contract water will be delivered from the following sources to replace out-of-priority depletions to the Colorado River: 48.1. Wolford Mountain Reservoir (f/k/a Gunsight Pass Reservoir), which has the following water rights. 48.1.1. Case No. 87CW283, November 20, 1989. 48.1.1.1 Legal description: The dam is located in the SW ¼ NE ¼ of Section 25, Township 2 North, Range 81 West, 6th P.M. The intersection of the dam axis with the right abutment will occur at a point which bears West 54° 54’ 20” E. a distance of 3,716.46 feet from the NW corner of Section 25. 48.1.1.2 Source: Muddy Creek and its tributaries. 48.1.1.3 Amount: 59,993 acre-feet conditional; of this amount, 32,986 acre-feet were made absolute for piscatorial and recreational uses by decree entered in Case No. 95CW251. 48.1.1.4 Appropriation date: December 14, 1987. 48.1.1.5 Uses: All beneficial uses, including but not limited to domestic, municipal, agricultural, and recreational uses, which uses satisfy the requirements of the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District; use to meet the water requirements of the inhabitants of the River District for all uses, including uses in the Middle Park area; and use to meet the terms of a lease agreement executed March 3, 1987 between the River District and the City and County of Denver. 48.1.2. Case No. 95CW281, August 26, 1997. 48.1.2.1 Legal description: The dam is located in the SW ¼ NE ¼ of Section 25, Township 2 North, Range 81 West, 6th P.M. The as-built intersection

