

**DISTRICT COURT, WATER DIVISION 1, COLORADO
APRIL 2023 WATER RESUME PUBLICATION**

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

Pursuant to C.R.S. 37-92-302, you are notified that the following is a resume of all water right applications, and certain amendments filed in the Office of the Water Clerk during the month of **APRIL 2023** for each County affected.

2023CW9 EDDIE JOE FITZPATRICK, PO BOX 743, Como, CO 80432. 303-906-5058. APPLICATION FOR CONDITIONAL, ABSOLUTE UNDERGROUND WATER RIGHT IN PARK COUNTY. Name of Structure: Fitzpatrick Well located NW1/4, NW1/4, S15, T9S, R75W of the 6th PM in Park County. Subdivision: Indian Mountain, Lot 212, Filing 26, Unit 2, a/k/a 215 Hangman's Court, Como, CO 80432. UTM coordinates: Easting 433495.1 Northing 4347411.5. Well Permit 80269-F. Source: Groundwater. Depth of well: 240 ft. Appropriation date: 03-31-73. Date water applied to beneficial use: 10-11-16. Amount claimed: Conditional 5 gpm, Absolute 5 gpm. Amount claimed in acre feet: Conditional 1/3 af, Absolute 1/3 af. Amount Use: Ordinary household use in one single family dwelling

2023CW10 (96CW1166, 10CW197, 16CW43) EUGENE AND DEBRA NAGLE, 5367 S. Foresthill St., Littleton, CO 80120. 303-795-9415. APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN PARK COUNTY. Date of original decree: 09-17-04 in case no. 96CW1166, WD1; Subsequent decrees: 11-26-10 in case no. 10CW197, WD 1, 04-21-17 in case no. 16CW43, WD1. Nagle Lot 78 Well located NE1/4 NE1/4, S29, T9S, R75W of the 6th PM; Filing 2, Indian Mountain Subdivision, 65 Antelope Circle–vacant land. Nagle Lot 79 Well located SE1/4 NE1/4, S29, T9S, R75W of the 6th PM; Filing 2, Indian Mountain Subdivision, 43 Antelope Circle–vacant land. Source: Groundwater. Appropriation date: 5-31-73. Amount for each lot: 0.033 cfs (15 gpm) Conditional. Use: Household use only inside a single-family dwelling.

2023CW11 (05CW337, 15CW13) MICHAEL AND TAMARA GOSS, 10983 Hwy. 6, Merino, CO 80741. 970-521-0246. APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN LOGAN COUNTY. Date of original decree: 04-20-09 in case 05CW337, WD1. Subsequent Decree: 04-11-17 in case 15CW13, WD1. Little Creek Ranch Ponds 1-9. All ponds are located in the SE1/4, S14, T6N, R54 W of the 6th PM, Logan County. Little Creek Ranch Pond 1 at a point approximately 900 ft. from the S and 700 from the E. Little Creek Ranch Pond 2 at a point approximately 1600 ft. from the S and 500 ft. from the E. Little Creek Ranch Pond 3 at a point approximately 1900 ft. from the S and 2400 ft. from the E. Little Creek Ranch Pond 4 at a point approximately 1500 ft. from the S and 2200 ft. from the E. Little Creek Ranch Pond 5 at a point approximately 1800 ft. from the S and 1250 ft. from the E. Little Creek Ranch Pond 6 at a point approximately 1100 ft. from the S and 2000 ft. from the E. Little Creek Ranch Pond 7 at a point approximately 900 ft. from the S and 1200 ft. from the E. Little Creek Ranch Pond 8 at a point approximately 100 ft. from the S and 1200 ft. from the E. Little Creek Ranch Pond 9 at a point approximately 100 ft. from the S and 600 ft. from the E. Source: Little Creek and Springs. Date of appropriation: 12-22-05. Amount: Pond 1, 14af; Pond 2, 21af; Pond 3, 30af; Pond 4, 49af; Pond 5, 51af; Pond 6, 20af; Pond 7, 14af; Pond 8, 60af; Pond 9, 35af. Use: Ponds 1-8, irrigation, stock water, wildlife habitat, water stored in 1-8 released to Pond 9. Pond 9 is recharge.

2023CW3039 Concerning the Application for Water Rights of Joshua D. Patterson and Katherine N. Patterson. Order for no publication in WD1-WD2 to publish (WD2 23CW3020)

2023CW3040 (Former Case Nos. 81CW444, 96CW192, 03CW321, 10CW138, 16CW3147). **APPLICATION FOR A SEXENNIAL FINDING OF REASONABLE DILIGENCE OF THE CITY OF WESTMINSTER IN ADAMS COUNTY.** All correspondence and pleadings should be sent to the undersigned counsel for the Applicant: Lee H. Johnson, Mason H. Brown, Katrina B. Fiscella, Sarah B. Wiedemann, Carlson, Hammond & Paddock, L.L.C., 1900 Grant Street, Suite 1200, Denver, Colorado 80203; Phone: (303) 861-9000; Fax: (303) 861-9026; ljohnson@chp-law.com, mbrown@chp-law.com,

kfiscella@chp-law.com, swiedemann@chp-law.com. **2. Name of Structures:** Little Dry Intake No. 1. **3. Description of conditional water right:** A. Date of Original Decree: Case No. 81CW444, District Court in and for Water Division No. 1, State of Colorado, decreed on August 7, 1990. B. Subsequent Decrees: Decrees finding reasonable diligence have been entered by the District Court in and for Water Division No. 1 in Case No. 96CW192 on September 9, 1997; Case No. 03CW321 on May 18, 2004; Case No. 10CW138 on October 4, 2010; in 16CW3147 on April 3, 2017. C. Legal Description: The location of Little Dry Intake No. 1 as described in Case No. 81CW444 is as follows: A point of diversion located in the North East 1/4 of Section 6, Township 3 South, Range 68 West, City of Westminster, County of Adams, State of Colorado more particularly described as follows: Beginning at a point in the North East corner of Section 6, thence West along North Boundary of Section 6 to a point of intersection with Little Dry Creek; thence along the south boundary of Little Dry Creek a distance of 500 feet to the point of diversion. D. Source: Little Dry Creek, a tributary to the South Platte River. E. Appropriation Date: September 14, 1981, Case No. 81CW444. F. Amount: 10 c.f.s., conditional. G. Use: Pursuant to the decree entered in Case No. 81CW444, the water diverted will be used for irrigation, domestic, municipal, commercial, industrial, recreational, exchange, replacement, and augmentation purposes in the operation of the City of Westminster's municipal utility system. H. A map depicting the decreed location of the Little Dry Intake No. 1 water right is attached as Exhibit A. **4. Detailed outline of what has been done toward completion of the appropriation and application to a beneficial use.** A. The water rights adjudicated in Case No. 81CW444 are part of Westminster's Clear Creek Water Supply system, an integrated system as defined by § 37-92-301(4), C.R.S. During the diligence period, Westminster has continued the development of its Clear Creek Water Supply System. Activities have included, among other things: acquisition of additional interests in water on Clear Creek and its tributaries and the South Platte River; prosecuting Water Court applications to incorporate said interests into the City's Water Supply System; exercising conditional exchanges and making portions absolute or obtaining diligence decrees on the remaining conditional portions; completion of construction and subsequent operation of Little Dry Creek Pond and making the associated storage right absolute; operation of an aeration system related to Jim Baker Reservoir; negotiation of bypass agreement for Lower Clear Creek/Colorado Agricultural Ditch; and, participation in numerous Water Court cases for purposes of protecting, maintaining and developing Westminster's Water Supply System. Expenses associated with these activities were incurred during the diligence period. B. During the diligence period, Westminster has participated in a number of water court proceedings in order to protect and maintain return flows to Little Dry Creek, Clear Creek, and the South Platte River and conducted internal and external meetings regarding the use of the water rights decreed in Case No. 81CW444 and other non-potable sources of water for irrigation and augmentation purposes in the Little Dry Creek basin. Costs associated with these efforts have been incurred during the diligence period. C. The Little Dry Creek Pond is a component of Westminster's park improvement project in the Little Dry Creek basin. During the diligence period, in Case No. 21CW3031, Westminster made absolute the on-stream storage right on Little Dry Creek known as the Little Dry Creek Pond, originally adjudicated in Case No. 13CW3145. In Case No. 13CW3145, Westminster also received judicial approval of a plan for augmentation to augment out-of-priority depletions caused by the Little Dry Creek Pond. One decreed augmentation source for the Little Dry Creek Pond is the Little Dry Intake No. 1 water right decreed in Case No. 81CW444. The Little Dry Creek Pond project was completed and became operational during the diligence period. Costs associated with these efforts have been incurred during the diligence period. D. During the prior diligence period, and in connection with the construction of the Little Dry Creek Pond originally adjudicated in Case No. 13CW3145 and made absolute in Case No. 21CW3031, Westminster consulted with its engineering/construction consultants regarding the construction of the Little Dry Intake No. 1 diversion structure. In relation to this effort, Westminster also conducted multiple site visits with its consultants and the District No. 7 Water Commissioner during the prior and current diligence period to evaluate the construction and potential operation of a diversion structure. Costs associated with these efforts have been incurred during the diligence period. E. During the diligence period, Westminster continued to study use of the Little Dry Intake No. 1 water right decreed in Case No. 81CW444 in the City's South Westminster non-potable water system to irrigate lands within Westminster's service area. Costs associated with these efforts have been incurred during the diligence

period. **5. If claim to make absolute in whole or in part:** N.A. **6. Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool:** The location of the diversion structure related to this conditional water right is located on property owned by the applicant, the City of Westminster. WHEREFORE, Westminster requests the Court to enter a decree granting a finding of reasonable diligence with respect to the entire conditional water rights decreed in Case No. 81CW444, and providing that a subsequent showing of diligence be made six years from the date of entry of a decree of diligence.

2023CW3041 THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LARIMER, c/o Director of Larimer County Road & Bridge, P.O. Box 1190, Fort Collins, CO. 80522. Please send pleadings and correspondence to: Brent Bartlett, Esq., Fischer, Brown, Bartlett, Larsen & Irby, P.C., 1319 E. Prospect Road, Fort Collins, CO 80525, (970) 407-9000, brentbartlett@fischerbrownlaw.com

APPLICATION FOR A FINDING OF REASONABLE DILIGENCE IN LARIMER COUNTY. 1. Name of Structure. Livermore Community Well. Permit No. 67430-FR, W DID No. 7779. 2. Describe conditional water right including the following information from previous decree: 2.1. Date of Original Decree: March 8, 2010, Case No. 2008CW3, District Court, Water Division No. 1, State of Colorado. 2.2. Date of Subsequent Decree Awarding Finding of Reasonable Diligence: April 3, 2017, Case No. 16CW3033, District Court, Water Division No. 1, State of Colorado. 2.3. Legal Description/Location of Well: Legal description of well: The well is located in the SW 1/4 of the NE 1/4 of Section 34, Township 10 North, Range 70 West of the 6th P.M., at a point that is 1,700 feet from the north section line and 1,770 feet from the east section line of said Section 34. 2.4. Source: Ground water tributary to the North Fork of the Cache La Poudre River which is tributary to the Cache La Poudre River and the South Platte River. 2.5. Date of Appropriation: January 31, 2008. 2.6. Amount claimed: .714 a.f. ABSOLUTE and 5.286 a.f. per year at a rate of or 25 g.p.m. CONDITIONAL. 2.7. Uses: Domestic/commercial/quasi-municipal uses including landscape and garden irrigation, municipal, drinking, sanitation, piscatorial, recreation, commercial, truck washing, industrial, livestock watering and fire protection. 2.8. Depth: 15 feet. 3. Outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures, during the previous diligence period: 3.1. During the diligence period this well, and the appurtenant diversion and distribution system, has continually supplied water for residences, the Larimer County Road and Bridge maintenance building, and a restaurant and convenience store. The well has been pumped for its decreed purposes and in accordance with the plan for augmentation decreed in Case No. 08CW31, District Court, Water Division No. 1 (“Original Decree”). Replacement supplies for the operation of the augmentation plan have been released to the river in accordance with the Water Supply and Assignment Agreement dated January 29, 2008 (“ELCO Agreement”) and said ELCO Agreement is incorporated into the original decree as Exhibit A. The ELCO Agreement is in perpetuity. Applicant also recorded the volume of water pumped and reported monthly usage data to the State and Division Engineer. The well pumped an average of approximately 2 a.f. annually. Significant infrastructure costs for improvement and repair of the well diversion, treatment and distribution system totaled \$27,100.00 during the diligence period. 3.2. Applicant has demonstrated continued intent and progress toward finalizing this conditional water right and has further shown the conditional decree is being pursued in a manner that confirms that beneficial uses of the remaining 5.286 a.f. conditional water right can and will occur. 3.3. Applicant reserves the right to assert and demonstrate that during the diligence period other or additional activities have been undertaken or accomplished toward completion of the appropriation. 4. Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool. Applicant is the owner of the land upon which all structures are located. No new diversion structures or modification to any existing structures will take place. WHEREFORE, Applicant requests the Court award a decree finding that Applicant has proceeded with the requisite reasonable

diligence in the development and completion of the water rights decreed to Applicant and awarding Applicant an additional six-year diligence period.

2023CW3042 Complaint for Judicial Review – City of Aurora v. State Engineer, et al

2023CW3043 CITY OF THORNTON, c/o Water Resources Division, 12540 Washington Street, Thornton, Colorado, 80241. Please forward all pleadings, correspondence and inquiries regarding this matter to the attorneys for Thornton: John P. Justus, WHITE & JANKOWSKI LLC, 1333 W. 120th Ave., Suite 302, Westminster, CO 80234, Telephone: (303) 595-9441, Facsimile: (303) 825-5632.

APPLICATION FOR CORRECTION FOR AN ESTABLISHED BUT ERRONEOUSLY DESCRIBED POINT OF DIVERSION PURSUANT TO § 37 92 305(3.6), C.R.S. IN WELD COUNTY.

2. Decreed water right for which correction is sought: A. Name of structure: Burman Section 18 Well System, Well No. 2. B. Date of original and all relevant subsequent decrees: Decree entered on September 10, 1953, Case No: CA-11217 (“Well No. 2 Decree”), by the District Court, County of Larimer (adjudicating water rights in District No. 3 of Water Division No. 1) C. Legal description of structure as described in most recent decree that adjudicated the location: “Said well system is located on the farm in Weld County . . . About 200 acres, being those parts of Section 18, Township 7 North Range 65 West of the 6th P.M., as follows: The south 50.5 acres of the NW 1/4; the north 40 acres of the SW 1/4; also part of the SW 1/4 NE 1/4; the S 1/2 N 1/2 SW 1/4 that part SW 1/4 SW 1/4 lying north of Larimer and Weld Canal; that part SE 1/4 SW 1/4 lying north and west of said canal, also a part NW 1/4 SE 1/4 of said Section 18; all more particularly described in Warranty Deed of Harry B. Burman to Florence Burman of record in Book 1160 Page 427, Weld County, Colorado, records. . . . No. 1 is at a pumping plant located about 1275 feet east and 15 feet south of the west quarter corner of said Section 18. . . . No. 2 Well is at a pumping plant located about 300 feet east of Well No. 1 . . .” D. Decreed source of water: Groundwater E. Appropriation Date: July 1, 1938. F. Total amount decreed to structure in gallons per minute (gpm) or cubic feet per second (cfs): Absolute 450 gpm or 1 cfs G. Decreed use or uses: Irrigation purposes H. Amount of water decreed: Absolute 1 cfs

3. Detailed description of proposed correction to an established but erroneously described point of diversion: A. Complete statement of correction to an established but erroneously described point of diversion, including whether it is erroneously described. See §§ 37-92-305(3.6)(a) & (b), C.R.S.: Applicant owns the Burman Section 18 Well System, Well No. 1 and Well No. 2. Applicant’s predecessors in interest first appropriated water from Well No. 2 on July 1, 1938, and it has been used to apply water to a beneficial use since that time. Well No. 2 is not located at its decreed location and the available evidence is that it was not located at that decreed location at the time of entry of the Well No. 2 Decree. The actual, but erroneously described, point of diversion is located in the SE 1/4 of the NW 1/4, Section 18, Township 7 North, Range 65 West of the 6th P.M., at UTM x coordinates 524437.00 and UTM y coordinates 4491883.0. The Well No. 2 Decree states that Well No. 2 is at a depth of 65 feet with a casing diameter of 36 inches, and that the first appropriation date was July 1, 1938. The subsequent registration for Well No. 2, filed in February 1960, (the “Registration”) also states that Well No. 2 is at a depth of 65 feet with a casing diameter of 36 inches, and that the first use of that structure was on July 1, 1938, consistent with the Well No. 2 Decree. The Registration also states that the location of Well No. 2 is the SE 1/4 of the NW 1/4, Section 18, Township 7 North, Range 65 West, of the 6th P.M., consistent with the current physical location of Well No. 2. This evidence demonstrates that the location of Well No. 2 has remained consistent since 1938 notwithstanding the description in the Well No. 2 Decree. Additionally, the Well No. 2 Decree states that Well No. 2 is located “about 300 feet east of Well No. 1.” Pursuant to the Decree entered on February 24, 2023, in Case No. 22CW3047 (WD1) the location of Well No. 1 was decreed to be properly located at UTM x coordinates 524439.00 and UTM y coordinates 4491886.0, which is about 300 feet west of the physical location of Well No. 2, consistent with the distance between the Wells as described in the Well No. 2 Decree. This evidence further demonstrates that the location of Well No. 2 has been at the current location since the date of appropriation in July 1, 1938, prior to the entry of the Well No. 2 Decree. Despite the erroneously described location, Applicant, and its predecessors in interest have, pursuant to the Well No. 2 Decree, placed water to a beneficial use from Well No. 2’s present location since

the issuance of the Well No. 2 Decree. Applicant seeks a decree for the actual location of Well No. 2 to correct the erroneously described location in the Well No. 2 Decree. B. The legal description of the corrected point of diversion: 1. Public Land Survey System (PLSS): SE1/4 of the NW1/4 of Section 18, Township 7 North, Range 65 West of the 6th P.M., derived from CDSS Map Viewer. 2. Location information in UTM format (preferred): Easting 524437.0, Northing 4491883.0, Zone 13, derived from CDSS Map Viewer. 4. **Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool:** Applicant is the owner of the land on which the well is located. (5 Pages; 1 Exhibit)