of the dam axis (Sta. D19+35.61) with the West Access Road (Sta. WR50+55.05), as shown on the River District, Wolford Mountain Project, Ritschard Dam construction drawing "Dimensional Dam Layout" sheet 8 of 94, occurs at a point which bears South 53° 24' 56" E. a distance of 3,395.51 feet from the NW corner of Section 25; the bearing of the dam axis from Sta. 19+35.61 to Sta. 0+00 being South 75° 28' 29" E. 48.1.2.2 Source: Muddy Creek and its tributaries. 48.1.2.3 Amount: 6,000 acre-feet conditional. 48.1.2.4 Appropriation date: January 16, 1995. 48.1.2.5 Uses: All beneficial uses by and for the benefit of the inhabitants of the River District, including but not limited to domestic, municipal, industrial, irrigation, agricultural, piscatorial, and recreational; such uses will include environmental mitigation, including environmental mitigation requirements associated with the Wolford Mountain Project. Such uses will be made directly or by substitution, augmentation, or exchange. None of the water stored in the exercise of the right will be delivered directly or by exchange, substitution, or otherwise for use outside of Water Division 5. 48.1.3. Case No. 98CW237, July 6, 2000. 48.1.3.1. Legal Description: Same as for Case No. 95CW281. 48.1.3.2. Source: Muddy Creek and its tributaries. 48.1.3.3. Amount: 30,000 acre-feet, conditional, of which 15,895 acre-feet is absolute for recreational, piscatorial and flood control uses. 48.1.3.4. Appropriation date: November 17, 1998. 48.1.3.5. Use: Certain of the beneficial uses previously adjudicated for Wolford Mountain Reservoir in Case No. 87CW283, November 20, 1989, and Case No. 95CW281, August 26, 1997. Case No. 87CW283: The reservoir will be used to satisfy the requirements of the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District. This will involve all uses, including but not limited to domestic, municipal, agricultural, and recreational uses. The reservoir will also be used to meet the water requirements of the inhabitants of the River District for all uses, including uses in the Middle Park area. Case No. 95CW281: All beneficial uses by and for the benefit of the inhabitants of the River District, including but not limited to domestic, municipal, industrial, irrigation, agricultural, piscatorial, and recreational; the uses will include environmental mitigation, including environmental mitigation requirements associated with the Wolford Mountain Reservoir Project; the uses will be made directly or by substitution, augmentation, or exchange. 48.1.3.6. Remarks: The Refill Right will be exercised to provide supply for the Western Slope uses of water from Wolford Mountain Reservoir described above, including flood control, other operational purposes, and environmental mitigation and enhancement for the benefit of uses within the District. The Refill Right will not be used in conjunction with the Reservoir capacity (24,000 acre-feet) that is allocated for the supply of water to the Denver Board of Water Commissioners under the River District's contractual relationship with Denver, or the Reservoir capacity (6,000 acre-feet) that is allocated for Colorado River endangered fish releases. 48.2. Ruedi Reservoir: The River District holds Contracts No. 009D6C0111, 009D6C0118, and 039F6C0011 from the U.S. Bureau of Reclamation for 1,730 acre-feet of annual supply from Ruedi Reservoir and may obtain additional contracts in the future. This water will be used in addition to and substitution for Wolford Mountain Reservoir water in appropriate circumstances where Ruedi water is physically equivalent to Wolford water. 48.2.1. Legal description: Ruedi Reservoir is located in Sections 7, 8, 9, 11, and 14 through 18, Township 8 South, Range 84 West, 6th P.M., in Eagle and Pitkin Counties. The dam axis intersects the right abutment at a point whence the SW corner of Section 7, Township 8 South, Range 84 West, 6th P.M. bears North 82° 10' W. a distance of 1,285 feet. 48.2.2. Source: Fryingpan River. 48.2.3. Civil Action 4613, June 20, 1958. 48.2.4. Amount: 140,697.3 acre-feet, reduced to 102,369 acre-feet pursuant to order of the Court in Case No. W-789-76. The full amount was made absolute in Case No. 88CW85. 48.2.5. Appropriation date: July 29, 1957. 48.2.6. Use: Domestic, municipal, irrigation, industrial, generation of electrical energy, stock watering, and piscatorial. 48.2.7. Case No. 81CW34, April 8, 1985. 48.2.8. Amount: 101,280 acre-feet (refill); 44,509 acre-feet of which was made absolute in Case No. 95CW95, and 25,257 acre-feet of which was made absolute in Case No. 01CW269, for a total of 69,766 acre-feet absolute. 48.2.9. Appropriation date: January 22, 1981. 48.2.10. Use: Irrigation, domestic, municipal, generation of electrical energy, stock watering, industrial, piscatorial, recreation, and maintenance of sufficient storage reserves to fulfill contractual obligations and provide stored water for recreation in times of drought. 49. Releases from Applicants' Ponds. The Applicants will release water from one or more of the following sources to replace out-of-priority depletions on South Canyon Creek: 49.1. SRR Maintenance Pond, described at paragraph no. 40 above. 49.2. SRR Barn Pond, described at paragraph no. 41 above. 49.3. SRR Lower V2 Pond, described at paragraph no. 42 above. 49.4. SRR Lower V5 Pond, described at paragraph no. 43 above. 49.5. SRR Upper V5 Pond, described at paragraph no. 44 above. 50. Operation of Plan for Augmentation. Total cumulative diversions from the Applicants' water rights are estimated at 80.2 acre-feet, and the depletions associated with the diversions are 69.2 acre-feet as shown on Exhibit C. 50.1. The total open surface area of all existing and proposed ponds on the property is 8.6 acres. Exhibit B shows the location of the existing and proposed ponds. The average total annual evaporation from the ponds is 25.8 acre-feet. If necessary, the ponds will be lined to prevent the interception of groundwater and will not create delayed evaporation depletions. 50.2. All of the ponds are off-channel structures with the exception of the proposed SRR Lower V5 Pond, which will be located in the channel of an unnamed tributary of South Canyon Creek. The average annual evaporation rate is 3.36 feet (40.33 inches). The evaporation occurring from the SRR Lower V5 Pond can be reduced by the effective precipitation since it is an on-channel structure. The effective precipitation is 12.08 inches and calculated as 70% of the average annual precipitation. The total average annual evaporation from the 8.6 acres of pond surface area is 25.82 acre feet as shown on the attached Exhibit C. The evaporation was calculated using the gross annual evaporation rate of 45 inches derived from the isopleths of shallow lake evaporation for Colorado in the NOAA Technical Report NWS 33, Evaporation for the Contiguous 48 United States. The gross evaporation was distributed monthly in accordance with the SB120 Guidelines for ponds above 6500 feet in elevation. Credit was only taken for effective precipitation on the one on-channel pond and the ponds are assumed to be frozen from the end of November through the beginning of March. The evaporation calculation is presented on the attached Exhibit D. 50.3. The irrigation consumptive use is estimated at 1.96