2023CW3044 (15CW3118; 96CW0020). **RIVERSIDE IRRIGATION DISTRICT AND RIVERSIDE RESERVOIR AND LAND COMPANY**, 221 E. Kiowa Street, Fort Morgan, CO 80701; c/o Peter J. Ampe, #23452, Matthew A. Montgomery, #44039, Hill & Robbins, P.C., 3401 Quebec St., Suite 3401, Denver, CO 80207, Phone: (303) 296-8100, Fax: (303) 296-2388, E-mail:peterampe@hillandrobbs.com; matthewmontgomery@hillandrobbs.com. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN WELD AND MORGAN COUNTIES.** 2. **Names of Structures:** 2.1 Greasewood Reservoir; 2.2 Riverside Reservoir; 2.3 Riverside Inlet Canal; 2.4 Greasewood Canal. 3. **Describe conditional water right giving the following from the Referee's Ruling and Judgment and Decree:** 3.1. Date of Original Decree: September 16, 2009, Case No. 96CW020. 3.2. Location: 3.2.1. Greasewood Reservoir is an off-channel reservoir located in portions of Sections 8, 16, 17, 18, 19, 20, and 21, Township 5 North, Range 60 West of the 6th P.M. The approximate location of Greasewood Reservoir is depicted on the map attached hereto as **Exhibit A**. 3.2.2. Riverside Inlet Canal will be the point of diversion of the water right decreed herein. The Riverside Inlet Canal has a capacity of 1000 cfs and a point of diversion located on the north bank of the South Platte River near Kuner, Colorado in the SW1/4 SW1/4, Section 20, Township 5 North, Range 63 West of the 6th P.M., Weld County, Colorado. 3.2.3. Riverside Reservoir may be used as a temporary place of storage for water diverted pursuant to this water right prior to delivery of such water to Greasewood Reservoir. The dam of the Riverside Reservoir is located in Sections 5, 7, and 8, Township 4 North, Range 62 West of the 6th P.M. in Weld County, Colorado. 3.2.4. The Riverside Inlet Canal will be used to divert water from the South Platte River to Riverside Reservoir. Greasewood Canal will then be used to deliver water diverted pursuant to this water right from Riverside Reservoir to Greasewood Reservoir. The approximate location of Greasewood Canal is depicted on the map attached hereto as **Exhibit A**. Greasewood Canal will have the following approximate course: from Riverside Reservoir easterly through Sections 5, 4, 3 and 2, Township 4 North, Range 61 West of the 6th P.M., and continue through Sections 34, 35, 25, and 36, Township 5 North, Range 61 West of the 6th P.M., and continue through Sections 31, 30, and 29, Township 5 North, Range 60 West of the 6th P.M. 3.3. Source: South Platte River and all tributaries intersecting the Riverside Canal, Greasewood Canal, Greasewood Draw, and all of its tributaries, including Coal Bank Draw. 3.4. Appropriation Date: January 5, 1996. 3.5. Use: Irrigation, exchange, augmentation, recharge, replacement, domestic, municipal, industrial, stock water, recreational, and wildlife purposes. The water stored in Greasewood Reservoir or recharged to the alluvium of the South Platte River pursuant to this water right may be used directly or by exchange. The acreage that may be irrigated using the water right decreed herein is land now or in the future included within the boundaries of the Riverside Irrigation District in Weld and Morgan Counties under the Irrigation District Law of 1905. The District is presently located on the north side of the South Platte River in Townships 4 and 5 North, Ranges 55 through 63 West of the 6th P.M. in Weld and Morgan Counties. The exchange, augmentation, recharge, and replacement uses shall be made pursuant to the decree entered in Case No. 02CW086 and subject to the terms and conditions decreed therein. The recreation and wildlife uses shall be made *in situ* in Greasewood Reservoir. 3.6. Amount: 6000 acre-feet, **CONDITIONAL** to be diverted through the Riverside Inlet Canal at a maximum rate of 1000 cfs, **CONDITIONAL**, with the right to temporarily store water in Riverside Reservoir and to fill and refill and maintain Greasewood Reservoir at full capacity when water is legally available, **CONDITIONAL**. 4. **Provide a detailed outline of what has been done toward completion or for completion of the appropriation and application of water to**

a beneficial use as conditionally decreed, including expenditures: During the diligence period, Applicants have spent in excess of \$3,900,000.00 on canal and inlet maintenance, reservoir maintenance, defense and prosecution of water right applications, and river diversion maintenance, including over \$1,194, related specifically to Greasewood Reservoir. The Riverside system is an integrated system with Riverside Reservoir and Canal being integral to the continued development of Greasewood Reservoir. The peak diversion rate at the Riverside headgate during the diligence period was 588 cfs on November 14, 2017. The peak storage in Riverside Reservoir was 63,302 acre-feet on March 19, 2022. **5. Names and addresses of owner(s) of land on which points of diversion place of use are located:** 5.1. Greasewood Reservoir is located on land owned or controlled by: State of Colorado, Board of Land Commissioners, 1313 Sherman St., Room 620, Denver, CO 80203; Wickstorm Land LLC, 33052 Rd. 3, Orchard, CO 80649; Orchard Ranch, LLC, 6716 Deer Run Trail, Castle Rock, CO 80108. Sandra Carmona, Leland Wolf, 26247 Rd. 2, Orchard, CO 80649. John & Virginia Leroy Trust, 13625 Cedarbrook, Av, NE, Albuquerque, NM 87111-3029. 5.2 Riverside Reservoir is located on land owned or controlled by: Riverside Reservoir and Land Company, P.O. Box 455, Fort Morgan, CO 80701; Riverside Irrigation District, P.O. Box 455, Fort Morgan, CO 80701. 5.3. Riverside Canal is located on land owned or controlled by: Riverside Reservoir and Land Company, P.O. Box 455, Fort Morgan, CO 80701; Riverside Irrigation District, P.O. Box 455, Fort Morgan, CO 80701. 5.4 Greasewood Canal is located on land owned or controlled by: Riverside Reservoir and Land Company, P.O. Box 455, Fort Morgan, CO 80701; Riverside Irrigation District, P.O. Box 455, Fort Morgan, CO 80701; Orchard Ranch, LLC, 6716 Deer Run Trail, Castle Rock, CO 80108; State of Colorado, Board of Land Commissioners, 1313 Sherman St., Room 620, Denver, CO 80203; Ruland Farms, PO Box 38, Orchard, CO 80649; David A. Clark, PO Box 12, Orchard, CO 80649; Fackler Rental Properties, LLC, PO Box 12, Orchard, CO 80649; Jeremy Coffelt, 406 S. 5th St., Effingham, IL 62401-2571; Frances L Partsch, 570 22.5 Rd., Grand Junction, CO 81507; Equus Farms, 555 17th St., Ste 2400, Denver, CO 80202-3941; Hale Family Farms, 39740 County Rd 68, Briggsdale, CO 80611. **6. Request for finding of reasonable diligence:** Applicant hereby requests the Court to enter a finding that, as to those portions of the right not made absolute, Applicant is proceeding in a reasonably diligent manner and that the waters claimed by Applicant can and will be diverted, or otherwise captured, possessed and controlled and will be beneficially used and the project can and will be completed with diligence and within a reasonable time. (6 pages and attachment)

2023CW3045 JAYE and MARY KUCHMAN, and RANDY and MICHELLE BENEDICT, 36200 County Road 1, Elizabeth, CO, 80107. James J. Petrock, Eric K. Trout, Hayes Poznanovic Korver LLC, 700 17th Street, Suite 1800, Denver, CO, 80202. **APPLICATION FOR AMENDMENT OF AN AUGMENTATION PLAN IN THE NOT-NONTRIBUTARY UPPER DAWSON AQUIFER IN ELBERT COUNTY.** Subject Property: 20.330 acres generally located in the NW1/4 SW1/4, Section 34, Township 7 South, Range 65 West of the 6th P.M., Lot 4, Robinson Subdivision, also known as 36200 County Road 1, Elizabeth, Elbert County, State of Colorado, as shown on **Exhibit A** (“Subject Property”). Applicants are the sole owners of the Subject Property, therefore notice to any mortgage and lien holders was not required under C.R.S. 37-92-302(2)(b). Well Permits: There is one existing augmented Upper Dawson Aquifer well on the Subject Property operating under Well Permit No. 85958-F. Well Permit No. 85958-F will be re-permitted under the revised augmentation plan applied for herein. Additional, well permits will be applied for prior to construction of wells. Source of Water Rights: The Upper Dawson Aquifer is not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5). Previously Decreed Amounts: Applicants own the following annual amounts of groundwater as decreed in Case No. 2016CW3054, District Court, Water Division 1, on September 21, 2016 (the “16CW3054 Decree”). The volumes below are based on a 300-year withdrawal period:

Aquifer	Annual Amount (acre-feet)	Total Amount (acre-feet)
Upper Dawson (NNT)	1.67	500
Lower Dawson (NT)	0.93	280

Denver (NT)	2.17	650
Arapahoe (NT)	2.83	850
Laramie-Fox Hills (NT)	0.47	140

Decreed Uses: The water will be used, reused, and successively used for domestic, commercial, irrigation, livestock watering, fire protection, and augmentation purposes, including storage, both on and off the Subject Property. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). Summary of Revised Plan for Augmentation: The revised plan for augmentation outlined below is intended to completely replace the plan for augmentation in the 16CW3054 Decree. Groundwater to be Augmented: 1.6 acre-feet per year for 300 years of not-nontributary Upper Dawson Aquifer groundwater. Water Rights to be Used for Augmentation: Return flows from the use of not-nontributary and nontributary groundwater and direct discharge of nontributary groundwater. Statement of Plan for Augmentation: The Upper Dawson Aquifer groundwater will be used through up to two (2) wells, on the Subject Property. Each well will provide use for one (1) single-family home per well (0.3 acre-feet per year per well, 0.6 acre-feet per year total), irrigation of home lawn, garden, and trees of up to 8,000 square-feet per well (0.4 acre-feet per year per well, 0.8 acre-feet per year total), and stock watering for up to 8 domestic animals per well (0.1 acre-feet per year per well, 0.2 acre-feet total). Applicants reserve the right to amend the amount and uses without amending the application or republishing the same. Sewage treatment for in-house use will be provided by non-evaporative septic systems. Return flow from in-house use will be approximately 90% of that use. During pumping Applicants will replace actual depletions pursuant to C.R.S. § 37-90-137(9)(c.5). Depletions occur to the Cherry Creek stream system and return flows accrue to that creek system and are sufficient to replace actual depletions while the subject groundwater is being pumped. Applicants will reserve an equal amount of nontributary groundwater underlying the Subject Property to meet post-pumping augmentation requirements. Applicants request the Court approve the above amended augmentation plan, find that Applicants have complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. 4 Pages.

2023CW3046 GREGORY M. SHEA, ARIEL B. SHEA, MOUNTAIN MUTUAL RESERVOIR COMPANY, AND NORTH FORK ASSOCIATES, LLC; Gregory M. Shea and Ariel B. Shea (the “Sheas”), 32351 Horseshoe Dr., Evergreen, CO 80439; Email: agshea11@gmail.com; Telephone: (303) 408-8069; Mountain Mutual Reservoir Company, 6949 Highway 73, Suite 15, Evergreen, CO 80439; Email: norm@hch20.com; Telephone: (303) 989-6932; and North Fork Associates, LLC, 2686 S. Yukon Ct., Denver, CO 80227; Email: 613blatch@gmail.com; Telephone: (303) 988-7111. Please direct all correspondence concerning this Application to: Aaron Ladd, Esq. and Rachel L. Bolt, Esq., Vranesh and Raisch, LLP, 5303 Spine Road, Suite 202, Boulder, CO 80301; Email: asl@vrlaw.com; rlb@vrlaw.com; Telephone: (303) 443-6151. **APPLICATION FOR UNDERGROUND WATER RIGHT AND PLAN FOR AUGMENTATION INCLUDING EXCHANGE IN JEFFERSON COUNTY.** 2. Overview of Claims. The Sheas own a parcel of land located on approximately 6.4 acres lying in the NW1/4 NW1/4, Section 20, Township 5 South, Range 71 West of the 6th P.M., Jefferson County, Colorado (“Shea Property”), the general location of which is shown on the map attached as **Exhibit A**. It is in the drainage of Horseshoe Creek, tributary to Buffalo Creek, tributary to Bear Creek, which is tributary to the South Platte River. Water for the Shea Property is supplied by a well, Shea Well No. 1, which is being adjudicated pursuant to Claim 1 of this Application. Applicants also seek an augmentation plan to replace: (1) out-of-priority depletions from use of the Shea Well No. 1; and (2) evaporative losses from an on-channel pond located on the Shea Property to be used for piscatorial, aesthetic, and recreation purposes. **CLAIM NO. 1: APPLICATION FOR UNDERGROUND WATER RIGHT** 3. Names of Well and Permit Number: Shea Well No. 1, Well Permit No. 85528. a. Legal Description of the Well: Shea Well No. 1 is located on a parcel in the NW1/4 NW1/4, Section 20, Township 5 South, Range 71 West, of the 6th P.M., Jefferson County,

Colorado, which parcel is shown on the map attached as **Exhibit A**. b. Source: Groundwater in the drainage of Horseshoe Creek, tributary to Buffalo Creek, tributary to Bear Creek, which is tributary to the South Platte River. c. Date of Appropriation: August 17, 1976. d. How Appropriation was Initiated: By drilling and applying the well to beneficial use. e. Date Water Applied to Beneficial Use: April 28, 1977. f. Amount Claimed: 12 gpm, ABSOLUTE. g. Depth: 310 feet. h. Uses: Ordinary household purposes inside one single family dwelling. i. Names and Addresses of Owners of Land on Which the Well is Located: Co-Applicants, the Sheas. **CLAIM NO. 2: APPLICATION FOR APPROVAL OF A PLAN FOR AUGMENTATION INCLUDING EXCHANGE** 4. Names of Structures to be Augmented: The structures to be augmented pursuant to this plan for augmentation are: (i) the Shea Well No. 1; and (2) the Little Dipper Pond (collectively, the “Augmented Structures”). The Augmented Structures are located on the Shea Property, which is in the drainage Horseshoe Creek, tributary to Buffalo Creek, tributary to Bear Creek, which is tributary to the South Platte River. The Augmented Structures are more particularly described as follows: a. Shea Well No. 1: As set forth in Claim 1 above, the Shea Well is an existing well located on the Shea Property located in NW1/4 NW1/4, Section 20, Township 5 South, Range 71 West, of the 6th P.M, Well Permit No. 85528. The rate of diversion for the Shea Well No. 1 will not exceed 15 gallons per minute. After entry of the final decree in this case, the Sheas will seek a new permit for the Shea Well No. 1 that will reference the final decree entered in this case. b. Little Dipper Pond: Little Dipper Pond is located on the channel of Horseshoe Creek in the NW1/4 NW1/4, Section 20, Township 5 South, Range 71 West, of the 6th P.M and on the Shea Property. The augmentation plan sought in this Application will replace out-of-priority evaporative losses from this on-channel sub-irrigated existing pond. 5. Water Rights to be Used for Augmentation Purposes: The Sheas have entered into a contract with North Fork Associates, LLC to purchase 6.2 shares of Mountain Mutual Reservoir Company (“MMRC”) stock, which represents a firm annual yield of 0.196 of an acre-foot to satisfy the present and anticipated future replacement needs, attributable to MMRC’s Turkey Creek Firm Yield, as show on the summary of Firm Yield commitments, attached as **Exhibit B**, and described below. a. The water rights which MMRC owns for the benefit of its shareholders (hereinafter referred to as the “**Bear Creek/Turkey Creek water rights**”), are summarized as follows: i. Harriman Ditch: 7.71 shares of the 400 shares of capital stock (1.93%), issued and outstanding in the Harriman Ditch Company. Said company owns direct flow water rights decreed to the Harriman Ditch. Pursuant to the Decree entered in Civil Action No. 6832, on February 4, 1884, the ditch was awarded the following direct flow priorities:

Appropriation Date	Priority Number	Source	Amount	MMRC Entitlement
April 15, 1868	21	Turkey Creek	10.75 cfs	0.2072 cfs
March 16, 1869	23	Bear Creek	7.94 cfs	0.1530 cfs
May 1, 1871	25	Bear Creek	25.54 cfs	0.4923 cfs
March 1, 1882	30	Bear Creek	12.87 cfs	0.2481 cfs

The Bear Creek headgate of the Harriman Ditch is located on the South bank of Bear Creek in the NE1/4 NE1/4, Section 2, Township 5 South, Range 70 West, 6th P.M., Jefferson County, Colorado. The Turkey Creek headgate of the Harriman Ditch is located on the South bank of Turkey Creek near the Southwest corner of Section 6, Township 5 South, Range 69 West, 6th P.M., Jefferson County. The ditch was originally decreed for irrigation, livestock watering, domestic and municipal purposes. ii. Warrior Ditch: 2.0 shares of 160 shares of capital stock (1.25%), issued and outstanding in the Warrior Ditch Company. Said company owns direct flow water rights decreed to the Warrior Ditch. Pursuant to the Decree entered in Civil Action No. 6832 on February 4, 1884, the ditch was awarded the following direct flow priorities:

Appropriation Date	Priority Number	Source	Amount	MMRC Entitlement
Dec. 1, 1861	4	Bear Creek	12.33 cfs	0.1541 cfs
April 16, 1862	8	Turkey Creek	2.86 cfs	0.0358 cfs

Oct. 31, 1864	14	Bear Creek	25.47 cfs	0.3184 cfs
April 1, 1865	16	Bear Creek	11.49 cfs	0.1436 cfs