af/acre based on the Modified Blaney Criddle Method with the Pochop Altitude Adjustment for lawn and garden and 1.19 acre-feet/acre for pasture grass as shown on Exhibit E. Average monthly temperature data were obtained from the National Oceanic and Atmospheric Administration (“NOAA”) Glenwood Springs #2 weather station (Station ID USC00053359). The daily temperature data was adjusted to account for the difference in elevation between the weather station and the irrigated fields. The adjustment assumed that for every 1,000 feet elevation change there is a 3.60 °F change in temperature. 50.4. The Applicant will irrigate up to 90 acres (88 acres pasture and 2 acres lawn and garden) from April through June and from July through October will irrigate up to 10.0 acres. Exhibit B shows the location of the potential irrigated area. The annual irrigation demand is estimated at 54.2 acre-feet and assuming an 80 percent irrigation efficiency results in a consumptive use of 43.4 acre-feet per year. 50.5. Applicants propose to have overnight lodging on the property. The overnight lodging consists of ten units with two people per unit. The water use assumed 35 gpd per person for access to a bathroom with shower and a kitchen with three meals provided. Lodging will only occur during the months of June through October with full occupancy on the weekends and up to four units during the week. All of the facilities utilize a septic leach field system and the water depletions are estimated at 10 percent of the water diversions. 50.6. The commercial demand is estimated at 0.19 acre-feet per year and the commercial depletions are estimated at 0.02 acre-feet per year. 50.7. The out-of-priority depletions will be replaced by releases from onsite ponds for a local call and by exchange with releases of contract storage water for a downstream Colorado River call. 50.8. The primary source of a potential mainstem call on the Colorado River is the Cameo Call for irrigation and agricultural water rights. During a dry year, the Cameo Call can go on call for 7 days in April, May, and November, 14 days in June, and all of July-October. There has never been an administrative call on South Canyon Creek that affect the Applicants’ water rights. In the event of an administered senior call on South Canyon Creek, Applicants will release water from one of their on-site replacement sources described above to cover the out-of-priority depletions for the overnight lodging and up to 2 acres of lawn and landscape irrigation. For purposes of this plan, it is assumed there is a potential for a future call during June through October of an extreme dry year. 50.9. When there is a valid call on the mainstem of the Colorado River below its confluence with South Canyon Creek, out-of-priority depletions will be replaced by exchange using releases from various CRWCD water rights. It is estimated that up to 44 acre-feet (including 10% transit loss) of Colorado River water is required to replace out-of-priority depletions as shown on Exhibit C, Page 1. In the event of a local senior call occurring on South Canyon Creek, Applicants will only divert water for the overnight lodging and up to 2 acres of lawn and landscape irrigation. Pond releases will occur from the SRR ponds described above to cover the out-of-priority depletions as shown on Exhibit C, Page 2. VI. SIXTH CLAIM: APPROPRIATIVE RIGHT OF EXCHANGE 51. Operation of Exchange. The Plan for augmentation will operate by exchange for the Colorado River replacement water sources. The exchange reach extends from the confluence of the Colorado River and South Canyon to the uppermost points of depletions of the Applicants’ water rights. 52. The lower termini is described as follows: 52.1. Confluence of the Colorado River and South Canyon Creek, which is currently located in the SW¼ NE ¼ of Section 2, Township 6 South, Range 90 West of the 6th P.M., at a point approximately 1,230 feet from the North section line and 2,200 feet from the East section line of said Section 2. See Exhibit F. 53. The upper termini include: 53.1. SRR Spring M in the NE ¼ of the SW ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 1350 feet from the south section line and 1790 feet from the west section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit F. UTM Zone 13 NAD83 Coordinates: Easting 294,216.8 m Northing 4,376,341.4 m Source: GPS Accuracy: 3 m 53.2. SRR Spring E located in the SW ¼ of the SE ¼, Section 24, Township 6 South, Range 90 West, 6th P.M., at a point approximately 50 feet from the south section line and 2465 feet from the east section line of said Section 24, Garfield County, Colorado, based on the BLM digital section lines. See Exhibit F. UTM Zone 13 NAD83 Coordinates: Easting 294,565.7 m Northing 4,375,959.9 m Source: GPS Accuracy: 3 m 54. Rate of exchange: up to 0.251 cfs 55. Amount of exchange: up to 43.8 acre-feet per year 56. Date of appropriation: January 31, 2019 56.1. How appropriation was initiated: By field investigation, formation of intent to appropriate water rights, and drafting of water court application 57. Uses: augmentation 58. Sources of supply for exchanges: the sources of augmentation water are described in paragraphs 48 and 49 above. VII. SEVENTH CLAIM: INTEGRATED SYSTEM 59. Integrated system: The Applicants have contemporaneously applied for water rights in Case Nos. 19CW3040 (Conditional Surface and Storage Water Rights), 19CW3039 (Absolute Surface and Storage Water Rights), 19CW3041 (New Junior Uses of Decreed Water Rights), and 19CW3042 (Plan for Augmentation and Exchange). The Applicants filed this Application to adjudicate additional water rights as components of an integrated water supply system, which includes existing decreed water rights, to supply water for their South Canyon Ranch, including irrigation, stock water, domestic and commercial uses. The system entails adjudicating the water rights claimed in this case, as well as other surface and storage water rights on or tributary to South Canyon Creek, tributary to the Colorado River. The structures and water rights in the cases described above constitute an integrated water supply system as defined by Denver v. Northern Colo. Water Conservancy Dist., 276 P.2d 992 (Colo. 1955), because each structure and water right of the system has a direct bearing on, and is necessary for the functioning of, the entire system. Therefore, work accomplished on one portion of this integrated system may be considered evidence of reasonable diligence on the part of Applicants as to the other portions of the system. C.R.S. § 37-92-301(4)(b). WHEREFORE, the Applicant prays this Court enter a decree: a) Granting the Plan for Augmentation and Appropriative Rights of Exchange as applied for herein; and b) Granting such other and further relief as the Court deems proper. Total number of pages in application is 39, including 6 exhibits.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2019 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part

or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

19. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2019. The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.

18CW3173 WATER DIV 5, GARFIELD COUNTY, CO. Amended Application to Find Diligence or Make Absolute, Scott Family Trust c/o Sherry A Caloia PO Box 443 Glenwood Springs, CO 81602; Scott Spring No. 1; Decreed: 11/14/ 2012 in Case 2011CW0114; located in NW¼SE¼ Sec 31 T6S R94W 6PM, 1370 ft from S sec line and 2200 ft from E sec line, source: springs trib to unnamed draw and overflow of Allen Springs decreed in 81CW0036 Water Div No 5 both trib to Colorado River; Approp: 4/14/2011; Amt: 5 gpm; Use: Irrigation and livestock watering; The spring has watered 10 cattle and horses drink from spring. Make Absolute: 5 gpm for stockwater Amt: 5 gpm.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2019 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

20. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MARCH 2019. The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.

19CW4 GRAND COUNTY-SPRING TRIBUTARY TO THE COLORADO RIVER. Nathan & Natalie Mitchel, 15051 W. 76th Dr., Arvada, CO 80007 (303)598-2779; Thomas Rehnberg, 8106 Skyview St., Greeley, CO 80634 (970)221-8504; Erick Eduardo Varela, P.O. Box 1002, Grand Lake, CO 80447 (303)919-1027; Greg & Tammy Meeske-11555 Green Acres Ln., Colorado Springs, CO 80907 (719)449-3902; Jesus M. Varela, P.O. Box 134, Grand Lake, CO 80447 (303)501-2590; Kirk Magnusson & Anita Lobanov-Rostovsky, 13347 N. Winchester Way, Parker, CO 80138 (303)901-3370 and Michelle Pilione, 1112 Oakridge Dr., Apt. 104-251; Ft. Collins, CO 80525 (303)501-2590. Spring House Spring-Application for Absolute Water Rights (Surface). Location: UTM: E428189 N4455106 Z13; NW¼NW¼ of Sec. 7, T.3N., R.75W. of the 6th P.M. 5.6 ft. from the south sec. line and 64.8 ft. from the east sec. line. Appropriation: April 9, 1942. Amount: 15.0 g.p.m., absolute applied to beneficial use on July 8, 1968. Uses: domestic household use only. Remarks. All applicants are on city sewer and are requesting a water right is for household use only (no irrigation). Applicants are pursuing a water right under the historic users pool and claiming Green Mountain Coverage.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of MAY 2019 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.