iii. Soda Lakes Reservoir Nos. 1 and 2: 8.71 shares of the 400 shares of capital stock (2.18%), issued and outstanding in the Soda Lakes Reservoir and Mineral Water Company. Said company owns storage water rights decreed to the Soda Lakes Reservoir Nos. 1 and 2. Pursuant to the Decree entered in Civil Action No. 91471 on September 24, 1935, the Soda Lakes Reservoir Nos. 1 and 2 were adjudicated for 1,794 acre-feet for irrigation purposes, and 598 acre-feet for storage for supplying the City of Denver with water for municipal purposes, including the watering of lawns and gardens. The date of appropriation awarded to the structures was February 11, 1893. The Soda Lakes Reservoirs are located in Section 1, Township 5 South, Range 70 West, 6th P.M., Jefferson County. The reservoirs are filled through the Harriman Ditch. iv. Meadowview Reservoir: The structure is located in the NE1/4 SW1/4 and the NW1/4 SE1/4 of Section 26, Township 5 South, Range 71 West, 6th P.M., Jefferson County. Meadowview Reservoir was awarded absolute water rights in Case No. 09CW92 (01CW294), in an amount of 20 acre-feet, and in Case No. 16CW3022 (94CW290), in an amount of 30 acre-feet, for augmentation, replacement, exchange and substitution purposes. The source is North Turkey Creek and water tributary to North Turkey Creek. Harriman Ditch and Warrior Ditch direct flow water and water available to MMRC in the Soda Lakes Reservoirs are also stored in Meadowview Reservoir by exchange pursuant to the appropriative rights of substitution and exchange decreed in Case Nos. 94CW290, 00CW060 and 01CW293. b. The overall “firm” yield of consumptive use water available from the MMRC portfolio of Bear Creek/Turkey Creek water rights and storage facilities was quantified in the Decrees entered by the District Court for Water Division 1 in Case No. 01CW293, dated July 16, 2003, and Case No. 94CW290, dated October 16, 2006. The terms and conditions under which the Bear Creek/Turkey Creek water rights are used for augmentation and replacement purposes are set forth in the Decrees in Case Nos. 01CW293 and 94CW290, and are deemed to be *res judicata* in future proceedings involving such rights, pursuant to *Williams v. Midway Ranches*, 938 P.2d 515 (Colo. 1997). Reference is made to the Decrees in Case Nos. 01CW293 and 94CW290 for more detailed information. c. Terms from Case No. 19CW3154. Defined terms used here but not defined or used in other sections of this Application shall have the meaning set forth in the decree for Case No. 19CW3154. i. When and to the extent the Bear Creek/Turkey Creek Firm Yield committed to the plan described in this Application is not needed to make replacements pursuant to said plan, MMRC’s use of the Bear Creek/Turkey Creek Firm Yield that is committed to this Application may be used as a Supplemental Supply as defined in the decree in Case No. 19CW3154 only in the manner, and subject to the terms and conditions, set forth in said Decree, including but not limited to the provisions set forth in Sections 21.1 through 21.7 and 22.2.1 through 22.2.9 and 22.3.1 and 22.3.2. An excerpt of the Decree in Case No. 19CW3154 that includes these referenced sections will be attached as an exhibit to the final decree in this case. ii. On an ongoing basis, if MMRC’s storage volume in Meadowview Reservoir is less than the Turkey Creek Estimated Actual Depletions from the current month until the next April 30, MMRC shall cease making replacements of pond evaporation depletions in the Turkey Creek basin that are to be augmented pursuant to this Application. 6. Statement of Plan for Augmentation: This augmentation plan will replace out-of-priority depletions associated with the Shea Well No. 1 and out-of-priority evaporative losses from Littler Dipper Pond as more particularly described as follows. This plan will require 0.196 of an acre-foot of replacement water as is shown in Table 1 below. a. This augmentation plan for the Shea Well No. 1 will replace out-of-priority depletions from a single-family dwelling, with an average occupancy of 3.5 persons, with an estimated water requirement of 80 gallons per capita per day (gpcd) and 10% consumption based on subsurface discharge from an individual septic tank-soil absorption system. The plan is also intended to replace the following alternative uses: (a) an auxiliary dwelling unit with an average occupancy of 2.0 persons using 80 gallons per capita per day with 10% consumption; (b) up to four horses (or equivalent animal use) using 10 gallons per head per day with 100% consumption; (c) up to 1 hot tub based on the use of 5 gl/day with 100% consumption; (d) up to 1,000 square feet of turf irrigation based on the application of 1.25 af/ac with 100% consumption; or (e) some combination of these uses not to exceed replacement requirements of 0.097 of an acre-foot. b. This augmentation plan will also replace evaporative losses for

the on-channel Little Dipper Pond. Applicants are claiming a phreatophyte credit for the area of the pond formerly occupied by sub-irrigated grass. In addition, the period that the pond would normally be frozen was determined using the average temperature in Evergreen since the elevation of the two locations are within 500 feet of each other. The average first day with temperatures of 32 degrees or below was determined by extrapolating the average temperatures of February and March and the months of November and December. A calculation of evaporation for the Little Dipper Pond is attached as **Exhibit C**.

Table 1

Use	Water Requirements	Units	Quantity AF	CU Rate	Replacement Requirements		
					Total Ac-Ft	Summer Ac-Ft	Winter Ac-Ft
Single-Family In-house Use	80 gl/cap/dy (3.5 cap)	1	0.314	10%	0.031	0.016	0.015
Pond Evap	0.454 af/ac	0.15	0.068	100%	0.068	0.041	0.027
Sub-total					0.099	0.057	0.042
ADU*	0.180 af/yr	1	0.180	10%	0.018	0.009	0.009
Horses*	10 gl/hd/dy	4	0.045	100%	0.045	0.023	0.022
Hot tub*	0.0056 af/tub	1	0.005	100%	0.005	0.003	0.002
Irrigation 1,000 sq. ft.	1.25 af/ac	0.023	0.029	100%	0.029	0.029	0.000
Sub-total					0.097	0.064	0.033
Total					0.196	0.121	0.075

* Applicants may seek to replace depletions from a combination of an auxiliary dwelling unit, horses, hot tub, and/or irrigation so long as the replacement needed for the combination of these alternative uses does not exceed 0.097 acre-feet of consumptive use.

The monthly depletions are as follows in acre-feet:

Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
0.008	0.008	0.019	0.028	0.009	0.009	0.013	0.013	0.021	0.034	0.021	0.013

This equates to a maximum stream depletion of 0.25 of a gallon per minute. c. The required volume of augmentation water will be provided from the sources described in Paragraph No. 5, above. Due to the small volume of annual stream depletions projected to occur under this plan, instantaneous stream depletions may be aggregated and replaced by one or more release from storage of short duration. d. The total consumptive use water requirement will be 0.196 of an acre-foot of the annual firm yield of 23.8 acre-feet of the Turkey Creek rights. These requirements are needed at the point of depletion in the NW1/4 NW1/4, Section 20, Township 5 South, Range 71 West of the 6th P.M. This is upstream of the point of replacement at the confluence of Bear Creek and Turkey Creek in Section 5, Township 5 South, Range 69 West of the 6th P.M. 7. Water Exchange Project: Since the points of depletion associated with Shea Well No. 1 and Little Dipper Pond are upstream of the augmentation supplies, Applicants assert an exchange project right pursuant to Sections 37-92-103(9), 37-92-302(1)(a), 37-92-302(5), 37-92-305(3), 37-92-305(5), and 37-92-305(8)(a), C.R.S. Provided, however, if it is necessary to characterize any part of this claim as an appropriative right of exchange pursuant to Section 37-80-120 and 37-92-302(1)(a), this notice should not be read to exclude that alternative characterization. The reach of said exchange shall extend from the confluence of Bear Creek and Turkey Creek in the NE1/4 NW1/4, Section 5, Township 5 South, Range 69 West, thence up Bear Creek to the confluence of Buffalo Creek in the NW1/4 NW1/4, Section 9, Township 5 South, Range 71 West, thence up Buffalo Creek to the confluence of Horseshoe Creek in the NE1/4 SE1/4, Section 18, Township 5 South, Range 71 West, thence up Horseshoe Creek to the point of

depletion in the NW1/4 NW1/4, Section 20, Township 5 South, Range 71 West all in the 6th P.M. In the event there is a senior call between the source of the water and the point of depletion that precludes the exchange, the Applicants can have replacement water delivered via trucking to a point above the calling right, release water from an onsite container, or release water from Little Dipper Pond. The exchange project right will operate to replace depletions to the flow of water in the stream system as the depletions occur. The water exchange project right will be operated and administered with a priority date of April 28, 2023, at a maximum flow rate of 0.001 of a cubic foot per second and a maximum depletion in all reaches of 0.25 of a gallon per minute. 8. Administration of Plan: Appropriate accounting forms will be established for reporting usage and determining required releases to be made pursuant to this augmentation plan throughout each year. 9. Names and address of owners or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: The Co-Applicants, the Sheas. WHEREFORE, Applicants request the entry of a decree approving this Application, specifically (1) granting the appropriations sought in this Application, (2) authorizing use of the augmentation supplies described in this Application, (3) determining that the source and location of delivery of augmentation water are sufficient to prevent material injury to vested water rights. The Applicants also request entry of an Order directing the State Engineer to issue well permits for the construction and use of, or any replacement well permits required, for Shea Well No. 1 consistent with the final decree entered in this case. (11 pgs., 3 Exhibits)

2023CW3047 (Prior Case No. 13CW3181) TODD CREEK VILLAGE METROPOLITAN DISTRICT (“Todd Creek” or “Applicant”) 10450 E. 159th Court Brighton, Colorado 80602 Telephone No.: 303-637-0344 Please send all correspondence and pleadings to Applicant’s Counsel at Brownstein Hyatt Farber Schreck, LLP including Wayne F. Forman, Michael P. Smith, and Katherine J. Duncan, 410 Seventeenth Street, Suite 2200 Denver, Colorado 80202-4437 Phone: 303-223-1100 E-mail: wforman@bhfs.com; msmith@bhfs.com; kduncan@bhfs.com **APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE AND TO MAKE CONDITIONAL WATER RIGHTS ABSOLUTE IN PART IN JEFFERSON, ADAMS AND WELD COUNTIES** 2. Description of the Subject Water Rights: Applicant is the owner of, and seeks to make absolute in part, conditional underground water rights for TCQAL-1, TCQAL-2, TCQAL-3, and TCQAL-4 and conditional storage water rights for J.B. Smith Reservoir and Signal Reservoir 2, all decreed in Case No. 13CW3181 on April 5, 2017. Applicant also is the owner of, and seeks a finding of reasonable diligence for the following: conditional surface water rights for TCVS-01 and TCVS-02; underground water rights for TCQAL-1, TCQAL-2, TCQAL-3, and TCQAL-4; conditional storage water rights for J.B. Smith Reservoir, Signal Reservoir 1, Signal Reservoir 2, Signal Reservoir 2 Enlargement, Marcus Reservoir, Baseline East and West Reservoirs, and Enlargement of Baseline East and West Reservoirs; and for the South Adams Lease conditional appropriative rights of exchange. All of the foregoing conditional water rights were decreed in Case No. 13CW3181; however, the place of storage of the Marcus Reservoir, Baseline East and West Reservoirs, and Enlargement of Baseline East and West Reservoirs conditional storage water rights was subsequently changed to Signal Reservoir Nos. 1 and 2 pursuant to the decree entered in Case No. 19CW3061 on June 15, 2022. 3. Conditional Surface Water Right 3.1 Names of structures: TCVS-01 and TCVS-02. 3.2 Legal description: 3.2.1 TCVS-01: A point in the NE1/4 of the SE1/4 of Section 1, T.1S., R.67W., of the 6th P.M., 1,704 feet from the South Section Line and 496 feet from the East Section Line of said Section 1. See map attached as Exhibit A. 3.2.2 TCVS-02: A point in the NE1/4 of the SE1/4 of Section 1, T.1S., R.67W., of the 6th P.M., 1,802 feet from the South Section Line and 471 ft from the East Section Line of said Section 1. See map attached as Exhibit A. 3.3 Source: South Platte River. 3.4 Date of appropriation: November 15, 2013. 3.5 Amount: 40 c.f.s. cumulative, conditional, to be diverted at TCVS-01 and TCVS-02 as alternate points of diversion, subject to the volumetric limit stated in Paragraph 17.1 of the 13CW3181 decree. Combined diversions through TCVS-01 and TCVS-02 are limited to a maximum cumulative rate of diversion of 40 c.f.s. at any one time. 3.6 Date of original decree: April 5, 2017; Case No. 13CW3181; District Court, Water Division No. 1, Colorado. 3.7 Beneficial uses: Todd Creek will divert unappropriated

water in priority from one of two points of diversion and use said water immediately for municipal, domestic, irrigation, industrial, commercial, and recreational purposes. Todd Creek may also divert certain contracted-for water from these two diversion points into storage for the uses described herein, as well as for augmentation, replacement, and exchange purposes, including to replace certain out-of-priority diversions of water from these two diversion points by augmentation, either directly or by exchange. Uses will occur on and for the benefit of lands and residents within the Todd Creek's service area as shown on Exhibit B, as it may be expanded or modified in the future, and to supply the following existing short-term and long-term water service obligations outside its service area: November 13, 2013 Water Carriage, Storage and Purchase Agreement, as superseded by successor agreement dated December 1, 2017; and April 23, 2003 Agreement for Extraterritorial Water Service.

4. Conditional Underground Water Rights

4.1 Name of well: TCQAL-1 (Well Permit No. 77270-F) 4.1.1 Legal description: NE1/4 SE1/4 Section 1, T.1S., R.67W., 6th P.M., Adams County, Colorado, 2,120 feet from the South Section line and 238 feet from the East Section line. See Exhibit A. 4.1.2 Source: Ground water tributary to the South Platte River. 4.1.3 Dates of appropriation: April 5, 2006 and March 8, 2013. 4.1.4 Amount: 1,000 gpm, conditional (750 gpm as of April 5, 2006 and 250 gpm as of March 8, 2013), subject to the volumetric limit stated in Paragraph 17.1 of the 13CW3181 decree. 4.2 Name of well: TCQAL-2 (Well Permit No. 77271-F). 4.2.1 Legal description: NE1/4 SE1/4 Section 1, T.1S., R.67W., 6th P.M., Adams County, Colorado, 1,645 feet from the South Section line and 543 feet from the East Section line. See Exhibit A. 4.2.2 Source: Ground water tributary to the South Platte River. 4.2.3 Dates of appropriation: March 19, 2004 and March 8, 2013. 4.2.4 Amount: 1,000 gpm, conditional (750 gpm as of March 19, 2004 and 250 gpm as of March 8, 2013), subject to the volumetric limit stated in Paragraph 17.1 of the 13CW3181 decree. 4.3 Name of Well: TCQAL-3 (Well Permit No. 77272-F) 4.3.1 Legal description: NE1/4 SE1/4 Section 1, T.1S., R.67W., 6th P.M., Adams County, Colorado, 1,900 feet from the South Section line and 600 feet from the East Section line. See Exhibit A. 4.3.2 Source: Ground water tributary to the South Platte River 4.3.3 Date of appropriation: March 8, 2013. 4.3.4 Amount: 1,000 gpm, conditional, subject to the volumetric limit stated in Paragraph 17.1 of the 13CW3181 decree. 4.4 Name of well: TCQAL-4 (Well Permit No. 77323-F). 4.4.1 Legal description: SW1/4 NW1/4 Section 6, T.1S., R.66W., 6th P.M., Adams County, Colorado, 1,895 feet from the North Section line and 90 feet from the West Section line. See Exhibit A. 4.4.2 Source: Ground water tributary to the South Platte River. 4.4.3 Date of appropriation: March 8, 2013. 4.4.4 Amount: 1,000 gpm, conditional, and subject to the volumetric limit stated in Paragraph 17.1 of the 13CW3181 decree. 4.5 Date of original decree: April 5, 2017; Case No. 13CW3181; District Court, Water Division No. 1, Colorado. 4.6 Beneficial uses: Todd Creek will use water diverted from these four wells for immediate use for municipal, domestic, irrigation, industrial, commercial, and recreational purposes. Uses will occur on and for the benefit of lands and residents within the Applicant's service area, as it may be expanded or modified in the future and outside of that area to supply the existing short-term water service and long-term water service obligations outside its service area described in Paragraph 3.7. 4.7 Maximum rate of diversion: The maximum rate of withdrawal from each individual well is 1,000 gpm, subject to the volumetric limit stated in Paragraph 17.1 of the 13CW3181 decree. 4.8 Volume of pumping: The combined monthly and annual pumping of these four wells is limited to the amount allowed under Todd Creek's annual and monthly projections described in Paragraph 9.3.7 of the 13CW3181 decree, and annual diversions are subject to the volumetric limit stated in Paragraph 17.1 of the 13CW3181 decree. 4.9 Out-of-priority depletions: Out-of-priority depletions are replaced under the plan for augmentation described in the Decree.

5. Conditional Water Storage Rights

5.1 Name of structure: J.B. Smith Reservoir 5.1.1 Location: The center of the dam is located in the NE1/4 SW1/4 of Section 9, T.1S., R.67W., 6th P.M., Adams County, Colorado, 1,559 feet from the South Section line and 2,584 feet from the West Section line of said Section 9. See map attached as Exhibit C. 5.1.2 Location of J.B. Smith Reservoir Outlet Works: SW1/4 SE1/4 Section 9, Township 1 South, Range 67 West, 6th P.M., 1,033 feet from the South Section line and 2,449 feet from the East Section line of said Section 9. 5.1.3 Source: Surface flows in the South Platte River through the surface structures TCVS-01 and TCVS-02 described above in Paragraph 3, and ground water tributary to the South Platte River through wells TCQAL-1 through TCQAL-4 described above in Paragraph 4. The maximum rates of diversion through these structures to storage and for direct

flow combined are described above at Paragraphs 3.5 and 4.7. 5.1.4 Date of appropriation: December 31, 2013. 5.1.5 Amount: 325 acre-feet, conditional, with a right to successively refill, subject to the volumetric limits in Paragraph 17 of the 13CW3181 decree, in addition to the existing storage rights decreed in Case No. 54658, Denver District Court, on November 12, 1924, with an appropriation date of May 1, 1907, for approximately 150.0 acre-feet, and decreed in Case No. 60052, Denver District Court, on May 13, 1936, with an appropriation date of May 1, 1907 for 263.6 acre-feet. No change of the previously decreed storage water rights is sought in this decree. 5.1.6 Surface area: Approximately 35 acres. 5.1.7 Dam height: Approximately 11.7 feet. 5.2 Name of structure: Signal Reservoir 1 5.2.1 Location: The center of the dam is located in the NE1/4 NW1/4 Section 4, T.1S., R.67W., 6th P.M., Adams County, Colorado, 565 feet from the North Section line and 1,474 feet from the West Section line of said Section 4. See Exhibit C. 5.2.2 Source: Surface flows in the South Platte River through the surface structures TCVS-01 and TCVS-02 described above in Paragraph 3, and ground water tributary to the South Platte River through wells TCQAL-1 through TCQAL-4 described above in Paragraph 4. The maximum rates of diversion through these structures to storage and for direct flow combined are described above at Paragraphs 3.5 and 4.7. 5.2.3 Date of appropriation: December 31, 2013. 5.2.4 Amount: 490 acre-feet, conditional, with a right to successively refill, subject to the volumetric limits in Paragraph 17 of the 13CW3181 decree. 5.2.5 Surface area: Approximately 39 acres. 5.2.6 Dam height: Approximately 22 feet. 5.3 Name of structure: Signal Reservoir 2 5.3.1 Location: The center of the dam is located in the SW1/4 NE1/4 Section 4, T.1S., R.67W., 6th P.M., Adams County, Colorado, 1,493 feet from the North Section line and 2,190 feet from the East Section line of said Section 4. See Exhibit C. 5.3.2 Source: Surface flows in the South Platte River through the surface structures TCVS-01 and TCVS-02 described above in Paragraph 3, and ground water tributary to the South Platte River through wells TCQAL-1 through TCQAL-4 described above in Paragraph 4. The maximum rates of diversion through these structures to storage and for direct flow combined are described above at Paragraphs 3.5 and 4.7. 5.3.3 Date of appropriation: December 31, 2013. 5.3.4 Amount: 135 acre-feet, conditional, with a right to successively refill, subject to the volumetric limits in Paragraph 17 of the 13CW3181 decree. 5.3.5 Surface area: Approximately 18.4 acres. 5.3.6 Dam height: Approximately 9 feet. 5.4 Name of structure: Signal Reservoir 2 Enlargement 5.4.1 Location: The center of the dam is located in the SW1/4 NE1/4 Section 4, T.1S., R.67W., 6th P.M., Adams County, Colorado, 1,493 feet from the North Section line and 2,190 feet from the East Section line of said Section 4. See Exhibit C. 5.4.2 Source: Surface flows in the South Platte River through the surface structures TCVS-01 and TCVS-02 described above in Paragraph 3, and ground water tributary to the South Platte River through wells TCQAL-1 through TCQAL-4 described above in Paragraph 4. The maximum rates of diversion through these structures to storage and for direct flow combined are described above at Paragraphs 3.5 and 4.7. 5.4.3 Date of appropriation: March 31, 2015. 5.4.4 Amount: An additional 30 acre-feet, conditional, with a right to successively refill, for a total volume in Signal Reservoir 2 of 165 acre-feet, conditional, with a right to successively refill, subject to the volumetric limits in Paragraph 17 of the 13CW3181 decree. 5.4.5 Surface area: Approximately 18.4 acres. 5.4.6 Dam height: Approximately 9 feet. 5.5 Name of structure: Marcus Reservoir **5.5.1** Location: Signal Reservoir 1 and 2, described above in Paragraphs 5.2.1 and 5.3.1 (per change in place of storage approved in Case No. 19CW3061). See Exhibit C. 5.5.2 Source: Surface flows in the South Platte River through the surface structures TCVS-01 and TCVS-02 described above in Paragraph 3, and ground water tributary to the South Platte River through wells TCQAL-1 through TCQAL-4 described above in Paragraph 4. The maximum rates of diversion through these structures to storage and for direct flow combined are described above at Paragraphs 3.5 and 4.7. 5.5.3 Date of appropriation: December 31, 2013. 5.5.4 Amount: 18 acre-feet, conditional, with a right to successively refill, subject to the volumetric limits in Paragraph 17 of the 13CW3181 decree. 5.5.5 Surface area: Approximately 3.5 acres. 5.5.6 Dam height: Approximately 7 feet. 5.6 Name of structure: Baseline East and West Reservoirs (aka Guthrie Reservoirs 1 and 2). See Exhibit C. 5.6.1 Location: Signal Reservoir 1 and 2, described above in Paragraphs 5.2.1 and 5.3.1 (per change in place of storage approved in Case No. 19CW3061). 5.6.2 Source: Surface flows in the South Platte River through the surface structures TCVS-01 and TCVS-02 described above in Paragraph 3, and ground water tributary to the South Platte River through wells TCQAL-1 through TCQAL-4 described above in Paragraph 4. The maximum rates of diversion

through these structures to storage and for direct flow combined are described above at Paragraphs 3.5 and 4.7. 5.6.3 Date of appropriation: December 31, 2013. 5.6.4 Amount: Baseline East: 49 acre-feet; Baseline West: 55.23 acre-feet, both conditional, with a right to successively refill, subject to the volumetric limits in Paragraph 17 of the 13CW3181 decree. 5.6.5 Surface area: Approximately 10.05 acres each. 5.6.6 Dam height: Baseline East is approximately 11 feet and Baseline West is approximately 8 feet. 5.7 Name of structure: Enlargement of Baseline East and Baseline West Reservoirs 5.7.1 Location: Signal Reservoir 1 and 2, described above in Paragraphs 5.2.1 and 5.3.1 (per change in place of storage approved in Case No. 19CW3061). See Exhibit C. 5.7.2 Source: Surface flows in the South Platte River through the surface structures TCVS-01 and TCVS-02 described above in Paragraph 3, and ground water tributary to the South Platte River through wells TCQAL-1 through TCQAL-4 described above in Paragraph 4. The maximum rates of diversion through these structures to storage and for direct flow combined are described above at Paragraphs 3.5 and 4.7. 5.7.3 Date of appropriation: March 31, 2015. 5.7.4 Amount: 95.77 acre-feet, conditional, with a right to successively refill, for a total volume in the Baseline East and West Reservoirs of 200 acre-feet, conditional, with a right to successively refill, subject to the volumetric limits in Paragraph 17 of the 13CW3181 decree. 5.7.5 Surface area: 21 acres. 5.7.6 Dam height: Approximately 15 feet. 5.8 Date of original decree: April 5, 2017; Case No. 13CW3181; District Court, Water Division No. 1, Colorado. 5.9 Beneficial uses: All of the foregoing conditional storage rights are decreed for municipal, domestic, irrigation, industrial, commercial, recreational, augmentation, replacement and exchange purposes. Uses will occur on and for the benefit of lands and residents within Applicant's service area as shown on Exhibit B, as it may be expanded or modified, and outside of that area through existing extraterritorial service contracts described in Paragraph 3.7. 6. **Conditional Appropriative Rights of Exchange** 6.1 Name of exchange: South Adams Lease Exchanges. 6.2 Exchange-from points: The approximate locations of the exchange-from points and related structures are shown on Exhibit D. 6.2.1 Meadow Island No. 1 – Little Dry, in the SE1/4, Section 13, Township 2 North, Range 67 West of the 6th P.M., to release water down Little Dry Creek which flows into the South Platte River in the SE1/4 of the NE1/4 of Section 12, Township 2 North, Range 67 West of the 6th P.M. 6.2.2 Meadow Island No. 1 – End of Ditch, in the E1/2 of the E1/2, Section 27, Township 3 North, Range 67 West of the 6th P.M., near the quarter section line between the NE1/4 and the SE1/4 to release water down Grafflin Slough which flows into the South Platte River in the NW1/4 of the NW1/4 of Section 24, Township 3 North, Range 67 West of the 6th P.M. 6.2.3 Lupton Bottom – East Lateral, in the SE1/4 of the SE1/4, Section 12, Township 2 North, Range 67 West of the 6th P.M., to release water down Little Dry Creek which flows into the South Platte River in the SE1/4 of the NE1/4 of Section 12, Township 2 North, Range 67 West of the 6th P.M. 6.2.4 Lupton Bottom – West Lateral, in the SE1/4 of the NW1/4, Section 24, Township 2 North, Range 67 West of the 6th P.M., to release water down Little Dry Creek which flows into the South Platte River in the SE1/4 of the NE1/4 of Section 12, Township 2 North, Range 67 West of the 6th P.M. 6.2.5 Lupton Bottom – End of West Lateral Augmentation Station, in the W1/2 of the E1/2, Section 27, Township 3 North, Range 67 West of the 6th P.M., near the quarter section line between the NE1/4 and the SE1/4, to release water down Grafflin Slough which flows into the South Platte River in the NW1/4 of the NW1/4 of Section 24, Township 3 North, Range 67 West of the 6th P.M. 6.2.6 Brighton Ditch – Big Dry, in an existing ditch turnout in the NW1/4 of the SW1/4, Section 12, Township 1 North, Range 67 West of the 6th P.M., to release water down Big Dry Creek to the confluence of the South Platte River in the NW1/4 of the NW1/4, Section 7, Township 1 North, Range 66 West of the 6th P.M. 6.2.7 Brighton Ditch – Wattenberg Augmentation Station, in the SW1/4, Section 25, or NW1/4 Section 36, Township 1 North, Range 67 West of the 6th P.M., to release water to the South Platte River in the NW1/4 of the SW1/4 or SW1/4 of the NW1/4, Section 30, Township 1 North, Range 66 West of the 6th P.M. 6.2.8 Fulton – County Line, in the SW1/4 of the NE1/4, Section 5, Township 1 South, Range 66 West of the 6th P.M., to release water to the South Platte River near the north section line of Section 6, Township 1 South, Range 66 West of the 6th P.M. 6.3 Exchange-to points: 6.3.1 At the location at which depletions accrue to the South Platte River from the pumping of wells TCQAL-1 through TCQAL-4, as shown on Exhibit D and described as follows: (a) TCQAL-1: In the NE1/4 SE1/4 Section 1, T.1S., R.67W., 6th P.M., Adams County, Colorado, 2,037 feet from the South Section line and 111 feet from the East Section line of said Section 1. (b) TCQAL-2:

In the NE1/4 SE1/4 Section 1, T.1S., R.67W., 6th P.M., Adams County, Colorado, 1,645 feet from the South Section line and 370 feet from the East Section line of said Section 1. (c) TCQAL-3: In the NE1/4 SE1/4 Section 1, T.1S., R.67W., 6th P.M., Adams County, Colorado, 1,829 feet from the South Section line and 328 feet from the East Section line of said Section 1. (d) TCQAL-4: In the SW1/4 NW1/4 Section 6, T.1S., R.66W., 6th P.M., Adams County, Colorado, 1,895 feet from the North Section line and 475 feet from the West Section line of said Section 6. 6.3.2 TCVS-01 and TCVS-02, described in Paragraph 3.2 above. See Exhibit D. 6.4 Date of appropriation: 6.4.1 For exchanges to well depletion locations: March 8, 2013. 6.4.2 For exchanges to surface points of diversion: December 31, 2013. 6.5 Amount: 6.5.1 For exchanges to well depletion locations: 2.23 c.f.s. to each depletion location, up to a total combined amount of 8.92 c.f.s., conditional, subject to the volumetric limit stated in Paragraph 17.1 of the 13CW3181 decree. 6.5.2 For exchanges to surface points of diversion: 9 c.f.s. total, to be diverted at TCVS-01 and TCVS-02, or any combination of these points of diversion, conditional, subject to the volumetric limit stated in Paragraph 17.1 of the 13CW3181 decree. 6.6 Date of original decree: April 5, 2017; Case No. 13CW3181; District Court, Water Division No. 1, Colorado. 6.7 Beneficial uses: Todd Creek will use water exchanged to the exchange-to points identified in Paragraph 6.3 for augmentation purposes to replace out-of-priority depletions from the pumping of wells TCQAL-1 through TCQAL-4 and/or out-of-priority diversions at TCVS-01 and TCVS-02. **Finding of Diligence** 7. **Detailed outline of activity during the relevant diligence period.** Pursuant to C.R.S. § 37-92-301(4)(b), “[t]he measure of reasonable diligence is the steady application of effort to complete the appropriation in a reasonably expedient and efficient manner under all the facts circumstances. When a project or integrated system is comprised of several features, work on one feature of the project or system shall be considered finding that reasonable diligence has been shown in the development of water rights for all features of the entire project or system.” The above-described conditional water rights decreed in Case No. 13CW3181 are a part of the Todd Creek water system that now provides, and in the future will provide, water for Todd Creek residents and customers. These rights comprise an integrated system of water rights and structures under C.R.S. § 37-92-301(4)(b) and, as such, Applicant’s work on any part of the Todd Creek water system constitutes reasonable diligence on the conditional water rights decreed in Case No. 13CW3181. Since receiving the decree in Case No. 13CW3181 in April 2017, Applicant has diligently pursued its water rights by, including but not limited to, the activities and expenditures described below: 7.1 Applicant spent more than \$9,338,766.03 in designing, constructing maintaining, and/or repairing water diversion, storage, and delivery structures and systems, including gravity line improvements, irrigation pump station upgrades, Mann Lakes Reservoir, River 1 pipeline, Signal Reservoir Nos. 1 and 2, and water treatment plant upgrades. 7.2 Applicant, West South Platte Water & Reservoir Company, LLLP, BennT Creek Regional Water Authority, and SP Regional Water Company, LLC negotiated and executed various agreements for the benefit of Applicant, including but not limited to those related to a regional water supply project, extraterritorial water service, and oil and gas water deliveries. 7.3 Water Consulting Activities. Applicant spent more than \$1,103,114.00 in consulting work to defend and perfect the subject water rights as well as other rights in the system, and to appropriate new water rights for its integrated system of water rights. This work included, but was not limited to: 7.3.1 Developing and finalizing the accounting forms required under the 13CW3181 decree. 7.3.2 Managing the recording of surface and well diversions and staff gages, compiling surface and well diversion records, accounting for Applicants’ water rights operations and projections required under the 13CW3181 decree, reporting the same to state water officials, interacting with water commissioners, and conferring with counsel. 7.3.3 Providing analysis in support of the water rights applications in Case Nos. 16CW3019, 19CW3061, 19CW3247, and 20CW3215, as summarized below. 7.3.4 Providing analysis in opposition to the water rights applications summarized below. 7.4 Water Counsel Actions. Todd Creek spent more than \$1,260,796.80 in legal fees to defend its decreed water rights and to appropriate new water rights for its integrated system of water rights. This work included, but was not limited to: 7.4.1 Protecting Applicant’s integrated system of water rights by filing statements of opposition and participating in various water rights cases in Case Nos. 22CW3208, 23CW3012, 19CW3016, 19CW3074 and 3075, 16CW3200, 19CW3084, 20CW3146 and 3147, 18CW3195, 20CW3199, 20CW3216, 20CW3125, 22CW3207, 20CW3200, 22CW3215, 22CW3209, 20CW3096, 19CW3246, 20CW3209, 22CW3130, 19CW3148,

21CW3061, 18CW3159, 19CW3062, 22CW3063, 18CW3158, 20CW3156, 19CW3073. 7.4.2 Negotiating and/or preparing various agreements related to the exercise of the subject water rights. 7.4.3 Filing an application for and obtaining a decree in Case No. 16CW3019 for conditional water storage rights in Mann Lakes Reservoir. 7.4.4 Filing, on behalf of Applicant as co-applicant, an application for and obtaining a decree in Case No. 19CW3061 for changes of conditional water storage rights decreed in Baseline East, Baseline West, and Marcus Reservoirs; conditional water storage rights in Signal Reservoir Nos. 1 and 2; conditional water storage rights in Mann Lakes Reservoir (third fill); and conditional direct flow surface water rights at points of diversion WSP-1 through -14. 7.4.5 Filing, on behalf of Applicant as co-applicant, an application for and obtaining a decree in Case No. 19CW3247 for conditional direct flow surface water rights at points of diversion TCVS-01 and TCV-02; conditional storage water rights at J.B. Smith Reservoir; and a plan for augmentation and appropriative rights of exchange at points of diversion WSP-6-11 and WSP-12-14. 7.4.6 Filing, on behalf of Applicant as a member of co-applicant BennT Creek Regional Water Authority, an application in pending Case No. 20CW3215 for conditional direct flow surface water rights at SP Diversions, and for conditional storage water rights at GB-1 Reservoir, Beaver Creek Surface Reservoir, Sand Arroyo Reservoir, Bennett Reservoir, Signal Reservoir No. 3, Signal Reservoir No. 4, Mann Lakes Reservoir, and Beaver Creek Porosity Reservoir. **Claims to Make Conditional Water Rights Absolute**

8. Water was applied to beneficial use for each structure listed below in the place and manner described:

8.1 TCQAL-1: 8.1.1 Date water applied to beneficial use: June 13, 2017. See Exhibit E. 8.1.2 Amount: 362 gpm. 8.1.3 Beneficial uses: As described in Paragraph 3.7 above. 8.1.4 Place of uses: As described in Paragraph 3.7 above. 8.2 TCQAL-2: 8.2.1 Date water applied to beneficial use: October 7, 2017. See Exhibit E. 8.2.2 Amount: 518 gpm. 8.2.3 Beneficial uses: As described in Paragraph 3.7 above. 8.2.4 Place of uses: As described in Paragraph 3.7 above. 8.3 TCQAL-4: 8.3.1 Date water applied to beneficial use: May 21, 2017. See Exhibit E. 8.3.2 Amount: 543 gpm. 8.3.3 Beneficial uses: As described in Paragraph 3.7 above. 8.3.4 Place of uses: As described in Paragraph 3.7 above. 8.4 J.B. Smith Reservoir: 8.4.1 Date water applied to beneficial use: 2018 water year. See Exhibit F. 8.4.2 Amount: 478.95 acre-feet. 8.4.3 Beneficial uses: As described in Paragraph 5.9 above. 8.4.4 Place of uses: As described in Paragraph 5.9 above. 8.5 Signal Reservoir 2: 8.5.1 Date water applied to beneficial use: 2020 water year. See Exhibit G. 8.5.2 Amount: 678.93 acre-feet. 8.5.3 Beneficial uses: As described in Paragraph 5.9 above. 8.5.4 Place of uses: As described in Paragraph 5.9 above. 9. **Land on which the subject structures are located, on which the water will be stored, or on which the water will be placed to beneficial use is owned by:**

9.1 Aggregate Industries-WCR Inc. 1687 Cole Blvd Suite 300 Golden, CO 80401-3318 9.2 City of Brighton 500 S 4th Ave Brighton, CO 80601-3165 9.3 City of Aurora 15151 E Alameda Parkway 5th Floor Aurora, CO 80012. WHEREFORE, Applicant, requests that the Court enter a decree: 1. **Making the following conditional rights absolute in part for all decreed uses:** a) TCQAL-1: 362 gpm. b) TCQAL-2: 518 gpm. c) TCQAL-4: 543 gpm. d) J.B. Smith Reservoir: 478.95 acre-feet. e) Signal Reservoir 2: 678.93 acre-feet. For any conditional right not made partially absolute as requested, Applicant requests that the right be continued in full force and effect. 2. Finding that Applicant has been reasonably diligent in the steady application of effort to complete the appropriation of the following conditional water rights for all decreed uses in a reasonably expedient and efficient manner under the facts and circumstances and continuing the following conditional water rights in full force and effect: a) TCVS-01: 40 c.f.s. b) TCVS-02: 40 c.f.s. c) TCQAL-1: 638 gpm. d) TCQAL-2: 482 gpm. e) TCQAL-3: 1,000 gpm. f) TCQAL-4: 457 gpm. g) J.B. Smith Reservoir: A total remaining conditional storage right of 2,431.05 acre-feet, based on the volumetric limits in Paragraph 17 of the 13CW3181 decree. h) Signal Reservoir 1: 490 acre-feet, with a right to successively refill, subject to the volumetric limits in Paragraph 17 of the 13CW3181 decree. i) Signal Reservoir 2: A total remaining conditional storage right of 2,231.07 acre-feet, based on the volumetric limits in Paragraph 17 of the 13CW3181 decree. j) Signal 2 Enlargement: 30 acre-feet, with a right to successively refill, subject to the volumetric limits in Paragraph 17 of the 13CW3181 decree. k) Marcus Reservoir: 18 acre-feet, with a right to successively refill, subject to the volumetric limits in Paragraph 17 of the 13CW3181 decree. l) Baseline East Reservoir: 49 acre-feet, with a right to successively refill, subject to the volumetric limits in Paragraph 17 of the 13CW3181 decree. m) Baseline West Reservoir: 55.23 acre-feet, with a right to successively refill, subject to the volumetric limits in

Paragraph 17 of the 13CW3181 decree. n) Enlargement of Baseline East and Baseline West Reservoirs: 95.77 acre-feet, with a right to successively refill, subject to the volumetric limits in Paragraph 17 of the 13CW3181 decree. o) South Adams Lease Exchanges: 8.92 c.f.s. and 9 c.f.s. 3. Granting such other relief as the Court deems just and proper.

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

YOU ARE HEREBY NOTIFIED that any party who wishes to oppose an application, or an amended application, may file with the Water Clerk, P. O. Box 2038, Greeley, CO 80632, a verified Statement of Opposition, setting forth facts as to why the application should not be granted, or why it should be granted only in part or on certain conditions. Such Statement of Opposition must be filed by the last day of **JUNE 2023** (forms available on www.courts.state.co.us or in the Clerk's office), and must be filed as an Original and include **\$192.00** filing fee. A copy of each Statement of Opposition must also be served upon the Applicant or Applicant's Attorney and an affidavit or certificate of such service of mailing shall be filed with the Water Clerk.